Enhancing Independent Policy Research
for the
Oregon State Legislature

Oregon State Legislature

DRAFT - January 23, 2015

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Section 1 – Executive Summary

The 2013 Legislative Branch Budget Bill HB 5021A passed by the Oregon Legislature approved a placeholder of $1.0 million General Fund dollars for a new policy office. By this action, the Oregon Legislature indicated its intention to act on the legislature's desire for more independent research and policy analysis that is directed by the legislature, rather than being dependent upon analysis provided by the executive branch or advocates of special interests.

What are we trying to accomplish?

Interviews with legislators and staff conducted at the end of the 2014 legislative session and over the summer indicated a broad and diverse range of preferences and expectations, but the goal and purpose of enhanced policy research capacity remained consistently clear throughout the course of this project: To improve the legislature's ability to set policy for Oregon, free of reliance on the executive branch or lobbyists, through research that is practical, non-partisan, directed by the legislature and focused on issues that are important to Oregon.

What does the policy and research function look like in other states?

Approximately 75 percent of all state legislatures have created a designated research or evaluation function to support their policy analysis needs. The specific structures and work conducted by research staff can vary widely from state to state, but the most common three models are: legislative committee, bipartisan committee with dedicated staff, and external research center (often university based).

Where does this function belong in Oregon, and who would oversee it?

Legislative leadership invited a Legislative Work Group comprised of an equal number of legislators from both parties and both chambers to consider the options. The Group clearly preferred any new office or agency be housed within the legislature and overseen by a bipartisan legislative committee that included a minimum of two members from each party from each chamber. Although the group rejected the idea of housing the policy research function externally (for example, at a university), they allowed for the possibility of contracting out selected research projects. The Group also wanted to see improved efforts to coordinate research agendas and communication among existing legislative staff.

How do we ensure the work is independent and non-partisan?

The Legislative Work Group agreed that projecting the independence of the staff to produce non-partisan research reports was critical to long-term credibility, and that the hiring and firing policies and continuous training of both staff and legislative members should reflect the importance of preserving the integrity of the independent analysis for these reports. The Work Group further indicated a preference for research reports that concluded with a range of policy options, rather than recommendations.

Who would set the research agenda, and how?

The Work Group suggested that any member of the legislature could propose topics for the policy research agenda, and that the bipartisan Legislative Policy Research Committee would be responsible for reviewing those requests using a set of criteria to select and prioritize the topics. The Work Group suggested that any action such as setting the policy research agenda or releasing a report would require the approval of a supermajority of the committee membership.

What would the staffing structure look like, and what would it cost?

The Work Group considered a variety of staffing models, ranging from a significant new office that would be roughly the size of a well-developed policy research or performance audit shop to the option

of doing nothing or simply striving to better coordinate the research efforts of existing staff. Some of the options considered included:

- Hire new staff to conduct policy research full time.
- Hire new staff and integrate or blend the efforts of existing staff to support the research agenda.
- Extend the temporary staff hired during session to full-time, and use the interim periods to conduct more policy research.
- Emphasize more coordination of existing staff to conduct research during the interim.
- Continue business as usual.

Cost estimates ranged from zero to $3.8 million dollars annually, with the preferred options in the range of $1.3 - $1.8 million in annual costs.

What's next?

If the legislature decides to support a proposal for enhancing the policy research function that includes the provision of new staff, the Work Group pointed out the practicality of ramping up slowly and assessing whether the initial products of an enhanced policy research function provided "proof of concept" for moving forward with any significant expansion, as well as the realities of a limited state budget for which there were already many competing proposals. Any option selected should reflect the four qualities and characteristics in sidebar.

Key Considerations for Enhancing Policy and Research Capacity

Independence: Legislators must have confidence that the work is objective and of high quality, that the research has not been impact by partisan ideology or undue political influence.

Relevance: The Work undertaken should be of current interest to members of both political parties, with a high likelihood of resulting in meaningful discussion and legislative action.

Appropriate Scope: The work must be coordinated with current staff and integrated into existing rules and processes to reduce the likelihood of redundancy or conflicting effort.

Staff Capacity: A staffing plan with sufficient resources is necessary to ensure that the analysis is credible, reliable, and data-driven.

Section 2 – Legislative Work Group's Preferred Option

The Legislative Work Group considered several approaches to neutral research and policy analysis taken in other states with the goal of developing a proposal that could work for Oregon. The group came to general agreement on several of the key questions that would arise in developing a new research and policy analysis office or in expanding staff capacity, but also raised significant concerns and additional issues for future consideration. The Work Group's preferred options are summarized in the table below (Additional detail, including the materials provided to the Legislative Work Group and summaries of their discussions, is available in the appendices.)

The Legislative Work Group's Preferred Options

Element of the Model	Preferred Option
Purpose	To improve the legislature's ability to set policy for Oregon, free of reliance on the executive branch or lobbyists, through research that is practical, non-partisan, directed by the legislature, on issues important to Oregon.
Product	Neutral policy analysis with options (not recommendations)
Values	Neutrality, Independence, Practicality, Relevance
Governance	Bipartisan, bicameral Policy & Research Committee oversees agenda and staff
Agenda Setting	Any member can submit a request; P&R Committee sorts requests and develops agenda using criteria and keeps total scope within budgeted resources
Staffing Structure	New Agency **OR** Expanded Committee Staff (Legislative Work Group split on this element)
Cost Estimate	$1.3 - $1.8 annual cost, depending on structure selected and number of staff hired.

Purpose: The **purpose** and value of expanding the research and policy analysis was consistently affirmed in conversations with legislators and staff members. The goal is *to improve the legislature's ability to set policy for Oregon, free of reliance on the executive branch or lobbyists, through research that is practical, non-partisan, directed by the legislature, on issues important to Oregon*.

Primary Product: When asked, "what would the policy and research function produce as their **primary product**?" legislators in the working group ranked *pure research and neutral policy analysis* as their preferred product. The group further recommended that the research or policy analysis format should avoid policy recommendations, but rather should provide alternatives and options for legislative development.

Governance: Ultimately, any expansion of capacity should deliver information that produces useful information for policy-making and legislation that can attract support across party lines. Toward this end, the Legislative Work Group clearly favored **a bicameral, bipartisan legislative committee** govern the policy and research work. This Policy Research Committee would have an equal number (at least two) of legislators from each party in each chamber. Any decision requiring a vote would require at least 3 votes from each chamber's delegation, thus ensuring that a minority party vote from each chamber would be required for action.

Setting the Agenda: The Work Group agreed that the Policy Research Committee should have primary responsibility for setting the work plan and research agenda, with potential research topics and issues solicited broadly from any member of the legislature. The Committee would create and apply criteria for prioritizing the work, including but not limited to: cost, timeliness, research availability, broad interest, and statewide impact.

Staffing Structure: The Legislative Work Group was split on the approach for staffing structure. On one hand, some thought it was critical to create a separate legislative agency that with built-in safeguards to ensure independence by protecting staff through rules or best practices. Others thought it would be easier and more consistent to have staff supervised by legislators from both parties who also set the personnel policies and other procedures for all staff. Oregon's existing staff structure is a blend of these two models, somewhat different for policy committees than for fiscal committees.

Some members of the group favored the creation of a new agency that would be separate from existing staff groups. Similar to Legislative Counsel in having bipartisan, bicameral committee oversight, this new agency would place authority in the **policy and research agency director** to meet the Policy Research Committee's expectations.

> **Key Considerations for Enhancing Policy and Research Capacity**
>
> **Independence:** Legislators must have confidence that the work is objective and of high quality, that the research has not been impacted by partisan ideology or undue political influence.
>
> **Useful Agenda:** The work undertaken should be of current interest to members of both political parties, with a high likelihood of resulting in meaningful discussion and legislative action.
>
> **Appropriate Scope:** The work must be coordinated with current staff and integrated into existing rules and processes to reduce the likelihood of redundancy or conflicting effort.
>
> **Staff Capacity:** Developing a staffing plan and sufficient resources to ensure that the work being provided is credible, reliable and data-

Cost: The Legislative Work Group considered scenarios ranging from attempting to more closely coordinate existing staff effort (zero new cost) to a robust 26-person new agency, coming in at approximately $3.8 million in annual costs (See Appendix E, Cost Models). The two scenarios discussed above in Staffing Structure are estimated to cost between $1.3 million and $1.8 million annually.

Four key characteristics emerged that legislators felt were most important for a new policy and research office needed to be successful, as shown in the sidebar. These four considerations could be used as criteria to evaluate a proposal, or amendment to a proposal, to enhance policy and research capacity to support the Oregon State Legislature.

Section 3 – Project Approach and Research Results

Approach

The project approach is illustrated in the flow chart diagram below and described in more detail in this section. Our approach begin with listening to legislators both in initial interviews and while facilitating the deliberations of a Legislative Working Group appointed by legislative leadership. We conducted research into other state legislatures and evaluated the current structure and services of key legislative staff offices and agencies. We developed a variety of scenarios, options and preference rankings to help legislators clarify the contours of an approach that might be both structurally sound and politically feasible. Finally, we built a scalable cost model that can be used to calculate emergent scenarios,

including the possibility of starting small and ramping up the size of the staff according to whether or not the effort proves to add value as intended.

Listen to Legislators › Research Other States › Evaluate Status Quo › Legislative Work Group › Cost Modeling › Recommend Options

Listen to Legislators

Listening to the opinions and preferences of Oregon legislators

First we listened to the opinions and preferences of legislators about the idea of a new research and policy function for the legislature. The consultant team met with the chiefs of staff of the President of the Senate and Speaker of the House and other legislators during the 2014 legislative session. We held 7 small group in-person interviews with 19 legislative members from both the House and Senate and the majority and minority parties. We used these interviews to construct a set of initial models and a range of functions that might be performed by a new research and policy office, should the legislature choose to create one. We identified an initial set of criteria that Oregon legislators felt that a new policy and research office needed to be successful.

Research Other States

The consultant team conducted research into the approaches used most frequently by other legislatures across the country, including reviewing research on this topic conducted by the National Conference of State Legislatures and the Council of State Governments.

Research Results: Policy and Research Offices in Other States

Approximately 75 percent of all state legislatures have created a designated research or evaluation function to support their policy analysis needs. However, they are using a wide range of approaches and they are all unique to some extent. The type and timing of the work conducted by research staff can vary widely from state to state, even when the research and policy analysis functions have similar organizational structures.

Our research and experience shows that the approaches of legislatures that have formalized their research functions can be grouped into a few basic models, which can be generally grouped into three main alternatives. Provided below are summaries of the primary alternative models, including their potential organizational location, characteristics and functions.

Models Common in Other States

- **Legislative Office** uses committee services platform to conduct short-term research and provide research support during session.

- **Bi-Partisan Joint Committee** with dedicated independent research staff to conduct policy analysis and research on an annual basis.

- **External Research Center** is located outside of the legislature, and offers long range policy research and leverages the research talent in the state university.

Legislative Office

In this model, a new legislative office would be created for the sole purpose of providing independent, objective research and policy support to the legislature. This office would be located under Committee Services, and would be separate from the LFO and LRO and other agencies (LFO, LRO, and Counsel are all "agencies;" Committee Services is an "Office."). Research and policy analysis would be conducted by dedicated staff assigned only to this office. The office's agenda and work program would be closely coordinated and possibly integrated with that of Committee Services.

The research conducted by a research office using this model would be tied to the timeframes of legislative session. The nature of the work would reflect a desire to have a research function that conducts some longer term research and policy analysis during the interim, but also provides shorter term research and legislative support during session. Given that this function would be housed within Committee Services, efforts would need to be made to ensure that staff capacity is appropriate for the type of work research being conducted, and that processes and standards are in place to ensure their work remains independent and credible.

Joint Committee

The second alternative model calls for the creation of a new Joint Legislative Committee. To ensure its independence and objectivity, the committee would be bicameral and bipartisan. Committee members would be responsible for jointly establishing the agenda and developing criteria for selecting the work conducted by its staff. The legislature would need to determine who is allowed to request work of this committee, which could potentially include 1) any legislator, 2) committee leadership, or 3) majority and minority leadership. The committee would be staffed by dedicated research and policy staff separate from other central committee staff, in a separate agency, similar to LFO, LRO and LC.

The work conducted by this committee would most likely focus on mid-longer term research, program evaluations and policy analyses conducted over periods of time ranging from six to twelve months, in preparation for each year's legislative session. During session, efforts would be focused on presenting the results of the prior year's research and establishing the agenda for the coming year. Some legislative session support could be provided by staff, but not to the extent outlined in the Legislative Office option above. Staff capacity would need to be able to support more substantive, rigorous research and policy analysis than that of the Legislative Office option. This is also where a legislative oversight or audit function could be housed should the legislature decide that it wants the new research office to include these functions.

External Research Center

The third option would entail creating an external center or research institute. Similar to the Washington State Institute for Public Policy (WSIPP), it would not be housed directly within the legislature, but instead within an outside entity such as a university. This research center would be funded by, and exist to support the policy needs of, the legislature. Its work would be overseen by a board of directors representing a range of stakeholders who participate in shaping broad public policy directions, including the state legislature (bipartisan, bicameral members), executive branch, and the academic community. The agenda and work program of the center would be completed at the direction of the legislature as well as the board.

The purpose of an external research center would be to conduct long range research on broad policy issues, rather than short-term analysis and legislative support (Legislative Office), or mid-term policy research, evaluation and analysis (Joint Committee). The research conducted would typically span multiple years. Because of its research orientation and location within an institute of higher education, this option may offer the possibility of receiving outside funding to support its work.

Evaluate Status Quo

Oregon's Current Legislative Structure and Operations

To begin our work, we researched the Oregon Legislature's current legislative structure and operations. The Oregon Legislature does not currently have a dedicated research office or formal policy analysis capacity beyond those activities supporting the budget and revenue committees and ad hoc research support provided by existing staff.

Four legislative entities currently support legislative operations: The Legislative Fiscal Office (LFO), Legislative Revenue Office (LRO), Legislative Counsel (LC) and Committee Services. Appropriations matters are dealt with in joint committees, staffed by LFO, with analyst staff assigned to subject matter areas. Revenue work occurs in separate committees in the House and Senate, jointly supported by economists in the LRO who are assigned to subject matter areas. All committees are served by Legislative Counsel, whose staff attorneys provide legal research to legislators and support for bill drafting in assigned subject matter areas. These offices are intended to provide non-partisan fiscal and policy support to their assigned committees, other committees, and individual members on an ad-hoc basis.

Committee Services provides administrative support for these and all other policy committees, through an administrator and committee assistants, plus additional staff hired for the session. The majority and minority caucuses also have staff support, as do individual legislators. Research and policy support is conducted on an as-requested basis, primarily during session to support draft legislation, with a limited amount of policy research conducted during the interim.

The majority of the research currently being done by legislative staff is not necessarily consistent with the type of research being considered for a new research and policy office. Current research conducted by LRO, LFO, and LC is focused on very specific revenue, fiscal, or legal issues, and most of the research conducted by Committee Services is briefer and focused on session support, when compared to the more in-depth, longer term policy-focused research that appears to be envisioned by the legislative working group.

Legislative Work Group

Senate President Peter Courtney and House Speaker Tina Kotek invited four members from each chamber, equally divided between Democratic and Republican members, to form a Legislative Work Group charged with working over the interim with developing a preferred option for enhancing policy and research capacity to support the legislature. The legislators serving on the Work Group were all interested in the subject, highly experienced and contributed a great deal of institutional knowledge and practical experience in a range of policy areas.

During the fall of 2014, the Work Group met for a total of four work sessions with a goal of developing more clarity on their legislative research needs and narrowing down the organizational options. In September, the legislators received an overview of the range of policy and research functions in other states, and they ranked their preferences in terms of types of legislative research, services, work products and locations for housing such a function.

In preparation for the December Work Group sessions, we used the rankings identified by legislators in September to narrow the range of models as a basis for further analysis and exploration of the pros and cons of various combinations of staffing, governance and cost models. Working with legislative administrative staff, we applied actual Oregon State Legislative staff job classifications and operational costs to develop cost estimates for each organizational model under consideration. The Work Group also asked Committee Services staff to report on the degree to which existing staff could complement or provide more extensive policy and research work. (See Appendix D).

Cost Modeling

Analysis of Potential Costs

The Legislative Work Group reviewed the five scenarios (or "models") shown in the table below. These scenarios mixed and matched key elements of models from other states, the Work Group's initial preferences, and the personnel cost data provided by legislative administrative staff.

Estimated Costs for Five Policy and Research Office Alternatives

Scenario	Description
1	A new large legislative agency with new highly experience research staff (similar in size to LFO).
2	A new legislative agency with new highly experienced staff (smaller, similar in size to LRO).
3	Expanded Committee Services Staff: converting session-only CALAs to year round staff.
4	Hybrid model: a new legislative agency with a combination of new staff and a few existing Committee Services staff.
5	Use existing research capacity of current legislative staff to provided coordinated policy research (no new staff).

The consultant team gathered information on the full costs of the new and existing staff positions being considered for the expanded research and policy analysis function. This entailed reviewing the legislative job classifications and identifying the positions and job qualifications that most closely aligned with the staffing needs of the above models. It also entailed gathering data on the associated legislative salaries, benefits, services and supply costs for each position.[1]

In order to also develop cost estimates for a model option that included use of existing resources for expanded research capacity, we worked with legislative staff to gather more information about the amount of time or resources current staff in Committee Services, LFO, LRO, and LC currently spend on policy-related research, and to develop a better understanding of the nature of the research work being done. We reviewed examples of existing research and gathered information from staff on whether they have capacity to conduct additional research or policy analysis. As a result of this review, we made two determinations:

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[1] Costs include staff salaries from the midpoint of the salary range, all benefits, and services and supplies such as computer, office equipment, furniture, and administrative charges for centralized services such as information technology, benefits and payroll administration.

First, the staff qualifications and experience needed to support the higher level policy research work envisioned by the Work Group are most similar to those required for the legislature's current Deputy Fiscal Officers, Deputy Legislative Counsel, Principal and Senior Legislative Fiscal Officers, and CALA 4s. These positions require significant amounts of research or policy analysis experience and high amounts of education. The required background and experience for CALA 2s and 3s emphasizes education but not necessarily experience, which may enable them to support, but not lead, the proposed research work discussed by the Legislative Work Group.

Second, existing staff have only a limited amount of capacity to take on additional research and policy work. While some staff time is available during the interims between sessions, all staff are fully booked during session. Significant changes in how and what types of work are assigned to LRO, LFO, LC and CS would need to be made in order to free up dedicated time for policy research. For cost modeling purposes only, in Scenarios 3, 4 and 5 we assumed that up to 10 percent of staff analysts in these four legislative agencies/departments could be available for coordinated policy research.

The results of the cost modeling of all five of the above scenarios show a fairly broad range of costs. The annual costs of creating a new research and policy function is estimated at $3.8 million for Scenario 1 (larger, new research agency), whereas the costs of Scenarios 2, 3 and 4 are closer to each other, between $1.0 million and $1.8 million. Scenario 5, which coordinates existing staff and leverages 10 percent of their time, but does not add any new capacity, will not cost anything; however, significant questions exist about how the work would be coordinated and whether this limited amount of resources (less than 5 full-time employees) would be able to produce the substantive research work consistent with what legislators desire. The full cost comparisons for these 5 scenarios can be found in Appendix E.

At the December workgroup session, the legislators further narrowed their preferred options to Scenario 2 and 3. Scenario 2 creates a new legislative agency dedicated to research and policy analysis, with 13 new highly experience research staff. Scenario 3 expands Committee Services staff by converting session-only committee administrators (CALA 2s and 3s) to year-round positions. The comparative staffing structures and costs are shown in the table on the following page.

Scenario 3 expands existing Committee Services staff by converting nine session-only Committee Administrator 2s and 3s to year-round positions. While we have heard that some principal level Committee Administrators do have strong policy analysis skills, their capacity to perform additional research work is limited, and non-existent during session. In addition, the job qualifications for Committee Administrators do not necessarily require research or policy analysis experience, and the job classification levels for these positions are much lower in general. While policy analysis experience is desirable, equally important is having project management skills to coordinate and respond to committee operations. Unless the job qualifications are modified, the type and extent of research and policy analysis performed by Committee Services staff under this scenario is likely to be less rigorous than that of the more experienced research staff in Scenario 2.

Comparison of Staffing Structures and Costs for Preferred Options

Name	Scenario 2: New Legislative Agency B	Scenario 3: Expand Committee Services Staff
Description	This option would create a new Agency dedicated to Research and Policy Analysis supported by a smaller number of new staff than Model 1.	This option would create a new research unit within Committee Services staffed by a new Research Coordinator, session-only Committee Administrators converted to year-round positions, and 10% of existing Committee Administrators time.
Staffing Structure	**New Staff (12)** 1 Director 2 Principal Researcher 4 Senior Researcher/CALA 4s 4 CALA 3s 1 Office Manager	**New Staff (10)** 1 Research Coordinator 6 Continuing Session CALA 3s 3 Continuing Session CALA 2s **Existing Staff (.9)** .2 CALA 4s .5 CALA 3s .2 CALA 2s
Staff Skills	**8-12 years of research and policy analysis experience**	**4-12 years project management or policy analysis experience**
New Full-time Staff	12	10
Annual Cost of New Staff*	$ 1,819,695	$ 1,295,003

*Source: Lore Christopher, Legislative Human Resource Director. Includes salaries, all benefits, services and supplies (computer and office equipment, furniture, and administrative charges for centralized services).

The staffing levels of these two options are similar; however, it is important to explain why the costs differ to the extent that they do. Scenario 2 assumes that the new research and policy office will be producing in-depth, substantive policy research that would be performed by principal and senior level staff with high levels of experience in policy research and analysis, similar to principal and senior staff in other legislative agencies. Their job classifications and compensation would therefore be at a fairly high level. A director well qualified to lead this new function, establish a new agency, command the respect of a diverse group of highly qualified staff and craft a credible policy research agenda would need to possess a high caliber professional reputation, qualifications and experience that will likely command a higher salary.

Recommended Option

NEXT STEPS

The Legislative Work Group made considerable progress in its discussions, including reaching agreement about many aspects of the format, scope, and perspective for the research work. However, as is often the case with important decisions, careful deliberation also raised many more questions and significant issues. As the legislature considers future action, the following items merit further consideration:

Ensuring quality and independence of research. An especially important issue for the legislature will be considering how to ensure the quality and independent of the research. There are several aspects to that:

- Develop standards or processes that will ensure integrity and independence of research office and protect staff from undue political influence.

- Develop standards for staff to ensure that work (a) meets expectations for independence and neutrality and (b) also meets quality assurance standards for subject matter expertise or other standard criteria that may be used for a particular issue.

- Establish a firm preference for the research to result in options for legislative consideration, instead of recommendations.

- Consider the need for and terms of an off-ramp, e.g., in the event of realized redundancy.

- Ensure broad and ongoing coordination of effort among all staff, to reduce the likelihood of duplicative or competing research or analysis.

Policy Research Committee authority. The group did not specifically address who would name the Policy Research Committee. The default authority lies in the President of the Senate and the Speaker of the House. The group also did not specifically address how this group would be involved in supervision of staff, but commentary generally favored the structure that supports Legislative Counsel or the staff supporting the fiscal committees.

Staffing. The Legislative Working Group came to no agreement on a preference for cost and staffing. There was a strong feeling that the group needed to have the opportunity to discuss these options with leadership of both chambers and/or with the fiscal committee co-chairs before coming to any agreement.

Section 4 – Legislative Engagement

Senate President Peter Courtney and House Speaker Tina Kotek selected four members of each chamber, equally divided between Democratic and Republican members, to constitute the interim group charged with developing a preferred option for going forward. They are all senior legislators with a great deal of institutional knowledge and practical experience in a range of policy areas.

Senator Michael Dembrow
Democratic Party, 23th District

Representative Cliff Bentz
Republican Party, 60th District

Senator Betsy Johnson
Democratic Party, 16th District

Representative Andy Olson
Republican Party, 15th District

Senator Brian Boquist
Republican Party, 12th District

Representative Mitch Greenlick
Democratic Party, 33rd District

Representative Doug Whitsett
Republican Party, 28th District

Representative Nancy Nathanson
Democratic Party, 13th District

Section 5 – Staff Support

This interim project was overseen by a project steering group comprised of Betsy Imholt, Chief of Staff to Senate President Peter Courtney and Amelia Porterfield, Chief of Staff to House Speaker Tina Kotek, supported by Anna Braun, Senate Legislative Director, and Tim Inman, House Legislative Director. In addition, staff support was provided by the following senior staff advisors:

Ken Rocco, Legislative Fiscal Officer
Paul Warner, Legislative Revenue Officer
Dexter Johnson, Legislative Counsel

Rick Berkobien, Committee Services Manager
Lore Christopher, Human Resource Manager
Sandra Rierson, Financial Services Manager

Appendix A – Legislative Research Model Alternatives

Characteristics		Legislative Office	Joint Committee	External Research
What	**Purpose**	Provide short term policy research	Evaluate and study agency programs, operations, and performance	Research cost-effectiveness of public policies
	Work Products	Policy research for committees; Interim research; session research support; bill drafting.	Program evaluations; management studies; performance audits; sunset and leg compliance reviews.	Evidence-based research studies; cost-benefit analysis.
	Work Timeframe	<u>Short</u> - Up to 3 months	<u>Medium</u>: 6-24 months	<u>Long</u>: 2+ years
How	**Typical Location**	Under a central services committee	Separate legislative committee	Within an institute or university
	Governance	Similar to current Committee Services	Bicameral, bipartisan committee leadership	Board of directors with legislative representation
	Agenda	Committee chairs; legislator requests.	Committee leadership, member requests, budget and policy legislation.	Budget and policy legislation.
	Staffing	Full-time non-partisan. Dedicated or shared with central services.	Full-time, non-partisan, research staff. Dedicated to committee.	Full-time. May be shared with institute.

Appendix B – Legislative Work Group September 2014 Meeting Materials and Summary

Oregon State Legislature Policy and Research Office Project

Legislative Work Group ⬧ Options, Costs & Alternatives ⬧ Meeting Summary ⬧ September 16 – 17, 2014

The Legislative Work Group (LWG) convened two 90 minute work sessions during September Legislative meeting days to consider options, costs and alternatives for creating a policy and research office. All eight legislators participated. (See list of members, agenda and additional materials in the Appendix.)

Key Question 1: What is the purpose and goal of improving the legislature's policy research capacity?

> The **goal** of creation of new research and policy capacity is to improve the legislature's capacity to set policy for Oregon, free of reliance on the executive branch and lobbyists, through research that is practical, non-partisan, directed by the legislature, on issues important to Oregon.

Key Question 2: What do we want this new function to produce? Initial interviews with legislators and staff indicated a wide range of preferences and expectations of the work to be produced by any new staff capacity. During the September working sessions, the working group ranked **research** and **neutral policy analysis** highest. (See Appendix: *Legislative Staff Products and Services*).

Several legislators noted that these two products can be misunderstood, and that program evaluation can also be considered a form of research. The LWG may return to fine-tune their expectation of work product after additional work on the preferred model is completed.

What do we want the Policy Research function to produce?				
Work Product	First Choice	Second Choice	Third Choice	Total
Research	5	2		7
Library services	1		1	2
Program Evaluation	1		3	4
Policy Analysis – Principles	1			1
Policy Analysis – Neutral		6	2	8
None or Never			2	2

Key Question 3: What form (or model) should support this function? Building on the foundation of initial agreement that research and neutral policy analysis should be the primary functions, the legislators next tackled the range of ideas that had surfaced concerning where a new policy office or staff should be located and how it might be governed. In earlier meetings, no less than seven ideas had surfaced (See Appendix: *Policy Office Model Options*). The LWG preference was clearly toward the creation of a **new legislative bureau** or department or a **joint committee**.

Key issues during these discussions included how **independence** and **agenda setting** would be addressed, and whether the function should be housed inside or outside the existing administrative structure. (For definitions of these issues, see Appendix: *Attributes of Nonpartisan Policy Work*).

For the next (and final) two work sessions, the group will focus on these attributes of the recommended model, including the following key questions:

Preferred Model Rankings					
Options	Policy Office Models	First Choice	Second Choice	Third Choice	Total
1	Expand Caucus Staff				0
2	Expand Committee Svcs	2	2		4
3	**New Legis Bureau/Dept**	**1**	**3**	**3**	**7**
4	**Joint Committee**	**5**	**1**	**2**	**8**
5	Expand Leg Counsel			1	1
6	Consolidate LC, Comm Svcs				0
7	External Location		2	1	3
	None			1	1

- Who appoints the legislators to the new committee, and how will power be shared?
- Who staffs this function, who hires the staff, and how is their independence protected?

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- Who sets the research agenda, and how
- In the near term, what sorts of research or analytic products would we expect? Longer term?

Key Question 4: How much will this cost? In order to ascertain the potential scale of increasing the existing policy and research capacity, the working group considered data from other states (See Appendix, *Comparison with other states* and *NCSL data*.) Rough cost estimates were provided for potential configurations for four potential models. (See Appendix: *Options 3, 4, 6, and 7;* and *Policy Research Office Cost Examples*). The cost estimates were based on research of publicly available budget data for models roughly consistent with these options, and included staffing costs only. (No overhead, capital or other costs were factored into these initial estimates.) The working group did not indicate a preference or range of cost estimates for the expanded policy and research function.

Throughout both days, legislators mentioned the **budget implications** of any expansion of research and policy capacity as a key concern, including the need to balance expectations and constraints of existing staffing conditions and administrative structures. Several members of the LWG are involved in budget development for the legislature, and they wanted to ensure that any recommendation from this group would **pass muster with the budget committees**. To that end, they agreed they would need to be prepared to offer strong, persuasive answers to the following questions:

- **Need:** Why do we need this added capacity? Can you cite examples of how it could save money, or how it could help us make better use of what we have?
- **Sufficiency**: Are the resources allocated sufficient to actually provide the benefits promised, or is it scaled back to pass budget scrutiny but unlikely to deliver on our expectations?
- **Agenda:** How do we ensure that this research and policy capacity is well-used, subject to strategic agenda setting and not subject to mission drift and later co-option?

The working group also discussed whether and how to **coordinate existing staff work.** Legislators acknowledged that some significant research and policy work is already produced by existing staff, but some expressed concern that the processes governing this work are not bipartisan, independent or subject to a common agenda. Staff was asked to provide some basic reports on the current capacity and production of policy research reports to support the working group in analyzing the feasibility of integrating current work with the new capacity.

Next steps: For the December sessions of the working group, the members will consider a new set of more detailed options within the more focused range of options emerging from the September working sessions. Cost models will be fine-tuned to reflect the current staffing structure and job classifications for the Oregon State Legislative staff, and, to the extent possible, consider any additional costs necessary to support the function. Key questions for the second round of work sessions will include alternative methods for ensuring independence, shared decision making, and prioritizing policy research agenda topics, and recommendations for optimizing and/or integrating existing policy and research staff capacity. After the December meetings, consultants will prepare a LWG Working Group meeting summary along with a memorandum that summarizes recommendations to leadership.

The **Appendix** includes additional information provided for the Working Group, including materials handed out during the he September meeting of the Legislative Work Group on Policy and Research Capacity.

- List of Legislative Work Group Members
- Legislative Work Group Agenda (September)
- Legislative Staff Products and Services
- Definitions and Organizational Practices
- Policy Office Model Options

- Attributes of Nonpartisan Policy Work
- Comparison with Other 'Shared Service' States
- Policy Research Office Initial Cost Model Ranges
- NCSL Comparative Data on State Legislative Staf

Legislative Policy & Research Office: Options, Costs and Alternatives (September 2014 Summary)

APPENDIX

Oregon State Legislature Policy and Research Office Project
Legislative Work Group ◆ Options, Costs & Alternatives ◆ Meeting Summary ◆ September 16 – 17, 2014

Members of the Legislative Working Group:

- Representative Cliff Bentz (R)
- Senator Brian Boquist (R)
- Senator Michael Dembrow (D)
- Representative Mitch Greenlick (D)
- Senator Betsy Johnson (D)
- Representative Nancy Nathanson (D)
- Representative Andy Olson (R)
- Senator Doug Whitsett (R)

Oregon State Legislature
Policy and Research Office Project
Legislative Work Group Agenda - Amended

September 16, 2014	
12:30 pm – 2 pm	**The Goal and the Handouts** • Definitions and Organizational Practice (NCSL) • Legislative Staff Products and Services • The Models (prototypes based on Oregon's status quo)
	The Products Using definitions and some standard attributes, (NCSL, CSG), legislators will identify the most important products for this project and sample issues.
	The Models Using a range of models gleaned from staff and legislator interviews, legislators will discuss their initial preferences and rank the models.
	Oregon's Status Quo – We'll examine Oregon's current structure, asking legislative staff to illustrate any personnel, confidentiality or other issues that may affect options.
September 17, 2014	
11:00 am – 12:30 pm	**The Challenges** In this session, we will address the broad challenges to success. Legislators will discuss strategies for gaining support for the project. • From Phase One: Attributes of Nonpartisan Policy Work
	Elements of Cost Modeling, Attributes Built into Costing a Proposal This session will describe the range of costs that go into estimating the costs of any specific model. Legislators will give feedback on elements such as scalability, space needs, staff qualifications and salaries.
	Next steps In the final session, we'll discuss any remaining topics that need Legislative Work Group discussion and so some preliminary planning for the December meeting.

Legislative Staff Products and Services

☐ **Research:** Research contemplates the systematic investigation into and study of materials and sources in order to establish facts concerning a matter, delivered by written report. It is policy-neutral.

☐ **Policy Analysis– Principles-based:** Policy analysis uses research to evaluate policies and actions in achieving a given set of goals. When principles-based, the analysis aligns with a particular ideology or partisan preference. (Caucus)

☐ **Policy Analysis – Neutral:** Policy analysis uses research to evaluate policies and actions in achieving a given set of goals. When neutral, the analysis will recognize the application of different principles or ideologies, illustrating options for action and differing outcomes. (Non-partisan)

☐ **Commission or Task Force Recommendations:** At the conclusion of a process that involves staff-supplied research and policy analysis, a group of elected officials determines the findings and chooses recommendations. (Can be bicameral, bipartisan and include others.)

☐ **Legislative Librarian Services:** Research by a legislative librarian returns documents and sources on a given matter. It may include compilations of and access to documents, sources and studies beyond those specific to the legislature's activities and history.

☐ **Program Evaluation:** Program evaluation is a systematic method for collecting, analyzing, and using information to answer questions about a projects or programs, specifically addressing effectiveness and efficiency.

Issues

In evaluating the services listed above, consider:

☐ If this new office or staff were here today, how would we use it?
☐ What information do I wish we had, coming into the 2015 session?
☐ What issues facing Oregon today might be solved if this new office or staff were added?

Oregon Mtg 1 Products and Services

Definitions and Organizational Practices

Nonpartisan: Referring to staff support or work product that is not partisan, free from party affiliation, bias or designation, characterized as *impartial, fair, objective, and unprejudiced*.

Multiple Meanings of "Joint"

Bipartisan: Of, relating to or involving members of two parties, involving cooperation, agreement and/or compromise. (Sometimes referred to as 'joint'.)

Bicameral: Referring to legislatures with two chambers; passage of legislation requires the concurrence of the two chambers. (Sometimes referred to as 'joint', in cooperation between the chambers.)

Shared Services: Referring to legislative support services which are provided by a central committee and staff to a bicameral legislature. (Sometimes referred to as 'joint'.)

Multiple Ways of Establish Shared Governance:

Cooperation by Rule: Use of House, Senate or Joint Rules to establish bipartisan cooperation.
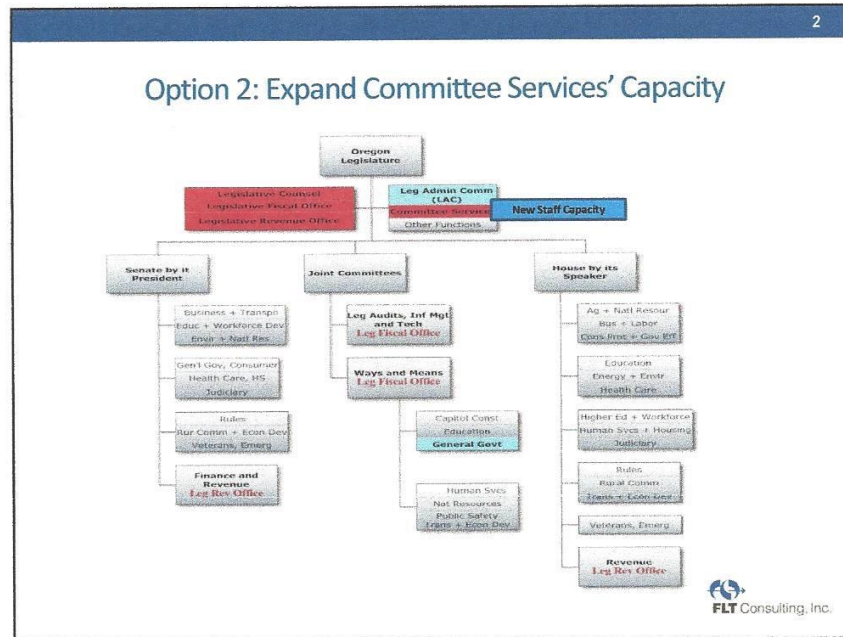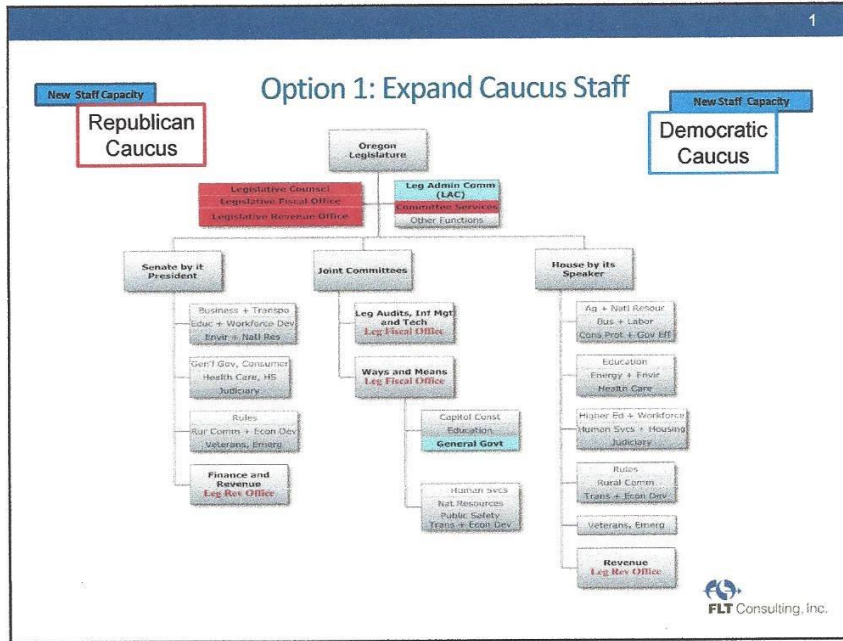
> *Example:* Employment Committee: The employment committee for committee staff shall consist of five members, three from the majority party and two from the minority party. The chair shall be appointed by the majority leader. The committee shall appoint a staff director for committee services with the concurrence of four of its members. All other decisions shall be determined by majority vote.

Cooperation by Statute: Use of statutory authority to establish bipartisan cooperation in administration of shared services or administration of a special committee.

> *Example:* The joint legislative research committee is created, which shall consist of eight senators and eight representatives from the legislature. The senate members of the joint committee shall be appointed by the president of the senate, and the house members of the joint committee shall be appointed by the speaker of the house. Not more than four members from each house shall be from the same political party.

> *Example:* There is established a legislative council to consist of 10 members, 5 of whom shall be members of the Senate and 5 of whom shall be members of the House of Representatives. They shall be the President of the Senate, the Speaker of the House of Representatives, the Floor Leaders and Assistants of the 2 major parties. The Legislative Council shall elect a chairman from within its own membership. The Legislative Council shall exercise such powers and duties as may be deleted by law or by rule of the Legislature.

Oregon Mtg 1 Definitions and Attributes

Policy Office Model Options

Option 1: Expand Caucus Staff

Option 2: Expand Committee Services' Capacity

Option 5: Expand Legislative Counsel's Capacity
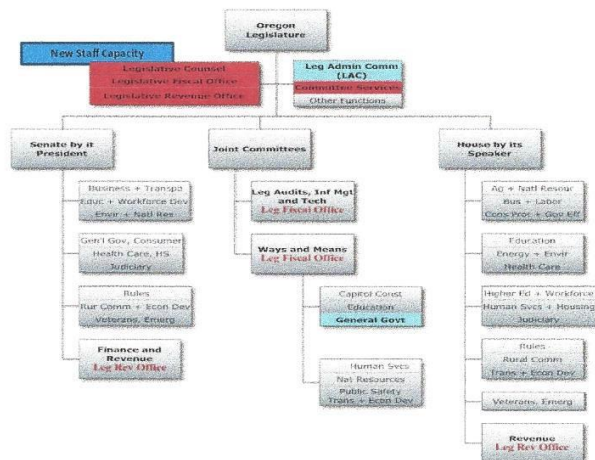
Option 6: Consolidate Legislative Counsel + Comm Services
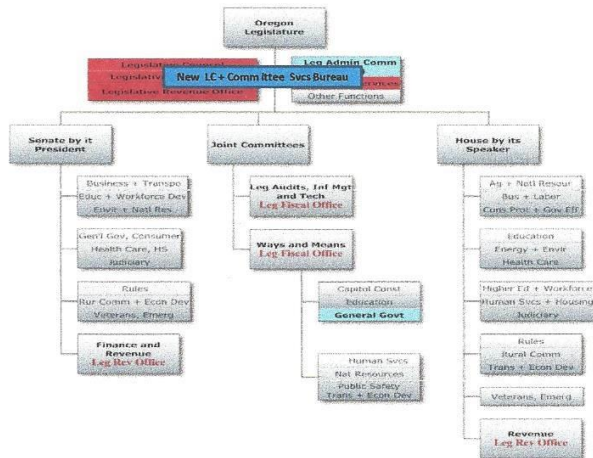
Policy Office Model Options
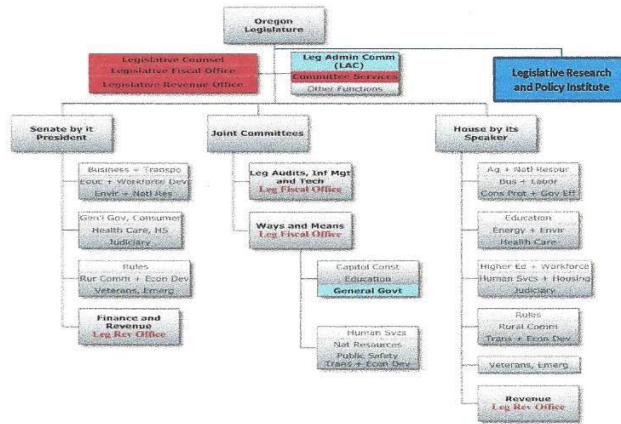
From Phase One: Attributes of Nonpartisan Policy Work

There are four main attributes or characteristics in nonpartisan staff support for legislators.

- [ ] **Independence:** How do we ensure that the work is objective, not impacted by partisan ideology or undue political influence?
  - Cooperation by Rule
  - Cooperation by Statute
  - Best practices, leadership, institutional culture

- [ ] **Agenda Setting:** How do we set an agenda or work program that follows some process or is consistent with some criteria that ensures the work will be useful to both parties?
  - Cooperation by Rule or Statute
  - Establish criteria by Rule or Statute for development of work program.

- [ ] **Time and Scope**: How do we ensure that the scope of the work program aligns with the type of research or policy analysis expected, or the type of work product expected?
  - See legislative work products, generally.
  - Distinguish between bill-based research and research and policy analysis that contemplates recommendation only on conclusion of the research.
  - If bill-based research based on bill drafting for individual legislators, at their request, must consider uncertainty in staff work loads.
    - Priority and deadline concerns
    - Issues of constitutionality or feasibility
    - Confidentiality practices

- [ ] **Budget and Resources:** Aligning the staffing levels, staff qualifications, education, and salary with the Time and Scope expectations.

Comparison with Other 'Shared Services' States

	Maine	Maryland	Nevada	Utah	Oregon
Bicameral Shared Services	Legislative Council	Legislative Policy Committee	Legislative Council Bureau/ Legislative Commission	Legislative Management Committee	Legislative Administration Committee
How Governed	Includes speaker, president, floor leader and assistant floor leader of 4 caucuses (10)	Speaker and president are co-chairs, committee chairs, some minority representation (28)	12 legislators determined by rule every session (2 years)	Equal representation from each party	Chaired by president and speaker; all appointments by president and speaker
Bill Drafting	Office of Policy and Legal Analysis (OPLA)	Dept of Legislative Services, Office of the Executive Director (OED)	LC: Legal Division	Office of Legislative Research and General Counsel	Legislative Counsel
Research and Policy	OPLA (Consolidated with bill drafting department)	**Department of Legislative Services, Office of Policy Analysis (OPA)**	**LC: Research Division**	Office of Legislative Research and General Counsel	Appears in **both** Legislative Counsel and in Committee Services
Legislative Librarian	Separate Division	Separate Division	In LC: Research Division	In Office of Legislative Research and General Council	None
Committee Administra-tion	By Chamber	By Chamber	By Chamber	Staffing from Central Office	Staffing from Shared Service, Committee Services

*Source: National Conference of State Legislatures, Legislative Staff Services: Profiles of the 50 States and Territories, 2006. Official statutory reviser function is not called out in the document. This table does not include compliance and performance audit activities. "Research" activity may be reported as one of multiple tasks engaged in by members' individual staff.

Comparison with Other Shared Services States.doc

Policy Research Office Cost Examples

Sample Model	FTEs and Positions	Estimated Staff Salary Costs
2013-15 Proposed New Agency – Legislative Policy Research Office	7.7 FTES, 9 Positions Added: 1 Assistant Agency Director 6 Senior Policy Analysts 2 Session Admin Support Specialists	$1,612,452
External Location	15 FTEs, 7 partial positions.	$2,598,457
Joint Committee	21.4 FTEs	$3,275,211
Consolidate Legislative Counsel and Committee Services	92 FTEs and 113 PT staff (approx.) 205 Positions	$15,270,502

FLT Consulting, Inc.

NCSL Size of State Legislative Staff

State	Permanent Staff					Session-Only Staff					Total Staff During Session (permanent + session staff)				
	1979	1988	1996*	2003	2009	1979	1988	1996	2003	2009	1979	1988	1996*	2003	2009
Alabama	200	339	316	422	467	170	77	98	74	83	370	416	414	496	550
Alaska	116	251	237	307	325	160	199	168	142	135	276	450	405	449	460
Arizona	280	323	472	631	598	310	97	95	51	103	590	420	567	682	701
Arkansas	230	250	292	339	405	140	126	164	154	141	370	376	456	493	546
California	1,760	2,865	2,506	2334	2067	0	113	104	25	39	1,760	2,978	2,610	2,359	2,106
Colorado	173	189	213	209	230	110	60	47	176	115	283	249	260	385	345
Connecticut	225	400	446	393	490	200	202	177	146	127	425	602	623	539	617
Delaware	32	49	58	84	74	75	110	106	47	51	107	159	164	131	125
Florida	1,095	1,581	1,896	1650	1457	240	193	277	153	113	1,335	1,774	2,173	1,803	1,570
Georgia	275	466	511	603	605	325	213	231	220	168	600	679	742	823	773
Hawaii	150	151	256	170	355	335	621	486	482	352	485	772	742	652	707
Idaho	55	51	61	75	81	120	107	94	108	64	175	158	155	183	145
Illinois	984	1,066	969	905	980	135	179	88	1	43	1,119	1,245	1,057	906	1,023
Indiana	138	171	183	304	239	170	132	143	79	136	308	303	326	307	375
Iowa	93	163	180	172	191	295	252	186	198	179	388	415	366	370	370
Kansas	126	117	121	100	150	240	270	242	240	238	366	387	363	340	388
Kentucky	135	216	317	386	406	200	246	266	242	273	335	462	583	628	679
Louisiana	327	360	419	688	666	155	171	105	51	202	482	531	524	739	868
Maine	46	138	133	156	169	108	49	47	34	42	154	187	180	190	211
Maryland	328	447	505	850	562	300	324	232	115	170	628	771	737	965	732
Massachusetts*	595	782	850	935	903	0	0	0	0	0	595	782	850	935	903
Michigan	1,047	1,287	1,359	1153	973	0	2	45	0	0	1,047	1,289	1,404	1,153	973
Minnesota	420	602	638	602	590	221	202	203	82	133	641	804	841	684	723
Mississippi	130	124	132	150	164	91	63	48	45	42	221	187	180	195	206
Missouri	212	368	476	321	474	190	219	48	28	35	402	587	524	349	509

NCSL SizeStLegisStaff.pdf

Montana	108	128	119	122	127	150	138	180	125	110	258	266	299	247	237
Nebraska	182	199	202	217	228	38	18	48	22	15	220	217	250	239	243
Nevada	85	115	170	230	293	120	151	320	268	308	205	266	490	498	601
New Hampshire	84	120	139	165	147	56	22	20	0	32	140	142	159	165	179
New Jersey	492	780	1,465	1206	940	90	134	49	59	48	582	914	1,514	1,265	988
New Mexico	40	49	49	145	172	222	320	491	503	507	262	369	540	648	679
New York	1,600	3,580	3,461	3077	2676	1,500	577	438	351	75	3,100	4,157	3,899	3,428	2,751
North Carolina	90	118	168	290	321	300	367	296	339	325	390	485	464	629	646
North Dakota	26	31	31	32	32	100	161	141	92	73	126	192	172	124	105
Ohio	390	524	552	505	465	0	0	0	1	0	390	524	552	506	465
Oklahoma	101	171	260	302	293	225	223	155	131	114	326	394	415	433	407
Oregon	173	288	240	181	298	490	269	244	284	180	663	557	484	465	478
Pennsylvania	1,430	1,984	2,682	2947	2918	0	28	20	0	1	1,430	2,012	2,702	2,947	2,919
Rhode Island	81	153	216	297	284	147	79	12	157	157	228	232	228	454	441
South Carolina	146	251	269	247	270	250	87	224	174	185	396	338	493	421	455
South Dakota	75	67	60	56	55	60	32	34	19	51	135	99	94	75	106
Tennessee	270	175	213	253	277	50	85	70	31	58	320	260	283	284	335
Texas	986	1,460	1,964	1745	2090	500	349	456	523	298	1,486	1,809	2,420	2,268	2,388
Utah	71	86	111	108	114	111	103	114	73	106	182	189	225	181	220
Vermont	34	34	35	52	60	31	37	23	30	26	65	71	58	82	86
Virginia	306	191	468	410	391	275	432	355	272	360	581	623	823	682	751
Washington	370	582	535	561	597	550	467	367	265	249	920	1,049	902	826	846
West Virginia	124	126	158	195	219	270	255	198	215	195	394	381	356	410	414
Wisconsin	476	568	691	756	640	157	120	0	0	0	633	688	691	756	640
Wyoming	18	19	18	29	39	80	94	107	85	86	98	113	125	114	125
50 State Totals	16,930	24,555	27,822	28,067	27,567	10,062	8,775	8,062	6,912	6,543	26,992	33,330	35,884	34,903	34,110

Appendix C – Legislative Work Group December 2014 Meeting Materials and Summary

Oregon State Legislature Policy and Research Office Project
Legislative Work Group Agenda

Dec 9, 2014 **12:30 pm – 2 pm**	1. **Review September work, answers to key questions** 2. **Governance** The group will identify terms for a preferred option to be recommended to leadership. A majority of members of the Legislative Work Group will be sufficient to support a preferred term. Legislators may record opposition. Legislators will choose terms from a matrix that includes options for choosing a structural model, ensuring bipartisan decision-making, ensuring relevant research, providing for evaluation of the new effort and ensuring independence and integrity of staff. 3. **Communicating with colleagues** The group review and give feedback on a draft survey directed at the 2015 Legislature and discuss ways of ensuring good communication on this work.
Dec 10, 2014 **12:30 pm – 2 pm**	4. **Report back on preferred option for governance** After review of the 12/9 governance choices, consultants and staff will bring back a draft preferred option and discuss how the option fits within • Existing party and committee structures and rules • Existing personnel rules and practices 5. **Cost analysis** The group will review and discuss examples of potential staffing structures and associated costs to support the research and policy model selected on Day 1. The comparative costs of adding new staff versus optimizing or integrating existing staff will be presented. Legislators will also discuss the staff education and experience needed to support the selected model. 6. **Review of timeline, final deliverables**

Attachments: September Meeting Summary
OR Dec 2014 Governance Options
Policy Research Office Cost Analysis Handout

THE
Athena
GROUP

Oregon December 2014 AGENDA

Governance Choices

The September sessions included discussion of the model for new research and policy analysis capacity, along with ways to ensure independence and relevance. In developing a draft preferred option for the Legislative Work Group's consideration, we will ask you to indicate preferences from the following options:

Goal	A	B	C	D	E
Identifying model or organizational design	New legislative agency, supported by new staff	Add new research unit to Committee Services	Create a hybrid of a new agency and staff, plus existing staff	Better utilization of existing staff resources only	Other
Bipartisan decision-making body (See note below)	Require proportional representation on a governing committee	Require equal party representation on a governing committee	Required approval by % of minority party representatives for action	Required consent by caucus leadership of minority party for action	Other
Creation of a relevant work plan or agenda (See note below)	Apply a set of criteria for identifying and prioritizing work, approved by governing committee	Use topics created and submitted by existing standing committee chairs	Use topics created by governing committee, may request broad input and consultation	Use topics jointly identified by governing committee and standing committee chairs	Other
Ensuring that work has impact on state policy making	Require minimum process, e.g., hearing and consideration in committees	Engage leadership in adopting and advocating for the work product	Provide for staff report on work product to budget committees, biannually	Provide statutory sunset, X years	Other
Ensuring independence of staff	Adopt hiring and evaluation policies that protect staff from partisan influence	Creating standing rule or statutory employment committee, e.g., "Rule 5"	Adopt commitment to continuous training and best practices of staff and committee chairs	Create an internal grievance and appeal process	Other

NOTE: Other decision-making techniques, such as weighted voting, provision of a veto function, requiring super-majorities, minimum majority/minority concurrence, etc. can be included in many of these terms.

OR Dec 14 Governance Options   FLT Consulting Inc   Deb Eddy – 12/2/2014

Oregon State Legislature

Policy and Research Legislative Working Group
December 9-10, 2014
Meeting Summary

> **Goal Statement**: The Oregon State Legislature seeks to improve its capacity to produce policy research reports that are practical, non-partisan and directed by the legislature on topics that are of importance to Oregonians.

Introduction: To continue the work begun during the first set of meetings in September, the Legislative Working Group on Policy Research (Working Group) convened for two 1-1/2 hour sessions on December 9 and 10, 2014. All eight legislators participated, and several legislative staff members attended:

Members of the Legislative Working Group:	
▪ Representative Cliff Bentz (R)	*Legislative Staff Members attending the meeting:*
▪ Senator Brian Boquist (R)	Anna Braun, Senate
▪ Senator Michael Dembrow (D)	Tim Inman, House of Representatives
▪ Representative Mitch Greenlick (D)	Rick Berkobian, Committee Services
▪ Senator Betsy Johnson (D)	Dexter Johnson, Legislative Counsel
▪ Representative Nancy Nathanson (D)	Paul Warner, Legislative Revenue Office
▪ Representative Andy Olson (R)	Lore Christopher, Human Resources
▪ Senator Doug Whitsett (R)	

The meetings were facilitated by Larisa Benson and Deb Eddy of The Athena Group.

Recap of September Sessions: Earlier interviews with legislators and staff indicated a broad and diverse range of preferences, expectations and potential staffing models for enhanced policy research capacity. Over the course of the September meetings, the Working Group indicated a preference for a new office or agency housed within the legislature, with work overseen by a bipartisan, bi-cameral legislative committee. Although the group rejected the idea of housing the policy research function externally (for example, at a university), they allowed for the possibility of contracting out selected research projects. The Group also wanted to see improved efforts to coordinate the policy research efforts of existing committee staff, and stressed the importance coordinating research agendas and communication with existing legislative staff.

Focus for December Sessions: The Working Group considered several aspects of governance, including how to ensure a nonpartisan yet relevant **policy research agenda**, how to protect and preserve the **independence** of the analytic staff and the research products, and the constitution of the **membership of the legislative committee** that would direct and oversee the policy research.

> **Setting the Policy Research Agenda:** The Working group suggested that any member of the legislature could propose topics for the policy research agenda, and that the Policy Research Committee would be responsible for reviewing those requests using a set of criteria to select and prioritize the topics. It was noted that the timing for setting the agenda and setting deadlines for the reports would be an important implementation consideration, since the relevance and usefulness of a report on a given topic was related to the priorities of any given legislative session.

Protecting Independence: The Working Group agreed that projecting the independence of the staff to produce nonpartisan research reports was critical to long-term credibility, and that the hiring and firing policies and continuous training of both staff and legislative members should reflect the importance of preserving the integrity of the independent analysis for these reports. The Working Group further indicated a preference for research reports that concluded with a range of policy options, rather than recommendations.

Committee Membership: The Working Group expressed a clear preference for a bicameral and bipartisan committee membership structure that included a minimum of two members from each party from each chamber, and a requirement that any action such as setting the policy research agenda or releasing a report would require the approval of a supermajority of the committee membership.

Staffing Models: The Working Group considered a variety of staffing models, ranging from a significant new office that would be roughly the size of a well-developed policy research or performance audit shop to the option of doing nothing or simply striving to better coordinate the research efforts of existing staff. Some of the options considered included:
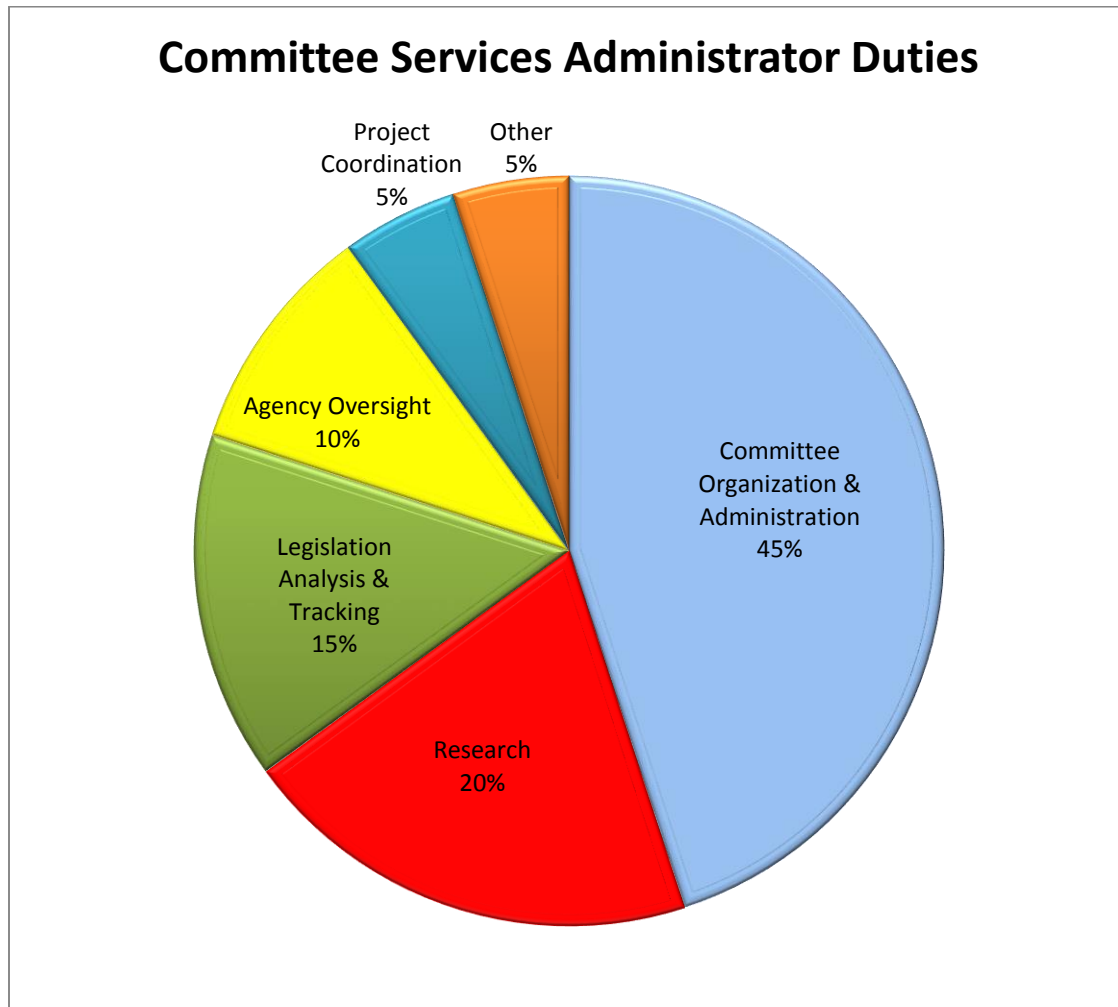
- Hire new staff to conduct policy research full time.
- Hire new staff and integrate or blend the efforts of existing staff to support the research agenda.
- Extend the temporary staff hired during session to full-time, and use the interim periods to conduct more policy research.
- Emphasize more coordination of existing staff to conduct research during the interim.
- Continue business as usual.

Cost Analysis: The Working Group reviewed a cost model that included rough "unit costs" for additional staff that included employment benefits and an allowance for office supplies, equipment and support. The cost model did not assume any additional costs for office space. Options considered ranged from $1.1 million dollars annually for approximately 7 new staff to $4.1 million dollars annually for approximately 26 new staff. Any size office can be estimated using the cost model.

"Proof of Concept." If the Legislature decides to support a proposal for enhancing the policy research function that includes the provision of new staff, the Working Group pointed out the practicality of ramping up slowly and assessing whether the initial products of an enhanced policy research function provided "proof of concept" for moving forward with any significant expansion, as well as the realities of a limited state budget for which there were already many competing proposals.

Next steps: The consultants will prepare a memorandum that summarizes the Working Group's discussions, preferences and remaining considerations in more detail; the Working Group members will review and comment on this memorandum. The consultants will then prepare a draft report to Leadership, including the Working Group's memorandum, to be delivered prior to the start of the 2015 Legislative Session. Legislative Leadership and/or the Working Group may elect to use the consultant's research and recommendations to craft a proposal for consideration during the 2015 Legislative Session, either in the form of a bill or as part of the legislative budget deliberations.

Appendix D – Committee Service Duties, Products and Services

Committee Services Administrator Duties

Project Coordination 5%

Other 5%

Agency Oversight 10%

Legislation Analysis & Tracking 15%

Committee Organization & Administration 45%

Research 20%

Committee Organization and Administration

- Assists committee Chairs in establishing committee work plans and priorities, and developing committee agendas
- Works with Chairs and committees, in both chambers, to conduct committee activities including:
  o Reviews drafts of committee rules with committees
  o Monitors committee activities for compliance with chamber and committee rules
  o Schedules meetings
  o Ensures appropriate information is timely and available on OLIS
  o Ensures committee agendas are organized and posted in a timely manner
  o Prepares motion scripts and other aides for Chairs and Members
  o Identifies persons and interest groups to be notified
  o Assists public before, during and after hearings
  o Solicits testimony and coordinates presentations
  o Attends committee meetings
  o Assists Chair and Members with application of legislative rules and procedures
  o Monitors committee deliberations and decisions for necessary follow-up

- Meets with representatives of interest groups, the public and others regarding issues before the committee
- Organizes and facilitates work groups at the direction of the Chair
- Identifies and explains the basic positions of legislative measure opponents and proponents
- Communicates committee activities to Leadership offices
- Relays communication from Leadership offices to Chairs and committee Members
- Arranges and coordinates periodic "road hearings" during session and interim
- Prepares written summaries of certain task force meetings

Research

- Draft and updates Background Briefs
- Conducts research and drafts reports specific to a Member's request (either directly or via a request from a caucus office)
- Responds with (nonlegal) verbal or written answers to public requests
- Researches and drafts background for Staff Measure Summaries
- Researches content for inclusion in assigned task force reports
- Performs research for all committees and Members of current law, policies, and past legislative history affecting proposed legislation and committee issue areas including reviewing research and policies from other states and public policy groups
- Describes to Members and others past policy decisions and current options in assigned subject areas

Legislation Analysis and Tracking

- Prepares and submits measure requests for committees
- Reviews bills sent to committee
- Tracks the status of measures between chambers and committees, and makes this information available to Chairs and Members
- Prepares and delivers subject matter background and analysis to committee Members
- Identifies areas of consensus, reviews material and summarizes options for Chair and Members
- Confers with Fiscal and Revenue Officers or agencies regarding impact of legislation
- Prepares timely requests for fiscal and revenue impact statements on measures before committees, and ensures information is available for committee consideration
- Ensures measures voted out of committee are processed for desk filing in a timely and accurate manner
- Develops means of tracking/monitoring legislation; plans for timely completion of process
- Confers with Legislative Counsel in drafting measures and amendments and resolving conflicts
- Reviews amendments and develops amendment explanations and/or related information for committee Members as requested

Agency Oversight

- Conducts oversight of state agencies and programs in assigned subject areas, including tracking agency activity (task forces, work groups) in implementation of legislation
- Coordinates meetings between agencies and Chairs and/or other Members to discuss issues
- Reviews and prepares analysis of agency rulemaking, and analysis of general agency operation
- Maintains communications with agency administrators and legislative coordinators
- Visits agency sites and tours programs outside the Salem area
- Monitors studies and general information in assigned subject areas

Project Coordination/Participation

- Lead staff or participant to complete regular office projects as assigned by manager:
  - Annual Summary of Legislation
  - Background Briefs
  - Session staff training materials, including review and updating of administrator training manual and training calendar
  - Assist with chair and/or new Member orientation and training
- Assist in hiring process by reviewing applicants and participating in interview process
- Lead or participates in special projects related to session staff training, refining committee process, office operations, etc.
- Works with Information Services to design and field-test new program applications
- Coordinates projects with professional staff from other legislative branch offices
- Oversees administrative support staff projects

Communication

- Receives and responds to request for materials, research, or investigations;
- Responds to legislative leadership inquiries regarding proposed legislation before the committee
- Communicates Chairs work plan as directed
- Writes position statements, letters, reports and other communications from committee actions, and explains impact of options
- Explains relevance of related statutes, court decisions or rules
- Drafts speech material and staff measure analysis for use by Members during floor discussions
- Prepares written analyses of public policy, including current law and proposed legislation;
- Presents analyses and other information in writing and orally to legislators, committee chairs, committees, and legislative leadership offices

Other

- Participates in external professional development events
- Participates in agency meetings and in-service training
- Participates in intra-office policy meetings
- Provides training and ongoing mentoring to session staff
- Supervises full-time graduate interns for length of session including evaluation and conferring with academic institutions
- Ballot measures explanatory statement, financial estimate, and legislative argument administrative activities with Secretary of State

Committee Services
Proudly Serving the Oregon State Legislature

Committee Services' staff assist chairs in developing work plans and posting agendas, and help facilitate committee meetings during session and interim. However, CS is also available to assist <u>all</u> members in a variety of ways. Below are CS products and services, and how they can help you. To find out more, call our office at (503) 986-1813, talk to any of our staff, or visit the main office in Room 453. See the next page for which continuing committee staff to contact in regard to a partial list of different subjects.

Product	Description	Can Help You
Summary of Legislation	Compilation of summaries of selected bills, memorials and resolutions considered by the Legislature. See Publications & Reports under the Citizen Engagement tab at: www.oregonlegislature.gov/	Keep track of what passed … and what didn't pass but was subject to much discussion … inform constituents … prepare for public appearances.
Background Briefs	Background briefs provide a basic, objective understanding of current state law, related facts and information about key topics that affect Oregon. See Publications & Reports under the Citizen Engagement tab at: www.oregonlegislature.gov/	Understand the complexity and background of a major issue the legislature has or is likely to address.
Staff Measure Summaries (SMS)	Plain language summaries of all bills reported out of policy committees to the House or Senate.	Understand bills. Prepare for floor debates and votes.
Prepare a research memo	Brief research memo on topics that you request.	Answer questions …understand bills … learn what is happening in other states or at the federal level … get ready for debates… prepare legislation.
Prepare an email response to a question	Concise email response to your research request.	Get quick, focused information on any topic or pending legislation.
Research legislative history	Background on statute and chronology of how parts of law changed over time.	Understand the origin of a law and when and how laws change … helpful when you start working on new legislation.
Staff a work group or task force	Help group identify goals, develop work plans, and frame issues; provide research; and write reports.	Organize a group, work with members to schedule meetings, prepare agendas …help find solutions.
Compile and send materials	Compile research reports, newspaper articles and government reports on a topic.	Become familiar with a particular topic … read up on issues yourself … conduct your own research.
Attend a meeting for you	CS staff can attend a meeting for you and provide a brief summary of what transpired.	Keep track of on-going meetings and developing issues … provide updates to you and committee members.
Accompany you to a meeting	CS staff can accompany you to a meeting or town hall with other legislators, agency staff, and others.	Understand the background to issues … answer questions … develop options as you work on bills … be a "sounding board" to help clarify what is being discussed.
Brief members, committees	Presentations on issues and bills to individual members, and/or staff.	Become familiar with a particular topic … give overview of issues … help ensure follow-up for another member's questions.
Plan "bagels" or "brownbag" briefing	Make arrangements for speaker(s), notice and room arrangements for an early morning (bagels) or lunchtime (brownbag) briefing on a particular topic for members and staff.	Become familiar with a particular topic and help others to learn more about it.
Track agency rulemaking	Track agency rulemaking and provide updates on proposed rule language and status.	Stay current on rulemaking to implement legislation.

Appendix E – Cost Model

Name	Scenario 1 New Legislative Agency A	Scenario 2 New Legislative Agency B	Scenario 3 Expand Committee Services Staff	Scenario 4 New Hybrid Legislative Agency C	Scenario 5 Coordinate Research Across Agencies
Description	This option would create a new Agency dedicated to Research and Policy Analysis supported by a large number of new staff.	This option would create a new Agency dedicated to Research and Policy Analysis supported by a smaller number of new staff.	This option would create a new research unit within Committee Services staffed by a new Research Coordinator, part-time session-only Committee Administrators converted to year-round positions, and 10% of existing Committee Administrators time.	This option would create a new agency dedicated to Research and Policy Analysis, supported by a hybrid of new research staff and existing staff.	This option would direct 10% of current Committee Services, Legislative Counsel, and the Legislative Fiscal and Revenue Offices staff time to coordinated policy research (more during Interim, less during Session).
Staffing Structure	**New Staff (26)** 1 Director 6 Principal Researcher 5 Senior Researcher/CALA 4s 13 CALA 3s 1 Office Manager	**New Staff (12)** 1 Director 2 Principal Researcher 4 Senior Researcher/CALA 4s 4 CALA 3s 1 Office Manager	**New Staff (10)** 1 Research Coordinator 6 Continuing Session CALA 3s 3 Continuing Session CALA 2s **Existing Staff (.9)** .2 CALA 4s .5 CALA 3s .2 CALA 2s	**New Staff (6)** 1 Director 2 Principal Researcher 2 Senior Researcher/CALA 4s 1 Office Manager **Existing Staff (.9)** .2 CALA 4s .5 CALA 3s .2 CALA 2s	**New Staff: None** **Existing Staff (4.8)** .2 CALA 4s .5 CALA 3s .2 CALA 2s 1 Principal Legislative Fiscal Officer .3 Senior Legislative Fiscal Officer .5 Legislative Fiscal Analyst .8 Senior Deputy Legislative Counsel .8 Deputy Legislative Counsel .2 Senior Economist .3 Economist
Total New Staff FTEs	26	12	10	6	0
Annual Cost of New Staff	$3,844,608	$1,819,695	$1,295,003	$1,004,206	$0

Note: Please see definitions and assumptions on next page.

Assumptions and Notes

All costs are annual.

Costs include staff salaries at the midpoint of pay range, benefits, and services and supplies such as computers and office equipment, furniture, and administrative charges for centralized services. Assume staff can be housed in existing space.

"CALA" is an acronym for Committee Administrator/Legislative Analyst. Levels range from 1 to 4.

Models 1, 2, and 4 assume staff education and skill level desired is similar to Principal and Senior Legislative Fiscal Officers, and Legislative Analysts 3 and 4.

Models 3 and 5 assume the research desired could be performed by Leg Analysts 2, 3 and 4, and with little or no higher level research performed at the Principle or Senior level.

Models 3 and 5 estimate that Committee Services, LFO, LRO, and LC staff are available to coordinate their research 10% of the time (more in Interim, less in Session).

Position Titles	Annual Position Costs*	Qualifications
Agency Director	$223,749	
Principal Researcher/Legislative Fiscal Officer	$170,003	Research expertise in particular areas. Acts as Deputy if needed.
Sr. Economist	$162,503	Masters or Ph.D in Economics
Senior Deputy Legislative Counsel	$158,008	Significant research experience.
Senior Researcher/Fiscal Officer	$155,284	Significant research experience.
Deputy Legislative Counsel/Leg Analyst 4	$151,040	Significant research or policy experience.
Economist	$148,511	Masters or Ph.D in Economics
Legislative Fiscal Analyst	$145,807	High education, some research or policy experience.
Committee Administrator/Leg Analyst 3	$132,180	High education, some research or policy experience.
Committee Administrator/Leg Analyst 2	$117,805	Some research or policy experience.
Office Manager	$106,086	
*Includes Salary, Benefits, Services and Supplies		