February 14, 2023

Senate Committee on Rules
Oregon State Capitol
900 Court St., NE
Salem, OR 97301-4042

Re: "No" on SB 42 - Modifies provisions relating to fiscal impact statements for administrative rules. Requires agencies to report to Legislative Fiscal Officer on fiscal impacts of administrative rules as part of the process of presenting budget requests during each odd-numbered year regular session of Legislative Assembly.

To: Sen. Kate Lieber, Chair; Sen. Tim Knopp, Vice Chair; and Members of the Senate Committee on Rules

Friends of Marion County (FoMC) is an independent 501(c)(3) farmland protection organization founded in 1998. Our mission is to protect farm and forestland, parks, and open space.

In 2019 the Land Conservation and Development Commission (LCDC) held rulemaking hearings about the placement of solar energy generating facilities on high-value farmland in the Willamette Valley. FoMC and many other groups including representatives of solar development came together to recognize the importance of these facilities in generating electricity and, at the same time, protecting high-value farmland. A consensus was reached and the rules were adopted.

SB 42 would undermine the efforts of all agencies that work diligently to accommodate conflicting views in the adoption of new rules. There are also methods to modify and appeal existing rules and all parties are permitted input before the rules are put into effect. Modifications of existing rules guarantee that all parties can, after rules have been in place, evaluate their efficacy, fairness, and costs.

For this and many other reasons, the Committee should abandon this costly effort to change legislative and agency intent to bring fairness, cost control, and effectiveness to serving all Oregonians.

Thanks so much for listening,
Roger Kaye, Pres.
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