

# Enrolled House Bill 2895

Sponsored by Representatives CANNON, HARKER, Senator WHITSETT; Representatives BAILEY, BUCKLEY, CLEM, D EDWARDS, GARRARD, GARRETT, GREENLICK, KOMP, NATHANSON, OLSON, SCHAUFLEER, SHIELDS, J SMITH, VANORMAN, WITT, Senators BURDICK, DEVLIN, DINGFELDER, MONNES ANDERSON, MONROE, MORRISSETTE, MORSE, WALKER

CHAPTER .....

## AN ACT

Relating to state measures; and declaring an emergency.

Whereas the people of Oregon support the initiative process as a means for Oregon residents to propose laws and enact or reject the laws at an election independent of the Legislative Assembly; and

Whereas informed public discussion and exercise of the initiative power will be enhanced by review of statewide measures by an independent panel of Oregon voters who will then report to the electorate in the voters' pamphlet; and

Whereas a provisional Citizen Initiative Review took place in September 2008 and demonstrated the review process to be fair; now, therefore,

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1. (1) The Secretary of State shall designate one or more organizations to work cooperatively to establish citizen panels to review not more than three initiated state measures and file with the secretary Citizen Statements on each measure reviewed to be included in the voters' pamphlet. An organization is eligible to be designated under this section if the organization ensures all of the following:**

**(a) The selection of citizens for each panel from a representative sample of anonymous electors, using survey sampling methods that, to the extent practicable, give every elector a similar chance of being selected.**

**(b) To the extent practicable and legally permissible, that the demographic makeup of each panel fairly reflects the population of the electorate of this state as a whole, with respect to the following characteristics, prioritized in the following order:**

**(A) The location of the elector's residence.**

**(B) The elector's party affiliation, if any.**

**(C) The elector's voting history.**

**(D) The elector's age.**

**(c) That the organization will:**

**(A) Compensate each elector for each day served on a panel in an amount calculated using the average weekly wage as defined in ORS 656.211;**

**(B) Reimburse each elector who serves on a panel for travel expenses in accordance with the reimbursement policies of the organization; and**

(C) Provide for any and all other costs required to convene and conduct a citizen panel and for any costs associated with printing the statements in the voters' pamphlet.

(d) That a study will be conducted to evaluate the usefulness of the panels established by the organization and that the results will be made available to the public.

(e) That the organization has staff with prior experience in conducting substantially similar reviews.

(f) That the organization does not and will not receive any funds, directly or indirectly, from a political committee, as defined in ORS 260.005, or corporate or union treasuries.

(g) That each panel is moderated by two professional mediators or facilitators who have been trained to conduct citizen review panels.

(2) An organization designated under this section shall convene a separate citizen panel of not less than 18 and not more than 24 electors for each measure to be reviewed. A panel shall meet to review the measure on five consecutive days for a total of not less than 25 hours. The organization shall make reasonable efforts to provide each panel with any complaints filed regarding the measure reviewed by the panel not later than the fourth day the panel convenes.

(3)(a) Notwithstanding ORS 251.185, a citizen panel may prepare and file with the Secretary of State, and the secretary shall have printed in the voters' pamphlet, not more than four Citizen Statements for each initiated state measure considered by the panel. The panel may submit the following statements of not more than 150 words each:

(A) A Citizen Statement in favor of the measure.

(B) A Citizen Statement opposed to the measure.

(C) A Citizen Statement that is neither in favor of nor opposed to the measure.

(D) A Citizen Statement that reflects the views regarding the measure of more than a majority of the panel.

(b) A citizen panel must file with the Secretary of State any Citizen Statements prepared under this section not later than 70 days before the date of the election for which the voters' pamphlet is being prepared.

(c) If a Citizen Statement on a measure is included in the voters' pamphlet, the secretary shall provide with the statement a description of not more than 150 words of the citizen panel process described in this section and the following explanation:

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The opinions expressed in this statement are those of the members of a citizen panel and were developed through the citizen 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.

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**SECTION 2.** This 2009 Act is repealed on January 2, 2011.

**SECTION 3.** This 2009 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect on its passage.

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**Passed by House May 29, 2009**

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Chief Clerk of House

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Speaker of House

**Passed by Senate June 16, 2009**

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President of Senate

**Received by Governor:**

.....M,....., 2009

**Approved:**

.....M,....., 2009

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Governor

**Filed in Office of Secretary of State:**

.....M,....., 2009

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Secretary of State