

West's Oregon Revised Statutes Annotated
Title 23. Elections (Refs & Annos)
Chapter 250. Initiative and Referendum (Refs & Annos)
State Measures (Refs & Annos)

O.R.S. § 250.137

250.137. Citizens' Initiative Review Commission; establishment; appointment of members; term of office; duties

Currentness

(1) The Citizens' Initiative Review Commission is established as a semi-independent state agency subject to [ORS 182.456](#) to [182.472](#). The commission shall consist of 11 members. The members shall be appointed in the following manner:

(a) The Governor shall appoint three members who have at some time been selected by the four appointed members of an explanatory statement committee under [ORS 251.205 \(5\)](#) to prepare an explanatory statement, as follows:

(A) One member recommended by the leadership of the Democratic party in the Senate and one member recommended by the leadership of the Republican party in the Senate.

(B) Except as provided in subparagraph (C) of this paragraph, one member recommended by the leadership of the political party with the largest representation in the Senate that is not the same party as the Governor.

(C) If more than two political parties are represented in the Senate, one member recommended by the leadership of a third political party with the largest representation in the Senate.

(b) Two former moderators shall be appointed as members as described in [ORS 250.143](#).

(c) Six electors who have served on a citizen panel shall be appointed as members as described in [ORS 250.143](#).

(2) The term of office of a member of the commission is four years, with the terms of no more than six members expiring every two years. Vacancies shall be filled by the Governor for the unexpired term, consistent with subsection (1) of this section.

(3) The commission shall:

(a) Ensure that the citizen panels are convened to review initiated measures in a fair and impartial manner.

(b) Adopt rules necessary to carry out the commission's duties under [ORS 250.137](#) to [250.149](#).

Credits

Added by [Laws 2011, c. 365, § 2](#), eff. June 16, 2011. Amended by [Laws 2013, c. 722, § 12](#), eff. Aug. 14, 2013; [Laws 2014, c. 72, § 1](#), eff. March 13, 2014.

O. R. S. § 250.137, OR ST § 250.137

Current with 2017 Reg. Sess. legislation effective through June 14, 2017, pending classification of undesignated material and text revision by the Oregon Reviser. See ORS 173.160.

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Title 23. Elections (Refs & Annos)
Chapter 250. Initiative and Referendum (Refs & Annos)
State Measures (Refs & Annos)

O.R.S. § 250.139

250.139. Citizen review panels; selection of measures for review;
selection of members; compensation; meetings and hearings; moderators

Currentness

(1) The Citizens' Initiative Review Commission shall select one or more state measures proposed by initiative petition to be voted on at a general election and convene a separate citizen panel to review each selected measure.

(2) In selecting a measure to be reviewed by a citizen panel, the commission shall consider the following criteria:

- (a) The fiscal impact of a measure.
- (b) Whether the measure amends the Oregon Constitution.
- (c) The availability of funds to conduct reviews.
- (d) Any other criteria established by the commission by rule.

(3) Each citizen panel shall evaluate and write statements for the measure considered by the panel.

(4)(a) The commission shall select 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. Each citizen panel shall consist of not fewer than 18 and not more than 24 electors.

(b) The commission shall ensure, 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) In addition to the criteria described in paragraph (b) of this subsection, the commission may also consider:

(A) The elector's gender.

(B) The elector's ethnicity.

(C) Any other criteria.

(5) The commission shall, from moneys in the account established under [ORS 182.470](#):

(a) Compensate each elector for each day served on a panel in an amount established by the commission by rule;

(b) Reimburse each elector who serves on a panel for travel expenses in accordance with reimbursement policies determined by the commission by rule;

(c) Provide for costs required to convene and conduct a citizen panel; and

(d) Transfer to the Secretary of State all moneys necessary to pay the costs of printing any statements described in [ORS 250.141](#) in the voters' pamphlet.

(6)(a) Each panel shall meet to review the measure on not fewer than three and not more than five consecutive days for a total of not less than 24 hours unless otherwise provided by commission rule.

(b) Each panel shall conduct public hearings at which the panel shall receive testimony or other information from both proponents and opponents of the measure. Unless otherwise determined by a majority of the panelists, equal time shall be allotted to proponents and opponents of a measure.

(c) The chief petitioners of the measure shall designate two persons to provide information in favor of the measure to the citizen panel. If the chief petitioners fail to timely designate two persons to appear before the panel, the commission may designate two persons who support the measure to provide information in favor of the measure.

(d) The commission shall designate two persons who oppose the measure to provide information in opposition to the measure.

(e) The commission, by rule, may specify additional criteria regarding the public hearings.

(7) The commission shall provide each panel with any complaints regarding the panel not later than the third day the panel convenes.

(8) The commission shall, by rule, establish qualifications for moderators for each citizen panel. A moderator must have experience in mediation and shall complete a training course established by the commission.

(9) The commission shall contract with two moderators for each panel and shall compensate each moderator for service.

Credits

Added by [Laws 2011, c. 365, § 5](#), eff. June 16, 2011. Amended by [Laws 2013, c. 722, § 15](#), eff. Aug. 14, 2013; [Laws 2014, c. 72, § 2](#), eff. March 13, 2014.

O. R. S. § 250.139, OR ST § 250.139

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State Measures (Refs & Annos)

O.R.S. § 250.141

250.141. Citizen panels; statements to be filed with Secretary of State

Currentness

(1) Not later than the date set by the Secretary of State by rule, each citizen panel shall prepare and file with the secretary any of the following statements of not more than 250 words each:

(a) A statement in favor of the measure.

(b) A statement opposed to the measure.

(c) A statement that “No panelist took this position.” if a panel is unanimous in either supporting or opposing a measure.

(d) A statement of key findings that summarizes the citizen panel's findings in an impartial manner and may include a tally of how many panelists agreed with the key findings.

(e) A statement of additional policy considerations that describes the subject matter of or any fiscal considerations related to the measure. A statement submitted under this paragraph must be supported by at least three-quarters of the panelists.

(2)(a) Before a statement is filed with the Secretary of State under subsection (1) of this section:

(A) A person designated under [ORS 250.139 \(6\)\(c\)](#) shall be allowed to review the statement in favor of the measure by the citizen panel and provide feedback to the panel regarding the statement.

(B) A person designated under [ORS 250.139 \(6\)\(d\)](#) shall be allowed to review the statement opposed to the measure by the citizen panel and provide feedback to the panel regarding the statement.

(C) A person designated under [ORS 250.139 \(6\)\(c\) or \(d\)](#) shall be allowed to review the statement of key findings by the citizen panel and provide feedback to the panel regarding the statement.

(b) A citizen panel may adjust any statement after receiving feedback as described in this subsection.

(3) The secretary shall prescribe the size and manner of placement of the statements submitted by a citizen panel to be printed in the voters' pamphlet, except that the statements shall be clearly differentiated from other arguments or statements in the voters' pamphlet and may include, but are not limited to, the use of unique formatting and informative symbols.

(4) The secretary shall provide with any citizen panel statement a description of not more than 150 words of the citizen panel process described in [ORS 250.137](#) to [250.149](#) and the following explanation:

.....

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.

.....

(5) The secretary, by rule, shall set a date by which statements must be filed under this section. The date may not be sooner than the 70th day before the date of the election.

Credits

Added by [Laws 2011, c. 365, § 7](#), eff. June 16, 2011.

O. R. S. § 250.141, OR ST § 250.141

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O.R.S. § 250.143

250.143. Evaluation of procedures by moderators; commission review of evaluations

Currentness

(1) Not later than February 1 of an odd-numbered year, each person who served as a moderator for a citizen panel that evaluated a measure voted on at the most recent general election shall:

(a) Convene to evaluate procedures related to the citizen panels and submit a written report to the Citizens' Initiative Review Commission summarizing the evaluation, along with any recommendations; and

(b) Appoint two moderators from among the moderators convened for the evaluation to be members of the commission.

(2) Not later than February 1 of an odd-numbered year, two electors from each citizen panel shall:

(a) Convene to evaluate procedures related to the citizen panels and submit a written report to the commission summarizing the evaluation, along with any recommendations; and

(b) Appoint two electors from among the former panelists convened for the evaluation to be members of the commission.

(3) Each year in which an evaluation is conducted by moderators and panelists under this section, the commission shall review the evaluations and make any findings and recommendations. The commission shall make all evaluations, findings and recommendations made under this section available to the public.

Credits

Added by [Laws 2011, c. 365, § 6](#), eff. June 16, 2011.

O. R. S. § 250.143, OR ST § 250.143

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O.R.S. § 250.147

250.147. Contributions of money and assistance; contracts; executive director

Currentness

(1) Except as otherwise provided in this section, the Citizens' Initiative Review Commission may accept contributions of moneys and assistance from the United States Government or its agencies or from any other source, public or private, and agree to conditions placed on the moneys not inconsistent with the duties of the commission. All moneys received by the commission under this subsection shall be deposited into the account established under [ORS 182.470](#).

(2) The commission may not receive contributions of moneys or assistance from:

(a) A political committee, as defined in [ORS 260.005](#);

(b) For-profit corporate treasuries;

(c) Union treasuries; or

(d) Any other source the commission determines might be used to transfer moneys from a political committee, for-profit corporate treasury or union treasury to the commission.

(3) If a person contributes to the commission an aggregate total of more than \$100 in a calendar year, not later than 14 calendar days after the commission receives the contribution, the commission shall make available to the public on the Internet:

(a) The name and address of the person or entity who made the contribution; and

(b) The amount of the contribution.

(4) The commission may enter into contracts and hire any staff the commission deems necessary.

(5) The commission may appoint an executive director to serve at the pleasure of the commission.

Credits

Added by [Laws 2011, c. 365, § 4](#), eff. June 16, 2011. Amended by [Laws 2013, c. 722, § 16](#), eff. Aug. 14, 2013.

O. R. S. § 250.147, OR ST § 250.147

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O.R.S. § 250.149

250.149. Determination of sufficiency of moneys to carry
out duties, functions and powers; effect of determination

Currentness

(1) Not later than the date that is four months before the date of the general election in an even-numbered year, the Citizens' Initiative Review Commission shall determine whether moneys in sufficient amount are available in the account established under [ORS 182.470](#) to carry out all the duties, functions and powers of the commission, implement [ORS 250.139](#) to [250.143](#) and pay for any statements to be printed in the voters' pamphlet under [ORS 251.185](#).

(2)(a) If the commission determines that the account has sufficient moneys under subsection (1) of this section, the commission shall carry out all the duties, functions and powers of the commission, implement [ORS 250.139](#) to [250.143](#) and may submit statements to be printed in the voters' pamphlet under [ORS 251.185](#).

(b) If the commission determines that the account has insufficient moneys under subsection (1) of this section, for the general election in that even-numbered year, the commission may not carry out all the duties, functions and powers of the commission, implement [ORS 250.139](#) to [250.143](#) or submit statements to be printed in the voters' pamphlet under [ORS 251.185](#).

Credits

Added by [Laws 2011, c. 365, § 9](#), eff. June 16, 2011. Amended by [Laws 2013, c. 722, § 17](#), eff. Aug. 14, 2013.

O. R. S. § 250.149, OR ST § 250.149

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Title 23. Elections (Refs & Annos)
Chapter 251. Voters' Pamphlet (Refs & Annos)
State Initiative and Referendum Pamphlet

O.R.S. § 251.205
Formerly cited as OR ST § 254.210

251.205. Drafting of explanatory statement of measure; appointment of committee

Currentness

<Text subject to final change by the Oregon Office of the Legislative Counsel.>

(1) As used in this section, “proponents” means:

(a) With respect to any state measure initiated or referred by petition, the chief petitioners; or

(b) With respect to a measure referred by the Legislative Assembly, the President of the Senate, who shall appoint a Senator, and the Speaker of the House of Representatives, who shall appoint a Representative.

(2) For each state measure to be submitted to the people at a special election held on the date of a primary election or any general election, a committee of five citizens shall be selected to prepare the explanatory statement under [ORS 251.215](#).

(3) Not later than the 120th day before the election, the proponents of the measure shall appoint two members to the committee and notify the Secretary of State in writing of the selections. If the proponents do not appoint two members, the Secretary of State shall appoint two members of the committee from among supporters, if any, of the measure not later than the 118th day before the election.

(4) Not later than the 118th day before the election, the Secretary of State shall appoint two members of the committee from among the opponents, if any, of the measure.

(5) The four appointed members of the committee shall select the fifth member and notify the Secretary of State in writing of the selection. If the four members have not selected the fifth member by the 111th day before the election, the fifth member shall be appointed by the Secretary of State not later than the 109th day before the election.

(6) A vacancy shall be filled not later than two business days after the vacancy occurs by the person who made the original appointment. Unless the Secretary of State fills a vacancy, the person filling the vacancy shall notify the Secretary of State in writing of the selection.

(7) With respect to a measure referred by the Legislative Assembly, a Senator or Representative appointed under subsection (1) of this section may disclose whether the Senator or Representative supports or opposes the state measure. The Secretary of State shall print the disclosure in the voters' pamphlet following the explanatory statement.

(8) The Legislative Policy and Research Committee shall provide any administrative staff assistance required by the explanatory statement committee to facilitate the work of the explanatory statement committee under this section or [ORS 251.215](#).

(9) For purposes of this section, “measure” includes an initiative petition relating to a state measure that has been filed with the Secretary of State for the purpose of verifying signatures under [ORS 250.105](#). The requirements of this section shall not apply to the petition if the secretary determines that the petition contains less than the required number of signatures of electors.

Credits

Formerly 254.210; Laws 1987, c. 707, § 15; [Laws 1995, c. 607, §§ 31, 31a](#); [Laws 1999, c. 844, § 2](#); [Laws 2001, c. 965, § 9](#); [Laws 2011, c. 646, § 4](#), eff. Aug. 2, 2011, operative Jan. 1, 2012; [Laws 2016, c. 88, § 12](#), eff. March 29, 2016, operative July 1, 2017.

O. R. S. § 251.205, OR ST § 251.205

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