
State Government Committee

HB 1364

Brief Description: Establishing a citizens' initiative review pilot program.

Sponsors: Representatives S. Hunt, Johnson, Bergquist, Walsh, Hunter, Zeiger, Harris, Kagi, Stanford, Ormsby and Farrell.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Establishes a citizens' initiative review pilot project.
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Hearing Date: 1/28/15

Staff: Marsha Reilly (786-7135).

Background:

State law requires that the state voters' pamphlet include information for each statewide issue on the ballot including:

- the full text of the measure;
- the fiscal impact of the measure;
- statements prepared by the Attorney General explaining the law as it presently exists, and the effect of the proposed measure if it becomes law;
- an argument advocating the voters' approval of the measure; and
- an argument advocating the voters' rejection of the measure.

The arguments are provided by a committee advocating for approval of the measure, and a committee advocating rejection of the measure. The Secretary of State (Secretary) and the presiding officers of the Senate and the House of Representatives appoint the initial two members of each committee, and consider legislators, sponsors of initiatives and referenda, and other interested groups known to advocate or oppose the ballot measure.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The initial two members may select up to four additional members. Each committee submits its initial argument to the Secretary, who transmits the statements to the opposite committee for rebuttal statements.

The State of Oregon adopted a Citizens' Initiative Review process in 2011. Citizen panels are selected to participate in a review process which culminates with a statement detailing the key findings of the panel, which is printed in the voters' pamphlet.

Summary of Bill:

A Citizens' Initiative Review process is established as a pilot project. A Citizens' Initiative Review Committee (Committee) is created and consists of ten members as follows:

- two members representing each caucus of the Senate, selected by the Secretary of the Senate;
- two members representing each caucus of the House of Representatives, selected by the Chief Clerk;
- one member selected by the governor;
- four members from nonpartisan civic organizations, one each selected by each caucus of the Senate and the House of Representatives; and
- the Secretary of State.

The Committee must select two initiatives on the general election ballot for review by citizen panels. In selecting the initiatives for review, the Committee must consider the fiscal impact of the measure, the funds available for the review, the significance of impacts on the public, and other established criteria. The Committee must also review the work of the citizen review panels to determine compliance with legislative intent.

No fewer than 18 citizens shall be selected by the Secretary for each review panel from a representative sample of anonymous electors. To the extent practicable and legally permissible, the demographic makeup of the panels must reflect the population of the electorate of the state based on the following characteristics prioritized in the following order: the location of the elector's residence; the elector's voting history; and the elector's age. Consideration may also be given to the elector's gender, ethnicity, and any other criteria.

Once the Committee has selected the initiatives for review, the Secretary shall convene the citizen panels. The panels shall convene for up to four consecutive days, and not less than 25 hours. Each panel shall conduct public hearings to hear testimony from proponents and opponents of the measure, as well as experts not affiliated with the proponents or opponents to analyze the impacts of the measure and answer panel members' questions.

Each panel prepares and submits to the Secretary four statements of no more than 250 words each indicating the following:

- 10 key findings determined by a majority of the panel members;
- five statements supporting the measure as determined by a majority of the panel members;
- five statements opposing the measure as determined by a majority of the panel members; and
- a statement indicating the results of the panel's vote on the measure.

The statements shall be printed in the voters' pamphlet and must be clearly differentiated from other arguments or statements regarding initiatives in the voters' pamphlet.

The Secretary shall contract for an evaluation of the effectiveness of the Citizen Initiative Review process, and the results must be reported to the appropriate committees of the Legislature.

The act expires July 1, 2018.

Appropriation: None.

Fiscal Note: Requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.