

Submitter: Dane Waters
On Behalf Of:
Committee: House Committee On Rules
Measure: HJR5

February 1, 2023

Representative Julie Fahey, Chair
House Committee On Rules
900 Court St. NE
Salem Oregon 97301

RE: Oppose HJR 5

Dear Chair Fahey and Committee Members:

On behalf of the Initiative & Referendum Institute, I am offering written comments in opposition to HJR 5, which would set a dangerous precedent in Oregon's citizen initiative process by preventing citizens from using the ballot initiative to amend laws relating to hunting, fishing, and wildlife. We take no position on whether there ought to be a right to fish, hunt, or harvest wildlife and gather wild foods.

However, HJR 5 goes beyond providing this right by including a provision that would prevent the use of ballot initiatives to make and amend such laws, allowing only "laws enacted by the Legislative Assembly and rules adopted by state agencies." This would nullify the right of Oregon citizens to bring forth and vote on such issues.

Section 1 (2)(a) of the Oregon constitution states that "The people reserve to themselves the initiative power, which is to propose laws and amendments to the Constitution and enact or reject them at an election independently of the Legislative Assembly." By granting exclusive lawmaking authority in this area to the Oregon legislature and state agencies, HJR 5 eliminates the option of ballot initiatives, thereby depriving Oregon citizens of their fundamental right to propose and approve laws directly. The principles of direct democracy and civic participation are important to Oregon voters and should not be removed or restricted in this way.

We therefore ask this committee to protect the constitutional right of Oregon citizens to use the ballot initiative process on issues of their choosing by rejecting HJR 5 or removing the provision prohibiting initiatives on the topics it addresses.

Sincerely,

M. Dane Waters
Founder
Initiative & Referendum Institute

The Initiative and Referendum Institute is a nonprofit nonpartisan research and educational organization that is dedicated to the study of the initiative and referendum process in the United States. The Institute takes no position on specific policy issues but does provide information and analysis on legislation that pertains to the initiative and referendum process.