

# Editorial: Don't create unfair minimum wage law

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Here's another reason why Gov. Kate Brown's plan to jack up Oregon's minimum wage is a bad idea: Local governments would not have to comply with the law.

That's right. Businesses don't get a pass. But local governments — city and county governments — could decide they don't want to do it.

Brown's original bill would require a \$13.50 state minimum wage by 2022 and a \$15.52 wage for Portland. She is now recommending a proposal to make the statewide wage \$13.25 and the Portland wage \$14.50.

But there is a section of the Oregon Constitution that seemed to catch many off-guard at a hearing for the bill. Linn County Commissioner Roger Nyquist brought the issue up during testimony on Senate Bill 1532, according to Salem's Statesman-Journal.

Article XI, Section 15 requires that when the Legislature or a state agency requires local governments "to establish a new program or provide an increased level of service for an existing program" that the state "pay the ongoing, usual and reasonable costs."

Ted Reutlinger, chief deputy of the nonpartisan Office of the Legislative Counsel, agreed with Nyquist's interpretation.

"If you were to pass this bill as it is without providing funding, or without a three-fifths vote, it would be up to the local governments to decide whether to comply with it," Reutlinger said. "This is the first time that I've ever heard of this particular issue coming up."

So what now?

It's doubtful that three-fifths of both houses in the Legislature would approve the minimum wage hike. Legislators could just ram the bill through as is and hope local governments comply. They could come up with a plan to compensate local governments. They could abandon the bill.

They should abandon the bill. Legislators should spend their energy on proposals that do a better job of helping low-income people, such as making improvements to Oregon's earned income tax credit or creating jobs. That's more fair for everyone.

From the Desk of  
Senator Ted Ferrioli