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Contact: Andrew Fromm

Email: andrew.fromm@oregonlegislature.gov

Oregon House Legislators seek to curtail Governor's COVID-19 executive orders

New round of business shutdowns highlights unbalanced government authority and prompts reaction from Legislative branch

SALEM, Ore. – In response to new shutdown orders from the Governor's office, House Republicans today are considering pulling bills to the House floor to bring up proposals with sponsors from both parties that would roll back COVID-19 executive orders or require additional accountability.

The announcement follows the bipartisan actions of Legislatures in [New York](#), [Texas](#) and [Michigan](#), where state lawmakers seek to restore balance to government decision-making.

[HJR 18](#) (sponsors Rep. Reschke, Nearman, Post) - Terminating state of emergency relating to COVID-19.

[HB 2243](#) (sponsors Rep. Wilde, Lewis, Evans, Owens) - Requires that declarations and extensions of states of emergency under certain statutes be accompanied by written explanations.

[HB 3177](#) (sponsor Rep. David Brock Smith) - Limits types of restrictions that Governor may impose on certain businesses during state of emergency related to COVID-19 pandemic.

[HB 3350](#) (sponsor Rep. Witt, Owens) - Prescribes requirements for providing education to students with disability during COVID-19 emergency.

[HB 3243](#) (sponsor Rep. Reschke) - Provides that civil penalty imposed as result of violation of COVID-19 emergency rule becomes due and payable 50 years after order imposing penalty becomes final.

This week, [New York's legislature repealed](#) several coronavirus-related executive orders, nearly two months after stripping Governor Andrew Cuomo of pandemic-era emergency

powers. Senate Majority Leader Andrea Stewart Cousins, a Democrat, explained the decision by saying it is time to begin removing certain restrictions and regulations that are no longer necessary to rebuild the state's economy.

In Oregon, Governor Kate Brown has exercised emergency powers which grant authority to enact widespread restrictions on commerce, education and public gatherings without any checks and balances.

The newest shutdown orders do not reflect the current situation.

Today the personal protective equipment supply situation is different, the vaccination situation is different, and the treatment of patients has evolved as well. Furthermore, the regional collaboration among hospitals has been developed over the course of the pandemic.

Severe cases of COVID-19 are also less common now because nearly 70 percent of Oregon's at-risk population is fully vaccinated.

Hospital rates for parts of the state like Southern Oregon are also not increasing, yet the new shutdowns impact businesses in those communities. Two weeks ago, Asante had as many as 26 cases in the system. By last night they had 13 in house. In both Providence and Asante in Southern Oregon, only 6 patients with COVID-19 are in ICU beds.

House Republicans point out that despite these changing circumstances, the response from the Governor's office has not changed.

"The Legislature is in Session and we have a duty to engage. Oregonians need to have a balance of power between the separate branches of government again," said House Republican Leader Christine Drazan (R-Canby.) "The decision to shut down businesses this week contradicts the newest CDC recommendations by not accounting for vaccinated individuals in Oregon. Furthermore, our businesses allow people to gather in places with standardized safety measures. There is no evidence that shutting them down will have an impact on transmission rates. If COVID guidelines in Oregon continue to ignore CDC guidelines to the detriment of families, kids and our main street businesses, we must restore the Legislature's ability to hold the executive branch accountable."

"There's zero evidence that we're anywhere close to running out of hospital capacity in Marion County from COVID-19 cases," added Marion County Commissioner Colm Willis. "We have plenty of PPE and because of vaccinations we aren't seeing the same high level of severity in overall cases who need hospitalization. On top of that, there is zero data to suggest that restaurants have ever been a top contributor to COVID-19 transmissions. Shutting businesses down won't change the numbers."

This week the Centers for Disease Control and Prevention released new guidance that lifted many restrictions for vaccinated individuals, including dining at the same table without masks and social distancing. The newest shutdowns from the Governor's office does not account for the fact that nearly a third of Oregonians have received both vaccination doses.

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