



The League of Women Voters of Oregon, established in 1920, is a grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

February 14, 2023

To: [Sen. Kate Lieber](#), Chair, [Sen. Tim Knopp](#), Vice Chair, and Members of the Committee [Senate Committee on Rules](#)

Email: srules.exhibits@oregonlegislature.gov

Re: [SB 42](#) – Burdensome Fiscal and Legislative Rules Process – OPPOSE

The League of Women Voters believes that efficient and economical government requires competent personnel, the clear assignment of responsibilities, adequate financing, and coordination among the different agencies and levels of government. We believe that broad-based participation in agency rulemaking means that any adopted rules are likely to more accurately reflect legislative intent and provide the best possible outcomes.

Oregon's state agencies currently evaluate the cost of compliance which includes an estimated number and type of small businesses, effect on housing costs, a description of the required administrative work, identification of equipment and labor required, and discussion of outreach to businesses during development as part of their fiscal impact statement estimates as best they can. **Page 2, lines 9-14 of SB 42 assumes that the Legislature, in considering proposed legislation, does not consider economic effects of the legislation. On that we disagree. We trust the deliberative legislative process to bring out those concerns before passage.**

Although we understand the desire to have exact costs before rulemaking commences, we are aware of the possibility of increases as the agency works to include all Oregonians with all interests in the rulemaking. Without having those conversations with interested parties, it may not be possible for the agency to assure that costs will not exceed \$100,000.

Of greater concern is Page 3, lines 9-14 where a limited number of people outside of the legislative process and outside of the Administrative Rules process would have the power to stop rules from becoming effective—even though the legislation passed that required those rules is the reason for that rulemaking. Such stoppage by a few would certainly increase the cost of any rulemaking and could well increase the costs mentioned on page 2 of this bill. **A discussion of these concerns occurs when the Legislature has the opportunity to debate and vote on the legislation.**

Lastly, **Section 2 of this bill assumes that rules should be focused solely on economic impacts. Factors related to public health and safety, protection of the environment, climate change impacts and other factors are a part of discussions when legislation is passed and must be a part of consideration when implementing rules are passed.**

The League believes that broad-based participation in agency rulemaking means that any adopted rules are likely to more accurately reflect legislative intent and provide the best possible outcomes. The League shares notice of rulemaking with members and others and has supported agencies' maintenance of email notice lists and up-to-date websites so that all can be informed of agency actions. Today agencies pay closer attention to underserved communities as they reach out during rulemaking so that all voices may be heard. These agencies have important roles to play and are often underfunded. **We hope the Legislature will consider the many responsibilities of our state agencies and the broad interests of all Oregonians as legislation is considered. We ask that you reject this bill and instead provide agencies with the resources needed for adequate outreach and research needed when you ask that implementing rules be created to achieve legislatively approved outcomes.**

Thank you for considering our recommendations.



Rebecca Gladstone
LWVOR President



Peggy Lynch
Natural Resources Coordinator