

Business quiet on minimum wage rules

Staff who work in many spots create sticky payroll issues

By **PARIS ACHEN**
Capital Bureau

The business community was nearly absent from a public hearing Monday on draft rules for how itinerant employees will be paid under Oregon's new regional minimum wage law.

The law sets three different regional minimum wage rates. It pays workers the highest rate in the Portland metro area, the lowest rate in most coastal and rural areas and a midlevel rate in Clatsop County and elsewhere in the state.

The proposed rules require employers to pay the regional wage that applies in the location where the employee actually worked in a given week, unless the employee was working outside of their regular location for an "incidental period of time." Incidental is defined as less than four hours per week.

About 20 people, a combination of workers and labor activists, turned out at the hearing at the Bureau of Labor and Industries to speak in favor of the proposal. Some speakers requested that the labor bureau define an "incidental period of time" as one hour instead of four hours.

Melchor Rodriguez, a janitor from Beaverton who is a member of the Service Employees International Union 49, said the proposed rules would help him because he often cleans buildings in different cities. He said the rules also would help prevent employers from abusing the system by locating in a region with the lowest minimum wage and dispatching their employees to the Portland area, where wages and cost of living are greater.

Kate Newhall of Family Forward Oregon, which supported the new law, said the intent of the regional minimum wage was to "recognize we want people working full time to not live in poverty" and to take "into consideration cost variations in the state." She said the proposed rules were in line with that intent.

The business side

Representatives from business and industry have indicated the proposed rules would be too onerous.

Amanda Dalton, who represents Northwest Grocery Association and other agriculture groups, issued a statement after the hearing that employee wages should be based on where the employee regularly reports to work, not on where the employee works for a temporary period of time.

"Setting any hourly threshold, whether it is four hours or two hours or even one hour in the higher regions as some

have proposed, is arbitrary and requires employers and employees to track their location throughout the day and work week, resulting in massive paperwork and record keeping," Dalton said. "We were told this new law would be as simple as possible for employees and employers. That is not what we are seeing in the draft rules."

Only one employer turned up at Monday's hearing.

Pieper Sweeney, of Country Heritage Farm in Yamhill County, said it would be difficult to track hours employees spend in rush hour traffic moving from one minimum wage zone to another.

"We want to do the right thing," Sweeney said. "If it is simple for us to use, it makes it a lot easier."

Written comments

"I was actually hoping there would be more business owners here so I could hear their concerns," said state Sen. Michael Dembrow, D-Portland, who was active in developing the new minimum wage law. "My understanding is most of that is going to come from written comments. For many of them, Portland is a long trip."

As of Monday, the labor bureau had received only two written comments, said Paloma Sparks, the agency's legislative director.

The labor bureau will accept public comments on the proposed rules until May 23, Sparks said.

Labor Commissioner Brad Avakian plans to finalize the rules by June.

The first-of-its-kind law takes effect July 1, bumping up the state's minimum wage from \$9.25 to \$9.75 statewide. In 2017, wage increases will diverge according to region.

Under the law, the minimum gradually climbs to \$14.75 in 2022 in the Portland urban growth boundary. It will rise to \$13.50 in Benton, Clatsop, Columbia, Deschutes, Hood River, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Polk, Tillamook, Wasco and Yamhill counties, and parts of Multnomah, Clackamas and Washington counties outside Portland's urban growth boundary.

In rural areas, the wage increases to \$12.50.

That's when the proposed rules could become complicated for some employers. For example, an employee who works in Salem for 35 hours and in Portland for five hours per week in 2017 would earn \$10.25 per hour for the time in Salem and \$11.25 per hour for the time in Portland.

The Capital Bureau is a collaboration between EO Media Group and Pamplin Media Group.

Committee advances budget

Astoria spending plan includes sewer and water rate increases

By **DERRICK DePLEGGE**
The Daily Astorian

A city budget committee on Monday night recommended a \$37.9 million spending plan for next fiscal year that includes sewer and water rate increases and using tourism dollars to help maintain the Astoria Riverwalk and Smith Point roundabout.

The budget, which is down slightly from \$41.3 million this fiscal year, will now go before the City Council.

The blueprint contains 6 percent increases in sewer and water rates needed to cover cost-of-living raises for public workers and higher costs for materials. City finance staff estimates the rate hikes will generate about \$311,000 annually.

Some residents complained about the rate increases, which come on top of 2 percent bumps this fiscal year for water and sewer

and a 5 percent increase in the surcharge used to help finance a \$48 million sewer improvement project.

City Councilor Drew Herzig said he is concerned about the impact of the rate increases on residents. Without the rate hikes, however, the city could fall behind on improvements to aging pipes and other infrastructure and be forced to seek even steeper rate increases in the future.

"I don't think we can't do it," Mayor Arline LaMear said.

The budget committee, made up of the mayor, City Council and five appointed residents, also agreed to use \$98,000 from the Promote Astoria fund to hire private contractors to mow and maintain the Astoria Riverwalk, the Smith Point roundabout and other small downtown parks and triangles.

The private contractors could help take pressure off the Parks and Recreation Department, which is struggling to maintain parks and other attractions.

Chamber scrutinized

For the second year in a row, some on the budget committee were skeptical about the hotel-room tax money that goes to the Astoria Warrenton Chamber of Commerce. The chamber receives \$125,000 in tourism dollars for visitor services, while the chamber's Lower Columbia Tourism Committee gets \$180,750.

Herzig said promoters have "oversold Astoria" to tourists, so he wanted to divert \$25,000 from the chamber's visitor services and \$25,000

from the chamber's tourism committee into a contingency that could be used for trash pickup and restroom options on the Astoria Riverwalk.

Herzig's motion failed on a 6-4 vote.

Janet Miltenberger, a former college administrative specialist who serves on the budget committee, wanted to make the release of the chamber's visitor services money contingent upon the chamber providing greater detail about how the money was spent this

year. Her motion failed on a 6-4 vote.

The budget committee voted 7-3 on the Promote Astoria spending, with Herzig, Miltenberger and Shel Cantor, a retired engineer, voting "no."

Portland Loo

LaMear said she will likely continue to call for a permanent restroom on the Astoria Riverwalk. A Portland Loo, a stainless-steel facility that is easy to maintain and resistant to vandalism, would cost about \$100,000.

While the money for a Portland Loo was not included in the proposed budget, it could be added later, and would probably come out of the Promote Astoria or capital improvement project funds.

Portable restrooms have been installed near the Riverwalk, but LaMear said she thinks it is "inhumane" not to have a permanent restroom on the trail.

The budget committee voted 9-1 to recommend the spending plan to the City Council. Cantor voted against the recommendation because of his concerns about the lack of detail in the Chamber of Commerce spending.

Little interest from energy companies in state land

By **HILLARY BORRUD**
Capital Bureau

SALEM — Democratic secretary of state candidate Brad Avakian wants to lease out public rangelands in central and Eastern Oregon for renewable energy development.

Avakian, the state's labor commissioner, said he would use the secretary of state's position on the three-member State Land Board to push for wind, solar and geothermal leases on lands that belong to the Common School Fund.

The land board, whose other members are the governor and state treasurer, carries out a mandate in the state Constitution to manage the lands to raise money for public schools.

"We're not using any innovative approaches in order to get the best use out of that land," Avakian said in a recent interview. "I think we should be doing geothermal technologies in central Oregon. I think we should be doing environmentally-safe solar fields in the east ... And we don't do any of that on our state lands, which by the way are some of the best in the world suited for these kinds of technologies."

As it turns out, the state already leases some of the parcels for renewable energy projects. Solar, geothermal and wind energy developers have leased land over the years and more applications are in the pipeline, according to Lanny Quackenbush, eastern region

manager at the Department of State Lands.

"Yes, we do have some leased — one solar (undeveloped) in Christmas Valley, and one geothermal (undeveloped) in Warner Valley," Quackenbush wrote in an email. "We had two additional geothermal leases where we only owned subsurface mineral rights, but they've been dropped. We've had some wind turbine interest at the level of testing where they install meteorological 'met' towers to measure wind speeds over a period of several years."

The department has four applications for these types of

wind turbines currently under review.

State Sen. Richard Devlin, D-Tualatin, is also running for secretary of state in the May 17 Democratic primary. Devlin said it would be impractical to lease out much of the rangelands for renewable energy development because a majority of the rangelands are already under 15- to 20-year leases for other uses. Many of the locations are not ideal for solar projects, "and although there are long-term plans to put in grid systems there, there are not the grid systems there," Devlin said the state Legislature is in a better position to set climate

change policy than the State Land Board.

The state owns 630,000 acres of rangeland in southeastern Oregon, which ranchers mostly use for grazing. Julie Curtis, a spokeswoman for the Department of State Lands, wrote in an email that 97 percent of the rangelands are already leased.

"Geothermal and wind energy projects do not take up the entire surface, so there are some options for dual leasing," she said.

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