

Submitter: Scott Birk
On Behalf Of:
Committee: Joint Special Committee On Referendum Petition
2026-302
Measure, Appointment or
Topic: SB1599

Over 250,000 Oregonians—including myself or others in my community—signed petitions to refer this measure to the ballot, with the clear understanding and explicit promise that the vote would take place in November 2026. The petitions were certified by the Secretary of State for that date, suspending the unpopular gas tax increase (6 cents per gallon), vehicle registration and title fee hikes, and payroll/transit tax increases until voters could decide. Changing the election date now would undermine the intent of those petitioners and violate the spirit of direct democracy in Oregon. Key reasons for my opposition include:

Violation of Voter Expectations and Petition Integrity — When people signed the referendum petitions, they did so with the assurance of a November vote. Altering the date mid-process disenfranchises signers and erodes trust in the referendum process. This sets a dangerous precedent for future citizen initiatives.

Suppression of Voter Turnout — May primary elections historically have significantly lower participation than November general elections, especially in non-presidential years without major statewide races. Moving the vote to May would mean fewer Oregonians have their say on whether to approve or reject these \$4.3–4.5 billion in new taxes and fees over the next decade. This appears designed to reduce opposition turnout rather than to promote broad democratic participation.

Political Motivation Over Public Interest — While proponents claim an earlier vote provides "certainty" for the Oregon Department of Transportation (ODOT), the timing suspiciously aligns with avoiding a high-turnout November ballot where the measure could impact elections, including the gubernatorial race. Oregon law and precedent support keeping referenda on the general election ballot when certified as such. This change prioritizes partisan advantage over honoring the will of the people.

Unprecedented and Questionable Legality — Critics, including referendum backers and legal observers, have noted that this move is unprecedented and potentially unconstitutional. The Legislature should not rewrite the rules after citizens have successfully qualified a measure for a specific date.

I urge the committee to reject Referendum 2026-302 and allow the referendum to proceed as originally certified, in November 2026, when the maximum number of Oregon voters can participate. Let the people decide on these tax increases in the fullest expression of our democratic process.