



Citizens' Initiative Review Commission  
Conference Call Commission Meeting



10:00 am, Thursday, July 18, 2013  
Rhoades Conference Room, 700 Summer St. N.E. Ste. 320  
Salem, OR 97306

**MINUTES**

**MEMBERS PRESENT:**

Jerry Hudson, Chair  
James Huffman, Vice-Chair  
Ann Bakkensen  
Daniel Esqueda  
Mary Forst  
Robin Gumpert  
Kay Ogden  
Marion Sharp

**MEMBERS ABSENT:**

**GUESTS PRESENT:**

Tony Iaccarino

**STAFF PRESENT:**

Holly Mercer, Interim Director  
Marc Janssen, Commission Specialist

**Call to Order**

Jerry Hudson, Chair, called the meeting of the Citizens' Initiative Review Commission (CIRC) to order at 10:05 am, Thursday, July 17, 2013, at the Rhoades Conference Room, 700 Summer St. N.E., Ste. 320, Salem, OR 97301. Roll was called.

**MOTION:**

Mary Forst made a motion with a second from Bakkensen to approve the minutes from June 18 meeting. The motion passed unanimously.

**Legislative Update**

Referring to a summary provided by CIRC legal counsel, Jerry Hudson provided an update on HB 2322, which was approved by the legislature at the end of the session. The bill changes the status of the CIRC from an independent state agency to a semi-independent state agency, with a sunset provision for the CIRC in July 2015.

Marion Sharp suggested contacting other semi-independent boards and agencies to determine how they addressed sunset provisions. Hudson agreed that it would be valuable to make contact with representatives of Semi-Independent Boards & Agencies (SIBA) and that Commissioners should explore strategies to ensure the long-term continuation of the CIRC and the high-value CIR process for which it is responsible.

### **Public Records Request Update**

Hudson relayed that the CIRC received on May 28, 2013 a request from the legal counsel for the Coquille Indian Tribe, asking for materials and testimony relating to the CIR on Measure 82. Subsequent communication suggested that the Tribe's legal counsel was particularly interested in the testimony and materials provided by the DOJ Native American Affairs Coordinator during the CIR. Hudson asked whether staff should immediately forward the materials to the Coquille Indian Tribe legal counsel or first submit the materials for review to CIRC legal counsel. Commissioners directed staff simply to forward the materials to the Coquille Indian Tribe legal counsel, reasoning that such materials are not only part of the public record, but provide an example of the high-quality information shared with citizen panelists during the CIR process. Staff agreed to do so, while first planning to inquire whether the Tribe's legal counsel still wished to receive all materials or only materials provided by the DOJ Native American Affairs Coordinator.

### **CIRC Commission Next Steps**

Hudson noted that the next steps for the CIRC, in its new status as a semi-independent state agency, will likely involve (1) preparing and adopting a budget for 2013-15, (2) developing and obtaining DAS approval for a set of personnel policies and contracting and purchasing procedures, (3) securing CIRC administrative, fundraising and program support.

Marion Sharp suggested the following budgeting process: draft a budget in time for CIRC review at the next meeting; hold a public hearing to receive public testimony on the proposed budget; adopt the budget after consideration of public testimony and file administrative rule with SOS. The entire process would likely take two to three months. She added that as a semi-independent agency, the CIRC budget need not be approved by the legislature, but that any modification of the budget would require a public hearing. Sharp welcomed suggestions and offered to provide a draft budget for the next CIRC meeting.

Robin Gumpert summarized the likely process for developing personnel policies and contracting and purchasing procedures: draft and adopt such policies and procedures and forward to DAS for approval. She noted that she had attended a meeting with representatives from Semi-Independent Boards and Agencies (SIBA), a group that meets every two months to discuss best practices for semi-independent state agencies. Gumpert reported that when she asked whether it made more sense to secure administrative support by hiring staff or entering into a contract for services arrangement, representatives from SIBA suggested that the CIRC might benefit from a contract for services arrangement in the short run, during which time the CIRC might figure out a long-term plan for hiring staff.

Gumpert offered to share two valuable SIBA publications with fellow Commissioners, via OHLA staff, regarding best practices for semi-independent state agencies. She also offered to provide sample policies and procedures for review at the next CIRC meeting.

Hudson suggested that the next meeting include a discussion of how best to provide administrative service for the CIRC.

Ann Bakkensen offered to arrange a meeting date and time in mid-to-late August.

As OHLA's contract for staffing the CIRC is set to expire on July 31, 2013, Holly Mercer made a request for an address and phone number to post on the CIRC website, where the public might contact the CIRC.

Hudson expressed appreciation to Mercer and to OHLA staff in general for their support of the CIRC.

The meeting adjourned at approximately 11:42 am.

Prepared by: Ann Bakkensen, Commissioner

[Note: An audio recording is available by public records request. Please contact the agency for additional information.]