Oregon

Kate Brown, Governor

Citizens' Initiative Review Commission
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Web Site: **www.Oregon.gov/CIRC**

WHO: Citizens' Initiative Review Commission

WHEN: Tuesday, March 10, 2015– 1:00 P.M.

WHERE: College of Urban & Public Affairs
Portland State University
506 S.W. Mill Street, Room 720
Portland, OR 97201

What is the purpose of the meeting?
The purpose of the meeting is to conduct regular commission business. Please use appropriate language, manners, and protocols when conducting commission business. A copy of the agenda is printed with this notice. Please visit http://www.oregon.gov/CIRC/meetings.shtml for current meeting information.

Is the public allowed to attend the meeting?
Yes. Members of the public are invited and encouraged to be in attendance at all commission meetings. All public audience members are asked to sign-in on the attendance roster prior to the meeting. Comments may be heard under public comment portion of the meeting as listed on the agenda. Please wait to be recognized by the Chairperson prior to commenting.

What if the board/council enters into executive session?
Prior to entering into executive session the commission chairperson will announce the nature of and the authority for holding executive session, at which time all audience members are asked to leave the room with the exception of news media and designated staff. Executive session would be held according to ORS 192.660.

No final actions or final decisions will be made in executive session. The commission will return to open session before taking any final action or making any final decisions.

Who do I contact if I have questions or need special accommodations?
The meeting location is accessible to persons with disabilities. A request for accommodations for persons with disabilities should be made at least 48 hours before the meeting. For questions or requests call 503-725-5248. All members are asked to please give at least 24-hour notice if they are unable to attend the meeting so arrangements may be made.

Citizens' Initiative Review Commission
Commission Meeting
◆◆◆
1:00pm, Tuesday, March 10, 2015
Urban Center Room 720
Portland State University
506 SW Mill St.
Portland, OR 97201

- **Call to order**

- **Approval of minutes from Nov 20, 2014 CIRC Commission meeting**

- **Update on Evaluations of 2014 CIRs and 2015 Report to State Legislature**
  - Moderator Evaluation – Mary Forst, Robin Gumpert, Healthy Democracy
  - Citizen Panelist Evaluation – Healthy Democracy (to be held late March / early April)
  - Research Team Update – Healthy Democracy / CIRC Administrative Coordinator
  - Discussion on findings and recommendations for 2015 Report to State Legislature - All

- **CIR Process Review (Spring 2015)**
  - Planning – Healthy Democracy
  - Volunteers for Commissioners' Subgroup

- **Items for 2015 Work Plan**
  - Review 2013-2015 Work Plan
    - Discussion in items for 2015 Work Plan - All
  - Review 2013-2015 Budget
    - Report from Policy Consensus Initiative
    - Timeline (Public Hearing notices, Hearing, CIRC approval, filing) – CIRC Administrator
    - Commissioners' subgroup to work on 2015-2017 budget

- **Public Comment Period**

- **Other Business**

Citizens' Initiative Review Commission
Commission Meeting

◆◆◆

11:00am, Tuesday, November 20, 2014
College of Urban & Public Affairs
Portland State University
506 S.W. Mill St., Room 611
Portland, OR 97201

MEMBERS PRESENT:
Jerry Hudson, Chair
James Huffman, Vice-Chair
Ann Bakkensen
Mary Forst
Robin Gumpert
Kay Ogden
Marion Sharp
Daniel Esqueda

ADMINISTRATIVE SUPPORT PRESENT:
Sarah Giles, Administrative Coordinator
Roslyn Owen, Financial Coordinator
Wendy Willis, Policy Consensus Initiative Executive Director

GUESTS PRESENT:
Tyrone Reitman, Healthy Democracy Executive Director
Kate Gonsalves, Our Oregon

Call to Order
Jerry Hudson, Chair, called the meeting of the Citizens' Initiative Review Commission (CIRC) to order at 11:00 pm., Tuesday, November 20, 2014, at the College of Urban & Public Affairs, Portland State University, 506 S.W. Mill Street, Room 611, Portland. Roll was called.

Approval of Minutes from Commission Meeting June 6, 2014
Ann Bakkensen made a motion to approve the minutes from the CIRC Commission Meeting on July 8, 2014. Kay Ogden seconded the motion. Commissioners voted unanimously to approve the motion.

Review of 2014 CIRs
Tyrone Reitman from Healthy Democracy gave a review of the 2014 CIR sessions, which both took place in August as scheduled and on budget with participation from both campaigns for and against for each measure. The preliminary data from the evaluation team continues to come in and Healthy Democracy will conduct the evaluation process in early 2015. Healthy Democracy also plans on conducting a series of meetings on CIR design with the research team, staff, consultants and commissioners in the first quarter to look at what worked as well as areas for improvement. The preliminary reports from the research team were also included in the meeting materials as was a summary of feedback from Measure 90 campaign advocates. Administrative Coordinator Sarah Giles met with representatives from both campaigns and was still hoping to schedule times to meet with Measure 92

advocates, who were unable to meet during the final months of the election and recount period. One Measure 90 advocate also submitted a letter to Commissioners containing his feedback, which was included in the meeting materials.

Tyrone also shared the results of two pilot CIRs in Arizona (on a city measure to change the pension system for city employees) and Colorado (on a statewide initiative on GMO labeling). Both pilots provided additional data and comparative analyses for the two recent CIRs on Oregon, particularly in looking at questions around duration of the event (testing out 3.5 days), how to increase recruitment (which decreased between 2012 and 2014 from 8% to 4% response rates), and a more campaign-driven format. The pilot in Arizona also provided a chance to include neutral experts in a different way, partnering with the Morrison Institute of Public Policy at Arizona State University to provide a neutral panel at the onset of the event.

Robin Gumpert also shared the feedback from the four moderators who participated in both the Oregon CIRs as well as Colorado and Arizona. The moderators emphasized the need to work on training additional moderators in the state who can easily step in to provide moderation, and Robin suggested the Commissioners take that up at a future date. The moderators noted improvements from the 2012 CIRs, particularly in having a clear roadmap for moving through the process and using both small and large group formats. The moderators also agreed that figuring out a way to infuse experts independent of the campaigns was important for future CIRs.

The Commissioners had a brief discussion about the role of moderators in the process as some of the campaign advocates expressed a desire for a moderator to act in a more judicial function. Moderators saw their role as being impartial facilitators and process guides who ensure that all citizen panelists are actively participating and are able to develop group dynamics among themselves to actively engage. Commissioners discussed the evidentiary procedure as a structural issues, which is an important one to discuss in future reviews of the CIRs.

The Commission also discussed the role of neutral experts in the process. In the 2014 CIRs, the panelists primarily had the explanatory statements for each measure (as would go in the Voter's Guide) as well as statements from the campaigns, which was more than panelists had received in the past. Commissioners discussed the part of the process where citizen panelists evaluate arguments to then create the citizens' statement and agreed it could use more refinement during the process review. Commissioners also agreed that there had been value in the past in an independent expert present to respond to questions from citizen panelists and provide reasonable confidence that information was not coming from a campaign but from an independent source. Healthy Democracy pointed out the difficulty in identifying people who are willing to play the role of independent source who both campaigns acknowledge can be in that role. The success in Arizona came from having a partner who was seen as a strong research institution and seeing that conversation at the front end as an "informational" independent panel.

The Commission also discussed particular questions to address during a design review, particularly the move from 5 days to 3.5 days. Commissioners expressed concern that shortening the duration might mean less of an ability for the citizen panelists to engage experts and to deliberate amongst themselves. In addition, Commissioners would like to consider the concept of an independent panel and what role campaign advocates might play regarding such a panel. Commissioners also would like to look at how to create an advocate panel if a campaign were to choose not to participate.

Public Comment

Commissioner Hudson asked if any guests would like to make additional public comments. There was no public comment from any guests.

Permanent Rulemaking on Temporary Rule 710-010-0000 – Citizen Elector Stipend and Travel Reimbursement

Hudson introduced the minutes of the September 30, 2014 Permanent Rule Advisory Group and the minutes of the October 29th, 2014 Administrative Rules Hearing regarding the proposed rule on Citizen Elector Stipend and Travel Reimbursement: 710-010-0000. Sarah Giles served as presiding officer for the October 29 hearing. No members of the public attended the hearing and no written comments were submitted prior to the public comment

deadline of October 29, 2014 at 12:00 p.m. Commissioners also reviewed the preliminary findings from the research team that pertained to stipend and travel reimbursements.

Commissioners agreed to adjust the Temporary Rule language to not specify a fixed amount for mileage reimbursement, as recommended by the Advisory Group. They also discussed the recommendation to add in an adjustor to the stipend and settled on providing a range of reimbursement, particularly as any future decision to lengthen the duration would likely mean an increase in the daily stipend. As the Commissioners discussed earlier in the meeting, they would like more time to evaluate the effects and trade offs of the shortened duration and suggested leaving the language as "According to duties defined, the Commission sets each panel duration." Policy Consensus Initiative staff also suggested combining both the stipend and travel reimbursement into one check in order to cut down on administrative time. As the Advisory Group stated they didn't think the number of checks made a difference, Commissioners agreed to strike the separate check language from the Temporary Rule.

Commissioners reviewed the amended language: "According to the duties defined in ORS 250.139(5)(a), the Commission shall compensate each elector for each day served on a panel in an amount in the range of $75 - $200 per day, as set by the Commission. According to duties defined in 250.139(5)(b), the Commission shall reimburse each elector who serves on a panel for travel expenses in accordance with travel reimbursement policies (mileage, airfare, public transportation costs) as determined annually by the Oregon Department of Administrative Services."

Ann Bakkensen made a motion to adopt the amended language. Marion Sharp seconded the motion. Commissioners voted unanimously to approve the motion.

CIRC Membership Update

Chair Hudson reviewed the Commissioners terms and noted that the evaluations of the 2014 CIRs would bring in two more citizen panelists to fill those spots and staff would continue to work with the Senate Republican leadership on filling the third political appointment.

Items for 2015 Work Plan

Commissioner Hudson introduced a draft 2015 Work Plan, including working on the 2015-2017 budget and conducting the 2014 CIR Evaluations / Design Review with Healthy Democracy. Hudson asked for volunteers to serve on either the Budget work group or the Evaluation / Design Review work group to please let Sarah know. Robin Gumpert also asked to circulate the previous work plan ahead of the next meeting so Commissioners could further refine the work plan then.

Other Business

Sarah Giles let the Commission know that the issue of allowing videotaping at the CIR panels had come up during the 2014 CIRs. Mary Forst and Robin Gumpert volunteered to look into how public meeting laws applied to a body like the citizens' panel that was not advising a decision-making body. Robin also suggested Sarah check in with other administrators of Semi-Independent Boards and Agencies if others had faced similar circumstances. Commissioners agreed to revisit the topic at the next meeting after more information had been gathered.

The meeting adjourned at 12:53 p.m.

Prepared by: Sarah Giles,
Administrative Coordinator

DRAFT

Moderator Report to the Oregon Citizens' Initiative Review Commission

According to ORS 250.143 (1), "each person who served as a moderator for a citizen panel that evaluated a measure voted on at the most recent general election shall: (a) Convene to evaluate procedures related to the citizen panels and submit a written report to the Citizens' Initiative Review Commission summarizing the evaluation, along with any recommendations; and (b) Appoint two moderators from among the former panelists convened for the evaluation to be members of the commission."

On February 18, 2015, four moderators from the two Citizens' Initiative Reviews (CIRs) conducted in 2014, convened to evaluate CIR procedures. The moderators included Robin Gumpert and Michael Schnee from the CIR for Measure 92; and Mary Forst and Molly Keating from the CIR for Measure 90. The evaluation was facilitated by Tyrone Reitman, Executive Director of Healthy Democracy, on behalf of the CIR Commission. Lucy Greenfield, also of Healthy Democracy, and CIRC Administrator Sarah Giles were also present.

Moderators made suggestions about several areas of the CIR process. Healthy Democracy is engaging in a thorough review of 2014 CIR events, and will be combining this feedback with feedback from the independent research team, panelists, advocates, and leaders in other states that piloted the Citizens' Initiative Review to suggest possible changes to the CIR process.

A summary of the evaluation by moderators, including recommendations, can be found below:

Strengths and weaknesses of CIR procedures:

- Moderators see the CIR as a unique deliberative exercise and a valuable process for providing information to citizens about ballot measures.
- Given the complexity of the process, moderators found it important and useful to co-facilitate with another moderator.
- Moderators adapted to several new process changes in 2015. They tested different approaches, and in many cases made process improvements during the reviews.
- Moderators did not notice any differences in panel dynamics after the change in size of the CIR panel from 24 to 20 citizens.

Moderator suggestions:

- Moderators suggested allowing panelists significant additional time to develop content for the Citizens' Statement (writing pro and con statements and key findings).
- Moderators suggested looking at ways to bring in additional independent information and voices to give context for the measures and to be available to answer questions and provide information to panelists throughout the CIR.
- Moderators suggested narrowing down the number of voting methods used and increasing time for deliberation and for flexibly structured group conversation.

- Moderators suggested modifying the format for advocate resource panels to ensure that each panel provides new and useful information.
- Moderators suggested updating the moderator manual to include a section explaining how the CIR differs from a typical deliberative event and cautioning moderators about potential pitfalls. They also suggested redesigning the manual to give moderators a clearer understanding of the process (for instance, break the process up into repeated building blocks).

CITIZENS' INITIATIVE REVIEW COMMISSION
2013-15 WORK PLAN

Approved December 11, 2013; revised March 10, 2014.

Key goal:

- To provide oversight of the Citizens' Initiative Review (CIR) in a manner that ensures its integrity, effectiveness, and sustainability

Key tasks:

- Regularly assess progress toward key work plan tasks and revise as needed
- Develop 2013-15 biennium budget
- Approve new contracting and personnel policies and procedures
- Establish new FDIC-insured depository account
- Review and approve final Commission report on 2012 CIR
- Adopt administrative rules re procedures and budget
- Consider additional administrative rules re CIR process, moderators, and criteria for ballot measure selection
- Secure long-term administrative services contract
- Secure program services contract for 2014 CIR
- Review and approve abbreviated biennial Commission report on financial and other activities
- Review and approve policies & procedures for 2014 CIR
- Review Commissioner terms, plan for new appointments
- Determine sufficiency of funds
- Select 2014 ballot measures for review
- Review and approval of annual financial report for previous fiscal year
- Review panelist and moderator evaluations of 2014 CIR to develop Commission findings and recommendations re CIR
- Develop and approve 2015-17 biennium budget

Meeting Dates:

- December 11, 2013
- January 30, 2014
- March 10, 2014
- June 16-20 (precise date TBD)
- July 8-10, 2014 (precise date TBD)
- November 18-20, 2014 (precise date TBD)
- March 10-19, 2015 (precise date TBD)

December 11, 2013 Meeting:

- Review and approve final Commission report on 2012 CIR (due Dec 31, 2013)

January 30, 2014 Meeting:

- Adopt administrative rules re procedures and budget
- Review and decide long-term administrative services options
- Review and decide program services contract for 2014 CIR

- Consider additional rules re CIR process, moderators, and criteria for ballot measure selection
- Standing legislative and financial updates

March 10, 2014 Meeting:

- Review and approve abbreviated biennial Commission report on financial and other activities (due April 1, 2014)
- Review administrative rule options re ballot measure selection and panelist stipends
- Review Commissioner terms, plan for new appointments (terms are four years, with no more than six member terms expiring every two years)
- Approve administrative and program services contract(s)
- Standing legislative and financial updates

June [16-20], 2014 Phone Conference Meeting:

- Determine sufficiency of funds to carry out duties of CIR Commission and to pay for statements to be printed in Voters Pamphlet (required by July 4, 2014);

July [8-10], 2014 Meeting:

- Review and approve policies & procedures for 2014 CIR
- Select 2014 ballot measures for review
- Review and approve annual financial report for previous fiscal year ending June 30 (to be made public and with copy to DAS by Sept 30)
- Adopt temporary administrative rule re panelist stipends
- Standing legislative and financial updates

November [18-20], 2014 Meeting:

- Review panelist and moderator evaluations of 2014 CIR to develop Commission findings and recommendations re CIR
- Appointment of new Commissioners
- Adopt permanent administrative rule re panelist stipends
- Standing legislative and financial updates

March [10-19], 2015 Meeting:

- Develop and approve 2015-17 biennium budget
- Approve contract for 2015-17 biennium
- Standing legislative and financial updates

CITIZENS' INITIATIVE REVIEW COMMISSION 2013-2015 BUDGET APPROVED 1/30/2014*				Actual**		Pending
REVENUE						
	A. Beginning Balance					
		Ending Cash Balance 2011-13 Biennium	$ 3,519			
	A. Total		**$ 3,519**	**$ 3,519**		
	B. Donations					
		Grants	$ 186,481	$ 94,001		
		Individual Contributions	$ -			
	B. Total		**$ 186,481**	**$ 94,001**		
	C. Earned Income					
			$ -			
	C. Total		**$ -**			
Total Revenues			**$ 190,000**	**$ 97,520**		
EXPENSES						
	A. CIR Commission Services ***					
		Voters Pamphlet Publication (2 CIRs)	$ 10,500	$ 11,750		
		CIR Panelist Stipends (2 CIRs)	$ 28,000	$ 12,800		
		CIR Panelist Travel Reimbursements (2 CIRs)	$ 5,000	$ 5,096		
		CIR Panel Recruitment Mailing (2 CIRs)	$ 6,500	$ 18		
	A. Total		**$ 50,000**	**$ 29,665**	**$**	**-**
	B. CIR Commission Adminstrative Expenses					
		Administrative Staffing	$ 17,000	$ 9,500	$	7,500
		Liability Insurance	$ 2,500			
		Commissioner Travel Reimbursements	$ 1,000	$ 379		
		Banking Fees	$ 540	$ 453	$	161
	B. Total		**$ 21,040**	**$ 10,333**	**$**	**7,661**
	C. CIR Event Expenses (2 CIRs)***					
		Project Management Staffing	$ 27,000	$ 14,000		
		Research & Event Staffing	$ 10,000	$ 3,000		
		Moderators and Facilitators	$ 16,000			
		Moderator Training	$ 2,000			
		Event Security	$ 1,000			
		Venue Rental / Meals	$ 13,000	$ 13,000		
		Lodging	$ 18,000	$ 12,000		
		Staff Travel	$ 1,000	$ 264		
		Office Supplies	$ 1,000	$ 262		
		Videography	$ 2,000			
		Summary Report	$ 2,500			
		Miscellaneous Event Expenses	$ 1,000			
	C. Total		**$ 94,500**	**$ 42,526**	**$**	**-**
	D. Professional Services					
		State Government Service Charges	$ 10,000	$ 4,744		
		Professional IT Services	$ 2,500			
		Professional Services	$ 7,500			
	D. Total		**$ 20,000**	**$ 4,744**	**$**	**-**
	E. Other					
		Contingent Expenses	$ 4,460	98.95	$	500
	E. Total		**$ 4,460**	**$ 99**	**$**	**500**
Total Expenses			**$ 190,000**	**$ 87,366**	**$**	**8,161**
	Total Revenue		**$ 190,000**	**$ 97,520**		
	Total Expenses		**$ 190,000**	**$ 87,366**	**$**	**8,161**
	Balance		**$ -**	**$ 10,153**	**$**	**(8,161)**

*Budget for 2013 - 2015: based off assumption of 2 5-day CIRs, each with 24 panelists

**Actual Expenses dating from Jan 2014 to Feb 25 2015; expenses reflect 2 3.5day CIRs, each with 20 panelists;

***Actual expenses for some items on A. CIR Commission Administrative Expenses and C.

CIR Event Expenses do not reflect costs that Program Contractor absorbed and did not bill CIRC for.

STATE OF OREGON

TRAVEL EXPENSE DETAIL SHEET

Department of Administrative Services

1. Name of Employee	2. Agency	3. Period (Month and Year)
4. Official Station	5. Division, Work Unit, PCA	6. Regular Schedule Work Shift x Other to

7. Unrepresented [ ] Management Service [ ] Executive Service [ ] Board/Commission [X] Volunteer [ ]

Bargaining Unit Name [ ] Other [ ]

Home Address:

Employee ID

8. Date	9. Time of Departure	10. Time of Arrival	11. Description	12. Per Diem/ Full Day	Individual Meal: Breakfast 25%	Lunch 25%	Dinner 50%	13. Lodging (Less Tax)	14. **Total** Meals and Lodging
									-
									-
									-
									-
									-
									-
									-
			15. **Totals**		-	-	-	-	**-**

16. **(Office Use Only)** PCA	OBJ	Amount	17. Date	18. Miscellaneous Expenses Fares, Private Mileage, Room Tax, Telephone, Baggage, Other	19. Total PVM Miles	20. Commute Miles	21. Reimbursed PVM Miles	22. Rate per Mile	23. Amount
							0.0	0.55	-
									-
									-
									-
									-
	Totals	-					**24. Section Total**		**-**

25. I **did**_____ **did not** _X____ accept travel awards as a result of, or associated with this state business trip.

Completion of this block is mandatory. Travel expense reimbursement claims will not be processed if this block is left blank. Travel awards included, but may not be limited to , airline frequent flyer miles and hotel or car rental frequent customer awards.

26. REASON FOR TRAVEL: (Be specific.)

27. Grand Total Amount **$ -**

28. Travel Advance Amount $ -

29. Amount Due Employee/State **$ -**

30. Received Training Conducted Training

I certify that all reimbursements claimed reflect actual duty required expenses or allowances entitled; that no part thereof has been heretofore claimed or will be claimed from any other source.

31. Signature of Board Member

32. Title Date

I certify that the above claimed expenses are authorized duty required expenses. Funds for payment of this claim are available in the approved budget for the period covered and have been allotted for expenditure.

33. Approved By

34. Title Date