

SUSAN McLAIN
STATE REPRESENTATIVE
DISTRICT 29



HOUSE OF REPRESENTATIVES

March 1st, 2024

Timothy G. Sekerak
Chief Clerk of the House
State Capitol Building, H271
Salem, OR 97301

RE: Vote Explanation on House Bill 4026 A

Dear Chief Clerk Sekerak,

I voted no on House Bill 4026 A because there are outstanding questions regarding this complex issue that have not been adequately addressed. At its core, the measure makes a local government determination of Urban Growth Boundary (UGB) expansion NOT subject to being referred to voters by referendum petition and reviewable exclusively by the Land Conservation and Development Commission. In short, it takes agency away from voters, who I believe should have the right to weigh in on important decisions that impact the livability of their communities.

In addition, there are questions of constitutionality and a lack of consensus on the bill's central components. For example, there are differences of opinion about whether a UGB expansion is a Legislative action or an Administrative action. Also, given that the Constitution grants the public the right to call a referendum, I understand this to mean that this right can only be limited by a constitutional amendment. It cannot be limited by a statute like HB 4026 A. It is possible that a court of law could find HB 4026 A to be unconstitutional.

I hope that we will reconsider this issue in the next Legislative Session.

Sincerely,

Representative Susan McLain

