

Comments on HB 2051

How many bad bills is this legislature going to be willing to hear? I have a couple of constructive comments:

1. If no one is willing to sign as sponsor of a bill, it should not be granted a hearing.
2. When you overcollect money from a person or business, it remains their property. It is owed back to that person as a refund. You do not have the right to give it away to someone else.
3. You do not have the right to spend other peoples money without their permission.
4. Have you forgotten that the “kicker” bill was passed by the people and its part of the Oregon Constitution? This bill would require a vote of the people.

Other comments:

This bill builds in a denial of due process for those negatively impacted for the following reasons:

1. Requiring appeals to go to the Oregon Supreme Court when the appropriate venue for citizens who have been denied the return of their money in amounts under \$10,000 is Small Claims Court.
2. Forcing citizen actions directly to the Oregon Supreme Court denies citizens opportunity to build a case file in the more economical local jurisdictions.
3. Limiting the timeframe for filing an appeal to 60 days after the bill is enacted denies due process because people will not be aware of the fact that they are negatively impacted until after the arbitrary date passes.
4. This bill denies the public access to a jury trial in what is in effect a taking of their personal property for public use by a government entity in violation of the Fifth Amendment of the Constitution and Section 14 of the Oregon Constitution.

The citizens of the State passed the kicker in an attempt to control out of control state spending. Isn't it time the legislature stopped circumventing the will of the people?

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