



Oregon

John A. Kitzhaber, Governor

Citizens' Initiative Review Commission

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Web Site: www.Oregon.gov/CIRC

WHO: Citizens' Initiative Review Commission

WHEN: Tuesday, July 8, 2014– 1:30 P.M.

WHERE: College of Urban & Public Affairs
Portland State University
506 S.W. Mill Street, Room 511
Portland, OR 97201

What is the purpose of the meeting?

The purpose of the meeting is to select ballot initiatives for the August 2014 Citizen Initiative Reviews. 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 at the end of the meeting. 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 503-508-0886. 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



1:30 p.m., Tuesday, July 8, 2014
College of Urban & Public Affairs
Portland State University
506 S.W. Mill St., Room 511
Portland, OR 97201

- **Call to order**
- **Approval of minutes from June 16 CIRC Commission meeting**
- **Initiative Selection for 2014 CIRs**
 - **Criteria Commissioners shall consider (per OR Laws 2014, Ch 72):**
 - (1) The Citizens' Initiative Review Commission shall select one or more state measures proposed by initiative petition to be voted on at a general election and convene a separate citizen panel to review each selected measure. (2) In selecting a measure to be reviewed by a citizen panel, the commission shall consider the following criteria:
 - (a) The fiscal impact of a measure.
 - (b) Whether the measure amends the Oregon Constitution.
 - (c) The availability of funds to conduct reviews.
 - (d) Any other criteria established by the commission by rule.
 - **Update on initiative qualifications by Secretary of State's Office**
- **Review of Agenda and Operating Procedures for Initiative Review Panels**
 - August 17-20, 2014 – Salem Conference Center, Salem
 - August 21-24, 2014 – Salem Conference Center, Salem
- **Other Business**

	<u>Initiative Title</u>	<u>Description</u>	<u>Constitutional/ Statutory</u>	<u>Signatures (official)</u>	<u>Signatures (unofficial)</u>	<u>Fiscal Impacts</u>	<u>Link to Full text</u>
1	6 - Stop Taxpayer Funding for Abortion	Prohibits state funds from being used to pay for abortions, except when federal law may require it or when it is medically necessary. Does not prohibit use of private funds to pay for an abortion.	Constitutional (needs 116,284)	NA	69,455	Minor. Oregon Health Plan would no longer pay for approximately 4,000 elective abortions per year for low-income women. State health monies unlikely to be impacted overall.	http://oregonvotes.org/irr/2014/006text.pdf
2	10 - Oregon Castle Doctrine Act	Institutes a "Castle Doctrine" wherein property owners/residents are not liable for injuries caused to intruders or trespassers. Violence enacted in a person's home or business is assumed to be self-defensive and reasonable, including use of deadly force. Exempts the placement of traps/devices which are placed in a home specifically for the purpose of injuring a person.	Statutory (needs 87,213)	NA	NA	Does not appear to have any	http://oregonvotes.org/irr/2014/010text.pdf

3	20 - Right to Vote Petition	Requires any local law which seeks to raise or institute a tax to be approved by a majority of participating voters in a local government (local government defined in ORS 174.116). Includes ordinances, acts, and resolutions. Exempts laws which would raise less than \$750,000 over three years immediately following enactment.	Statutory (needs 87,213)	NA	NA	Would impact state and local fiscal procedures, but not necessarily funding.	http://oregonvotes.org/irr/2014/020text.pdf
4	53 - Control, Regulation, and Taxation of Marijuana and Industrial Hemp Act of 2014	Allows OLCC to grant licenses to qualified individuals to produce, process, and sell cannabis and cannabis products. Establishes privilege tax on sale of marijuana, outlines protocol for dispensation of monies from this tax. These monies are directed to schools, mental health services, police, local administration, and the OHA.	Statutory (needs 87,213)	83,588	100,000+	Establishes new tax system for cannabis sale, would increase state revenue depending on the number of sellers and volume of sales.	http://oregonvotes.org/irr/2014/053text.pdf
5	23 - Natural Individual Rights Initiative	Amends Article I of the state constitution to state that natural individuals hold and may exercise more rights than "artificial individuals," including corporations, governments, and artificial intelligence. Specifically notes that natural individuals may exercise an inherent right to privacy.	Constitutional (needs 116,284)	NA	NA	Does not appear to have any	http://oregonvotes.org/irr/2014/023text.pdf

6	<p>44 - Labeling of Genetically Engineered Raw and Packaged Food</p>	<p>Very similar to the other GMO initiative, but with more specific guidelines for how to label foods, and who is responsible for the labeling. This initiative is more recent than the previous one.</p>	<p>Statutory (needs 8</p>	<p>31,334</p>	<p>Not releasing data, expecting to qualify</p>	<p>Minor. A court may allow prevailing plaintiffs in civil actions under this act to receive funds to cover attorney fees and other costs incurred during the process of prosecution.</p>	<p>http://oregonvotes.org/irr/2014/044text.pdf</p>
7	<p>34 - Equal Rights Amendment</p>	<p>Article I of Oregon's constitution will be amended to include a new section, stating that neither the state nor any political subdivision within it may deny or abridge equal rights on the basis of gender. Legislature may enforce. Does not impact Sec. 20, which states that no law may privilege a certain citizen or group of citizens without privileging all the citizens equally.</p>	<p>Constitutional (needs 116,284)</p>	<p>118388 (has qualified - signatures verified by SoS)</p>	<p>NA</p>	<p>Does not appear to have any</p>	<p>http://oregonvotes.org/irr/2014/034text.pdf</p>
8	<p>54 - Unified Primary Elections Initiative</p>	<p>Alters state elections procedures so that all voters may vote in a single unified primary election in order to select the two favorite candidates to advance to the general election. Applies to partisan and nonpartisan offices. Voters in primary electiond may vote for multiple candidates.</p>	<p>Statutory (needs 8</p>	<p>NA</p>	<p>NA</p>	<p>Does not appear to have any</p>	<p>http://oregonvotes.org/irr/2014/054text.pdf</p>

9	55 - Open Primary Initiative	Alters state elections procedures so that all voters may vote in a single unified primary election in order to select the two favorite candidates to advance to the general election. Applies to partisan and nonpartisan offices. Voters in primary election may vote for only one candidate. Establishes procedures for electing officials under various specific circumstances (such as vacancies, etc.)	Statutory (needs 87,213)	140,045	145,000	Does not appear to have any	http://oregonvotes.org/irr/2014/055text.pdf
10	28 - Tom McCall Day	March 22 will be Tom McCall day in Oregon to commemorate the former governor.	Statutory (needs 87,213)	NA	NA	Does not appear to have any	http://oregonvotes.org/irr/2014/028text.pdf

***Fiscal Impact:**

*Estimates provided here are merely reasonable estimates for the purposes of CIRC measure selection. They are in no way to be viewed as the official fiscal estimate.

The Fiscal Estimate Committee estimates the amount of direct expenditure, direct reduction in state revenues, direct tax revenue or indebtedness should the measure be enacted and the aggregate impact on local governments. Such estimates will not be certified until early August.

**** Likely to qualify: COLOR CODE**

[Green]	Qualified - Signatures verified by SOS office
[Light Green]	Highly Likely to Qualify
[Yellow]	Medium Likely to Qualify
[Red]	Obstacles to Qualify
[White]	No or limited info available

**Final signatures received by SOS on July 3, but SOS has until early August to verify signatures and certify measures for the ballot.

Assessment here is based on official signature submissions and verification rate of early signature submissions.

Citizens Initiative Review, 2014
Planned Agenda*

2014 CITIZENS' INITIATIVE REVIEW
OPERATING POLICIES & PROCEDURE

CITIZENS' INITIATIVE REVIEW AGENDA

Dates: CIR 1—8/17/14 - 8/20/14
 CIR 2—8/21/14 - 8/24/14

Location: Oregon Convention Center
 200 Commercial St., Salem, OR 97301

Schedule (subject to change): Day 1 (12pm-5pm), Day 2-4 (8:30am – 5pm)

Day # 1

12:00 pm	Lunch & Introduction to CIR Panelists are welcomed, have conversation around the tables and receive a brief introduction to the CIR.
1:00 pm	Panelist Introductions Panelists will introduce themselves briefly to one another. CIR Staff will be introduced and relevant announcements made.
1:20 pm	CIR Introduction Panelists will receive an overview of CIR procedures and be oriented to expectations regarding the quality of deliberation encouraged throughout the Citizens Initiative Review.
1:55 pm	BREAK
2:10 pm	CIR Simulation Exercise Panelists will engage in an experiential exercise and discussion to introduce them to the methods of deliberation that will be used during the CIR process
3:40 pm	BREAK
3:55 pm	Measure Introduction Panelists will orient themselves to the measure so that feel prepared and comfortable engaging Experts on Day # 2 and 3
5:15 pm	Wrap-up & Daily Evaluation Panelists will provide daily feedback in order to maintain a high quality process throughout the week.
5:30 pm	Adjourn

*Subject to amendment

Citizens Initiative Review, 2014

Planned Agenda*

Day # 2

8:30 am	<p>Re-gathering Opportunity for announcements, orientation to the day and panelists to check in with one another.</p>
9:00 am	<p>Question Identification Panelists will select the questions they will ask of subject matter experts, based on input from a citizen survey in addition to their review of proponent and opponent positions.</p>
10:00 am	BREAK
10:15 am	<p>Question Identification continued Panelists will continue to select the questions they will ask of subject matter experts, based on input from a citizen survey in addition to their review of proponent and opponent positions.</p>
11:15 am	BREAK
11:30 am	<p>Question Identification continued Panelists will continue to select the questions they will ask of subject matter experts, based on input from a citizen survey in addition to their review of proponent and opponent positions.</p>
12:15 pm	LUNCH
1:15 pm	<p>Preparation for Interviewing Subject Matter Experts Panelists will receive input regarding interaction with subject matter experts and formulation of follow-up questions.</p>
1:30 pm	<p>Subject Matter Experts # 1 (Why is the measure on the ballot?) Panelists will interact with a panel of topical experts seeking answers to priority questions.</p>
3:15 pm	BREAK
3:45 pm	<p>Panelist Deliberation Panelists will discuss subject matter experts' presentations, identifying information which they feel confident is reliable and information they would like to have further confirmed.</p>
5:00 pm	<p>Wrap-up & Daily Evaluation Panelists will provide daily feedback in order to maintain a high quality process throughout the week.</p>
5:30 pm	ADJOURN

*Subject to amendment

Citizens Initiative Review, 2014

Planned Agenda*

Day # 3

8:30 am	Re-gathering Opportunity for announcements, orientation to the day and panelists to check in with one another.
9:00 am	BREAK
9:15 am	Subject Matter Experts # 2 (What will the measure do?) Panelists will interact with a panel of topical experts seeking answers to priority questions.
10:45 am	BREAK
11:00 am	Panelist Deliberation Panelist will discuss subject matter experts' presentations, identifying information which they feel confident is reliable and information they would like to have further confirmed.
12:00 pm	LUNCH
12:45 pm	Subject Matter Experts # 3 (What will happen as a result of the measure?) Panelists will interact with a panel of topical experts seeking answers to priority questions.
2:15 pm	BREAK
2:30 pm	Panelist Deliberation Panelist will discuss subject matter experts' presentations, identifying information which they feel confident is reliable and information they would like to have further confirmed.
3:30 pm	BREAK
3:45 pm	Deliberation to Identify More Important Findings Panelists will prioritize the existing pool of information about which they feel confident to select potential findings.
5:00 pm	Wrap-up & Daily Evaluation Panelists will provide daily feedback in order to maintain a high quality process throughout the week.
5:30 pm	Adjourn

*Subject to amendment

Citizens Initiative Review, 2014

Planned Agenda*

Day # 4

8:30 am	Re-gathering Opportunity for announcements, orientation to the day and panelists to check in with one another.
8:50 am	Findings Prioritization Panelists will choose the top ten most important findings from those previously identified as “more important”
9:20 am	BREAK
9:30 am	Panelist Deliberation—Strongest Reasons Pro & Con—Part 1 Panelists will discuss which remaining claims provide the most compelling arguments both for and against the measure.
10:25 am	BREAK
10:40	Panelist Deliberation—Strongest Reasons Pro & Con—Part Two works groups will prioritize claims to identify the 10 most compelling reasons supporting each position.
12:15pm	LUNCH
1:15 pm	Panelist Deliberation—Finalizing Findings Panelists will finalize findings component of their report, after receiving Advocate feedback.
2:15 pm	BREAK
2:30 pm	Panelist Deliberation—Finalizing Top 5 Reasons Pro and Con Panelists will finalize the pro and con arguments components of their report, after receiving Peer and Advocate feedback.
3:30 pm	BREAK
3:45 pm	Flex time Available to catch up if behind or to do pre-evaluation de-brief of the CIR experience.
4:45 pm	Closing and Evaluation Panelists will have opportunity to share their learning and offer closing comments to one another and offered time to complete comprehensive evaluations of the Citizen’s Initiative Review Process
5:30 pm	ADJOURN

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Planned Agenda*

Note: Agenda is subject to change at the discretion of moderators, CIR panelists and/or project director

PROJECT DIRECTOR

The project director represents the CIR Commission in all matters relating to the conduct of panel hearings and deliberation. The project director has authority to plan and conduct all aspects of the Citizens' Initiative Review panels including, but not limited to: moderator hiring and training, panel selection, site logistics, advocate outreach, identification and recruitment of subject-area presenters for panel and preparation of materials for CIR panels. Other duties and powers of the project director are described in these operating policies and procedures.

PANELISTS

The Commission or its designee will select citizen panelists using survey sampling methods and criteria to ensure that citizens who are selected can reasonably be expected to review initiated measures in a fair and impartial manor.

Panelists selected by the Commission will complete a survey developed by the Commission to determine if a panelist has a significant fiscal or other interest in or a strong predisposition opposing or favoring the outcome of any measure a panel is scheduled to review that would prevent them from reasonably evaluating the measure.

The Project Director will evaluate responses to questions and appoint 18 to 24 panelists for each measure who can reasonably be expected to review that particular measure in a fair and impartial manor.

Panel Member conducts will meet the following standards:

- A Panel member shall observe high standards of conduct so that the integrity, impartiality and independence of Oregon's CIR hearings system is preserved, and shall act at all times in a manner that promotes public confidence in the conduct of the Panel as a part of state government.
- A Panel member shall not engage in conduct that

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Citizens Initiative Review, 2014

Planned Agenda*

- reflects adversely on the panelists' character, competence, temperament or fitness to serve. A panelist shall not engage in conduct involving misrepresentation, fraud, dishonesty, and deceit
- Shall not engage in overt partisan behavior
 - A Panel member shall not allow family, social, political or other relationships to influence official conduct or judgment.
 - A Panel member shall not use that position to advance the private interests of the member or any other person or organization, nor shall a member convey the impression that anyone has a special influence with the member through the election date.
 - A Panel member will adhere to additional standards adopted by the Commission.
 - Other standards and rules of procedure adopted by the Commission.

PANEL GROUND RULES

BACKGROUND

Related to the CIR Panel process advocates, other participants, observers and panel members should expect that information about the measure under consideration shall be presented in public with no 'behind-the-scenes' communication.

To that end, each panel member will sign an agreement to follow the ground rules for the panel. Breaking this agreement is grounds for removal from the panel.

Panel GROUND RULES

1. No discussion of the measure or panel deliberations outside of the public meeting setting.
 - a. No discussions with friends or family members
 - b. No discussions among panel members away from the open meeting venue during breaks or off hours
 - c. No discussions about the measure or related issues with presenters, proponent or opponent team members.

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- d. No electronic discussions or acceptance of email, voicemail or other contact or inquiries about the measure outside of the open meeting venue.
2. Until the close of the review process, one staff member will be the designated press and information contact. Any requests for information or interviews will be referred to the contact person.
3. During large-group discussions and Q&A sessions, one panel member speaks at a time with no side discussions during a meeting.
4. While the hearings are open to the public, members of the audience are not allowed to ask questions or give uninvited presentations.
5. If for any reason, the presence of a large or unruly audience inhibits the panelists in their work, the moderators, in consultation with project director will have the right to ask some or all of the audience to leave the room, assuming a majority of the panelists concur. A suggestion box will be available for use by the public
6. The names of panelists will not be made public until the first day of their respective review.
7. Panelists are expected to be present for all sessions.

Any Panel member who, in the judgment of the project director, in consultation with the panel, has not met the standards contained in the law, administrative rules, and policies adopted by the commission or reasonable standards of conduct can be removed from the panel.

ADVOCATE REVIEW OF PANEL STATEMENTS

The Moderator, in consultation with a Panel, will set aside time for designated advocates to comment on draft statements and for the Panel to consider those comments.

Statements of Key Findings & Statement of Additional Policy Consideration

At the discretion of the moderator, designated advocates will have up to three hours, following the availability of draft Key Findings and Additional Policy Consideration statements, to prepare and submit written feedback to the CIR panel in a format provided by the Project Director. Comments should be limited to the accuracy of statements

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Citizens Initiative Review, 2014

Planned Agenda*

and not be a restatement of arguments for or against a measure.

The Panel will consider submitted comments and make changes to the statements as the majority of panel members sees fit.

Statements For and Statements Against the Measure

At the discretion of the Project Director, designated advocates will have up to two hours, following the availability of draft statements in favor and draft statements opposed, to prepare and submit written feedback to the CIR panel in a format provided by the Project Director. Comments should be limited to the accuracy of statements and not be a restatement of arguments for or against a measure.

The panel will consider submitted comments and make changes to the statements as the majority of the panel, or corresponding panel sub group, members sees fit.

*Subject to amendment