

March 26, 2025

**TO:** Members of the Senate Committee on Rules

**FR:** Duke Shepard, Oregon Business & Industry

**RE:** Testimony on SJR 28

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Chair Jama, members of the committee for the record my name is Duke Shepard, I'm here today on behalf of the Manufacturing Council of Oregon, which is the Oregon affiliate of the National Association of Manufacturers and an affiliate of OBI, opposing SJR 28.

Hyundai just announced a \$21B dollar investment in Louisiana, including a new steel plant. TSMC is investing \$100 billion in the US, not in Oregon.

On Thursday April 10, the Portland Business Journal is hosting a conference in Vancouver, Washington about all of the economic success they are having on that side of the Columbia.

A Portland-grown manufacturer of truck bodies, 100% employee owned, just in the last few months relocated to Ridgefield Washington.

In Oregon, the state economic development department just released an independent report that shows 24% of the businesses surveyed reported being recruited from organizations outside Oregon; of those, 68% of those businesses reported moving or expanding outside of Oregon.

Oregon's state economist stated in December that we're in a "manufacturing recession". Both of the last two revenue forecasts showed manufacturing and construction jobs are down.

Multiple reports show Oregon has recovered more slowly than other states from the pandemic shutdowns, and Portland is in a "doom-loop".

This overreaching amendment will not help.

This bill immediately exposes manufacturers to lawsuits from any Oregonian who wants to shut them down. It would seem to eliminate the very concept of a "permit," upon which all of our industrial policy is built to balance use and impact in our economy.

A permit is permission from the state, as in one is "permitted" to operate in some way that may conceivably or definitively produce some type of output or externality – be it steam or wastewater or gasified compounds or noise. There is almost no ZERO impact activity in manufacturing the goods we need to live; in fact, it's hard to identify zero impact activities when humans are involved.

Can the state issue a permit to violate someone else's inherent, fundamental rights that are embedded in the constitution? Or those inherent fundamental rights of future generations not yet born? That's

seems a pretty high bar to get over. Merely telling Oregonian's "trust us", there will be no lawsuits is a lot to ask.