

The Oregon Business Development (the) Department

The following bulleted legislation language should be combined, to clarify that the SB 4 is a rounded bill to give a hand-up to Oregonians that are struggling to find employment that pays a living wage.

- **Page 2, lines 2-5;** (c) Partnering with institutions of higher education, including, but not limited to, historically Black colleges and universities, for the purpose of workforce development and the creation of training, certified apprenticeship and internship opportunities, with respect to semiconductors and advanced manufacturing.
- **Page 4, lines 16-19;** (i) Applications that propose projects described in 15 U.S.C. 4652(a)(2)(B)(i) that will incorporate significant participation by businesses owned by members of underrepresented communities and economically disadvantaged individuals; and
(j) Applications that, taken together, represent regional diversity in Oregon.

Strongly OBJECT to all the following text in SB 405: Reasoning;

- (1) The legislature is failing to keep Administrative, Legislative, and Judicial separate and following the terms of the Oregon Constitution that only allows the legislature to spend, not by proxy through the Governor.***
- (2) This legislation would give the Governor power not contained in the Constitution.***
- (3) The Governor should not be allowed to override the LCDC rules nor the city or county in which the property is located to bring the parcel into the UGB..***
- (4) The Governor should not be allowed to approve property acquisition outside the UGB for any reason whatsoever.***
- (5) The Governor should not be the decision maker of whether an application is approved for the funds available through the America Act 2022. Where did this title (America Act 2022) originate in the Oregon Legislature? When passed by the U.S. Congress the name was CHIPS and Science Act of 2022. <https://www.congress.gov/bill/117th-congress/house-bill/4346>***
- (6) Application assistance grant should not be made from moneys in the fund or from any other source of funding available. NO, all moneys for the application assistance grant should be made from SB 4 ONLY.***
- (7) Tying the hands of Oregonians to appeal by proclaiming that the "final decision of the Governor is not subject to appeal. Constitutionally citizens have a right to petition our government for redress. Although if legislature insists, guess citizens' rights being denied will be the first of many subject actions of a civil suit.***
- (8) Disallowance of sale of the property financed through the citizens of State of Oregon, the original grantee or loan receiver will relinquish the entirety of the project to the state legislature to do what is best for the taxpayers of Oregon. Thereby, no revised agreement between the department will be required because transfer through sale will be prohibited.***
- (9) Wilsonville should be eliminated from areas of interest for large parcels, as should any large parcels of land zoned farm or forest.***
- (10) Object to the one hearing rule for the Governor or any other branch/department of state government that has no legal authority under the Oregon Constitution to legislate.***

(11) Object to flip flop of legislative language “land must be in the existing contiguous UGB” and then in the next numbered paragraph states “within three (3) miles of contiguous UGB”. Only land within the existing contiguous UGB should be considered within SB 4.

Page 2, lines 10-12; (B) The Governor may make a final decision to approve a program grant or loan under section 3 of this 2023 Act in an amount greater than \$25 million only with legislative approval.

Page 2, lines 36-37; (B) Application assistance grants may be made from moneys in the fund or from any other source of funding available for such purpose to the department or the Governor.

Page 3, lines 45; (d) The final decisions of the Governor are not subject to appeal.

Page 4, lines 1-2; (3) In approving applications and setting program grant and loan amounts, the department and the Governor shall give preference to:

Page 4, lines 31-39; (5)(a) If a business that has entered into an agreement pursuant to this section changes ownership during the term of the agreement, the department, in consultation with the Governor, may allow the continued use of the program grant or loan proceeds provided the business enters into a new agreement with the department that commits the business to continuing the project as proposed in the application approved under this section.

(b) In the new agreement, the department may agree to minor changes in the terms of the original agreement that the department, in consultation with the Governor, considers reasonable in the circumstances and faithful to the purpose for which the business's application was approved.

Page 7, lines 10-45; SECTION 10. (1) On or before June 30, 2024, the Governor may, by executive order, bring within an existing urban growth boundary designated lands for the purposes of providing lands available for industrial uses that relate to the semiconductor industry, advanced manufacturing or the supply chain for semiconductors or advanced manufacturing.

(2) Lands designated by an executive order under this section must be within a site that consists of one or more tracts of land that are:

- (a) Contiguous to the city's existing urban growth boundary; and
- (b) Entirely within three miles of the city's existing urban growth boundary.

(3) In designating sites under this section, the Governor shall give consideration to the Cities of Albany, Boardman, Corvallis, Gresham, Happy Valley, Hillsboro, McMinnville, Medford, Newport, North Plains, Redmond, Scappoose, Sherwood, The Dalles, Tualatin and Wilsonville

Page 8 , lines 1-11; 4) Before issuing an executive order under this section, the Governor shall:

(a) Conduct one public meeting, in coordination with the city nearest to the site and each county in which the site is located, to be held in that city for the purpose of discussing bringing within the urban growth boundary the lands or potential lands;

(b) Accept public comments for a period of no fewer than 20 days following the public meeting in paragraph (a) of this subsection; and

(c) Approve a plan by the owners of the land and each local government with jurisdiction over the land to rezone the land under subsection (7) of this section and to develop the land, within 18 months after the date on which the executive order is issued, for industrial uses under subsection (1) of this section.

(5) The Governor may designate up to a maximum of:

- (a) Two sites, if the largest site is greater than 500 acres;
 - (b) Four sites, if the largest site is greater than 100 acres but does not exceed 500 acres;
- or

- (c) Six sites, if no site is greater than 100 acres.
- (6) Notwithstanding any other provision of ORS 197.286 to 197.314 or ORS 197.626 or any statewide land use planning goal, lands designated in an executive order under this section are considered within the acknowledged urban growth boundary, as described in ORS chapter 197, as of the date of the executive order.
- (7) No later than six months following the entry of an executive order under this section, each local government with jurisdiction over the lands may, notwithstanding any statewide planning goals or ORS 215.431 or 227.188 or chapter 197, amend its comprehensive plan or enact or amend any land use regulation to allow the use of the land for industrial uses under subsection (1) of this section provided that:

- (a) The enactment or amendment is passed by an ordinance of the governing body of the county after a public hearing; and
- (b) A copy of the ordinance is delivered to the Land Conservation and Development Commission within 14 days after passage.

SECTION 11. Land brought within an acknowledged growth boundary under section 10 of this 2023 Act shall be removed from the urban growth boundary unless, on or before June 30, 2027:

- (1) Development of the land has been substantially completed; or
- (2) The land has been incorporated within an urban growth boundary under ORS 197.286 to 197.314 or 197A.300 to 197A.325 and has been reviewed under ORS 197.626.

SECTION 12. Sections 10 and 11 of this 2023 Act are repealed on January 2, 2028.