



Oregon

Kate Brown, Governor



Citizens' Initiative Review Commission Commission Meeting



March 29, 2016

MEMBERS PRESENT:

Jerry Hudson, Chair
Mary Forst
Kay Ogden
Marion Sharp
Ernest Estes
Debby Southworth

MEMBERS ABSENT:

James Huffman, Vice-Chair
Ann Bakkensen
Daniel Esqueda
Robin Gumpert

ADMINISTRATIVE SUPPORT PRESENT:

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

GUESTS PRESENT:

Robin Teater, Healthy Democracy
Jessie Conover, Health Democracy

Call to Order

Jerry Hudson, Chair, called the meeting of the Citizens' Initiative Review Commission (CIRC) to order at 10:00 am., Tuesday, March 29, 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 January 25, 2016

One typo and one correction to listing Commissioner Debby Southworth as absent were requested. Ernie Estes made a motion to approve the minutes from the CIRC Commission Meeting on January 25, 2016. Mary Forst seconded the motion. Commissioners voted unanimously to approve the motion. None opposed.

Commission Decisions on CIR 3.0 Concept

Commissioners discussed a number of changes to the CIR process recommended by Healthy Democracy and the CIR 3.0 Concept team. In regards to the length of the CIRs for 2016, the Commission discussed their preference to start midweek and go into the weekend to allow for more participation from citizen panelists who may have jobs. Commissioners supported 3.75 days, with the first day beginning slightly later.

Next, the Commission discussed the number of panelists. Commissioners generally agreed that they favored panels of 24 to allow for more diversity within a panel. They recognized that a smaller panel would mean less cost but valued diversity. Healthy Democracy (HD) noted that available funding might mean only holding 1 CIR of 24 panelists. HD would have a clearer picture of funding by June but appreciated knowing what the Commission's goals were.

Debby Southworth made a motion to target for 24 panelists unless there is insufficient funds. The Commission would revisit and make another decision if funds are not sufficient. Marion Sharp seconded the motion. All Commissioners voted in favor of aiming for 24 panelists.

The Commission then discussed what role the CIRC might play in selecting independent experts who were not affiliated with a campaign either for or against a ballot measure to present on background on the first day and do Q and A with the citizen panelists the second day. Commissioners discussed how the CIRC might make those selections and asked if staff from Kitchen Table Democracy and Healthy Democracy would also assist in identifying who might serve as independent experts. Mary Forst noted that the timeline for making selections between the selection of ballot measures and the CIRs was very brief and that Commissioners would need to be available during that time to look over recommendations from staff and conduct any deliberations. Chair Hudson asked if Commissioners were in agreement to proceed with a rulemaking process on draft language stating, "The Commission will establish a panel of independent experts for the CIRs." Commissioner Forst moved to conduct the rulemaking process and Debby Southworth seconded the motion. All Commissioners present voted in favor.

Commissioner Hudson noted that while the CIR 3.0 Concept did not direct any changes to the vote count on a ballot measure during a CIR Commissioners could decide on whether panels conduct a vote for or against the measure and then publish it in the citizens' statement in the voters' pamphlet. Commissioners discussed the benefits of having a vote count in providing information to voters as well as confusion in pairing a vote count with findings and recommendations. Commissioner Forst noted that the panels often try their best to be objective in key findings whereas actually voting reveals what individual panelists believe. Commissioner Southworth noted that as a CIR panelist she had wanted the ability to abstain from voting and see any abstentions in the voters' pamphlet as well. Healthy Democracy recommended leaving the vote count as it is and stated that they need more information about the impact of changes to the vote count. HD has some data based on pilots in other places, but those have been in very different circumstances than in Oregon. Marion Sharp suggested that there may be a more clear way to explain what the CIR panelists' voting means in the statement.

Commissioners agreed that they were interested in having the research team to conduct research in the next cycle on how the vote count may or may not impact voters.

Commissioner Sharp motioned to maintain the status quo to have the vote count and publish it in the pamphlet and then review as there's more research data. Commissioner Estes seconded the motion. All commissioners voted in favor.

The Commission next discussed what amount to set the citizen panelists' daily stipends for 2016. Forst asked HD if there was any additional information on the amount. Conover responded that when asked, panelists generally say they are satisfied with the amount of the stipend, whether it was \$100 (2014) or \$150 (2012); however, when they accept the invitation to participate they already know the amount they will receive. Through written comment, Bakkensen suggested setting the stipend for 2016 at \$150 and give participants the option to waive the stipend.

Forst noted that the higher amount ties back to the Commission's value of diversity as it may make it more financially possible for people to participate. HD noted that they would know if funding was available by June. Commissioners also asked if the research team would consider looking at how an opt out option may affect participation.

Forst made a motion to set the stipend at \$150 with an opt out option. Ogden seconded the motion. All commissioners voted in favor with the awareness that the decision may be affected by availability of funding in June.

The Commission moved on to discuss contracting for program management of the 2016 CIRs. Hudson asked if HD was interested in renewing its previous contract to provide that service and Teater responded that they were. Debby Southworth moved to renew the contract and Estes seconded the motion. All commissioners voted in favor of renewing the contract with HD for 2016.

Timeline for 2016 CIRs

Hudson asked CIRC Administrative Coordinator Sarah Giles to review the timeline for the 2016 CIRs. HD noted that staffing means holding any Oregon CIRs in early or mid August. The Secretary of State's Office would verify ballot measure signatures by August 8th. The Commission discussed how to best approach identifying independent experts given the short timeframe. Estes suggested a subcommittee of commissioners could meet with staff to work on identifying experts and creating a list of questions to ask of potential experts before bringing suggestions to the whole Commission. Commissioners would need to be able to be available in the first couple of weeks of August to identify the independent experts should they adopt that rule.

Commission terms and new commissioners

Hudson noted that four commissioners' terms were ending in April, including his own, and thanked Jim Huffman, Ann Bakkensen, and Marion Sharpe for their participation. He also informed the Commission that he and Giles had met with Senate Republican Ted Ferrioli in February and discussed his recommendations for executive appointments. Giles shared that Ferrioli had made two recommendations who were both interested and would submit paperwork of their interest to the Governor's office. The Senate Democratic leadership had not yet made their recommendation. Giles would continue to follow up with them. Commissioners would also need to elect a new Chair and Vice Chair at the next meeting in early June.

Sharpe also stated her willingness to continue to support the Commission, particularly in giving any input the Commission asked of her as a past citizen panelist and past commissioner in planning for the 2016 CIRs. Giles would also ask Bakkensen if she might be willing to provide input if asked.

Approval of 2016 Commission Report to Legislature

Hudson referred Commissioners to the draft 2016 Commission report to the state legislature and asked for any comments. Estes asked for two edits: spacing on page 1 and the ORS number specific on page 2 and moved to accept the report with those edits. Southworth seconded the motion. All Commissioners voted in favor. Ernie – 2 edits (page 1 – space and page 2 – ORS) with edits move – Debby – second

Public Comment Period

No members of the public had comment to give

Other Business

No other business was discussed

Hudson adjourned the meeting at 12:10pm.