

House Committee on Rules

Feb. 20, 2024

RE: HB 2076

From Greg Brown, Unincorporated Washington County

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Members of the Committee:

HB 2076 addresses an important need to all citizens, that of improving voter access. I strongly support that concept.

However, the -1 amendment to that proposed bill is the antithesis of that intent & is blatantly unconstitutional, violate the requirement that amendments to a bill relate to the original stated purpose and are poor policy.

RE: Unconstitutional

Article II Section 18, Paragraph 8 of the Oregon constitution states:

"...but the words, "the legislative assembly shall provide," or any similar or equivalent words in this constitution or any amendment thereto, shall not be construed to grant to the legislative assembly ... any way to limit the initiative and referendum powers reserved by the people. (Emphasis added)

The -1 amendment obviously limits the referendum powers reserved by the people.

Please, do not put at risk the good intent of the original bill, or subject the taxpayers to the costs of defending such a blatant overreach.

RE: Relating to original bill

The -1 amendments do not relate to the stated purpose of the original bill. -- "Requires the Secretary of State to study how to improve voter access in this state"

Rather, the -1 amendment specifically limits voter access to the referendum process in the state, the opposite of the stated purpose. Those concepts need to be in a separate bill.

RE: Poor policy

The retroactive terms of the amendments make it very obvious that this amendment is a special interest amendment, aimed at one particular situation, the pending referendum on the City of North Plains massive UGB expansion.

That proposed expansion is the opposite of good planning. More than doubling the size of the city with virtually no consideration of infrastructure costs, school costs, traffic flows, long term land use and providing livable communities seems very unlikely to produce good results.

Geography dictates that North Plains will grow, however that growth needs to be well thought out. Hopefully the City Council (or a re-constituted one) will do the hard work in the near future to ensure that North Plains grows wisely.

The purpose of a referendum is to act as a check on short sighted, poor governance such as the proposed UGB expansion. It is why the referendum process in this state is a cherished right.

To see a bill intended to maintain and expand voter participation used as a vehicle to subvert such participation is offensive.

I will also note that testimony provided to the committee by the City of Hillsboro supporting the -1 amendment is internally contradictory. The City's 2/20/24 testimony submitted by Andy Smith, Hillsboro Government Relations Manager, takes offense at a "long, expensive & litigious" process, and then describes such a process Hillsboro experienced. Unfortunately the process described is exactly the process that would remain if the -1 amendments are adopted. In contrast, the right to a referendum the amendment eliminates is a short, quick and relatively inexpensive process. The currently scheduled referendum in North Plains will be decided in May. No attorneys, no long appeals process. If it passes in May, the City can immediately begin a proper planning process for a UGB expansion that will not have the negative impacts of the current proposal.

The -1 amendments also illustrate the type of poor vetting that can occur in a short session. There simply isn't time to fully investigate the impacts of such a philosophical change. See unconstitutional, above.

I strongly urge you to reject the -1 amendment and allow HB 2076 to do what it was intended to do.

Thank you for your time.

A handwritten signature in black ink, appearing to read "Greg H. Brown".

Greg H. Brown