



February 9, 2026

House Committee on Rules  
Oregon State Capitol  
900 Court St. NE  
Salem, Oregon 97301

**RE: HB 4073 - OPPOSE**

Dear Leader Bowman and Members of the House Committee on Rules,

On behalf of our thousands of members statewide, we **urge you to vote NO on HB 4073**, which threatens to diminish the effectiveness, fairness, and integrity of Oregon's rulemaking processes.

State agencies play a crucial role by providing policymakers, stakeholders, and the public with critical information, data-driven policy analysis, and thought leadership. HB 4073 would create a new and unbalanced layer of interference that disproportionately favors regulated industries over public interests. These proposals would undermine the ability of state agencies to implement laws effectively and equitably, by adding unnecessary burdens, reducing transparency, and limiting agencies' ability to respond efficiently to complex challenges. In doing so, HB 4073 risks undermining critical public engagement, delaying crucial policy protections, and eroding trust in Oregon's system of governance.

Oregon already has a strong and well-established framework for agency rulemaking that includes public input, economic and small-business impact analysis, and representation from affected communities and industries. Under Oregon's Administrative Rules framework, agencies undertake a comprehensive evaluation of the costs of compliance, including potential impacts on small businesses, housing costs, administrative burdens, and necessary resources. Rules Advisory Committees (RACs) are carefully composed to ensure broad-based participation from affected communities, businesses, and subject-matter experts. This framework provides meaningful transparency and accountability to ensure that rules align with legislative intent and provide the best possible outcomes for Oregonians.

Governor Kotek's recent rulemaking guidelines provide an important step forward in improving transparency and public engagement in agency decision-making.<sup>1</sup> Her 2025 directive emphasizes the need for clear, accountable, and customer-focused rulemaking processes that serve all Oregonians equitably. Rather than adding procedural mandates, we urge the Legislature to uphold these principles and support efforts by ensuring our state agencies have adequate staffing and resources to implement key programs and services for the benefit of Oregonians.

---

1

<https://apps.oregon.gov/oregon-newsroom/OR/GOV/Posts/Post/governor-kotek-releases-improved-customer-service-outcomes-sets-new-expectations-on-state-rulemaking>

We are deeply concerned that HB 4073 mandates that at least half of a RAC's membership must consist of regulated entities, guaranteeing them an already outsized voice and marginalizing other stakeholders such as community organizations, environmental justice advocates, conservation groups, and tribal governments. The bill's requirement that the number of unregulated entities cannot exceed that of regulated ones means important voices may be excluded altogether, especially when few regulated entities choose to participate.

Further, we are concerned that HB 4073 could allow a single regulated entity or person to compel the formation of a RAC, exclude impacted communities and introduce steps that could slow the rulemaking process even when existing engagement processes are sufficient. The bill also expands fiscal impact statement requirements that could further increase agency workload and delay essential rulemaking. While fiscal analysis is an important tool, these expanded requirements risk prioritizing regulated-entity concerns over broader public benefits, including health, safety, environmental protection, and equity.

Finally, we are alarmed by the bill's judicial review language that directs courts to remand agency actions deemed "arbitrary or capricious." We are concerned that this language, coupled with the bill's expanded procedural requirements, could lead to new significant litigation and potentially discourage agencies from adapting practices based on new data, science, or other conditions.

We urge the Legislature to reject HB 4073 and instead prioritize strong funding to ensure that agencies have the resources and support needed to effectively and equitably implement programs and policies for the benefit of all Oregonians.

Thank you for your time and consideration.

Sincerely,

Nora Apter  
*Oregon Director*  
**Climate Solutions**

Ben Brint  
*Senior Climate Program Director*  
**Oregon Environmental Council**

Jamie Pang  
*Director of Programs*  
**Oregon Just Transition Alliance**

Cheyenne Holliday  
*Director of Policy & Advocacy*  
**Verde**