



133 SW Second Ave, Suite 201 • Portland, OR 97204 • (503) 497-1000 • fax (503) 223-0073 • www.friends.org
Southern Oregon Office • PO Box 2442 • Grants Pass, OR 97528 • (541) 474-1155 • fax (541) 474-9389
Willamette Valley Office • PO Box 51252 • Eugene, OR 97405 • (541) 520-3763 • fax (503) 223-0073
Central Oregon Office • 115 NW Oregon Ave #21 • Bend, OR 97701 • (541) 719-8221 • fax (866) 394-3089

March 14, 2013

To: Senate Committee on Judiciary
State Capitol
900 Court Street NE Salem, OR 97301

RE: Opposition to SB 289

Dear Chair Prozanski and members of the committee:

Thank you for this opportunity to present testimony opposing SB 289, legislation to *require* courts to consider legislative history when interpreting laws. 1000 Friends of Oregon is a nonprofit, membership organization that works with Oregonians to support livable urban and rural communities, protect family farms and forests, and provide transportation and housing choice.

Put quite simply, this bill would mean that even unambiguous laws could not be interpreted at face value. It would no longer suffice to look up an ORS and read it to know what the law is. Instead, any time anyone – whether it is a lawyer, a local government, a citizen, a legislator, or a judge – wanted to know what the law is, they would need to read the law **and** gather and interpret legislative history or risk an interpretation at court that is not supported by the language of the statute. Currently, courts have the discretion to resort to legislative history and they often do so when statutory language is ambiguous. Requiring them to use legislative history to interpret unambiguous statutes would waste the time of the courts and practitioners.

1000 Friends opposes this bill because it would make interpreting laws less clear and more complex.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven D. McCoy".

Steven D. McCoy
Farm and Forest Staff Attorney