



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