

March 4, 2024

From: David and Miki Barnes

To: Oregon Senate Rules Committee

We are writing to express our opposition to HB 4026 A, a bill that appears to be intentionally designed to circumvent and suppress democratic participation by blocking future ballot referendums.

This bill will have a direct impact on North Plain residents whose city council in the absence of inclusive public involvement decided to more than double the size of North Plains by expanding its urban growth boundary by 855 acres, in large part, to promote industrial development.

Ten percent of North Plains voting residents signed a petition to get a referendum on their ballot. HB 4026 A would retroactively invalidate the legally exercised will of the people. In North Plains, there was limited public engagement and it would be the biggest UGB expansion by percentage in the state's history. Local residents should have a voice in these decisions.

In addition, this bill restricts the constitutional right to call a referendum. The state can only do that through a constitutional amendment, and not a statute. 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.

As pointed out by Mike Rogoway in a 3/2/2024 Oregonian article [Oregon Lawmakers Move to Block Vote on North Plains Expansion](#),

“During the current session, Oregon lawmakers are pursuing legislation that would [enable a one-time expansion of certain cities' urban growth boundaries to make room for more housing](#). But housing is not the chief goal of North Plains' expansion.

Rather, the affluent city – which has an unusually low property tax rate – wants to increase its commercial and industrial base, in addition to building more homes. North Plains leaders envision an enormous private data center of up to 92 acres and 10-acre warehouses within the expanded boundary, along with small industrial operations, to generate more tax revenue for public services.

HB 4026 is retroactive, meaning it wouldn't just block future ballot referendums. It would also scuttle the planned vote in North Plains less than three months before it is due to take place.”

The role of the Oregon Legislature is to promote democracy rather than undermine it. Top down decision-making that diminishes public participation sets a dangerous precedent.

We urge you to oppose this bill.

Sincerely,

Miki and David Barnes  
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