

Robert Gardner  
Hermiston Oregon

February 7, 2026

Joint Special Committee on Referendum Petition 2026-302  
c/o Co-Chair Senator Kayse Jama and Co-Chair Representative David Gomberg  
Oregon State Capitol  
900 Court Street NE  
Salem, OR 97301

Re: Opposition to Senate Bill 1599 – Testimony for Public Hearing on February 9, 2026

Dear Co-Chairs Jama and Gomberg, and Members of the Joint Special Committee on Referendum Petition 2026-302:

I am writing to submit written testimony in strong opposition to Senate Bill 1599 (SB 1599), which seeks to move the election date for the voter referendum on portions of Chapter 1, Oregon Laws 2025 (enacted during the special session), as referred by Referendum Petition 2026-302, from the November 3, 2026, general election to the May 19, 2026, primary election. As a concerned individual with ties to Oregon [or specify if applicable, e.g., "as a former resident of Oregon" or "as someone impacted by Oregon's transportation policies"], I believe this bill represents a deliberate attempt to undermine the democratic process and silence the voices of Oregonians who have already mobilized to exercise their referendum rights.

The Oregon Constitution enshrines the referendum process as a fundamental tool for citizens to hold their government accountable. Referendum Petition 2026-302 was duly qualified for the ballot after petitioners collected over 250,000 valid signatures from Oregon voters—far exceeding the required threshold. These signatures were gathered with the clear understanding, as stated in the petition itself and supported by the Elections Division of the Oregon Secretary of State, that the measure would appear on the November 2026 general election ballot. By advancing SB 1599, the Legislature is effectively rewriting the rules mid-process, disregarding the expectations of those who participated in this grassroots effort and eroding public trust in the initiative system.

The proposed shift to the May primary election is particularly troubling because primary elections historically experience significantly lower voter turnout compared to general elections. In Oregon, general election turnout often exceeds 70-80%, while primary turnout hovers around 30-40%, with even lower participation among independent voters, young people, and underrepresented communities. This disparity is not accidental; it reflects the broader engagement in high-stakes general elections, in which more voters are motivated to participate. Moving the referendum to May would disproportionately suppress the voices of these groups, tilting the scales in favor of the status quo and against the will of the broader electorate. Such a

maneuver appears designed to reduce the likelihood that the referendum succeeds, thereby protecting the tax increases embedded in the 2025 transportation law—including a 6-cent gas tax increase, increased vehicle fees, and payroll tax adjustments—from potential repeal.

This bill raises serious concerns about fairness and constitutionality. Article IV, Section 1 of the Oregon Constitution protects the people's power to refer laws to the ballot, and any legislative interference that effectively dilutes this power could constitute a violation of that right. Courts have consistently upheld the integrity of the initiative and referendum processes against attempts to manipulate timelines or conditions post-qualification. Moreover, the emergency clause attached to SB 1599, which would make it effective immediately upon passage, further underscores the rushed and partisan nature of this proposal, prioritizing political expediency over principled governance.

Oregonians deserve the opportunity to vote on this critical issue in an election where their participation is maximized, not minimized. SB 1599 does not serve the public interest; instead, it insulates lawmakers from accountability and silences dissenting voices. I urge the Committee to reject this bill and allow Referendum Petition 2026-302 to proceed as intended on the November 2026 ballot.

Thank you for considering this testimony. I am available for any questions and can be reached at the contact information provided above.

Respectfully submitted,

Robert D. Gardner