

# Concerns on SB 1532

February 8, 2016

I am a concerned citizen not for or against SB 1532. I am reporting on issues in the proposal for SB 1532 in regards to a tiered minimum wage based on geographic location within the State of Oregon. In the law put through committee and presented for voting, no one yet has questioned the constitutionality of law in regards to setting a standard of law that assesses different people from different locations within the state with a separate assessment. The final proposal being sent to vote is now under a three-tier system which sets a standard of law where the state sets laws based on the region of the state in which you live.

Under the Oregon Constitution which states under article IX section 1 **“Assessment and taxation; uniform rules; uniformity of operation of laws.** The Legislative Assembly shall, and the people through the initiative may, provide by law uniform rules of assessment and taxation. All taxes shall be levied and collected under general laws operating uniformly throughout the State. [Constitution of 1859; Amendment proposed by H.J.R. 16, 1917, and adopted by the people June 4, 1917]”. Specifically provide by law “...uniform rules of assessment and taxation...”, with uniform defined as “not varying or changing : staying the same at all times, in all places, or for all parts or members”, and assessment defined specifically as “an amount that a person is officially required to pay especially as a tax” under Meriam Webster’s definitions. This to me clearly defines that the current proposal which separates the minimum wage by region of state and not equal to all persons of the state i.e. non-uniform and the minimum wage being an assessment i.e. an amount that a person is officially required to pay by law. In my belief this meets both definition requirement standards for this to be deemed unconstitutional.

Outside of Oregon the Fourteenth Amendment of the U.S. Constitution equal protection clause states “Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws”. The law as proposed set precedent, discriminating based on the County that you live in. We are violating state member’s constitutional rights and I am making testimony to establish this notice.

National efforts to raise the minimum wage have been declared at State, County, and City levels. However no state that I am aware of specifically has determined that localized levels of standards should be different i.e. tiers. Seattle passed its \$15 initiative through a City Council bill 118098 and City Ordinance 124490. San Francisco

passed its minimal as well through a City Ordinance and Administrative code 12R. This establishes precedent that this matter is a city level mandate not a state level law.

I urge you to examine this opinion prior to Monday's 12pm vote

Jeff K Mentzer

Jeff K Mentzer  
1234 Mickey Ln E  
Monmouth, OR. 97361  
(503) 838-4452