



Oregon

Kate Brown, Governor

Citizens' Initiative Review Commission

P.O. Box 9156

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E-Mail: info@circommission.org

Web Site: www.Oregon.gov/CIRC

WHO: Citizens' Initiative Review Commission

WHEN: March 29, 2016 – 10am – 12:00noon

WHERE: College of Urban & Public Affairs
Portland State University
506 S.W. Mill Street, Room 710
Portland, OR 97201

Contact the CIRC Administrator for call in information

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

◆◆◆
March 29, 2016

- Call to Order – Jerry Hudson, CIRC Chair
- Approval of Minutes From January 25, 2016 Meeting - All
- Commission decisions on CIR 3.0 Concept
 - Length of CIR (between 3 and 5 days)
 - Number of citizen panelists (18-24 people)
 - Role of CIRC in selecting independent experts (Potential rulemaking)
 - Vote Count
 - Citizen panelists' daily stipend (between \$75 and \$200)
 - Contracting for 2016 CIR Program Management
 - Timeline for 2016 CIRs
- Update on Commission Positions
 - Thank you to outgoing Commissioners
 - Senate Recommendations
 - Chair and Vice Chair positions
- Approval of 2016 Commission Report to Legislature
- Public Comment Period
- Other Business



Citizens' Initiative Review Commission

TIMELINE for 2016 CIRs

2016

- By early April – begin any rulemaking process / hold hearing by early June
- By late April – Contract with CIR Program Manager
- Late May / Early June – CIRC meeting: review potential measures, review financials, vote on any rules
- Early July – CIRC meeting: select 1-2 ballot measures for review
- Mid-Late July – Invite citizen panelists and potentially independent experts
- August – CIRs held

2017

- By February 2017 – hold citizen panelist and moderator evaluations
- By December 2017 – make findings and recommendations on 2016 CIRs; post on website



Citizens' Initiative Review Commission
Commission Meeting



11:00am, Monday, January 25th, 2016
College of Urban & Public Affairs
Portland State University
506 S.W. Mill St., Room 710
Portland, OR 97201

MEMBERS PRESENT:

Jerry Hudson, Chair
James Huffman, Vice-Chair
Ann Bakkensen
Mary Forst
Robin Gumpert
Kay Ogden
Marion Sharp
Ernest Estes
Debby Southworth

MEMBERS ABSENT:

Debby Southworth
Daniel Esqueda

ADMINISTRATIVE SUPPORT PRESENT:

Sarah Giles, Administrative Coordinator
Roslyn Owen, Financial Coordinator
Wendy Willis, Policy Consensus Initiative Executive Director

GUESTS PRESENT:

Lucy Greenfield, Healthy Democracy
Jessie Conover, Health Democracy
Christy Mason, Our Oregon

Call to Order

Jerry Hudson, Chair, called the meeting of the Citizens' Initiative Review Commission (CIRC) to order at 11:00 am., Monday, January 25th, 2016, at the College of Urban & Public Affairs, Portland State University, 506 S.W. Mill Street, Room 720, Portland. Roll was called.

Approval of Minutes from Commission Meeting December 7, 2015

Jessie Conover from Healthy Democracy requested to clarify a point from the minutes. On top of page 3, she suggested that the minutes read “The design team designed within the constraints proposed by Healthy Democracy and sought to determine whether a design of less than 5 days could be achieved while also improving quality.” Commissioners all agreed to approve this clarification.

Ann Bakkensen made a motion to approve the minutes from the CIRC Commission Meeting on December 7th, 2015. Ernie Estes seconded the motion. Commissioners voted unanimously to approve the motion. None opposed.

Commission discussion on CIR 3.0 Concept

Chair Jerry Hudson asked Conover to review the background, purpose and process for the CIR 3.0 concept. Conover explained that Healthy Democracy orientation was to draw on the past CIRs and research done to figure out what needs to be done in order to achieve a high quality CIR in less than 5 days. The design team set the 3.0 concept within the constraints of 3.75 days. Created a process that expands the process from 3.5 to 3.75 days. Doing so meant retooling the claims process (both the inputs and the process of editing those claims) so it is smoother and more manageable. The new design also integrates more subcommittee work. The new design also implements a research-based framework to improve the deliberation and statement quality. This framework is adapted from a model developed by a member of the research team. Those are directly reflected into the design as a framework on Day 2 and Day 3. Conover also went over the daily schedules of the 3.0 process. Other changes include:

- Change in the number of claims submitted by the advocacy campaigns from 15 to 7
- A lot of work in small groups
- Day 2 is focused on collecting information
- the design now includes a panel of “independent experts”, which are experts not affiliated with campaigns
- Day 3 is focused on evaluating information. This also includes initial statement drafting and increases the amount of time the advocates have to review drafts and provide feedback to the citizen panels. It also includes a fact-checking subcommittee which is intended to verify that facts are consistent with what was heard earlier in the process.
- Day 4 is focused on the work of the pro and con subcommittees, which are randomly assigned. The new design calls for them to create a paragraph statement rather than bullets using a template.

Ernie Estes asked for clarification on how the process accommodates combining statements. Conover stated that would occur on Day 3 but a clear mechanism for presenting the opportunity to combine statements is still needed.

Commissioners also discussed how the independent expert panels would work, particularly in whether it was advantageous to have the independent experts appear individually or together on a panel. Commissioners agreed that this would likely depend on the ballot measure itself and that giving the independent experts guidelines that they not talk about the measure itself but rather the background of the topic (such as national trends regarding that topic) would help to safeguard introducing any

perception of bias. Healthy Democracy would ideally like to use Day 1 to provide independent information on a policy topic.

The Commission then discussed the criteria the legislation tasks the CIR to consider in balancing the panels. Past panels have achieved representation in the criteria listed as well as education level. Commissioners expressed concern about making sure that the panels represent the large group of voters now that the state has automatic voter registration, including an increase in previously underrepresented groups.

HD also shared the research team's responses to other questions the Commissioners had posed. Of particular note was that when the CIRs were held over weekends, there were more panelists who were employed outside the home but no other affects on other categories of representation. There was no comparative data on different levels of compensation though the Commission may want to know that in the future. The Commission discussed perhaps providing citizen panelists with the opportunity to waive compensation if they desire.

The Commissioners discussed the potential role for the CIRC to select independent experts with staff support. The Commission discussed potentially creating a rule to do so and perhaps allowing for Commissioners to recuse themselves if a selected measure relates to any of their backgrounds.

Commissioners decided to hold off making any decisions on components of the CIR 3.0 design until its March meeting. These include: length of the CIR process; number of panelists; selection of independent experts; and compensation for 2016.

The Commission asked staff to review the statutes and make a recommendation in March on whether and how to make any rules in regards to the CIRs.

Other Business

The Commission discussed the upcoming and current Commission positions, including two recommendations from the different party leadership in the Senate. The Commission discussed the possibility of rule making to allow members to serve temporarily until the Commission positions are re-filled with a specific time limit so the Commission could continue its business. Staff would present options at the March meeting.

Public Comment

There was no additional public comment made.

The meeting adjourned at 1:00p.m.

Prepared by: Sarah Giles, Administrative Coordinator

**Pursuant to ORS 182.472
A Report of the Work of the
Citizens' Initiative Review Commission**

Submitted by the
CITIZENS' INITIATIVE REVIEW COMMISSION

to

The Governor
The President of the Senate
The Speaker of the House of Representatives
The Legislative Fiscal Officer

March, 2016

INTRODUCTION

The Citizens' Initiative Review Commission

The Citizens' Initiative Review Commission was established pursuant to HB 2634, which was signed into law by Governor John Kitzhaber on June 16, 2011. The mission of the CIR Commission is reflected in the original preamble to HB 2634, which states that "informed public discussion and exercise of the initiative power will be enhanced by review of each statewide measure by an independent panel of Oregon voters, reporting to the electorate in the voters' pamphlet."

The essential purpose of the CIR Commission is to provide oversight for the Citizens' Initiative Review (CIR)—an innovative way of publicly considering and analyzing ballot measures so that voters have access to clear, useful, and trustworthy information at election time. It is a policy currently unique to Oregon, though several other states are piloting similar processes.

During each CIR, a panel of randomly-selected and demographically-balanced voters is brought together from across the state to fairly evaluate a ballot measure. The panel hears directly from campaigns for and against the measure, selected issue experts, and potentially relevant / impacted public agency and deliberates during the multi-day public review.

For each measure reviewed, a new panel is convened. At the conclusion of each review, panelists draft a 'Citizens' Statement' highlighting the most important findings about the measure. Each 'Citizens' Statement' is published as a prominent page in the Voters' Pamphlet. In providing oversight for the CIR process, the CIR Commission handles specific issues, including ballot measure selection, panel composition, operating policies and procedures, moderator qualifications, evaluation of CIR procedures, and financial stewardship.

The CIR Commission held its first meeting as an independent state agency in June 2012. Administrative services in its inaugural year were provided by the Oregon Health Licensing Agency via intergovernmental agreement, while program services were provided on a contract basis by Healthy Democracy, a nonpartisan organization that served as the project manager for the first two official CIRs held in August 2012.

On August 14, 2013 Governor Kitzhaber signed HB 2322, which re-organized the CIR Commission as a semi-independent state agency. The CIR Commission subsequently entered into a short-term contract with Healthy Democracy for assistance in the Commission's transition from an independent to a semi-independent state agency. As of March 17, 2014, with its new systems, policies and rules in place, the CIR Commission began obtaining its administrative services on a contract basis from the Policy Consensus Initiative, a nonprofit affiliate of Portland State University's National Policy Consensus Center, which houses both Oregon Solutions and Oregon Consensus, and which is dedicated to collaborative governance and democratic decision-making. As of the same date, the CIR Commission entered into a program services contract with Healthy Democracy for assistance in managing the 2014 CIRs.

The CIR Commission operates in accordance with the statute relating to semi-independent agencies (ORS 182.454-472), the statute originally establishing the CIR Commission and CIR process (ORS 250.137-

149), Oregon Administrative Rules (OAR) Chapter 710, and its own operational policies. In 2014 the Legislature passed SB 1544, which was signed into law and grants the CIR Commission greater flexibility to explore innovations and cost-savings to the CIR program.

Reporting Requirements and Adjustments

According to ORS 182.472, not later than April 1 of each even-numbered year, each board shall submit a report to the Governor, the President of the Senate, the Speaker of the House of Representatives and the Legislative Fiscal Officer. The report must include the following:

1. A copy of the most recent audit or financial review of the board.
2. A copy of the actual budget for the prior biennium and a copy of the board's adopted budget for the biennium in which the report is made.
3. A description of all temporary and permanent rules adopted by the board during the prior biennium.
4. A description of board actions promoting consumer protection that were taken during the prior biennium.
5. If the board issues licenses, a description of the board's licensing activities performed during the prior biennium that is adequate to allow evaluation of the board's performance of its licensing responsibilities.
6. A description of all other actions taken during the prior biennium in the performance of the board's statutory responsibilities that is adequate to allow evaluation of the board's performance.

SECTION I: FINANCIAL REVIEW

This financial review covers the period of July 1, 2013 to June 30, 2015. The CIR Commission only became a semi-independent state agency on August 14, 2013. The CIR Commission's contractor, the Policy Consensus Initiative (PCI), took over administrative and financial support to the Commission on March 17, 2014. PCI has had their external accountant review and verify the financial statement (below) from March 17, 2014 to June 30, 2015. PCI does not have knowledge or responsibility for any activities taking place before that date nor are records from that time in PCI possession. (see letter in Appendices)

DRAFT

REVENUE

A. Beginning Balance

Ending Cash Balance 2011-13 Biennium \$ 3,519

A. Total \$ 3,519 \$ 3,519**B. Donations**

Grants \$ 186,481 \$ 94,000.52

Individual Contributions \$ -

B. Total \$ 186,481 \$ 94,000.52**C. Earned Income**

\$ -

C. Total \$ -**Total Revenues** \$ 190,000 \$ 97,519.52

EXPENSES

A. CIR Commission Services

Voters Pamphlet Publication (2 CIRs) \$ 10,500 \$ 11,750

CIR Panelist Stipends (2 CIRs) \$ 28,000 \$ 13,150

CIR Panelist Travel Reimbursements (2 CIRs) \$ 5,000 \$ 5,096.36

CIR Panel Recruitment Mailing (2 CIRs) \$ 6,500 \$ 18.37

A. Total \$ 50,000 \$ 30,014.73**B. CIR Commission Administrative Expenses**

Administrative Staffing \$ 17,000 \$ 17,000

Liability Insurance \$ 2,500

Commissioner Travel Reimbursements \$ 1,000 \$ 379.41

Banking Fees \$ 540 \$ 587.87

B. Total \$ 21,040 \$ 17,967.28**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 \$ 264.43

Office Supplies \$ 1,000 \$ 261.86

Videography \$ 2,000

Summary Report \$ 2,500

Miscellaneous Event Expenses \$ 1,000

C. Total \$ 94,500 \$ 42,526.29**D. Professional Services**

State Government Service Charges \$ 10,000 \$ 4,743.77

Professional IT Services \$ 2,500

Professional Services \$ 7,500

D. Total \$ 20,000 \$ 4,743.77**E. Other**

Contingent Expenses \$ 4,460 137.25

E. Total \$ 4,460 137.25**Total Expenses** \$ 190,000 \$ 95,389.32**Total Revenue** \$ 190,000 \$ 97,519.52**Total Expenses** \$ 190,000 \$ 95,389.32**Balance** \$ - \$ 2,130.20

SECTION II: BUDGET COMPARISON

CITIZENS' INITIATIVE REVIEW COMMISSION	2013 - 15 Approved Budget	2013 - 15 Actual	% Change Budget to Actual	2015 - 17 Approved Budget
REVENUE				
A. Beginning Balance				
Ending Cash Balance 2011-13 Biennium	3,519			2,130.20
A. Total	3,519	3,519	0%	2,130
B. Donations				
Grants	186,481	94000.52	-50%	
Individual Contributions	-			201,000
B. Total	186,481	97519.52	-48%	201,000
C. Earned Income				
C. Total	-			
Total Revenues	190,000	97519.52	-49%	203,130
EXPENSES				
A. CIR Commission Services ***				
Voters Pamphlet Publication (2 CIRs)	10,500	11,750	12%	11,750
CIR Panelist Stipends (2 CIRs)	28,000	13,150	-53%	16,000
CIR Panelist Travel Reimbursements (2 CIRs)	5,000	5096.36	2%	5,000
CIR Panel Recruitment Mailing (2 CIRs)	6,500	18.37	-100%	6,250
A. Total	50,000	30014.73	-40%	39,000
B. CIR Commission Administrative Expenses				
Administrative Staffing	17,000	17,000	0%	40,000
Liability Insurance	2,500		-100%	2,500
Commissioner Travel Reimbursements	1,000	379.41	-62%	1,000
Banking Fees	540	587.87	9%	650
B. Total	21,040	17967.28	-15%	44,150
C. CIR Event Expenses (2 CIRs)***				
Project Management Staffing	27,000	14,000	-48%	15,000
Research & Event Staffing	10,000	3,000	-70%	10,000
Event Staffing			0%	12,000
Moderators and Facilitators	16,000		-100%	16,000
Moderator Training	2,000		-100%	2,000
Event Security	1,000		-100%	1,000
Venue Rental / Meals	13,000	13,000	0%	12,500
Lodging	18,000	12,000	-33%	20,000
Staff Travel	1,000	264.43	-74%	4,000
Office Supplies	1,000	261.86	-74%	500
Videography	2,000		-100%	2,000
Summary Report	2,500		-100%	2,500
Miscellaneous Event Expenses	1,000		-100%	1,000
C. Total	94,500	42,526.29	-55%	98,500
D. Professional Services				
State Government Service Charges	10,000	4743.77	-53%	6,000
Professional IT Services	2,500		-100%	2,500
Professional Services	7,500		-100%	7,500
D. Total	20,000	4,743.77	-76%	16,000
E. Other				
Contingent Expenses	4,460	137.25	-97%	4,500
E. Total	4,460	137.25	-97%	4,500
Total Expenses	190,000	95,389.32	-50%	202,150
Total Revenue	190,000	97,519.52	-49%	203,130
Total Expenses	190,000	95,389.32	-50%	202,150
Balance	-	2,130.20		980

a) Table of Beginning and Ending Balances

CITIZENS' INITIATIVE REVIEW COMMISSION - Beginning and Ending Balances

	2013 - 15		2015-17	
Beginning and Ending Balances	Actual/Reported		Projected/Adopted	
Beginning Balance (2011-13 carry-over)	\$	3,519	\$	2,130
Net Income/Loss	\$	(1,389)	\$	(1,150)
Ending Balance	\$	2,130	\$	980

b) Material changes between the two biennia

Material changes for the 2013-2015 biennium:

The 2013-2015 budget was based on the assumption that the CIR Commission would hold 2 Citizen Initiative Reviews (CIRs) in 2014, each lasting 5 days long and each made up of 24 citizen panelists. The ending balance reflects the actual revenues and expenses for 2 CIRs in 2014, each lasting 3.5 days long and each made up of 20 citizen panelists. In addition, some items in the CIR Commission Administrative Expenses and the CIR Event expenses for 2014 do not reflect the costs that the Program Contractor absorbed and did not bill the CIR Commission for.

Material changes between 2013-15 Approved Budget and 2015-17 Adopted Budget:

The 2015-2017 budget is based on the assumption that the CIR Commission will hold 2 CIRs in 2016, each lasting 4 days and each with 20 citizen panelists. This assumption was made with the understanding that the recommended length (from both the research team that reviews the CIRs and the Program Contractor) of a CIR process will increase slightly but not all the way to 5 days. The 2015-2017 budget assumes that the CIRs will continue to include a total of 20 panelists, per the recommendations of the research team and the Program Contractor. In addition, the 2015-2017 budget includes an increase in the Administrative staffing in order to reflect two years rather than one (as the 2013-2015 budget was only half a biennium or one year) and to reflect an increase in the activities that the Administrative Contractor carries out for the CIR Commission. These include preparing this legislative report. Finally, the cost of printing the CIR Statement in the Voters Pamphlet has increased annually, which the 2015-2017 budget now reflects.

c) Budget Adoption Process

Both the 2014 and 2015-2017 budgets were adopted after public hearings were conducted. The CIRC gave notice of intent to pass budgets per CIRC's Rule 710-001-0000 in the Secretary of State's Bulletin, by mailing or emailing a copy of the notice to the Commission's list of interested persons, by emailing or mailing a copy of legislators as outlined in ORS 183.335(15) and by mailing or emailing a copy to the Associated Press and Capitol Press Room. Public Hearing information was also made available to the public on the Commission's website.

Budget Year	Public Notification and Hearing Dates	Board Action Date	SOS Filing Date	LC Filing Date	Notification to Interested Parties / Persons
2014 Commission Budget	January 29, 2014	January 30, 2014	February 11, 2014	February 11, 2014	December 11, 2013
2015-2017 Commission Budget	June 8, 2015	June 8, 2015	June 23, 2015	July 1, 2015	April 14, 2015

d) A description of current fees and proposed changes, and information supporting the changes

The CIR Commission does not collect or charge any fees.

SECTION III: RULE MAKING ACTIVITIES

The CIR Commission, as a semi-independent agency, has adopted the following temporary and permanent rules, which appear in the table below:

Table of Administrative Rules

OAR Number	Description	Type	Public Notification and Hearing Dates	Board Action Date	SOS Filing Date	LC Filing Date
710-001-0000	Notice of Rulemaking	New	January 29, 2014	January 30, 2014	February 11, 2014	February 11, 2014
710-001-0005	Rules of Procedure	New	January 29, 2014	January 30, 2014	February 11, 2014	February 11, 2014
710-005-0005	Commission Budget	New	January 29, 2014	January 30, 2014	February 11, 2014	February 11, 2014
710-010-0000	Citizen Initiative Review Elector Stipend and Travel Reimbursement	New / Perm	October 29, 2014	November 20, 2014	November 25, 2014	November 30, 2014
710-005-0005	Commission Budget	Amendment	June 8, 2015	June 8, 2015	June 23, 2015	July 1, 2015

SECTION IV: CONSUMER PROTECTION

The CIR Commission does not have consumer protection as part of its mission. Its essential mission, rather, is to oversee the CIR process, a way of publicly evaluating ballot measures so that voters have access to clear, useful and trustworthy information at election time. The CIR Commission therefore serves both the participants in the CIR process as well as the voters who benefit from the information resulting from the process.

In August 2014, the CIR Commission, with the administrative support of the Policy Consensus Initiative, oversaw two Citizens' Initiative Reviews: one review of Measure 90 (which proposed changing the general election nomination processes for most partisan offices so all candidates would be listed on one single primary ballot with two advancing to the general election ballot) and one review of Measure 92 (which proposed requiring the labeling of raw and packaged foods produced entirely or partially by "genetic engineering, "). The nonprofit Healthy Democracy, under contract with the CIR Commission, served as the project director for the two reviews.

Two separate panels of 20 (Measure 92) and 19 (Measure 90 - one panelist had to resign due to medical reasons) randomly-selected and demographically-balanced Oregonians heard arguments for and against each measure over the course of each three and a half-day review. The CIR findings appeared as two stand-alone Citizens' Statements published in the Oregon Voters' Pamphlet.

The final Citizens' Statements on Measures 90 and 92 can be found in the Appendices to this report.

SECTION V: LICENSING ACTIVITIES AND DISCIPLINARY ACTIONS

The CIR Commission is not a licensing entity; however, the following described how the Commission is responsive and holds itself accountable to the citizens it serves.

The currently ten-member CIR Commission has held meetings on a roughly quarterly basis. The CIR follows the Oregon Public Meetings Law in noticing, running and documenting its meetings and rulemaking activities.

As a charitably funded agency, the CIR Commission documents on its website, according to ORS 250.147, any contributions from any individual in aggregate total of \$100 in a calendar year. To date, the CIR Commission has received all of its contributions, as previously mentioned, from the nonprofit entity Healthy Democracy. The preceding information about sources of funding is documented on the CIR Commission website.

The CIR Commission is also responsive and holds itself accountable through a statutorily-required and rigorous evaluation of the CIR program it oversees, which it in turn makes publicly available on its website. Evaluation results are presented in the next section.

SECTION VI: OTHER BOARD ACTIVITIES

Agency Name: Citizens' Initiative Review Commission*

Biennium	Positions	FTE	Board Meetings	Board Stipend	Director Salary \$/Month on 6/30 close of biennium
2015-2017	1*	0.25*	8	\$30 per day	NA

*As a semi-independent agency, the CIR Commission currently has no staff. It has, at least for the 2015-17 biennium, chosen to address its limited administrative needs and its more specialized program needs on a contract basis. Information above about FTE and monthly director salary, therefore, is not entirely applicable. The 1 “Position” and 0.25 “FTE” noted in the table indicate the estimated number of individuals and total amount of time required (assuming there had been staff) to provide the CIR Commission with administrative services.

Board Membership

As per ORS 250.137 (1)(c), two electors who have served on a citizen panel were appointed as members as described in ORS 250.143 from the 2014 CIRs. Ernest Estes and Debby Southworth both served as electors on a 2014 CIR and served on the citizen panelist evaluation panel in 2014. They were then subsequently elected from among the evaluation panel members to serve on the Commission, with Commissioner Estes’s 4 year term beginning on 6/8/2015 and Commissioner Southworth’s 4 year term beginning on 9/28/2015.

Performance Measures

The primary way in which the CIR Commission measures its performance is through rigorous evaluation of the CIR process, as the integrity of the CIR process and the utility of the resulting Citizens’ Statements for voters, provide the best measures of the CIR Commission’s effectiveness. While the CIR Commission ensures that both panelists and moderators evaluate the CIR process as required by ORS 250.143, the CIR Commission has also been the welcome beneficiary of additional independent academic evaluation of the CIR process.

ORS 250.143 requires the following: that panelists and moderators separately convene no later than February 1 of an odd-numbered year to evaluate CIR procedures; that panelists and moderators submit written reports to the CIR Commission summarizing such evaluations, along with any recommendations; that each year in which such evaluations are conducted the CIR Commission review shall review such evaluations and make any findings and recommendations; and that all such evaluations, findings and recommendations be made available to the public.

As mentioned, the CIR Commission has also been fortunate in that teams of academic researchers, with financial support from the National Science Foundation, Colorado State University and Pennsylvania State University, have evaluated the integrity and utility of the CIRs, both for the 2010 CIR pilots (prior to the establishment of the CIR Commission), the first official CIRs in 2012, and the 2014 CIRs.

Key findings from panelists and moderators regarding the 2014 CIR process include the following (both evaluations are attached as Appendices):

- Panelists expressed that they appreciated having the chance to serve on a review, and mentioned having more hope for our political discourse after meeting with a diverse group for a civilized discussion of a contentious issue. Panelists also share recommendations for helping boost process clarity and providing more basic information (both on process and initiative topic) at the onset.
- Moderators see the CIR as a unique deliberative exercise and a valuable process for providing information to citizens about ballot measures. Of note, the moderators did not notice any differences in panel dynamics after the change in size of the CIR panel from 24 to 20 citizens. 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.

Key findings regarding the 2014 2 CIRs from independent academic evaluators include the following:

CIR panels have achieved high-quality deliberation, even amidst continual process adjustments.

- The 2014 Oregon CIRs maintained the high level of deliberation obtained in 2010 and 2012, though reducing the panels from five days to four, coupled with numerous procedural adjustments, caused some inefficiencies and disruptions.
- The vast majority of 2014 participants reported learning enough about the measure to make an informed decision and rarely reported difficulty processing information, despite addressing issues of scientific complexity.

CIR panels have produced strong, but not flawless, Citizens' Statements.

- Most of the claims made in the Oregon Citizens' Statements produced between 2010 and 2014 were accurate and verifiable, though two statements contained a single (minor) error.
- Some redundancy appeared in the 2014 statements, especially regarding claims that were repeated in the Key Findings and in the Arguments in Favor and Opposition.
- Citizens' Statements were clearly written but at times used language that may not be accessible to a substantial portion of voters.

Citizens' Statements consistently make voters better informed about ballot measures

- On every Oregon CIR studied since 2010, reading the Statement has produced increases in voter knowledge about the ballot measure.
- Averaging across all the CIRs held in 2014, the net effect of reading a Citizens' Statement is greater than the difference in voter knowledge between those with high school educations versus college degrees.

Citizens' Statements reached even more voters in 2014, though most Oregonians did not read them.

- Statewide surveys of Oregon voters found that 54% of those likely to vote were aware of the CIR by the end of the 2014 election, compared to 52% in 2010 and 40% in 2012.
- Overall, more than one-third (36%) of Oregon voters read the Citizens' Statements before completing their ballots, compared to roughly one-quarter in 2012.

Voters find the Citizens' Statements helpful but want to know more about the CIR process.

- A majority (56-58%) of 2014 Oregon Citizens' Statement readers found them at least somewhat useful, and higher percentages (63-67%) rated them as at least somewhat informative.
- Usability testing, however, suggests that Oregon voters believe they need to know more about the CIR if they are to place more trust in the Citizens' Statements.

The integrity and increasing utility of the CIR program appear to be the best measures of the CIR Commission's responsiveness and accountability to the citizens it serves.

Other Activities

In addition, three CIRC members participated in a comprehensive CIR process review conducted by Healthy Democracy. In accordance with ORS 250.143, the CIRC provides findings and any recommendations from the CIRs that were held by December 31st of the following year. The CIRC supports a thorough review of the CIR process and will continue to participate in the process review in early 2016. The CIRC anticipates supporting process changes for the 2016 CIRs, which could potentially include specifying additional criteria regarding the CIRs by rule as outlined in ORS 250.139 (6)(e).



Oregon
John A. Kitzhaber, Governor

Citizens' Initiative Review Commission

P.O. Box 9156

Portland, Oregon 97207-9156

Telephone: (503) 508-0886

E-Mail: info@circommission.org

Web Site: www.Oregon.gov/CIRC

March 20, 2014

Wendy Willis
Executive Director
Policy Consensus Initiative
P.O. Box 1762
Portland, OR 97207

Dear Ms. Willis,

Per our contract executed on March 17, 2014, this letter is to acknowledge that the CIRC financial records were transferred to the Policy Consensus Initiative (PCI) as of that date. I understand that PCI will not have knowledge of or responsibility for any activities taking place before that date.

On behalf of the CIRC, I look forward to working with you over the period of our contract beginning March 17, 2014 and ending June 30, 2015.

Sincerely,

Jerry Hudson
Chair, Citizens' Initiative Review Commission

Citizens' Review Statement

This Citizens' Statement, authorized by the 2011 State Legislature, was developed by an independent panel of 19 Oregon voters overseen by the Oregon Citizens' Initiative Review Commission. The panelists were randomly selected from registered voters in Oregon and balanced to fairly reflect the state's voting population based on location of residence, party registration, age, gender, education, ethnicity, and likelihood of voting. Over a period of three and a half days the panel heard from initiative proponents, opponents, and background witnesses. The panelists deliberated about the measure and produced this statement. This statement has not been edited, altered, or approved by the Secretary of State.

The opinions expressed in this statement are those of the members of a citizen panel and were developed through the citizens' review process. They are NOT official opinions or positions endorsed by the State of Oregon or any government agency. A citizen panel is not a judge of the constitutionality or legality of any ballot measure, and any statements about such matters are not binding on a court of law.

Key Findings

- Under M90, no political party could restrict non-members from voting for its candidates during the primary.
- Most elections are currently decided in low turnout primaries. Candidates have won races with as little as 7% of total voters in a district. M90 increases competition among primary candidates allowing the primary voters to vote at their discretion, regardless of party registration.
- Currently, every party has the right to have a candidate on General Election Ballot. M90 changes that and allows only the top two primary vote receiving candidates to advance to general election
- Proponents do not predict that M90 would increase voter participation. They are encouraged that M90 would give all registered voters the opportunity to vote for any candidate in primary races.
- M90 gives a real choice to more Oregonians – those Democrats and Republicans who live in districts dominated by the other party. Their party's candidates for key offices have no real chance in the General election.
- M90 could allow 499,335 Oregonians who have not registered as a Democrat or Republican to fully participate in May Primary Elections. These Oregonians represent a large and growing share of the electorate.
- M90 decreases choice in General Election for all voters.
- The Top Two system is the only election method in use throughout the country that allows only two candidates in the General Election.

Citizen Statement in Support of the Measure

Position taken by 5 of 19 panelists

- M90 treats all voters equally in every election. Regardless of how Oregonians' political views may differ every voter should have equal rights in every election. How or if they align with political parties shouldn't affect their rights as citizens.
- While all Oregon taxpayers fund the May primary election, voters who don't register as a Democrat or Republican are currently not allowed to participate in primaries of the major parties. M90 would allow any registered voters to vote for primary candidates of the major parties.
- Under M90 all registered voters would have the unrestricted right to vote for any primary candidate.
- Most elections are currently decided in low turnout primaries. Candidates have won races with as little as 7% of total voters in a district. M90 increases competition among primary candidates allowing the primary voters to vote at their discretion, regardless of party registration.
- M90 differs from the Top Two systems of California and Washington, because it allows voters to see candidates' personal party registration and all party endorsements that s/he accepts. This information helps voters understand candidates' views and allies.

Citizen Statement in Opposition to the Measure

Position taken by 14 of 19 panelists

- A broad coalition opposes M90, including at least two election reform groups, as well as major and minor political parties.
- M90 limits the voice of minority voters, minor parties, and grassroots campaigns. A diverse electorate needs choice & diversity in the General Election.
- M90 has several drafting errors. The most significant appears to eliminate minor parties. Because M90 bars parties from nominating candidates, their legal status is in jeopardy. Another error could allow candidates with more than 50% of the primary vote to automatically win their election without a November run-off.
- Home Rule counties have their own election systems independent of the statewide system. M90 could result in a confusing patchwork of contradictory election rules – candidates could have different rules in different areas of their district.
- Turnout in Primary Elections is much lower than General Elections. M90 decreases choice in the General Election for all voters. Nationwide, Primary turnout has fallen to less than 15%, including Top Two states.

Citizens' Review Statement

This Citizens' Statement, authorized by the 2011 State Legislature, was developed by an independent panel of 20 Oregon voters overseen by the Oregon Citizens' Initiative Review Commission. The panelists were randomly selected from registered voters in Oregon and balanced to fairly reflect the state's voting population based on location of residence, party registration, age, gender, education, ethnicity, and likelihood of voting. Over a period of three and a half days the panel heard from initiative proponents, opponents, and background witnesses. The panelists deliberated about the measure and produced this statement. This statement has not been edited, altered, or approved by the Secretary of State.

The opinions expressed in this statement are those of the members of a citizen panel and were developed through the citizens' review process. They are NOT official opinions or positions endorsed by the State of Oregon or any government agency. A citizen panel is not a judge of the constitutionality or legality of any ballot measure, and any statements about such matters are not binding on a court of law.

Key Findings

- Labeling genetically engineered foods would provide information to let Oregonians make more informed buying decisions and this would offer them more control and transparency over their food purchasing decisions.
- The labeling requirements do not apply to alcoholic beverages, or prepared restaurant food because they are currently outside the food labeling system laws.
- Regardless of M92, consumers seeking GMO-free food can purchase items labeled non-GMO or organic.
- 64 countries, including most of Europe, Australia and Japan, already require labeling of genetically engineered foods and when those countries switched to requiring labeling food prices did not go up.
- The costs of actual labeling are a tiny fraction of the costs of compliance and certification. The bulk of private costs arise in segregation of products along the supply chain.
- Under M92, if passed, meat and dairy products from animals that have been raised and fed with genetically engineered feed and grain will not be labeled GE.
- Labels required by Measure 92 would NOT tell consumers which ingredients in a packaged food product are GMOs, or what percentage of the product is GMO ingredients.
- If we are going to sell GMO salmon that contain genes from an eel-like organism (something the FDA may soon approve), or other engineered fish or meat now in development, we should label them.
- Importantly, these costs will be borne by firms and consumers for both GM and non-GM foods as labeling foods as non-GM will require oversight costs.
- U.S. food producers already label their GMO foods in 64 countries.

Citizen Statement in Support of the Measure

Position taken by 9 of 20 panelists

- M92 would offer Oregonians more control and transparency over our food purchasing decisions and does not act as a warning or ban.
- Labeling genetically engineered crops could benefit Oregon family farmers that grow traditional crops by increasing public demand for crops that are not genetically engineered.
- U.S. food producers already label their GMO food in 64 countries, including Australia, Japan, and most of Europe.
- There is mounting scientific evidence that the widespread use of genetically engineered crops designed to survive large amounts of herbicide spraying is leading to a large increase in the use of these chemicals.
- A national consumer organization and a regional medical organization have stated that there are still questions about the long-term health effects of genetically engineered crops.

Citizen Statement in Opposition to the Measure

Position taken by 11 of 20 panelists

- Under M92, if passed, meat and dairy products from animals that have been raised and fed with genetically engineered feed and grain will not be labeled GM.
- The costs of actual labeling are a tiny fraction of the costs of compliance and certification.
- Labels required by Measure 92 would NOT tell consumers which ingredients in a packaged food product are GMOs, or what percentage of the product is GMO ingredients.
- Existing food labels already give consumers a more reliable way to choose foods without GE ingredients if that is what they prefer, including "organic" and "non-GMO" labels. Measure 92 conflicts with these national labeling standards.
- Thousands of food products would have to be labeled as "genetically engineered" – even if they're not. Thousands of other food products would be exempt from being labeled – even when they do contain or are produced with GMOs.

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).

Panelist Report to the Oregon Citizens' Initiative Review Commission

On April 1, 2015, four panelists from the two Citizens' Initiative Reviews (CIRs) conducted in 2014 convened to evaluate CIR procedures. The panelists were Debby Southworth and Richard Beamish, who reviewed measure 90, and Ernest Estes and Al Medley, who reviewed Measure 92. The evaluation was facilitated by Lucy Greenfield, Public Affairs Director of Healthy Democracy, on behalf of the CIR Commission. CIRC Administrator Sarah Giles and CIR Commissioners Ann Bakkensen and Kay Ogden were also present.

Panelists 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, moderators, 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 panelists, including recommendations, can be found below:

Strengths and weaknesses of the process

- Panelists expressed that they appreciated having the chance to serve on a review, and mentioned having more hope for our political discourse after meeting with a diverse group for a civilized discussion of a contentious issue.
- Panelists universally praised the moderators who facilitated the reviews, noting that they were able to keep panelists on track and guide the process.
- Panelists had questions about the orientation portion of the process (see recommendations below).
- Multiple panelists would have appreciated more time for the review process overall.
- Panelists noted that at times advocates for and against the measure were not able to come to agreement about a key factual question, and in these cases it was difficult for panelists to ascertain which information to trust.
- Panelists felt that the final process of editing claims for the voters' pamphlet sometimes delved into minutia rather than the key issues, and that a clearer roadmap would have helped guide this process.

Recommendations

- Provide more information to panelists before the reviews begin (examples: a sample Citizens' Statement, an introduction to how the panel would review, modify, and create claims, a statement about the role of advocate panels, and a schedule).
- Consider shortening the orientation portion of the process, but only if it is still possible to give all panelists (including those from diverse backgrounds and with varying educational experiences) a solid grounding in the process.
- Find ways to encourage more panelists to ask questions during the advocate sessions.

- Increase clarity about the schedule and process of the review to provide a roadmap for panelists.
- Consider changing the language that accompanies the vote tally. “Position taken by X panelists” can imply that all panelists voting for the position agreed with all the arguments in the section.
- Consider increasing the length of the reviews, but balance the need for additional time with the need to bring together a diverse group including a significant cohort of working Oregonians.