

June 17, 2025

Position on Bills at 2025 Session of Oregon Legislature:

HB 3390 -2: Oppose



The Consolidated Oregon Indivisible Network (COIN) is a coalition of over 50 local Indivisible groups throughout Oregon that cooperate and amplify their joint efforts to advance important federal and state legislation and engage with elected officials to promote causes for the benefit of all Oregonians.

COIN opposes HB 3390 -2, which would allow the Legislature itself to write all ballot titles and explanatory statements (1) for all referrals to voters from the 2025 session (including proposed statutes and amendments to the Oregon Constitution) and (2) for all referenda on any laws enacted during the 2025 session placed on the ballot by voter petition.

This replaces the normal, historical procedures:

1. Ballot titles for referrals and referenda are drafted by the Attorney General, subject to public comment for 10 business days, modified (if necessary) and certified by the Attorney General, and then are subject to appeal to the Oregon Supreme Court for accuracy and impartiality. The final ballot title is published in the Voters' Pamphlet, and its shorter parts are the only description of the measure actually on the ballot.
2. Explanatory statements for referrals and referenda are drafted by an Explanatory Statement Committee appointed by the Secretary of State, consisting of two supporters of the measure, two opponents of the measure, and a fifth, neutral person selected by the other four or, if necessary, by the Secretary of State. The Committee drafts the explanatory statement, conducts public hearings, and finalizes it, subject to appeal to the Oregon Supreme Court only for procedural error. The final explanatory statement is published in the Voters' Pamphlet.

These processes are designed to provide accurate and impartial information to voters. Replacing these processes with the Legislature writing its own ballot titles and explanatory statements would remove impartiality and thus place accuracy into question. The Legislature would have a very strong incentive to favorably portray the measures it places on the ballot and to criticize any referendum that challenges a statute it has enacted. This can only erode the confidence of voters in the accuracy and impartiality of these statements in the Voters' Pamphlet—and on the ballot itself (the ballot title caption and yes/no statements).

Oregon law already allows the Legislature to place in the Voters' Pamphlet a 325-word statement in favor of any measure it refers to voters. ORS 251.245. HB 3390 -2 allows

the Legislature to write the ballot title and the explanatory statement and the legislative statement in support for every referral and every referendum stemming from the 2025 session.

Further, HB 3390 -2 requires that any committee of legislators writing ballot titles and/or explanatory statements must be comprised 2/3 of members of the majority party in each chamber, minimizing the voice of the minority party.

We urge rejection of HB 3390 -2. Other than the -2 amendment, the bill is a placeholder that needs no further consideration.

Consolidated Oregon Indivisible Network (COIN)

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