



OREGON STATE SENATE

April 9, 2023

Honorable Rob Wagner
President of the Oregon State Senate
900 Court Street NE
Salem, Oregon 97301

From the Desk of Senator Boquist

President Wagner:

SB 393 passed out of committee without a public hearing in violation of Or Const Art IV Sec 14 passed by the voters in 1974. The President is required to reject the committee report or refer SB 393 to another committee to correct this intentional unconstitutional error. Or the President could introduce a new bill for the germane subject matter.

The aforementioned is not subject to partisan parliamentary interpretation under senate or masons rules. It is rumored, and unlikely untrue, the parliamentarian has claimed a previous parliamentarian's records in the senate allow passage of bills in violation of the constitution. If such a record exists in the senate records please provide a copy per the senate rules.

The democrat appointed joint committee on professional responsibility drafted, heard, worked, and passed out of both chambers S.J.R. 36 in 1973 placing Measure 2 on the 1974 general election ballot which passed overwhelmingly. The ballot committee with legislative members, per the law at that time, prepared the ballot explanation, argument in favor, and argument in opposition placed before the voters. The four ballot committee documents before the voters enshrined the "present practice" in 1973 of holding open "extensive public hearings" followed by "deliberations" in public to ensure "future leadership will not change this procedure for its own benefit" thereby "proceedings will stand the test of public scrutiny." Why the democrat ballot measure: "to stop the abuse of power." A recent LC Opinion validates this constitutional requirement as well.

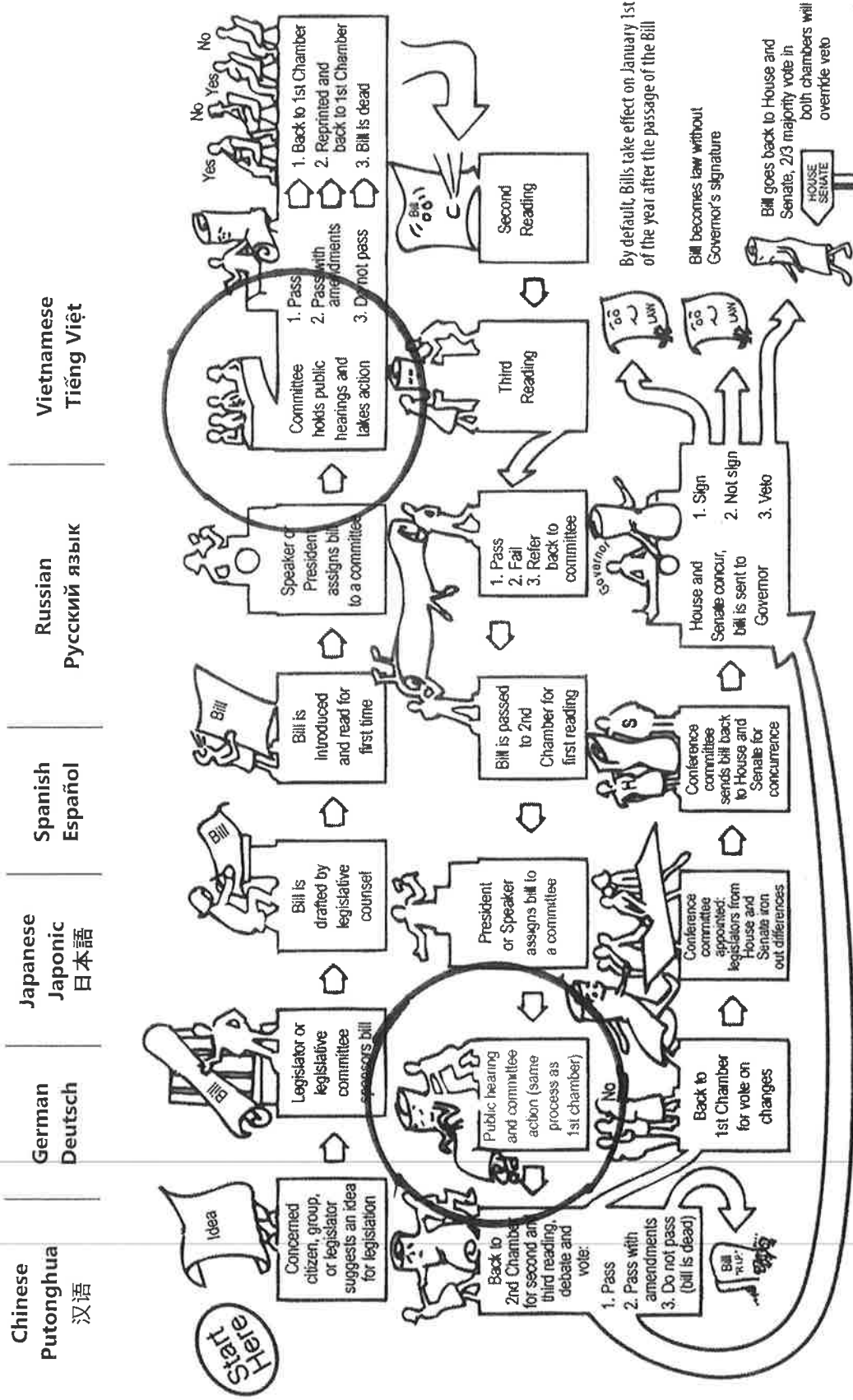
Only as a side note, a variety of other senate and mason rules have been violated: SR 3.05, SR 8.10, SR 815, SR 8.75, MR 630, MR 631, MR 691, MR 402 to just mention a few. Regardless, these rules are immaterial given the constitutional violation with SB 393. Note Legislative Administration controlled by the Presiding Officers has published in seven languages the custom and practice of the Senate and the House since at least 1973: public hearing with testimony followed by work sessions in both chambers are required. Again, in seven languages.

The President is kindly requested to follow constitutional, statutory, and rule of law.

Kindly requested,

Brian J. Boquist
Oregon State Senator
SD 12 IPO

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