

Submitter: Tabitha Gardner

On Behalf Of:

Committee: Senate Committee On Rules

Measure: HB4026

I oppose HB 4026A for the following reasons:

- The bill is probably unconstitutional. This bill restricts the constitutional right to call a referendum. The state can only do that through a constitutional amendment, and not a statute.
- The process has been undemocratic. This provision was amended into a completely different bill in a secretive way - halfway through a short legislative session on a Friday afternoon. Now it's not even clear which committee it's going to and how people can testify. This is no way to make legislation that could limit a constitutional right.
- The bill is retroactive to stop a measure that's already on the May ballot. Ten percent of North Plains voting residents signed a petition to get a referendum on their ballot. This bill would retroactively invalidate the legally exercised will of the people.
- Referenda are hard to bring and rare, but important to be able to use for bad cases. It's extremely difficult to get 10% of registered voters' signatures in 30 days, and referenda will only be used for the worst cases. In North Plains, there was limited public engagement, and it would be the biggest UGB expansion by percentage in the state's history.
- Referenda are not a threat to housing strategies inside UGBs, since referenda can't be brought for localized decisions like siting a supermarket or zoning changes.