



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.

May 28, 2025

To: [Senator Kayse Jama](#), Chair, [Senate Committee On Rules](#)

Re: [HB 3569 A](#) – Requires certain agency RAC appointments – **Comments/Oppose**

The League submits comments of concern in opposition to HB 3569, which would place a relevant bill's chief sponsor, or the legislative committee chair for committee sponsored bills (or a designee for either) as a nonvoting member on Rules Advisory Committees (RACs). We speak on the basis of our positions for transparency, for example: Regulating agencies that govern the protection and conservation of water should be transparent and provide the public [with] easy access to information. Our positions in support of citizen access and accountability in government spread across our full range of League issues.

The impetus for the bill, described in the public hearing, was a RAC that resulted in the "true intentions of the bill falling far short of the intentions of the people who passed it". RAC members included "well-trained, knowledgeable, confident, well-spoken" corporate attorneys who "managed to bend the process to the point where that portion of the bill was ultimately virtually useless". The prevailing position claimed to have altered the legislative intent of the bill, in the absence of someone aware of and speaking to that.

This is a reflection of our larger current climate of strained communications and distrust. People are not feeling heard and not trusting others to speak for their interests. In the onslaught of public testimony seen this session, one bill got 14,221 pieces of testimony filed on OLIS and over 300 registered to speak at that public hearing. Meanwhile, these voices that we and others urge to speak, by League principle, for civic engagement with issues they care about, strain our Legislators and legislative staff beyond human limits to the hours in our days. And RAC deliberations can be hefty time commitments.

We have numerous concerns with this bill. Legislators pass legislation collaboratively, among 89 others – with public input. A single legislator's voice in a RAC could represent a prevailing legislative vote from a splintered or ambivalent body at large. Appointing a legislator as a RAC member gives a stronger, more direct voice than providing input via general public comments. Apparently, this process may differ between RACs, and the Governor's standardization efforts (below) could address this. Asked if legislators are limited currently in expressing RAC opinions, the concern was that "attending publicly is not adequate" can fall short, possibly not being able to speak, compared to being "at the table". Feeling "unheard" is endemic right now. One legislator commented that direct concern for adhering to legislative intent in RAC proceedings may be (otherwise) absent altogether.

Placing a legislator as a nonvoting member, laudable to be as fair as possible, still falls practically short, since tacit but undue influence attends with the person, simply as a Legislator. This bill's chief sponsor's proposed solution is to require a legislator present as a nonvoting RAC member, an advisory resource, to "sort of hold people's feet to the fire, to uphold the intent of the bill in the first place". They may also hold legislative responsibility and influence agency budgets, for example.

Perhaps a different knowledgeable resource could be a RAC presence with knowledge of legislative intent. Remember that the bill may have changed from the original bill filed by the sponsor. It's the final bill that is to be implemented with action by a RAC. And apparently, RAC proceedings don't usually involve voting.

We respect our Legislative Counsel's concept review and want to get policy bills implemented without relitigating policy in the RACs. This bill creates the impression of a legal loophole running afoul of the Oregon Constitution.

***Section 1. Separation of powers.** The powers of the Government shall be divided into three separate branches, the Legislative, the Executive, including the administrative, and the Judicial; and no person charged with official duties under one of these branches, shall exercise any of the functions of another, except as in this Constitution expressly provided. [Constitution of 1859; Amendment proposed by H.J.R. 44, 2011, and adopted by the people Nov. 6, 2012] ¹*

League members have engaged in rulemaking for many years. We fully expect legislators to be informed of rulemaking processes. [Governor Kotek's letter](#) to update rulemaking protocols, posted on February 19, 2025, the day after HB 3569 was referred to the Speaker's desk, became effective May 1, 2025, to streamline RACs for consistency, ease of navigation, transparency and accountability. We recognize and respect this bill's efforts to address these concerns, but believe that this bill should not pass this session.

We urge your opposition for SB 3569. Thank you for the opportunity to discuss this legislation.



Lisa Bentson
President LWVOR



Rebecca Gladstone
Governance Advocate



Norman Turrill
Governance Coordinator

¹ Oregon State Legislature, Constitution of Oregon – 2024 Edition,

https://www.oregonlegislature.gov/bills_laws/Pages/OrConst.aspx

1330 12th St. SE, Suite 200 • Salem, OR 97302 • 503-581-5722 • lwvor@lwvor.org • www.lwvor.org