

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***  
A Statement of Need and Fiscal Impact accompanies this form

<u>Citizens' Initiative Review Commission</u>	710
Agency and Division	Administrative Rules Chapter Number
Tony Iaccarino	(503) 508-0886
Rules Coordinator	Telephone
<u>Citizens' Initiative Review Commission, P.O. Box 9156, Portland, OR 97207-9156</u>	
Address	

**RULE CAPTION**

Rules related to procedure and administration for Citizens' Initiative Review Commission

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
1-29-14	11:00 a.m.	506 S.W. Mill Street, Suite 710, Portland, Oregon	Tony Iaccarino

**RULEMAKING ACTION**

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**ADOPT:**

710-001-0000, 710-001-0005, 710-005-0005

**AMEND:**

**REPEAL:**

**RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**AMEND AND RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**Statutory Authority:**

ORS 182.462 (1), ORS 183, ORS 183.341, ORS 250.137(3)(b) & Sec. 11 Ch. 722 OL 2013

**Other Authority:**

**Statutes Implemented:**

ORS 182.462 (1), ORS 183, ORS 183.341 & Sec. 11 Ch. 722 OL 2013

**RULE SUMMARY**

The first two proposed rules are procedural: the first identifies the procedures by which the Citizens' Initiative Review Commission, a newly established semi-independent state agency, will provide notice of rulemaking; the second affirms that the Commission shall adopt the Attorney General's Model Rules of Procedure. The third and final proposed rule is administrative, specifying the Commission's 2013-15 Biennium Budget, and the method for amending the budget if necessary.

The Commission requests public comment on whether other options should be considered for achieving the rules' substantive goals while reducing any negative economic impact on business.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

<u>01-29-2014 12:00 p.m.</u>	<u>Tony Iaccarino</u>	<u>info@circommission.org</u>
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

<b>FILED</b> 11-25-13 6:20 AM ARCHIVES DIVISION SECRETARY OF STATE
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\*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

Secretary of State  
**STATEMENT OF NEED AND FISCAL IMPACT**  
A Notice of Proposed Rulemaking Hearing accompanies this form.

Citizens' Initiative Review Commission  
Agency and Division

710  
Administrative Rules Chapter Number

Rules related to procedure and administration for Citizens' Initiative Review Commission

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

the adoption of rules related to procedure and administration for Citizens' Initiative Review Commission

**Statutory Authority:**

ORS 182.462 (1), ORS 183, ORS 183.341, ORS 250.137(3)(b) & Sec. 11 Ch. 722 OL 2013

**Other Authority:**

**Statutes Implemented:**

ORS 182.462 (1), ORS 183, ORS 183.341 & Sec. 11 Ch. 722 OL 2013

**Need for the Rule(s):**

As a newly established semi-independent state agency, the Citizens' Initiative Review Commission is required to adopt rules of procedure for use in rulemaking and for other administrative proceedings. In addition, the Commission is required to adopt a biennial budget, after a public hearing thereon, via administrative rule.

**Documents Relied Upon, and where they are available:**

ORS 182.462 (1), ORS 183, ORS 183.341, ORS 250.137(3)(b) and Sec. 11 Ch. 722 OL 2013 can be found online at the Oregon State Legislature's website. The Citizens' Initiative Review Commission minutes from August 22, 2013 and draft budget are available online at the Commission website.

**Fiscal and Economic Impact:**

As the proposed rules simply establish the Citizens' Initiative Review Commission's basic procedures for rulemaking and other administrative proceedings, while specifying the agency budget, the Commission anticipates that the proposed rules will have no fiscal or economic impact on state agencies, units of local government, small businesses, or the public. There will be a minimal impact on the Commission itself as it carries out such procedures, but such impact can be absorbed with existing agency resources. The Commission itself is funded entirely through charitable contributions.

**Statement of Cost of Compliance:**

**1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):**

The proposed rules will have no fiscal or economic impact on state agencies, units of local government or the public. The Commission is funded entirely through charitable contributions.

**2. Cost of compliance effect on small business (ORS 183.336):**

**a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:**

No small businesses will be subject to the proposed rules, although approximately ten small business owners from public relations and political consulting firms and legal offices, currently on the Citizens' Initiative Review Commission mailing list, will be provided notice of hearings and other administrative proceedings.

**b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:**

The proposed rules require no projected administrative activities for any entities other than the Citizens' Initiative Review Commission itself. Such activities will include the minimal reporting, recordkeeping and other administrative activities required of the Commission as it complies with basic notification and procedural rules and any potential amendment of its 2013-2015 Biennial Budget. The costs will be minimal and can be absorbed with existing agency resources.

**c. Equipment, supplies, labor and increased administration required for compliance:**

Adoption of these rules will not impact the Commission's need for equipment, and supplies. While a minimal increase in labor and administration will be required for compliance, such costs will be minimal and can be absorbed with existing agency resources.

**How were small businesses involved in the development of this rule?**

Small businesses were not involved in the development of these proposed rules as no fiscal or economic impact is anticipated. However, the

Commission invites public comment on whether other options should be considered for achieving the rules' substantive goals while reducing any unforeseen negative impact on businesses.

**Administrative Rule Advisory Committee consulted?: No**

**If not, why?:**

An advisory committee was not consulted because rules relating to notice of proposed rulemaking specifically and to model rules of procedure more generally are similar among most semi-independent state agencies. These similarities were considered sufficient to guide the Commission in the development of its own similar proposed procedural rules. The process of developing the proposed rule pertaining to the budget was based on data from the Commission's previous year (prior to its transition to a semi-independent state agency) as well as projected needs. The Commission's knowledge of its own needs was considered the best tool in determining a proposed budget.

Nevertheless, input on the proposed rules will be sought through publication of the Notice of Proposed Rulemaking Hearing in the Oregon Bulletin, and by furnishing copies of the notice to legislators specified in ORS 183.335, to the Commission's mailing list, and to the Associated Press and the Capitol Press Room. Copies of the proposed rules and draft 2013-2015 budget are available from the Commission upon request. Input on the proposed rules, including the draft budget, may be provided to the Commission either in writing or at the scheduled public hearing.

<u>01-29-2014 12:00 p.m.</u>	<u>Tony Iaccarino</u>	<u>info@circommission.org</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address

<b>FILED</b> 11-25-13 6:20 AM ARCHIVES DIVISION SECRETARY OF STATE
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## **710-001-0000**

### **Notice of Proposed Rulemaking**

Before permanently adopting, amending or repealing any rule, the Citizens' Initiative Review Commission (Commission) will give notice of the intended action:

- (1) In the Secretary of State's Bulletin referred to in ORS 183.360 at least 21 days before the effective date of the rule;
- (2) By mailing or e-mailing a copy of the notice to persons on the Commission mailing list established pursuant to ORS 183.335(8) at least 28 days before the effective date of the rule;
- (3) By e-mailing a copy of the notice to the legislators specified in ORS 183.335(15) at least 49 days before the effective date of the rule; and
- (4) By mailing, e-mailing, or furnishing a copy of the notice to:
  - (a) the Associated Press;
  - (b) and Capitol Press Room.
- (5) The Commission may update the mailing list described in section two of this rule annually by requesting persons to confirm that they wish to remain on the mailing list. If a person does not respond to the request for confirmation within 28 days of the date the Commission sends the request, the Commission will remove the person from the mailing list. Any person removed from the mailing list will be immediately returned to the mailing list upon request, so long as the person provides a mailing or e-mailing address to which notice may be sent.

Stat. Auth.: ORS 250.137(3)(b), ORS 183.341 & Sec. 11 Ch. 722 OL 2013

Stats. Implemented: ORS 183.341 & Sec. 11 Ch. 722 OL 2013

## **710-001-0005**

### **Model Rules of Procedure**

The Attorney General's Model Rules of Procedure under the Administrative Procedures Act, in effect on February 1, 2012, are hereby adopted as the rules of procedure by reference for the Citizens' Initiative Review Commission.

Stat. Auth.: ORS 250.137(3)(b), ORS 183 & Sec. 11 Ch. 722 OL 2013

Stats. Implemented: ORS 183 & Sec. 11 Ch. 722 OL 2013

## **710-005-0005**

## **Commission Budget**

The Citizens' Initiative Review Commission hereby adopts by reference the Citizens' Initiative Review Commission 2013-2015 Biennium Budget of \$190,000 covering the period from July 1, 2013 through June 30, 2015. The Chair of the Commission, in consultation with the Commission, will amend budgeted accounts as necessary within the approved budget of \$190,000 for the effective operation of the Commission. The Commission will not exceed the approved 2013-2015 Biennium Budget without amending this rule and holding a public hearing thereon as required, by ORS 182.462(1). The budget can be found on the Commission's website.

Stat. Auth.: ORS 250.137(3)(b), ORS 182.462 (1) & Sec. 11 Ch. 722 OL 2013

Stats. Implemented: ORS 182.462 (1) & Sec. 11 Ch. 722 OL 2013