

3.5.2024

Subject: No to House Bill 4026A

Dear Chair Fahey and Members of the House Committee on Rules:

Good day. I appreciate the opportunity to submit testimony in opposition to House Bill 4026A prior to hearing and possible work session later today, March 5th, 2024.

I have lived in Hillsboro, Oregon for over 15 years and started my family here. The semiconductor industry offered me a job in an area I studied in school, having earned a Bachelors, Masters and Ph.D. in Electrical and Computer Engineering from the University of Illinois in Urbana-Champaign.

I love bringing my children to farms, supporting local farmers, literally within 10 miles of where I live and work. When I first moved, I thought Oregon had really solid planning for the future with clear delineations for urban growth with urban protection and was wise to not make the same mistakes I have seen in many places, including my former home. About 10-years ago I was sad to see a lot of growth, which continues today, into that land. I never knew what happened to change the delineation. I have since learned that Oregon's Executive and Legislative branches from the 1950s through 2000 recognized the value of protecting industrial growth and prized farmland and even passed bi-partisan laws to help guide this planning. This impressive legislation is the only such in the country and provides huge benefit to Oregonians.

Addressing the "-1 Amendment" directly which is larger than the original 4026 voting bill.

- I fundamentally do not understand how 8 line House Bill 4026, for the Oregon Secretary of State to study how to improve voter access has any relationship to urban growth boundaries seen in the -1 Amendment.
- Page 1, lines 1-2: there is no emergency and this legislation does not explicitly cite which emergency is addressed. States of emergency permit government to bypass the established processes and it concerning the Oregon government seems to prefer rule by emergency. Regardless, any alleged housing and homeless crisis is self-inflicted through a combination of prior government at all levels poor planning and bank financing with a focus on profits and poor government oversight. This government has been and is primarily uni-party so there should have been few impediments if prior planning was done well. There is no rational reason to assume new emergency powers will be used to stem the unstated emergency.
 - o In Hillsboro, I have personally seen farmland turned into data centers and buildings that sit empty with nary a house. I have seen North Plains fields convert to storage facilities, some currently empty, and RV storage locations. I also see unsold houses in North Plains new growth (prior farmland) and older city areas. I see run down businesses that should be considered first and foremost. Further, all new buildings will require years to build and thereby are not solutions to an alleged emergency that is over one year old.
 - o Commercial real estate is closer to the homeless of interest, is now very affordable due to refinancing concerns and can more efficiently be converted to reasonable accommodations in locals where they already live. Why are not incentives to support this path investigated? Why has it become the norm for Oregon's government to declare "state of emergencies" instead of using planning to avoid so called "emergencies"?

- Page 3 line 17 – applies the alleged emergency over a year after the “emergency” occurred. This amendment demonstrates another lack of planning for the future which the prior laws sought to avoid and to *ex post facto* end run prior legal requirements.
- Page 3, lines 12-17: is an explicit attempt to use legislation to remove the Constitutional rights of those directly impacted from decisions that impact them by removing the right to referendum (Page 3 Lines 10-11) which removes constitutional citizen rights. This is privilege authoritarians seek.
 - In 2023 North Plains had a referendum due to the egregious nature of its expansion and the retroactive nature of this amendment would invalidate that process.
 - Referenda are rare, but needed for egregious cases.
- Page 3: lines 18-20: is a self-contradictory clause and only serves to declare a state of emergency which enables nullification of prior law and *ex post facto* legal concerns.
 - How does a state of emergency which allegedly started over a year ago and can be resolved by expanding urban growth boundaries through the hypothesized building of houses which have a lead time of years resolve a current homeless or housing crisis?
 - The public peace, health and safety are at higher risk due to recent decisions by the Oregon Legislative, Executive and Judicial branches all supporting criminal behaviors and working to decriminalize behaviors that harm others. This so called emergency can be more adequately and immediately addressed using means totally unrelated to urban growth boundary expansions.

Finally, I totally understand the predicament the boards of many cities and this Legislative body face. My family prays that you remember the legacy of solid planning and abundant resources handed to all Oregonians and that you have a desire to pass this to the future. I also pray you receive enough testimony to help you work a more viable path to utilize areas that have already been zoned for growth to provide the housing and growth Oregon needs while preserving her prized farmland. Numerous individuals have submitted testimony showing viable other paths. Please consider these in your work.

For these reasons and more, please vote no on HB 4026A.

Respectfully submitted.