

**OREGON STATE LEGISLATORS'
USE OF OREGON BENCHMARK DATA
IN
LEGISLATIVE DECISION-MAKING**

By:

LAURA ROSE MISARAS

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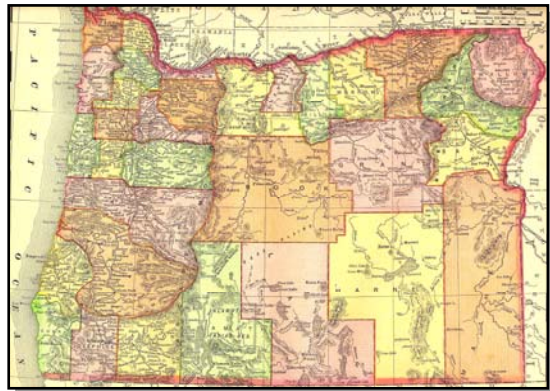
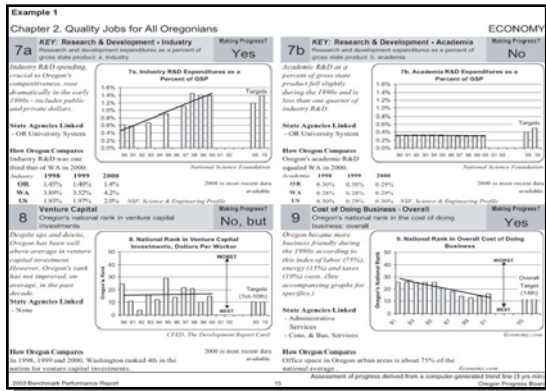
(signature) _____
NAME: Professor Michael Hibbard, Chair of the Committee

DATE: _____
June 11, 2007

Committee:
Professor Michael Hibbard, University of Oregon
Rita R. Conrad, Executive Director of the Oregon Progress Board



Oregon State Legislators' Use of Oregon Benchmark Data in Legislative Decision-Making



Laura Rose Misaras
University of Oregon
Masters of Public Administration
Department of Public Policy and Planning Management
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ABSTRACT

Coinciding with the development and release of a new online reporting system for the Oregon Benchmarks, this study was initiated to gain insight into Oregon state legislators' use of Oregon Benchmark data in legislative decision-making. Specific aspects of legislative decision-making (e.g. information seeking, selection and management, along with decision-making styles and preferences) were also explored to help the Oregon Progress Board shape improved decision-support strategies for Oregon state legislators.

This was a cross-sectional qualitative study employing semi-structured interviews conducted in the first quarter of 2007 with a purposively-selected sample including three current and seven former Oregon state legislators, including two former governors. Potential interviewees were selected based on committee membership(s), availability and diversity of demographic and other characteristics (e.g. gender, party, number of sessions served, Progress Board membership, etc.)

The findings confirmed prior research studies suggesting legislators seek information from a variety of sources, with fellow legislative colleagues (in part due to committee structure of legislative process favoring increased specialization) and trusted lobbyists (deemed to have time for research and a strong incentive to guard their reputation (if they present faulty information even once, they lose all credibility)) high on the list. Legislators' expressed information needs tend to be specific (e.g. defensible information tied to particular bills near the time of decision with a preference for relevant political information (e.g. supporters/advocates, projected impacts (district, societal, fiscal), suggested action)). All of the interviewees acknowledged their exposure to at least some of the materials (e.g. committee briefs, biennial reports, web site) produced by the Oregon Progress Board. Reported use of the Oregon Benchmark data in legislative decision-making was mixed, varying by committee. Legislators recognized important uses for Oregon Benchmark data in legislative decision-making, yet several felt the information was underutilized due to a lack of familiarity, training, and/or timing. Delivering Oregon Benchmark data to legislators at alternative times, such as the campaign season and the interim between legislative sessions, may increase legislators' opportunities to assimilate and respond strategically to the benchmarks, collectively and individually. Additional themes and recommendations were identified.

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Finally, I take this opportunity to recognize Professor John Baldwin. He planted seeds of inspiration in countless students, demonstrated commitment with courage and passion, and illuminated my path of stewardship leading me back to this program.

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Chapter 1: Introduction

“ The first job of a performance report is to be a readable document that legislators and others find useful and informative. ”

- B. Liner

In this chapter, I provide a brief introduction on legislative decision-making, performance budgeting, and renewed interest driven by cutting-edge technological advances. Next, I present the Oregon Progress Board and Oregon Benchmarks as a case study. Then, I explain the purpose of this study, the scenario from which this study naturally emerged, its aspirations and the research question.

Background

Citizen demand on state governments for services has increased, yet the willingness to pay for such services has decreased (Council of State Governments, 2007). Add to this equation the rising costs (e.g. market wages, medical benefits, inflation, etc.) of providing public services, along with continued population growth and migration patterns witnessed nationwide. The mounting challenges faced by legislators, public administrators, and citizens trying to reach consensus on resource appropriation and allocation for public benefit quickly become apparent. Neither heightened taxation nor cuts in public services are politically popular. Hence, it is little surprise that legislators and public administrators seek the promising alternative of cost-reduction through efforts to maximize efficient use of resources.

Through informed public policy, budgeting and oversight, resources may be intelligently allocated and re-distributed to maximize benefits for the overall social welfare, at least in theory. Legislators must perform these tasks within an intense political climate and limited timeframe while balancing a variety of interests, influences and constraints. Individually, legislators have varied interests, talents, abilities, capacities (e.g. information processing, persuasion, decision-making) and other factors affecting their decisions. Concern for re-election, for example, keeps legislators accountable to their constituents and supporters. Getting appointed to a particular legislative committee, especially the Ways and Means committee where budgets and appropriations are determined, keeps legislators accountable to political parties and house leadership. Thus, legislative decision-making is a complex, multi-faceted process shaped by a wide range of internal and external factors.

Legislators' decisions can be far-reaching, impacting all spheres of life. Rarely, however, do legislators have the opportunity to observe, evaluate, or realize the full impact of their decisions. Instead, the results of their efforts mix with other systemic and superficial activities for a net effect. Still, depending on the scope and context of a legislator's decision(s), the effects may be significant, even at the societal-level. Developing systems

and processes to capture and communicate societal-level, quality-of-life indicators over time affords a broad overview and feedback loop for legislators, public administrators and citizens to evaluate the collective contributions of public policies, investments, and agency performance, thereby informing future decisions to make better use of resources, including public funds.

Examples of societal-level, quality-of-life indicators include “percent of citizens with access to affordable healthcare,” “percent of citizens with living-wage jobs,” “percent of citizens with access to clean water.” Conceivably, by monitoring these indicators over time, one can begin to form a baseline against which to compare future outcomes of legislative decisions, public investments and other influential factors. Such indicators may also be viewed as an alarm system or smoke detector, giving a signal to respond and investigate if substantial change is observed. While agency performance, implementing public policy, can factor into these higher-level outcomes, it is common for agencies to develop their own performance measures, closer to ground-level operations. Examples of agency performance measures might be “average time between receipt of public housing application and move-in date,” or “percentage of inquiries responded to within 48 hours.” High-level, results-oriented agency performance measures reported to the legislature and general public are called “key performance measures,” or KPMs. An example of an agency KPM might be “percent of welfare recipients who achieve self-sufficiency for six months or longer.” Benchmarking, a term borrowed from industry, describes testing performance against a leader, or a target.

Over the last hundred years, the use and reporting of societal-level, quality-of-life indicators, results-oriented performance measurements and benchmarking have accelerated in the public and private sectors, along with a host of new tools. Last century, the social indicators movement occurred along with a series of federal budget reforms including the Hoover Commission performance budgeting recommendations, Planning-Programming Budgeting System, Zero-Based Budgeting, Management by Objectives and the Government Performance and Results Act. A review of governmental performance budgeting efforts summarizes:

Performance budgeting provides indicators that help legislators evaluate the programs they are being asked to fund so they can build on the success of high-performance programs ...[and] poor performance is a flag that sends the signal for further investigation. ... The budget process is by nature political, and [a] governing-for-results system is not going to replace the art of politics with a science of numbers. Performance indicators do not tell legislators everything they need to know to make decisions, however, performance information makes a valuable contribution to the budget debate (Liner, Dusenbury and Vinson and Council for Excellence in Government, 2000, 41).

Implementing these reforms proved to be a monumental task, fraught with challenges. For example, tracking detailed data and the linkages between agency performance and societal-level outcomes proved especially difficult given the costs and limits of technology at the time. Recent sweeping advances in technology, however, are beginning to empower legislators, administrators and citizens to quickly collect, share, analyze, summarize and report immense amounts of data like never before. Research suggests advances in technology are bringing renewed interest in measuring and tracking

results for government, noting a survey where citizens believe the most important benefit of e-government is making government more accountable to the citizens (Liner et al, 2000, 6). Complex calculations and instantaneous, multi-level summaries can be performed on millions of data points in split seconds with a few clicks on a desktop or laptop computer system. Some of the former complaints of legislators regarding use of performance information, such as data lag and limited detail level, are quickly being overcome. In addition, the Internet facilitates affordable, mass distribution of performance information for citizens, community leaders and organizations. We are entering a new era of benchmark performance information and its potential impact on legislative decision-making.

Case Study: Oregon Benchmark Data

In 1989, the Oregon Progress Board was formed to measure progress towards the State of Oregon's vision and goals. For a brief history and overview, see Appendices 2.1-2.3. The Oregon Progress Board, through extensive efforts with citizens and leaders throughout the state developed over 100 measurable societal-level, quality-of-life indicators assess the state's social, economic and environmental condition. These indicators were termed Oregon Benchmarks. Where feasible and appropriate, with expert recommendations, targets have been set for the Oregon Benchmarks. Oregon's diverse set of indicators spurs systems thinking among leaders at all levels. Each biennium, the Oregon Progress Board produces several reports and publications containing Oregon Benchmark data at both county-level and state-level. These documents are produced and distributed for decision-makers at many levels of society and government, from the citizen to the Governor to the state legislature and beyond.

A key role of these documents is stimulation of constructive discussion around the Oregon Benchmarks, individually and collectively, identifying (inter)linkages and factors of influence including but not limited to: laws, policies, initiatives, budgets, demographic changes, actors (e.g. agencies, stakeholders, and partners), politics and the environment.

Purpose of the Study

The timing of this study is no accident. The Oregon Progress Board has just released a new online reporting system¹ for the Oregon Benchmark data. The Oregon Progress Board is working hard to help decision-makers, including Oregon state legislators, effectively access and utilize this resource. In the position to steer public policy,

1 On April 30th, 2007 the new online reporting system (<http://benchmarks.oregon.gov>) for the Oregon Benchmarks was publicly launched with the release of the Benchmark Highlights Report for 2007. With the help of many, I designed the system during an eGov internship through the Portland State University Hatfield School of Government in partial fulfillment of MPA (Master of Public Administration) degree requirements at the University of Oregon. During the academic year, I implemented the design with the help of Oregon Progress Board staff and interns under the visionary leadership of Rita R. Conrad, Executive Director. This project received recognition from Governor Ted Kulongoski and Speaker of the House Jeff Markley.

introduce legislation, conduct hearings, negotiate budgets, approve appropriations, and vote on important matters, legislators are key decision-makers with an unenviable variety of demands for their time, attention and resources. Legislators must reconcile the demands of constituents, interest groups, political parties, lobbyists, bureaucrats, administrators, staff, campaign contributors and more. Further, they must decide how, where, and with whom to spend their time. Thus, the data delivered by the Oregon Progress Board must compete with all these other demands and constraints in the course of legislative sessions to receive due consideration. See Appendix 3.1 for further information on the State of Oregon legislative process.

A strategic action plan could be developed to enhance the formatting, presentation, marketing and distribution of Oregon Benchmark data in an attempt to increase legislators' accessibility and utilization of the Oregon Benchmark data in their decision-making processes. First, however, an inquiry to assess the current use of Oregon Benchmark data by legislators could provide beneficial background information and a baseline from which to evaluate the impact(s) of efforts prescribed in such a strategic plan. Further, specific knowledge gained by looking into the legislative decision-making, information-seeking and information management practices, preferences and insights of current and former Oregon state legislators could be applied when shaping the strategies for the Oregon Progress Board to deliver Oregon Benchmark data for decision-support to Oregon state legislators, accelerating pursuit of progress towards the Oregon Shines vision and state strategic plan.

Research Question

The research question pursued in this study was:

How do Oregon state legislators use Oregon Benchmark data in their legislative decision-making processes?

To answer this question, semi-structured interviews were conducted with purposively-selected, current and former Oregon state legislators. Interviewee responses were compiled, compared, analyzed and organized into themes.

The remainder of this document consists of a literature review, findings, summary, conclusions, recommendations and several appendices with tables and relevant documents.

Chapter 2: Review of Literature

*“A wealth of information creates a poverty of attention.
The more there is to hear, the less we listen.”*

-Herbert Simon

Prior Research and Theoretical Frameworks

Considerable literature exists providing theoretical frameworks for evaluating the use of information by legislators in their decision-making processes, including several prior studies conducted with Oregon legislators. Areas of immediately applicable theory and research include, but are not limited to:

- Individual & Group Decision-Making
- Organizational & Institutional Decision-Making
- Economic Theory (Rational Actors, Constraints, Uncertainty, Bounded Rationality)
- Social Choice, Public Choice and Political Choice Theory
- Collective versus Individual Interests
- Game Theory
- Heresthetics²
- Ethics
- Indicators, Benchmarks, Targets, Performance Measurement
- Budget Allocations, Reforms and Redistribution
- Research Methodologies

Legislators as Rational Actors with Collective Interests

At the basic level, neoclassic economists often begin discussions of reductionist economic theory with the assumption that rational humans will make decisions in favor of their interests as they understand them. In most situations, legislators have a strong interest in getting re-elected. In addition, legislators have several interests to reconcile with, other than their own. They must balance their personal interests with that of their constituency and the greater public good. In certain circumstances, the interests of the greater good prevail as evidenced by legislators’ decisions to allocate funds for national defense. Collective theory points out that each citizen, including a legislator is a member of at least three interest groups: oneself, one’s district, and society. The legislator is a member of the legislature, as well.

Lest there be, as James Coleman describes, “a war of all men against all men”, the rational actor³ whose actions have consequences for others, will, over time, realize his

² “Heresthetics” is a term coined by William Riker, a political science scholar, describing a political theory, an extension of rational choice theory, whereby political structure manipulations (e.g. agenda setting, voting rules control, situation redefinition, etc.) can result in political wins.

³ “Rational actor” is a term used by economists to describe a model of behavior assuming individuals are wholly self-interested and therefore make choices which maximize their self-interests.

interests are best served through sharing his power and rights in exchanges. Hence, the social system with collective goods exists to enforce contracts, maintain national defense, and deliver other public goods. In crafting theory to predict the behavior of actors, including legislators, James Coleman, along with other theorists, conducted various “games” with actors, resources and decisions mimicking legislative decision-making. Players quickly realized the importance and value of a good reputation (for consistency and follow-through) among colleagues. Numerous research studies have confirmed that trusted colleagues are among the primary influences and information sources for legislators (Entin, 1973; Kingdon, 1981; Mooney, 1991; Cohen and Kerschner, 2002).

Specialization

Part of the reason legislators rely so heavily on trusted colleagues can be found in the nature of the legislative committee system which favors specialization.

Within the American constitutional context, the committee system appears to be the only way to process the large volume of legislation and yet encourage expertise and specialization (Francis and Riddlesperger, 1982, 453; Cox and McCubbins, 1993, 11).

Public policy crosses many disciplines, but specific committees and/or subcommittees are formed around major topics (e.g. education, business, rules, transportation, etc.). Legislators are assigned to certain legislative (sub)committees by party leadership. Legislative committee members may meet during the interim between legislative sessions, studying certain topics, preparing agendas for future sessions (Mooney, 1991).

Bounded Rationality

Herbert A. Simon expanded the rational actor theory, noting its limitations and constraints for explaining decision-making phenomena, to a theory of bounded rationality. In other words, the motivations for some decisions cannot be explained merely with the rational actor model. Individuals have cognitive biases plus varying capacities and limitations in their ability to process information. Further, individuals almost always have incomplete information about risks, uncertainty and unintended outcomes. In many instances, one does not know all possibilities and outcomes, yet they must make a decision, regardless. Individuals may select which information to base their decisions on, and human emotions or other factors can interfere. Thus, the rationality is “bounded” by such constraints (Simon, 1960).

Stages of Decision-making

The very process and circumstances of decision-making can influence the outcome. Simon reduced decision-making to three phases:

1. Find the occasion for making a decision
2. Find possible courses of action
3. Choose among courses of action (Simon, 1960, 1).

Simon also identified an important behavioral phenomenon, termed “satisficing,” whereby a decision-maker will cease looking for additional options once a “good

enough” option is found. Granted, there can be a diminishing return on investment of time spent pursuing endless possibilities. Nevertheless, better options might have closely followed. Cyert and March found that while a limited number of options are considered from a preliminary scan, those options are often studied in depth by decision-makers.

Michael D. Cohen, James G. March and Johan P. Olsen added a “garbage can model” concept whereby decisions are the outcome of a variety of circumstances (e.g. the need, the resources, the options) at a given point in time. Kingdon performed research on legislative decision-making and found the garbage can model concept helpful, though he made slight modifications to demonstrate that its contents could be organized (Brown, 1993, 39).

One study identified three action-steps elements of legislative decision-making:

1. Learn about the issue
2. Form a personal opinion
3. Weigh for action (Kerschner, 2002, 1).

In addition, three sub-processes of lawmaking were identified whereby legislators’ use of information would vary:

1. Legislation development
2. Persuasion
3. The voting decision (Mooney, 1991, 445).

Legislators’ Information Seeking, Sources and Use

In the flow of legislative information, there are generally at least three main agents:

1. The data collector/recorder
2. The data presenter
3. The listener/decision-maker.

Each one may have certain biases, filters and motives, yet the credibility of the presenter seems to be a primary determinant in what weight, if any, is given by the decision-maker. Hence, valid data may be rejected if the presenter is seen as non-credible or biased. Conversely, poorly constructed data records may be accepted with little question from a credible presenter. Given the public scrutiny of legislators’ decisions, presenters almost instantly lose all credibility if the information contains any errors, resulting in legislators turning a deaf ear for a long, if not indefinite, amount of time (Frantzich, 1982, 30).

A number of studies have been conducted utilizing semi-structured interviews with legislators at the state and federal level to identify legislators’ preferred sources of information (Entin, 1973; Kingdon, 1981, 18-19; Mooney, 1991). Entin’s study with members of the House Armed Services committee in the U.S. Congress revealed the top three sources of information listed by the legislators: hearings and reports, conversations with trusted colleagues, and staff. Kingdon’s study found that legislative colleagues were the top source of information. Similarly, Mooney found trusted colleagues to be the top source in at least three empirical studies, followed by staff and lobbyists/interest groups.

By investigating sources of written information among state legislators' bill folders, Mooney, again, found that fellow legislators were the top source, followed by interest groups and executive agencies. He also found that his results were very similar to that of a gentleman who followed congresspersons around for six days in 1973, recording all incoming and outgoing communications (Mooney, 1991, 435).

State legislative staff have shown to have some influence on legislative decision-making through gathering information, setting agendas, and shaping proposals, though their influence can be limited due to turnover (Weissert, 2000).

Legislators may discount, to varying degrees, information coming from agencies in the executive branch, compared to other sources (Freeman, 1966, 113 and 129). An explanation offered by a study described this behavior as a reaction against agency bureaucrats' technical superiority, causing lawmakers to react defensively guarding their lawmaking authority (Freeman, 1966, 113 and 129).

Mintzberg explored nonuse of information in decision-making, identifying several barriers. Information often comes late (time lag), summarized with too little detail, separate from political information, in huge doses more than the human mind can quickly sort through, and gets filtered by the user based on their previous experiences (Brown, 1993, 16). Legislators have often noted that information does not address their specific needs:

A legislative information system should be able to tell us what others see as problems and what has been done in the past and its impact, as well as suggest alternatives for the future and their likely consequences; but no information system can tell a politician the relative importance of one problem area over another...Legislators remain important in choosing the values to pursue and in making judgments about the quality of incomplete, conflicting, and possibly biased information. Intellect distinguishes between the possible and impossible; reason distinguishes between the sensible and the senseless. Even the possible can be senseless (Born, 1978, 5 in Frantzich, 1982, 62).

The role of the legislature is to evaluate the political strengths of various viewpoints...Politics is a process characterized by the mediation of competing and contrasting interests. To the degree that...information will be important, it will be used to support one-sided arguments that initially stem from value choices rooted in self-interest or unverifiable perceptions and assumptions. Legislators as a matter of necessity will look out for the interests of their parochial constituencies and shop around for data that justify their actions and measure their success. Ideological and policy biases will precede the selective gathering of information that bolsters one's values and makes them salient to a wider group of fellow decision-makers (Frantzich, 1982, 62).

Legislators' Use of Benchmark Data and Performance Information

Legislators are users of benchmark data and performance information, though there are certainly others, including lobbyists, philanthropists and even realtors (Innes, 1989). Establishing trust with legislators is crucial, and legislators ought to be involved in the process (Liner et al, 2000, 49). In its reflections on performance budgeting, the State of Minnesota shared: "There are at least three audiences for performance data: agency staff, policy makers and the public. A successful report must find ways to address the

needs of each audience” (Liner et al, 47). “How best to communicate performance results to varied stakeholders is a related issue” (Liner et al, 73). This report documented the importance of an attractive presentation with an appropriate level of detail and relevant data. “The first job of a performance report is to be a readable document that legislators and others find useful and informative” (Liner et al, 46 and 78).

In 1993, the GAO reported:

Despite long-standing efforts in states regarded as leaders in performance budgeting, performance measures have not attained sufficient credibility to influence resource allocation decisions. Instead, according to most of the state legislative and executive branch officials we interviewed, resource allocations continue to be driven, for the most part, by traditional budgeting practices. Reasons for this condition include difficulties in achieving consensus on meaningful performance measures, dissimilarities in program and fund reporting structures, and limitations of current accounting systems (US GAO, 1993).

Neither Oregon nor the U.S. is alone in recognizing challenges with performance reporting. In Canada where there are public performance report requirements, Susan Jennings, the Assistant General Auditor of British Columbia commented that credibility was a factor in low usage of performance reports. The research of Michael Eastman in Canada found six reasons why legislators were not using research reports including:

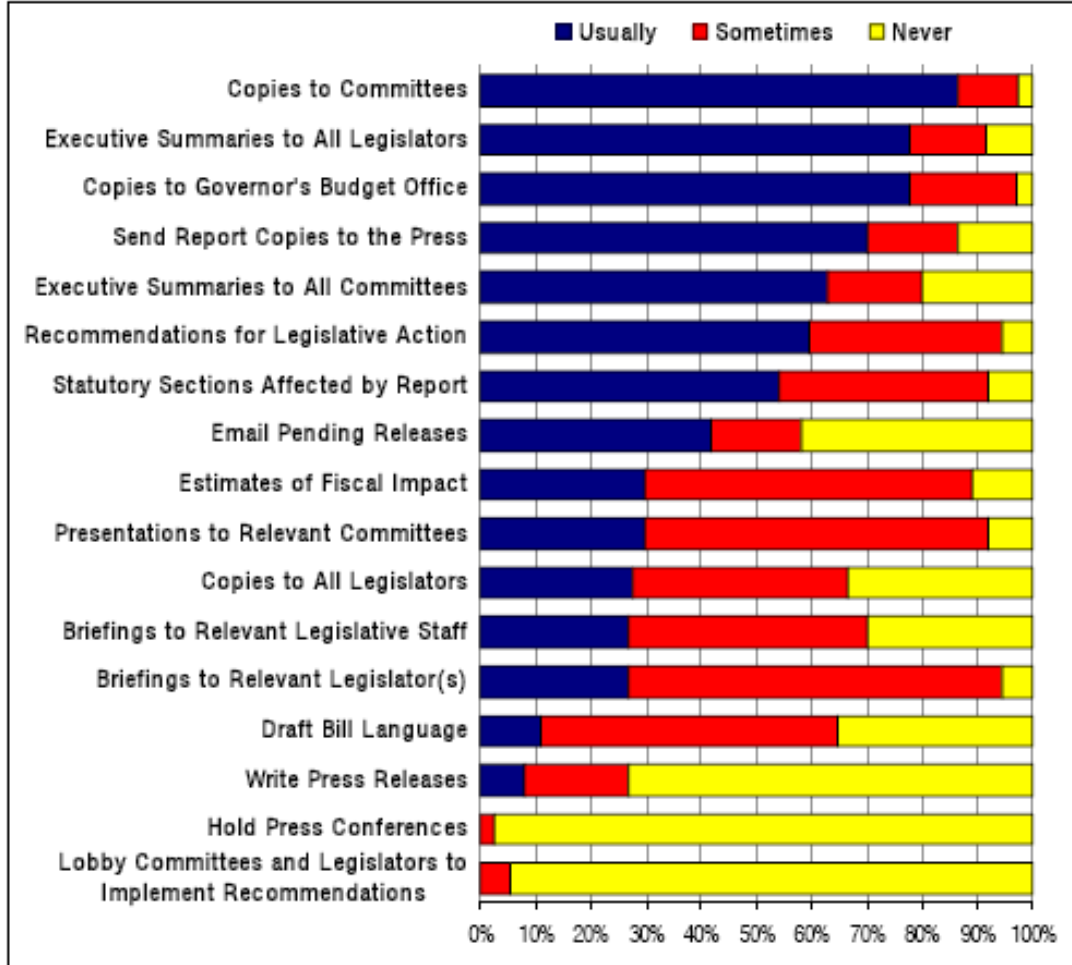
1. Public performance reports do not reflect legislators’ interests and how they view the world
2. Legislators feel that public performance lacks credibility
3. The system offered few rewards or incentives to legislators who scrutinize the government’s performance
4. Legislators have information overload and limited time
5. Legislators need staff support to effectively use performance reports
6. Public performance reports are not written from the perspective of a legislator (Canadian Comprehensive Auditing Foundation, 2006).

As explained under the previous heading, legislators often seek information that is specific to their jurisdiction (including voting constituents, opinion leaders and key industry persons in their jurisdiction), individual legislative bills, and the political context in a format that is brief, easy-to-read, accurate, relevant, action-oriented, and timely. It is further explained that for survival some agencies must remain completely objective presenting all sides of an issue, and yet, the legislator(s) seek evaluations, prescriptions for action (Jeffreys, Troy, Slawik, and Lightfoot, 2007, 2; Frantzich, 1992, 31-47).

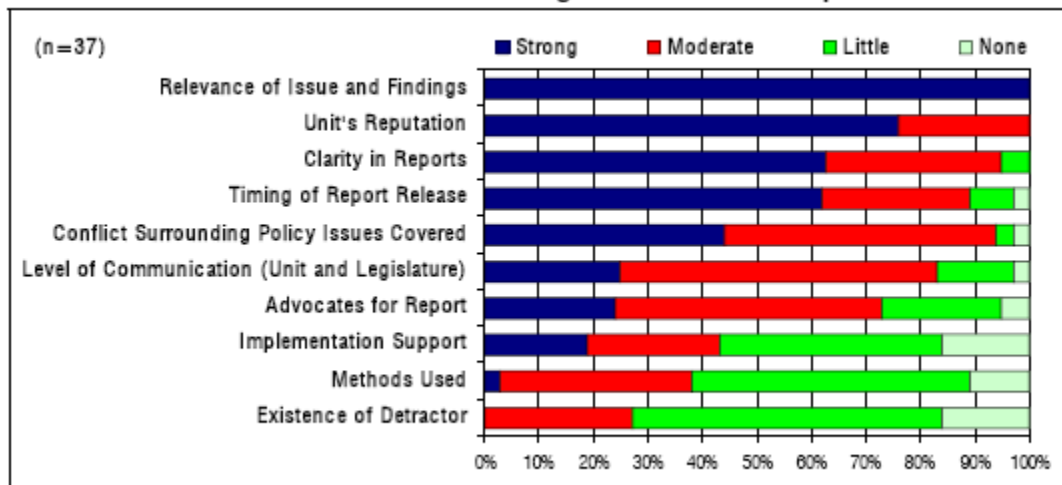
Conducted in 2004, a nationwide survey of 54 legislative evaluation offices affiliated with state legislatures analyzed several aspects of reporting to state legislators including communications strategies to increase legislators’ use of information, influences on legislators’ use of reports, and other report specifics. The survey results revealed that most offices produced 10 to 25 reports annually, among which 65% exceeded 25 pages. 42% of the respondents have reduced report length. 84% are using stories, hypothetical or real, to make findings easier to understand. Strategies to increase legislators’ use of

the reports, along with a list of influences on legislators' use of reports identified by survey participants are detailed in the two charts below (NLPES, NCSL, 2004, 9-12, 17).

Offices Use a Variety of Communication Methods to Publicize Their Reports



Several Factors Influence Legislature's Use of Reports



These findings reveal a variety of strategies, both blanketing legislators, committees and members of the press with reports, as well as targeting specific committees and legislators with presentations, briefings and executive summaries. Action steps are also included such as recommendations for legislative action, bill drafts and more. Among the factors of influences on legislators' use of reports, the relevance of the issues and findings was considered strong by 100% of the offices, followed by the unit's reputation. This is consistent with research describing the types of information legislators seek – political, defensible, bill-specific, and actionable.

The Oregon Progress Board, the Oregon Benchmarks, and Benchmark Performance Reports

Much has been written about the origins and evolution of the Oregon Progress Board, the Oregon Benchmarks and the biennial reports. The Oregon Progress Board is recognized as a “dedicated implementation institution” (Lewis, Lockhart and de Montreuil, 2000, 8).

Perhaps the most comprehensive write-up documenting the history of the Oregon Progress Board is the article, “Achieving Better Health Outcomes: The Oregon Benchmark Experience” by Howard M. Leichter and Jeffrey Tryens in 2002. This project encompassed focus groups, extensive interviews and case studies. The Oregon Benchmarks served multiple roles including “vision, budgeting, community mobilization, agency accountability and public education” (p. 4). Whereas policy-makers were once guessing on the scope of various issues, they now have hard data along with community leaders who value the “focus” and “priorities” afforded (p. 11). The transition of the Oregon Benchmarks from instruments of vision and aspiration to instruments of accountability is well documented. Reportedly, “the unachievable targets left legislators vulnerable to constituent criticism when unrealistic goals were not met” (p. 16). Further, some legislators tried to apply the ambitious but unrealistic targets to agencies without success. Among the challenges with Oregon Benchmarks listed were: difficulty identifying cause and effect relationships, and, exclusive responsibility for Oregon Benchmark performance errantly assigned to public agencies. Rather, “the Benchmarks and the vision they embody are theoretically the responsibility of all Oregonians” (p. 5).

Another matter of concern is outreach. According to the preliminary results of the Oregon Population Survey, an estimated 20% of Oregonians said they were familiar with the Oregon Benchmarks. In a subsequent report, Jeff Tryens commented “Unfortunately this figure has not increased in four years. The lack of improvement is probably a by-product of the Board's increasing focus on state government performance rather than community outreach” (Tryens, 2004, 6). Further, he added “Finding a proper forum for presenting progress assessments to the state legislature has been challenging...informing legislative leaders about Board findings has been a hit or miss affair.”

In 2000, a review of the Oregon Progress Board and the impact of the Oregon Benchmarks revealed that “intense review of Oregon Benchmark data by cabinet and legislative leadership as a key determinant in their decision-making is not yet the norm” (Lewis, Lockhart and de Montreuil, 2000, 20).

Examining the minutes of the Oregon Progress Board meeting on March 15th, 2005 reveals the attention and direction the Oregon Progress Board had received from legislators, especially those on the Ways & Means (sub)committee(s), seeking performance-based budgeting and linkages between key performance measures and the Oregon Benchmarks. “Agencies are being asked to address [key performance measures] at the beginning of their presentations, unlike biennia past.” This suggests increased awareness and interest on the part of legislators. Yet, there was acknowledgement that “lots of programs don’t feed in to the Benchmarks...Legislators are beginning to realize that performance measures are not the magic bullet for setting priorities” by Senator Kurt Schrader (Oregon Progress Board, 2005, 1).

Methods

A variety of methodologies have been used in prior research studies on the topic of (legislative) decision-making. For theory-seeking studies, games and group tests have been utilized (Crain and Tollison, 1980; Czada and Windhoff-Heritier, 1991; Coleman 1986; Riker, 1986; Patton, 1978). Quite a few informative studies have been conducted to evaluate various influences on legislative decision-making, though many of these employed quantitative approaches (Bradley, 1980; Goodman and Clynch, 2004; Henderson and Nutt, 1980; Hird, 2005; Kingdon, 1981; Lord, 2000; Mooney, 1991, 1993 and 2003; Moynihan and Ingraham, 2001; Willoughby, 1993, 1996 and 2001; NPLES, 2004). Document analysis (e.g. reviewing the contents of legislators’ bill folders and/or hearings) has been conducted for a number of studies, as well (Goodman and Clynch, 2004; Mooney, 1991; Lyn, 1994; Moynihan and Ingraham, 2001).

Kerschner and Cohen (2002, 126) and the works it cited of Gunnar Karlsson (1988, 1989) employed a qualitative approach to explore various aspects of legislative decision-making (e.g. the process and its influences), creating an interesting framework and noting differences between reflective thought and immersion thought. Kenneth Entin (1973), in his study of legislators’ top information sources, conducted cross-sectional qualitative research with semi-structured interviews. Bradley (1980) confirmed interviews work well for legislators. Mooney (1991, 1993) performed qualitative research with Oregon legislators regarding information use, as well.

Recently, some researchers have questioned whether traditional research approaches, given the artificiality of experimental design and its effects, could compete with qualitative research conducted in natural settings to bring us closer to the truth (Borland Jr., 2001, 5).

Summary of the literature

Considerable work has been done deconstructing and analyzing decision-making, legislative decision-making, information seeking, information use, results-oriented performance measurement use and reporting. The literature is rich with theory, analysis and empirical research conducted in a variety of methods. One can glean from previous studies that legislators access many sources of information, though their top sources include legislative colleagues and lobbyists, largely because of time constraints. Further,

the literature explains that decision-making takes place in different stages, affected by a myriad of external and intrinsic factors, and may not be purely rational. Given the time limitations, the search for information may end when a “good enough” solution has been found, though additional information seeking may have revealed other alternatives.

Research also exists both for state and national implementation of performance budgeting and reporting. The Oregon Progress Board and Oregon Benchmarks have frequently been observed, evaluated, and modeled. Nevertheless, there is recognition that Oregon state legislators’ use of Oregon Benchmark data may be limited, perhaps, in part, due to limited outreach and a format difficult to digest.

What this study will add to the literature

This study will add to the literature by testing some of the theories and prior research in the instance of the Oregon state legislature at the time of this writing. Specifically, it will address Oregon state legislators’ use of Oregon Benchmark data employing a cross-sectional qualitative approach, which has been used in other studies, with semi-structured questions. Specific questions pertaining to legislators’ decision-making styles and preferences may offer additional insights applicable for successful delivery and increased utility of Oregon Benchmark data.

Chapter 3: Methods and Design

In this chapter, the procedures and design of this cross-sectional qualitative research are described, along with the analytic process by which themes were extracted from interviewee responses.

Research Question(s)

The research question was:

How do Oregon state legislators use Oregon Benchmark data in legislative decision-making?

The primary purpose of this study was to learn:

How best to prepare, present, market, and deliver Oregon Benchmark data to legislators for appropriate decision-support in their legislative decision-making?

After reviewing the literature and talking with knowledgeable informants including former legislators, professors and the former executive director of the Oregon Progress Board, a series of “springboard” questions, strategically sequenced, was formulated to initiate and guide discussion through several aspects of information use with current and former legislators. These questions were tested in practice interviews, slightly refined.

I. Information Seeking:

- Q1: How much time per week would you say you spend (or spent) seeking information for the purposes of legislative decision-making?
- Q2: When you consider (or considered) legislation, whether for a floor vote, a committee decision or bill sponsorship, where do (or did) you look for information to make your decision(s)?
- Q3: What types of information do (or did) you seek?

2II. Information Management

- Q4: How do (or did) you manage all the vast amounts of information coming in from multiple streams? And prevent information overload?
- Q5: What criteria do (or did) you use to weigh information?

III. Exposure and Use of Oregon Benchmark Data

- Q6: Have you ever looked at benchmark performance data? [Data on Oregon’s quality of life, state of affairs, trends for economy / crime / health / environment / etc.]
- Q7: What has been your exposure to the Oregon Progress Board?

- Q8: Have you ever seen any of the reports produced by the Oregon Progress Board such as the biennial Benchmark Performance Report, County Data Book, Committee Briefs, online reports on the website, etc.?
- Q8a: [If yes,] Could you describe the role of these documents in your committee work? (e.g. budgeting, policy-making, and oversight)
- Q8b: [If yes,] Could you describe the impact of benchmark performance information on your legislative decision-making?
- Q8c: [If no,] Could you describe the type of information which had the biggest impact on your legislative decision-making?

IV. Additional Thoughts on Legislative Decision-Making

- Q9: Additional thoughts on legislative decision-making?

V. Preferred Approach to Legislative Decision-Making and Data Type

- Q10: Which best describes your preferred approach to legislative decision-making: intuitive or analytical?
- Q11: Which do you prefer, hard or soft data?

The Sample

A table of the demographics and other specified characteristics of the purposively-selected sample of current and former Oregon state legislators appears in Appendix 1a. (Sources: Secretary of State Archives, Oregon Bluebook or other public campaign materials). In addition, summary tables constructed from Marjorie Taylor's compilation of self-identified Oregon state legislator profile information appear in Appendix 4.1 serving as a resource for evaluating the representativeness of the sample. For further reference and contextual reflection, a historic table of house leaders, governors and parties appears in Appendix 4.2.

Potential Participants

Potential participants for the sample population of this study consisted of current and former Oregon state legislators. Including both current and former legislators in the sample would afford a range of responses with current legislators speaking from one perspective (ground-level, knee-deep in active field duty) and former legislators sharing from a different perspective (higher-level, broader view, removed from the rush) with conceivably less political exposure and/or associated inhibition(s). The Oregon legislature has ninety (90) seats including sixty (60) members of the state House of Representatives serving two-year terms and thirty (30) members of the state Senate serving four-year terms. Reviewing the lists of current and former legislators, it soon became apparent that incumbency was high (turnover was low), with quite a few moving on to high-profile public offices both within and outside the state government such as governor or agency department head.

Narrowing the Sample

Given logistical restraints of time and other resources, the sample size was limited for this study. A small, focused sample fit well with the qualitative approach of this study, however, yielding in-depth interviews and increased capacity for analyzing responses individually and collectively.

Several knowledgeable informants with years of field experience advised that legislative committee membership could be an important predictor of legislators' experience with benchmark performance information and overall data use, in general. Certain committees such as Ways and Means, Judiciary, and those connected with economic development and government, were heavier users of data, they said. A simple text search of archived legislative minutes online revealed higher incidence of the terms "Oregon Progress Board," "benchmarks," "benchmark performance," "performance measurement," and "benchmark performance report," among the minutes of certain legislative committees, adding some evidence for their claim.

To narrow the sample size, three criteria were applied: availability, legislative committee membership and diversity of demographic factors. Rather than interview all the members of one committee to get their perspective, legislators across committees with varied demographic factors were selected. Thus, the final selection includes both legislators from the committees believed to be heavier users of data and a few who were not on such committees. One may also note, however, that at least three of the legislators had served in a leadership position on a single legislative committee, the judiciary, so their responses may be compared and weighed accordingly.

Recruiting

Current legislators were recruited, though difficulty soliciting their participation was anticipated since this study was conducted during the middle of the 2007 biennial legislative session. Former legislators were recruited with less challenge. Unfortunately, the greatest difficulty was recruiting female legislators due to their busy schedules and high demand among constituents and lobbyists.

Sample Summary

The purposively-selected sample consisted of ten Oregon state legislators including three current and ten former legislators with a diverse mix of demographic and other characteristics including but not limited to: gender, house, party, district, age range, number of sessions served, legislative committee memberships and leadership positions, Oregon Progress Board membership, education attainment level, current and/or former occupations, and more. The sample presented a rich, diverse array of experience, affiliations, and characteristics. See Appendix 1.1 for further details.

Several of the legislators in the sample held current or former state government positions since their service in the legislature, affording added experience and insight to the interviews. Two of the interviewees were former governors, one was a gubernatorial candidate, two were heads of state agencies, and at least two had served in the roles of Secretary of State and/or State Attorney General.

Representativeness

Data Source(s): This sample of ten legislators seems fairly representative compared with the entire Oregon state legislature in several aspects (e.g. age, number of sessions served, occupation, party, educational attainment, district population) based on data self identified by legislators (1967 to 2005 biennia) compiled by Marjorie Taylor, an employee of the legislature. From her work, I constructed summary tables with figures averaging the data points, distributions and/or trends from the three most recent biennia (2005, 2003 and 2001) on legislators' career stages, number of sessions served, top occupations and birth states. See Appendix 4.1.

Age: These results showed that the number of legislators over age 50 is rising. Conversely, the number of legislators under age 50 is falling. The average age range of the legislators in the sample is 50s. The average age of legislators over the past three biennia was 51. Thus, the sample seems fairly comparable.

Number of Sessions Served and the Range of Years: Of the 90 legislators, about 2/3rds (63 of 90 legislators) served three or fewer sessions. See the table in Appendix 4.1 for more information on the breakdown. The average number of sessions (excluding special sessions) served by legislators in the sample was 4.1 sessions, ranging from 0.5 to nine consecutive sessions. Keeping in mind that both former and current legislators were recruited, the range of legislative sessions served by legislators in the sample spans from 1975 to 2007. Six of the ten legislators in the sample had served less than four sessions. Thus, the distribution of sessions served among the sample seems fairly comparable with the overall legislature. See the table in Appendix 1.1 for details on the breakdown.

Occupations and Educational Attainment: The top four occupations self-identified by legislators account for 77% of legislators (69.6 count), including: *small business/business, legislator, agriculture/livestock* and *law*. Small business/business has been rising fast and peaked in 2005 with 33 legislators, averaging nearly 27 across the past 3 biennia. Legislators identifying their occupation as legislator has also been rising, peaking at 38 in 2003, and averaging nearly 24 across the past 3 biennia. The count of legislators identified in both agriculture/livestock and law occupations have been slowly falling, and both average 9.3 across the past 3 biennia. The agriculture/livestock count peaked at 15 in 1967 and the law count peaked at 23 in 1969.

Keep in mind these figures are subject to considerable variation, even across time. Nevertheless, these figures do suggest a trend of increasing professional legislators and/or small business/corporate professionals serving in the legislature compared with a declining number of individuals in the legal and/or agricultural professions.

At least three of the former legislators in the sample had a law degree though two hold positions other than private law practice. The educational attainment of legislators in the sample ranged from some college to advanced postsecondary degrees (e.g. MSW, MD, Ph.D., etc.). Additional research would be required to evaluate whether the distribution of education levels and occupations is representative.

Committee Memberships: At least four legislators served on each of the following committees, deemed by knowledgeable informants to be data-heavy: Ways & Means, Judiciary, and Business/Labor. Three legislators served on Natural Resources, Water Policy and/or Water Use committees. Two legislators served on Emergency Prep, Government Accountability, Legislative Counsel, and/or Revenue, and at least one legislator served on an Education committee. Additional research would be required to evaluate whether the distribution of committee memberships is representative.

Party and House: There was an even split (5/5) between Democrats and Republicans among the sample of ten legislators. In 2007, the split of Oregon Democrats to Republicans is (31/29) in the House of Representatives. In 2007, the split of Oregon Democrats to Republicans is (18/11) in the Senate, plus one Independent member. Thus the split was nearly comparable.

The split of Oregon legislators between the House of Representatives and the Senate is (60/30). The split of legislators in the sample between the House of Representatives and the Senate was (8/3) with one legislator having served in both houses. Thus the split was nearly comparable.

Gender: All but one of the legislators in the sample were male (9/1), though roughly 29% of the legislators in Oregon are female, thus females are underrepresented in this sample. It was slightly more difficult to recruit female legislators than male legislators due to their busy schedules and associated schedule constraints.

Leadership positions: All of the legislators in the sample (10/10) served leadership positions (e.g. Senate President, House Majority Leader, Committee Chair, etc.). Further research would be required to determine how many current legislators hold or have held leadership positions in the legislature to evaluate the representativeness of the sample.

Districts and Geographic Distribution: The legislators in the sample represented districts including: Hillsboro, Multnomah, Portland (3); Lane County (3); Josephine/Jackson Counties (2) and Coos/Curry County (1); and Deschutes County (1). The majority of Oregon's population resides in the Portland metropolitan area, the Willamette Valley and/or Bend, Oregon. Nonetheless, there are other districts not represented. A few of these districts may be classified as primarily "rural" versus "urban", though most of Oregon's physical territory may be classified "rural."

Qualitative Data Collection with Semi-Structured Interviews

To address the research question(s), semi-structured interviews were conducted either face-to-face or by telephone. Interviewees were recruited by formal invitations emailed along with consent forms and, upon request, the list of "springboard" questions described above. Correspondence and scripts for recruiting current and former legislators, along with the interview guides, were approved under the University of Oregon Human Subjects Protocol #E424-07. Follow-up questions for clarification or further exploration were asked on occasion.

Where possible, in respect of legislators' limited time, demographic information was collected from a variety of public sources including: house membership, party affiliation, district, committee memberships, leadership positions, occupations, years of service, number of sessions served, age range, gender, highest education attainment, Progress Board membership and affiliations. Most of this information can be found in Oregon Bluebooks or legislators' campaign materials, though it is subject to self-reporting bias.

The set of questions, primarily open-ended, was designed to initiate thoughtful, reflective discussion around the process of legislative decision-making, the expanse of information use and search patterns, plus individual legislator decision-making style and data preferences. The initial questions, being simple in nature would facilitate a gentle transition into the interview. Once a dialogue was established, additional questions pointed the discussion towards the legislator's exposure to and use of Oregon Benchmark data and specifically, the utility and impact of the reports produced by the Oregon Progress Board. Another open-ended question provided legislators the opportunity to add any additional thoughts on legislative decision-making in general. If demographic information was missing, it was requested in the interview near the end, and finally, time permitting, two additional questions solicited responses from legislators regarding their individual decision-making style and data preferences.

During the interviews, notes were typed with a laptop computer into text documents. Once the interviews were complete, the files were saved. Then, any typos were corrected and missing text added with square brackets. The files were then re-saved and printed.

Analytic Approach

Responses from each interview were organized according to the question. Going through the responses to each question, one at a time and collectively, notes were made to highlight themes and key phrases. These were compiled into summary tables, grouped, and assessed for frequency and strength. The summary tables can be found in Appendices 1.2 through 1.15. In those instances where legislators' responses may not have explicitly expressed verbiage for a particular theme, yet their responses were nevertheless consistent with a particular theme, such responses were labeled "indirect" and marked in the tables with a lowercase 'x'. By contrast, those responses which were explicitly consistent were labeled "direct" and marked in the tables with an uppercase 'X'. Indirect responses were given less weight than direct, explicit responses. In cases where answers to other questions fit a particular theme, those were marked in the tables with asterisks (*) and the originating question(s) were referenced in parentheses (e.g. (Q8) designates Question 8 as the originating question, followed by the quoted language from the response of the legislator). The findings were written up and summarized in Chapter 4. Outliers were also noted, especially if they added a substantive contribution. In addition, noteworthy quotes from legislators' responses were cited in the findings to illustrate various themes.

Briefly reviewing legislators' responses and demographics in search of any notable patterns (e.g. common responses amongst members of a certain house, party, gender,

etc.), few instances exceeded a 1/2 or 2/3rds split. Hence, such analysis was terminated and reserved for future research with a larger sample.

Finally, in Chapter 5, data gained from the interviews were synthesized with the literature review to formulate recommendations to meet the needs of Oregon legislators, citizens, the Progress Board and others. These findings were compared with prior theory and scanned for potential theoretical content. Recommendations were proposed for consideration, based upon the findings and applied theory.

Chapter 4: Findings

This chapter will cover the findings from the cross-sectional qualitative information gathered from telephone and face-to-face interviews with current and former Oregon state legislators, conducted in the first quarter of 2007. Interviewee responses were compiled, compared, analyzed and categorized into themes. Near the end of this chapter, the validity and generalizability of the findings are briefly discussed. Finally, the limits of this study are explored.

Appendices 1.2 through 1.15 contain tables with the frequencies of key concepts and/or themes tallied for each of the eleven interview questions and their subparts. For an explanation of the table markings, see Chapter 3 (Methods).

Information Search

This section addresses the first three questions, each related to information seeking by legislators:

- Q1: How much time per week do legislators, on average, spend seeking information for legislative decision-making?*
- Q2: When seeking information for legislative decision-making, where do legislators look for information?*
- Q3: What types of information do legislators seek?*

The time legislators counted “seeking information” varied from narrow to broad, with some describing how little time they had to seek information themselves, whereas others counted much of their time including social activities where information would be exchanged. Legislators’ responses to the second and third questions overlapped considerably, listing a wide variety of sources and types of information sought. Many legislators described seeking the opinions of their trusted legislative colleagues, caucuses, industry leaders and constituents. Lobbyists and interest groups were mentioned, as well – with an explanation that they had additional time and resources to prepare information, and the risk of completely losing their reputation if they ever lied.

Findings – Information Search

Q1: How much time per week would you say you spent (or spend) seeking information for the purposes of legislative decision-making?

Responses varied from 1-2 hours per day to 12 or more hours per day, averaging 25 hours per week. There was some discussion of different types of information seeking, including talking with experts and constituents, hearings, reading, issue research, and vote counting. “Believe it or not, the constituents are a good source, and the lobby.” Several mentioned “long hour days,” ten to twelve hours each,

and some counted “all the time,” including social activities where information would be exchanged. “You’re either meeting with people or in committee.”

Others defined “seeking information” more narrowly, commenting that they did not specifically spend much time seeking the information themselves but that information was constantly presented to them by lobbyists, constituents, agencies and others.

I spend hours and hours talking with individuals who explain information to me. I spend less time actually ‘seeking’ the information myself.

Having a lot of extra time for research is not very likely for a legislator.

(Q2) People are trying to educate you. They are bringing you information, more than you can deal with. You don’t spend much time seeking information as much as sifting through what’s coming at you.

(Q4) Rarely do you have the time or take the time to go out and generate independent analyses.

Another added, “It would vary from issue to issue.”

Q2: When you consider (or considered) legislation, whether for a floor vote, a committee decision or bill sponsorship, where do (or did) you look for information to make your decision(s)?

“We used a variety of sources to get the best information we could on the subject we were deciding upon.” The most frequently-mentioned information sources sought by legislators include: colleagues and/or associates, lobbyists and/or interest groups, staff and/or interns, experts and their publications (e.g. reports, best practices, etc.), caucuses, and constituents (in general and those with interests). Other sources mentioned by more than one legislator included committee hearings and testimonies, NCSL (National Conference of State Legislators), CSG (Council of State Governments), and Capitol Clips. Further, there were two or more responses regarding reliance on one’s education, knowledge, expertise and common sense.

Responses seem to confirm that legislators may rely on each other as colleagues, and as specialists in certain areas of public policy.

Mostly it’s through personal contact.

For a floor vote, go to committee members who have heard all the ins and outs...I also talk with other legislators who have experience with the issue. Many of the caucus members who sit on the committee.

If they were a colleague I knew well, I felt confident I could trust their word. I had good experienced legislators in both houses [to consult with].

If it is a bill or legislation not for your committee, you look to your caucus members in that committee. You can't be an expert for all concerns or fields.

I relied upon colleagues or others I knew with special knowledge.

(Q3) Views of trusted legislative colleagues from both parties.

(Q4) Often you know a lot about bills in your committees, but not so much about bills in other committees.

A former legislator added (Q8b) that increased specialization may be a natural, logical consequence of the courts negating term limits.

Now people are in longer and they develop their own [areas of specialty]. Your colleagues specialize and you rely on them. I specialized in taxation. Some in environment, some in education, some in criminal justice, etc.

Regarding lobbyists, one legislator explained:

There certainly were people who were part of the Oregon lobby whose experience I understood and respected. I had been a citizen lobbyist and I knew which ones I could trust their word or information. If I worked on an education issue, I was comfortable talking to the Oregon Education Association or the Confederation of Teachers. I was a former school board member and had a long relationship with people in the lobby. There were others who didn't fall into this category (e.g. too much fervor, slanted information, poor reputation).

Several legislators indicated looking beyond Oregon to "get a sense of what other states were doing." "Often, for criminal justice, one had to go outside the state."

Q3: What types of information do you seek?

This question was very open and three of the nine interviewees' initial response was "It really depends on the issue." (Q1: It would vary from issue to issue.) In a subsequent question (Q4), a legislator commented

It's important to point out that not all bills are created equal. Some are very significant bills because of a major policy change, or, a major reallocation of resources, affecting many. [So we ask] how important is it?

In a response to a previous question (Q2), a legislator explained that the type of information sought could depend on the type of committee, specifying "In judiciary, we looked at statutes, court cases, etc. In Ways and Means – budget, we looked at past budgets and how [agencies] performed." Also, one legislator distinguished between "political" and "technical" types of issues.

Most of the responses overlapped with a theme of what one legislator termed as "political information," whereby legislators would seek information identifying who would be affected by proposed legislation, who was in favor and what their interests might be. For example, responses included:

Who is affected by this?

How does this affect my constituency?

...the constituent base who [would] deal with specific proposed legislation?

What is the opinion and preference of the district, the community?

Who wants this or not?

Then I would go to the people for or against.

In addition to constituents, evaluating the votes cast by legislators in committee was a strong theme among responses. Two former legislators (including a response from Q4) recounted looking at hearing and committee reports to see how the votes of committee members broke down. Another legislator, for another question (Q1), said “Part of it was issue research and part of it was vote counting research.”

Consideration of whether or not the outcome of legislative decisions would be good for society on the whole was another strong theme.

How will this affect society in general?

Good government and public interest considerations

Usually, I am looking for the likely effects of the [proposed] legislation on people’s lives.

Was this a pretty good change?

What were the long-term impacts of the legislation?

Several legislators specifically named the type(s) of data they would seek, such as hard or soft data, background information and/or objective information. “[I often seek] background information [on what’s] driving proposals [at hand].” One legislator commented “I would start off trying to learn about the issue and understand how it works.” Regarding hard data, one legislator noted “I also sought soft data. In criminal justice it’s hard to get good data because everyone reports it in a different way.” Another said “[I looked at] both hard and soft data. Politics. You [have to] listen to people and anecdotal life experience.”

Many responses to this question referenced information sources noted in the previous question (“where did you look for information?”) while pointing to the prior experience of outside experts, constituents’ opinions, and state agencies’ data. “We solicit information from experts in the field(s) who deal with it.” One legislator would ask “What were others’ experiences with the same issue?” For constituents’ opinions “I would go to the people.” “There’s the constituent base who deal with the proposed legislation.” “I wanted to get their opinion.” Data

from state agencies was mentioned by two legislators who served on Ways and Means (sub)committees. “State agencies can give you that information, too.” Another echoed “[You would] ask state agencies to get more information to you. On Ways and Means I had the authority to say ‘What are your benchmarks?’ and ‘How do you measure up?’” Interestingly, one legislator explained the tactic of some lobbyists and interest groups to get constituents to go to a legislator’s office, expressing a certain point of view. The legislator described how he would “get them to look at both sides” asking them to anticipate the oppositions’ arguments, in order to make “them think.” Another legislator’s response shared some similarity:

(Q1) Among those that were substantively for, I would ask the opposed to comment. I could then see what the tension was, what were the real differences, was there any way to find middle-ground or mitigate, or not, like the Choice Issue.

In another question (Q4), one legislator stated “Rarely do you have the time, or take the time, to go out and generate independent analyses.” Another mentioned “The life of a legislator is confined to the building,” and in another question (Q2), one replied “I would look for information from major proponents in the building.”

Additional mentions included: “views of trusted legislative colleagues,” “staff summary reports put out by committees”, “long term costs”, the benchmarks, one’s own expertise, an existing body of literature, newspaper editorials or reports, and Capitol Clippings.

We read those for a flavor on how the broader state looked at topics. We’d also look at stories run in the local news, and especially those that got the attention of a reader, or constituent, who would often send the clippings to you in a letter.

In another question (Q2), a former legislator observed that the Oregon Benchmarks were still fairly new, numbered too many to be useful, were hard to track and were not very relevant to the legislative process, thus changes were made. In yet another question (Q4), a legislator described how he would seek information in support of his diagnosis of root issues belying points of contention.

Information Management

This section addresses questions related to information management by legislators:

Q4: How do (or did) you manage all the vast amounts of information coming in from multiple streams? And prevent information overload?

Q5: What criteria did you use to weigh information?

All of the legislators mentioned using bill folders to keep track of the information, though sifting was an important skill and several felt that information overload was unavoidable. Some legislators described a strategy of utilizing the time of lobbyists and/or interested constituents to explore issues, supporting arguments, opposing arguments and counter-arguments.

Regarding criteria for weighing information, consideration of the source and/or its biases was the primary theme. A second theme was consideration of the proposed legislation itself, with regard for its impact, costs/benefits and underlying purpose. A third theme was the quality of the information and its presentation. Additionally, several legislators mentioned looking to the opinions of constituents, voters, industry leaders and the advocates or proponents of the legislation.

Findings – Information Management

Q4: How do (or did) you manage all the vast amounts of information coming in from multiple streams? And prevent information overload?

A former legislator related:

(Q8c) [It's always] move to the next thing, with so much going on. It's a factory to dispose of issues. What's the next issue? Session to session, you might say "Who cares? We dealt with that last time. What are we going to deal with next time?" You keep the ones you think you'll see again.

Almost every legislator mentioned the "bill folder" where all documents related to a specific bill are inserted and then reviewed the before the vote – sometimes the night before or the morning of. "You read these bills when they come in and when you are going into committee." Two legislators remarked that the number of bills exceeded 4,000 per session. Some legislators detailed how they kept the bill folder organized and orderly, with versions of bills stacked most recent on top, correspondence and other information. By contrast, another legislator commented there was "no wisdom to the file." Another legislator revealed a strategy of maintaining a separate file system to remember all the people, some lobbying on multiple issues, who came through his office, exceeding 10,000.

The relevance of the information to an active bill was an important criterion to determine whether the information might end up in the garbage can, or get placed into a bill folder.

If it doesn't pertain to something on hand, I throw it away. People like to drop off stuff, but if it doesn't tie to a certain bill, it gets thrown out. If it does, I keep it in the bill file and stick it in there, then read it the night before I need to review it.

Another strategy ascribed for managing so much information was utilization of the lobby, and sometimes interested constituents, to determine both sides of an issue, to refine and clarify arguments and counter-arguments, for and against proposed legislation, to locate or develop compelling hard data, to explore win-win or softened loss solutions, and to keep in touch with legislators as time grew nearer to important hearings, votes, etc.

(Q2) People are constantly trying to educate you. They are bringing you info more than you can deal with. You don't spend much time seeking info as much as sifting through what's coming at you.

Most of the legislators seem to agree that the amount of information at hand is overwhelming and challenging to manage, especially in the beginning of one's career, and especially with the constant revolving door of people coming to the office. "When you first come here, you will get overloaded, no matter what." Sometimes if a legislator didn't understand an issue, they would approach someone, perhaps the chair of the committee examining the issue or a caucus member connected to the committee for assistance. "You can't be an expert for all concerns or fields."

One of the former legislators commented on the impact of computers:

I served on the legislature before computers were part of the contact base, so at that time, there was not as much of a tendency to get information as you see now (opinions, attitudes, technical info). We didn't have that when I was in the legislature – not quite the magnitude you see today. We get information from legislators for and against information. It's a pretty overwhelming amount of information and you add what you get now, it's a huge mountain of information for anyone to work with.

Q5: What criteria did you use to weigh information?

Among the responses, several themes emerged. First and foremost, the interviewees said they "consider the source" of the information. About half of the interviewees specifically mentioned their analysis of the bias, or the potential for bias by way of agenda or interest, of the source. (Q11) A former legislator remarked "It is critical to see who funded it if you're making decisions on data." Most of the responses were framed in terms of questions. For example:

Is the source credible?

Is the source reliable?

Do I have confidence in the source?

Why are they telling me now?

(Q11) Who produced the data? Who funded it?

A legislator said "It's very hard to trust anyone, they all have a bias." Another legislator echoed "Most of the time what you're getting has some validity and some spin to it." Another added:

(Q4) There are people whose opinion you value, and others whose opinions you value less. If the person didn't support the bill, or if I thought the bill was a bad idea, I might contact the committee chair and ask them "Would you walk me through this so I can understand?"

The next theme pertained to legislators' interpretation of the policy or decision.

Was it good policy?

Is it the right thing to do?

Is it good for my district?

Several specifically made the point that the criteria for decisions can be good judgment, or intuition.

Sometimes, it's just plain good sense, good judgment.

A lot of legislative life is both analytical and intuitive. In my case, I think it is more intuitive. A lot of times the decisions we make on policy go beyond analysis.

[It can often be] subjective [with a lot of] judgment.

(Q8b) When you get an issue in the legislature, it is because there is no clear way to deal with the information. You are in a political environment. Political, as in, who's in favor, who's against, how do people feel about this. In the end, that is what matters.

Another distinct theme among responses centered around the quality of information and its presentation, including its validity and capability of holding up to deeper analysis, whether its source "subscribed to a higher standard", whether it was professional and well-done, whether it made sense, and whether it was complete, telling both sides of the story. However, two former legislators described the difficulty when "Reports from both sides were very professional but they disagreed [on various points] like [the] cause and effect of global warming. [Sometimes it was] hard to determine who was right." By contrast, one legislator mentioned "We had a highly-educated revenue staff. ... We relied on our own staff because we knew everybody was going to get hurt." In addition, one legislator explained the process by which incoming constituent correspondence was evaluated for quality: Was it basically a form letter, duplicated by others? Or, did it describe knowledge coming from a long history of experience from the perspective of the author? Did it have rational logic? Was there technical knowledge in it?

In one way or another, at least five of the ten interviewees responded with mention of the opinion(s) of their constituents, voters, trusted industry leaders and/or the advocates or opponents of proposed legislation.

Lastly, there were a few responses to this question regarding analysis of the legislation and its impact, whereby legislators examined cost benefits analyses, considered the underlying motives of the bill, and the downside impacts for those negatively affected.

Oregon Benchmark Data Exposure and Use

This section addresses questions related to Oregon Benchmark data exposure and use by legislators:

- Q6: Have you ever looked at benchmark performance data? [Data on Oregon's quality of life, state of affairs, trends for economy/crime/health/environment/etc.]*
- Q7: What has been your exposure to the Oregon Progress Board?*
- Q8: Have you ever seen any of the reports produced by the Oregon Progress Board such as the biennial Benchmark Performance Report, County Data Book, Committee Briefs, online reports on the website, etc.?*
- Q8a: [If yes,] Could you describe the role of these documents in your committee work? (e.g. budgeting, policy-making, and oversight)*
- Q8b: [If yes,] Could you describe the impact of benchmark performance information on your legislative decision-making?*
- Q8c: [If no,] Could you describe the type of information which had the biggest impact on your legislative decision-making?*

Most legislators reported exposure to the Progress Board and all reported exposure to its reports, including former legislators, though use varied by committee (primarily in budgeting, but also agency oversight and policy-making). Several of the legislators expressed concern that the Oregon Benchmark data and materials were underutilized and felt legislators should become more familiar. One of the current legislators had just learned of the Oregon Progress Board as of mid-session 2007. Campaign time and the interim between legislative sessions were recommended as good times for familiarizing legislators with the benchmarks and encouraging their utilization. Those legislators who were more familiar with the Oregon Progress Board shared their experiences partaking in its development, support, promotion and/or defense.

Findings – Oregon Benchmark Data Exposure and Use

Q6: Have you ever looked at benchmark performance data? [Data on Oregon's quality of life, state of affairs, trends for economy / crime / health / environment / etc.]

Two of the legislators who served prior to, or just around the time the Oregon Progress Board was formed answered "very rarely." One said "No, not very much" yet followed-up, stating "It wasn't unusual to see benchmarking, but it was not referred to, or thought of that way." One explained "the time series were very short. You didn't have a long enough series of data to tell you." giving the example where they only had five years' data but recognized 10-year business cycle(s).

The other seven legislators answered affirmatively, making additional comments how it would vary, sometimes by committee. One commented, "To the extent that there was that kind of information available, we certainly evaluated it." The legislator explained further:

There are a lot of benchmark performance issues on the budget committees [where there's] more emphasis on benchmarking...[for the Judiciary] we did tie benchmarks and agency performance. Legislators want the best information they can get....We were making rational investment decisions.”

Another legislator said “Normally, you only do that in Ways and Means committee[s] where agencies come in [to present]. Yet, another legislator commented “It gives us continuity and a way to measure the progress.”

Based on some of these responses, it appears some progress has been made since the beginning of the Progress Board. A former governor said:

I chaired and helped setup the Oregon Progress Board. I was there a long time and we tried to incorporate them into the budget process...it was not so successful. ...a better way is needed to integrate it with the Executive Branch and the budgetary process. Start with the benchmarks right in the budgetary documents.

The former governor added, “A lot of time and energy goes into it and it is very valuable work that needs to be reflected more in the budget and priorities of the state.”

At the same time, several legislators expressed that they felt the Oregon Benchmarks were underutilized, with some making mention of a lack of training. “I think most legislators aren’t as familiar as they should be.” “I think the Oregon Progress Board and Oregon Shines are definitely underutilized.” A current legislator shared:

No, I didn’t receive any training on it. In fact, I just heard about it a month ago when I was telling someone we really need a vision for Oregon, why aren’t we talking about that and relating everything to there. Then that person told me about the Progress Board and Oregon Shines. I think the legislature, in general, is underutilizing it.

In other questions, legislators also touched on learning matters:

(Q8) Don’t assume [legislators] know or understand the [Oregon] Benchmarks or [the Oregon] Progress Board automatically. Give them a summary of what these are and how to use them. The best time to reach them is as they are getting oriented. Talk to the leadership (Speaker of the House, Senate President) to have them incorporated as an explanation into the orientation. I think this is what Senator Kurt Schrader and the Speaker are trying to do.

(Q7) There is a gentleman who teaches [legislators] Science 101, who talks about the reliability of testimony you receive in a committee.

Q7: What has been your exposure to the Oregon Progress Board?

Answers ranged from very little, indirect exposure to heavy, active participation and support.

Responses from the three current legislators and one former legislator seemed to indicate little or no exposure, except the reports.

None, except the reports.

Not much. Well, when you go down to the next question there [regarding the reports]. We read a lot of those things – it's masses of paper, data, white papers, the whole amount of material that you use.

I just heard about it a month ago when I was telling someone we really need a vision for Oregon, why aren't we talking about that and relating everything to there. Then that person told me about the Progress Board and Oregon Shines.

It was pretty limited when I was in the legislature...just getting started. [I've not been exposed] directly more since then, just indirectly.

Some legislators described their active contributions to the development of the Oregon Benchmarks and/or the Oregon Progress Board.

[I added] judgment to the development of concepts and data on qualitative impacts with quantitative data. [For example:] How do you measure quality of life, philosophically probing what was important, versus what was measurable?

I chaired it for four years...In four years, I never missed a meeting. I became an incredible advocate. Neil Goldschmidt was the "father of the Oregon Benchmarks" and I raised them.

In the previous question (Q6), two legislators also touched on their active development work:

Sometimes we will get rid of a benchmark, or add one, if we don't have the information we need.

We did tie benchmarks and agency performance.

Legislators also discussed their support, promotion and even defense of the Oregon Benchmarks.

I was the guy who asked them to create a benchmark matrix, documenting which agencies connect with which benchmarks. There are primary and secondary benchmark agencies, sometime complimentary agencies. I wanted to show other agencies that there was a benchmark close to them. For example, Oregon Housing Commission. Housing is a key piece of DHS success with long term care for mental illness – otherwise there's a perpetual cycle. I wanted to show agencies how they feed into the bigger picture.

Another interviewee added:

Our goal was...to establish statewide benchmarks. SB267 provided a methodology for legislators to see what we are trying to get done. 'Here are the measures to get us there. [Now,] we can tie investment and resources to help Oregon Shines which helped us understand what was important.' The downside

was that the Progress Board was in disfavor, legislatively, by the Republican leadership who did not like the notion of the Progress Board. It became political and it didn't need to be. I opposed and argued with Republican colleagues. This is about monitoring and measuring success related to [various] plans and running government like a business [(which Republicans would normally support)], but it became politicized based on personalities. It struggled to capture relationships and resources to be successful independently

In communications with legislators prior to this study, a few explained that because the Oregon Progress Board had been created and preserved under Democrat leadership it was viewed as a Democrat creation. (Q8b: “[The benchmark performance information reported by the Oregon Progress Board] was more suspect for Republicans.”) (Q6: “I would say the time I was there, I favored the Progress Board.”)

Finally, one legislator specifically mentioned receiving benefits from exposure:

I was a member. I enjoyed my experience immensely. The Progress Board introduced me to other issues that as a legislator I wasn't spending much time on. As groups presented, I got a sense of what else was happening.

Q8: Have you ever seen any of the reports produced by the Oregon Progress Board such as the biennial Benchmark Performance Report, County Data Book, Committee Briefs, online reports on the website, etc.?

All of the legislators interviewed affirmed they had at least some exposure to the reports produced by the Oregon Progress Board. Interestingly, the former legislators mentioned their exposure to these documents even after their terms of service, some noting how the reports have evolved considerably.

Q8a: [If yes,] Could you describe the role of these documents in your committee work? (e.g. budgeting, policy-making, and oversight)

The responses seem evenly distributed amongst a few answers, with a current legislator saying “No.” (quite possibly due to time constraints). Two legislators, current and former, said “not much.” Two former legislators replied they had shared them with their committees, one of whom added that they were used to set the context for further discussion early in the session. Two legislators, current and former, declared they had used them for budgeting, policy-making and oversight work on committees.

We put all legislation against the benchmarks to make sure we weren't taking any steps backwards, but if we were, we had to have a [very] good reason why. We used the benchmarks as a measuring stick.

In Ways and Means (committee) [these documents] do [have a role]. Especially there because you have benchmarks and you discuss what you are trying to measure and you see if you are effectively using the resources and doing the services you are supposed to provide to the public.

One of the former legislators said they worked on the development of the documents and the other former legislator talked about the interim between sessions – though, these two answers seem indirectly tied to the question. One legislator explained “[They helped with] understanding those other pieces of the puzzle, like how we understand revenue.”

Q8b: [If yes,] Could you describe the impact of benchmark performance information on your legislative decision-making?

This question was answered in brief by two (2) current legislators, one of whom answered “No.” and the other who answered “At times there has been.” A former legislator who served on the Oregon Progress Board shared:

I don’t think it had much impact with the House and Senate [but it] did with me. It has more relevance now than it did before...Legislators in recent years want to poll state agencies and have more accountability. The Progress Board is good to do that, as long as it is nonpolitical, independent and responsive.

Reviewing responses to previous questions, there were a number of references to benchmark performance information having various impacts on legislative decision-making, particularly in the area of budget. A former legislator responded:

It was important to show how we were moving and where. It’s all about money at the end of the day. At that time the education was a \$5 Billion budget. Cutting it to a \$4.5 Billion budget has reverse consequences (e.g. crowded classes, less individual attention, marginal students drop out). It had been used.

Another former legislator stated that the benchmark performance information played a role in all three areas: budgeting, policy-making and oversight. The legislator reflected, however, that resource allocation was probably the weakest.

It’s one thing to say where your ideals are. It is quite another thing to put your money where your mouth was.

Some concerns were raised about Oregon Benchmarks being used for oversight and/or performance measurement since agencies perform important tasks not captured by the benchmarks, and that effects are not always immediate. However, he sees benchmarks have an important “aspirational role.” Finally, one former legislator responded with “Election results,” explaining “When you get an issue in the legislature, it is because there is no clear way to deal with the information.”

Q8c: [If no,] Could you describe the type of information which had the biggest impact on your legislative decision-making?

Two legislators, current and former, responded to this question. Their answers seemed to address other questions more appropriately, thus, their results have been incorporated in other findings. The current legislator mentioned the campaign and interim as good times for presenting benchmark performance information. The former legislator said he would consider whether or not there was “an enduring quality to the issue.”

Additional Thoughts on Legislative Decision-Making

The following question opened the opportunity for legislators to share additional insights regarding legislative decision-making in general and/or specific thought on the Oregon Benchmarks, the Oregon Progress Board and/or its reports.

Q9: Additional thoughts on legislative decision-making?

Several themes were raised including the timing of information delivery and/or presentation, reflections on the number of benchmarks, partisan association issues (e.g. Republican versus Democrat versus nonpartisan), suggestions to improve benchmark performance information use in the future, and subsequent use of benchmarks outside the Oregon Progress Board.

Findings – Additional Thoughts on Legislative Decision-Making

Q9: Additional thoughts on legislative decision-making?

When asked “When is the best time to present the information to legislators?” a legislator responded:

Closest to the time of the decision. Two (2) times. Way before the session starts. Time is a commodity. Once they’re in session, it’s a race around the clock. Information before the election, even before they’re elected, will last longer. Focus on what’s relevant to political decisions. Knowing what people care about, getting votes. After they’re elected, they’re less beholden to getting accurate information or saying accurate things. [Consider] their attention span to receive information. When it’s close to decision-making. You’re trying to change minds as opposed to [ones already made up].

People are understanding the language of accountability much more. It’s more common and that may lead to more use of benchmarks.

Similarly, another commented:

The best way to make things relevant is to make the information available during the campaign cycle. Once session is started, it is too late, agendas are already set and legislators are following through on what they said. So, use it during the campaign cycle [to get them talking about the issues]. There’s only 2 more weeks before we’re all through with the House bills that go to the Senate. The interim would also be good. It needs to happen with all the caucus leaders, the Senate and the House. They decide what issues people will run on.

One legislator responded to a request for suggestions, commenting on timing issues:

During session, where we look at different programs and how they've fulfilled their services as an agency. (e.g. Corrections, Recovery, etc. to drop recidivism). If you give them a new benchmark⁴, have them come back during the interim after they've started implementing it. Thus, the earliest is usually two (2) years later. [The delay] does sometimes make issues for policy. The [legislators] who came up with an idea or initiative may have left and may not even be on that committee and won't have enough time to continue to pursue the matter. Inefficiency. The whole legislative process is inefficient...but the founding fathers may have designed it that way so it would be laborious to work through...slower so fewer rash decisions get made about complex issues.

(Q8a) We only get to see [agency performance] once every two (2) years, for the first time. So unless you've been here 5-6 terms, you won't have longstanding information to recall.

Another summarized:

I hope you saw the threads of a semi-rational process in all of that. The point I leave you with is that it varies with each legislator and it varies with the subject matter of the legislation, which methods you employ to make a determination about a certain bill, whether you call the local chamber, ask how it will affect our town, ask what about this for an idea, versus reviewing a 200 page tome from the NCSL about the long-term impact of these changes to the tax code. It also varies by the scope of the legislation for decision-making techniques. You want to capture those things that make a difference. It's not the same when deciding on the State's square dance versus a change to our revenue structure.

One added a discussion of the limits of an agency to impact a Benchmark, with some final thoughts:

If we asked [an agency] to make a positive change for some other benchmark, one must keep in mind, [an agency] can't possibly touch all the plants and own all the rivers. We can tell an agency what to do, however. Don't let them give. We want real measures with relationships to agencies. How can we get to higher numbers? It keeps us creative. When people look at the benchmarks and targets, no one says it's as far as we can go. Rather, it's designed to keep us looking and moving forward.

Reflecting on past use of the Oregon Benchmarks, two former legislators added:

The number of Oregon Benchmarks was unwieldy, in the 100s when I was a legislator. [We] drew a line in the leadership. It has a line for vitality. The pushback from the people was that there were too many [benchmarks]. ...Jeff and the Board went through them to see what was most measurable, attainable, etc. The best example is teen pregnancy. To get teen pregnancy to zero would not be possible. Sure, originally it was nice to think about, but we had to ask, was it deliverable? Attainable? Those that weren't were ejected from the plan –

⁴ This response demonstrates confusion between the Oregon benchmarks and agency key performance measures.

not that they weren't important. It was important to ask related questions (e.g. how to educate more on teen pregnancy.) [We] felt they were important as conversation starters. Legislators don't have a focus like we do in the business world. Legislators don't have a design like that. We just go [forward] without real direction. It is valuable to keep them in place. [They may] not [be] well liked by a lot [but they're] interwoven.

When the [Oregon Benchmarks] went through the legislature (sessions, 3 of them), the legislature would put the Benchmarks related to their committees on a poster board on the wall. When they worked on an idea or bill, they looked at the Benchmarks and asked which one(s) the bill(s) related to. Some of the committees took them very seriously and undertook deliberate adoption by the committees.

Regarding the number of benchmarks, another former legislator commented:

(Q8a) There were around 100. More then less, but not much more than 100. People can only focus on so much information at a certain level without having information overload. It really matters how you measure it, if you measure it in a meaningful way, how much people can focus on it. If people measure too much, they might not pay much attention to any of it.

Another former legislator recalled his work on the Progress Board:

(Q2) [We had to] shrink key benchmarks and [change] how they were reported. My challenge as a Republican was that the party felt it was a Democratic Party government issue. The Benchmarks were drafted to address social issues. Thus, they became more political than they needed to be. [We] tried to make them less political, develop good benchmarks and a good reporting system.

Also addressing the need for the Oregon Progress Board to remain apolitical, two former legislators commented:

One of the intrinsic difficulties that the Oregon Progress Board has is that data matters and that you have the data that's relative to the decision, the political process. Thus, legislators may ignore good facts and facts that you think are correct routinely. But, not always. There is no legal obligation to hear evidence like a court has. Sometimes the data of the Oregon Progress Board points one way, counter to the policy or political direction legislators want to take; a clash between what we wanted to do or can do.

Some of the frustrations I think of for those who believe in the Progress Board, there is not enough money to deal with all priorities. It's been accused of [being] political or partisan. It was a problem both former Governors, Kitzhaber and Roberts, had with the legislature's Republicans who believed wrongly that [the Oregon Progress Board] was advancing a partisan agenda versus a fact-based agenda. The Oregon Progress Board brought legislators of both parties as members.

Governor Roberts tried to base her budgets on Progress Board goals and benchmarks. It's hard to do, but important. Why have benchmarks if not for serving as a basis for allocating resources? If benchmarks work properly, the budget ought to be similar to priorities, but budgets first build in a base to do what you're doing, then address priorities. Priorities are hard to do with

incremental dollars.

A second related point: the benchmarks themselves don't necessarily dictate the right strategies or the strategies aren't obvious. Take literacy, for example. Where and how do we spend money? On Pre-Kindergarten programs? Do we feed them all better so they're ready to learn? The strategies are neither obvious nor without controversy. [At least for] benchmarks [in] general.

(Q4) Sometimes [the Oregon Progress Board] has more relevance with the governor. This may be subjective. It helped. It was more suspect for Republicans. The problem was that the Progress Board was inadequately funded. It won international awards initially. Its publicity was bigger than its impact. But legislators in recent years want to poll state agencies and have more accountability. The Progress Board is good to do that, as long as it is nonpolitical, independent and responsive.

Asked how the Oregon Progress Board should avoid being political, and what might it do differently if it had a chance to be done again:

(Q8b) To avoid [being political], initially you would have had to get more legislative buy-in, not just [be one of the] arms of the governor's office. If you look at the legislature, the governor is the chair and seldom attends – it is more of an honorary position. To do it over again, [one would] make three chairs: the Governor, the Senate President and the Speaker of the House. It is housed in DAS right now so it can survive financially, but it should be an independent board with 5FTE and direction from the legislature.

At least two interviewees' responses expressed a desire for leadership:

(Q11) Most legislators believed we were light on evaluation and it ought to be heavier, driven by the Progress Board. The legislature hasn't accepted certain benchmarks, but it has bought into the notion that it is important. Tell them what you are doing. Let's measure performance. Here's the measure. Here's what we find. This is why it deserves support.

(Q8a) About 90 people come through here wanting certain things to happen, we're often getting agency requests. What is needed is a central-figurehead to drive that through.

Recalling the response of a former Governor:

(Q6) It gives us continuity and a way to measure the progress. Maybe it's where it's housed, but a better way is needed to integrate it with the executive branch and the budgetary process. Start with the benchmarks right in the budget documents. As an experiment, put them in the next two-year budget. Look and see how, why and where we've gone. Make appropriations in that direction. Take a few benchmarks that are readily understood and do that for a biennium to see how it works. A lot of time and energy goes into it and it is very valuable work that needs to be reflected more in the budget and priorities of the state.

(Q8) When I was Governor and Chair and putting together budgets, there was much more of a direct connection. There wasn't a really good mechanism. As a governor there were a lot of benchmarks. We would look at some benchmarks and say "What can we do in the budget in terms of priorities?" and "How can we

budget to mitigate the benchmarks?" Some were obvious, but some were beyond the process.

Don't assume [legislators] understand the Benchmarks or Progress Board automatically. Give them a summary of what these are and how to use them. The best time to reach them is as they are getting oriented. Talk to the leadership (Speaker of the House, Senate President) to have them incorporate an explanation into the orientation. I think this is what Kurt Shrader and the Speaker are trying to do.

Another former Governor recalled:

(Q7) So much of what we talked about was ... "generalities" or "inputs" not "outcomes." It changed the language of how we thought (the thinking and the language), how we determined how we were doing as a state government...now we needed to measure and the benchmarks were the measurement and we could see if we were getting better or worse. Are these investments making a difference? It made us think differently about how we described success or failure. It didn't just measure the government, it measured the state...what could we do to change that. It made the Oregon Benchmarks different from any where in the nation. In other states they measured government, but in Oregon it measured as a whole. ... It took a lot of work to do a 20 year look. When they went before the legislature...they had huge bipartisan support. ... People saw this as government improvement because there was an economic component. That was one of the components that really made it get bipartisan support.

If there was one word to summarize, it created "collaboration." You couldn't reach benchmarks without collaborations. For example, inoculations. We got the Rotary, Kiwanis, Oregon Medical Association, Oregon National Guard, and Oregon Nurses Association to support free clinics, to step up the numbers. Coalitions built up around individual benchmarks. If it was international trade, little coalitions around trade built up. People wanted to reach them [the Oregon Benchmarks]. Who do we have to put this together to make it happen? There was a partner list and some served on advisory.

We put the budget together with the Oregon Benchmarks being an integral part of the budgetmaking. ... We focused on what we said were our priorities...It was highly prioritized and very effective...it was better than any other way. We even had environmental related agencies (e.g. water, timber, fisheries, natural resources) that all got together and talked priorities. Someone from water might say "I will wait on mine for fisheries." They even united in that kind of way to see where the big priorities were in natural resources, within agencies and between agencies. It was very extraordinary.

Putting the experience to further use, two legislators shared:

[Where I work] we have a big planning and analysis staff. What I'm working on...is to come up with a new system [for the] future, 30 years [from now]. What you see when you look at that is a lot of uncertainty. We're trying to do scenario planning; it could go this way, that way, certain results, which way...risks. Outcome based. We're also talking about risk analysis and what you do, what are the consequences of that.

(Q11) [Where I work, we use] performance measures all the time. ...Performance measures are used for funding and accountability.

Legislative Decision-Making Style and Data Preferences

The following questions inquire of legislators' decision-making style and data preferences.

Q10: Which best describes your preferred approach to legislative decision-making: analytical or intuitive?

Q11: Which do you prefer, hard or soft data?

For both of these questions, “both” was a common answer. The options of “intuitive” and “soft” data prompted discussion and for both questions, some former legislators indicated “intuitive” and “soft” data. More direct responses were given for “hard” data, than for “soft” data, though the two legislators who had served the most number of sessions both indicated a preference for “soft” data.

Findings – Legislative Decision-Making Style and Data Preferences

Q10: Which best describes your preferred approach to legislative decision-making: intuitive or analytical?

Each of the five legislators who answered this question directly said “both.” The two former legislators expressed a greater leaning towards an “intuitive” approach. One of them mentioned it could depend on the committee. One of the current legislators imparted that one’s sense of knowledge should be checked with facts and figures. Similarly, a former legislator said they ask questions until they’re satisfied with the information they have for a decision.

Q11: Which do you prefer, hard or soft data?

These results are definitely mixed among the eight who responded, though responses to previous questions also addressed the topic of “hard” versus “soft” data, noting cases where legislators indicated difficulty obtaining hard data on certain issues. At least two legislators expressed a preference for “Both” equally, while four expressed a direct preference for “hard” data and one expressed a direct preference for “soft” data – not counting those who had also said “both.” Additionally, the responses of one legislator to previous questions may be interpreted to suggest a preference for “soft” data. A legislator who declared a preference for “both” explained: “Hard data should be the basis. Soft data helps us make sense of the numbers.” Several of the legislators who expressed a direct preference for hard data were quick to discount the value of soft data. Two former legislators indicated they grew tired of the multitude of stories and public hearings, finding limited value in such “soft” data. By contrast, two of the former legislators who had served the most sessions indicated a preference for “soft” data.

Conclusion

The interview responses of participating legislators provides broad insight into various aspects of the legislative decision-making process, such as information search and management, as well as specific insight into legislators' exposure to and use of Oregon Benchmark data. Further, these legislators offered insight regarding their data preferences and decision-making styles. Generously, these current and former legislators took time from their busy schedules to reflect on their experiences, enthusiastically contributing ideas to increase Oregon state legislators' use of the Oregon Benchmark data. In the next chapter, a summary of these findings and their connection to the literature review is presented, along with recommendations.

Chapter 5: Summary of Findings, Discussion, and Recommendations

In this chapter I will synthesize the qualitative findings from the interviews with the literature review into workable recommendations and action steps. These action steps can serve as a working guide towards the successful implementation of knowledge gained through these interviews.

Summary of Findings

Time and Information Management

With over 4,000 proposed legislative bills per biennial session, Oregon state legislators are expected to process a tremendous amount of information. Legislators and their staff keep a “bill folder” for each bill, inserting any related information such as constituent correspondence, versions of the bill, committee reports, etc. By routine, legislators take these bill folders home and study them the night before a vote.

When asked how much time per week was spent searching for information related to legislative decision-making, legislators’ response varied by individual perspective, averaging 25 hours per week. Some legislators described how constant demand for their attention leaves very little time for seeking information on their own, while others counted all of their time, including social activities where information is exchanged. A common strategy employed by legislators involves taking advantage of paid lobbyists’ and interested citizens’ time, asking them to provide compelling, defensible data plus logical arguments, anticipated response from the opposition, and counter-arguments. With so much at stake, legislators have little tolerance for error or wrong information from lobbyists, noting that lobbyists could quickly lose their reputation and legislators’ trust, no second chances. Legislators feel this helps keep lobbyists honest and accountable.

Information Sources, Weighing and Preferences

Legislators search for information from a variety of sources, with trusted legislative colleagues and lobbyist/interest groups most frequently mentioned. Other sources of information mentioned include but may not be limited to: staff, constituents, caucuses, industry leaders, experts, newspapers, editorials, agency heads, legislative revenue and fiscal offices, plus NCSL (National Conference on State Legislatures), CSG (Council of State Governments) and Capitol Clips. Collectively, legislators’ responses indicated a preference for information sources closest to “home”, radiating outward from the state legislature, the capitol building, their district, and the state of Oregon. Legislators seek performance information from agency heads during the legislative process, often near the start of session committee hearings. In Oregon’s legislative committee structure, legislators come to regard one another as specialists in different areas of focus, relying

strongly on committee recommendations when it comes time to vote. Legislators also utilize committee reports to conduct “vote counting” and if a colleague votes different than the majority, they may pursue follow-up inquiry before voting.

Legislators differentiate technical issues and political issues, noting that technical issues generally get resolved earlier in session, with greater ease, than political issues which persist. Legislators also differentiate issues based on their perceived importance, relevance and enduring quality. Based on these differences, the types of information sought and the amount of attention given to evaluating proposed legislation varies by issue.

Legislators prefer actionable, bill-specific information asking “What bill does this information pertain to?” and “What do you want me to do about it?” (e.g. vote a certain way). When seeking information on a particular bill, legislators look to see:

1. What is driving a particular bill?
2. Is it good for society? What are the societal effects?
3. How will it affect my constituency?
4. What are the long term impacts?
5. What are the long term costs and benefits?
6. What is the moral overlay?
7. Does it make sense?
8. What would be the negative effects for the losers?

Legislators also prefer political information, contextualizing the bill, such as:

1. Who are the winners and losers?
2. Who are the supporters? Opposition?
3. What is the opinion of community and industry leaders affected by a bill?
4. What is the opinion of district constituents?
5. What is the recommendation of committee members?
6. What is the recommendation of the caucuses?

Interviewee responses regarding preferences for “hard” data (facts and figures) versus “soft” data (stories) were mixed with some legislators preferring one or both, though hard data was most readily identified. While “Soft data can help us make sense of the numbers,” some legislators indicated they grew tired of stories after listening to so many hearings and found hard data easier to defend or believe.

Top criteria listed by legislators when weighing information included: the credibility of the source, the quality of the data, and professional presentation. When judging the credibility of an information source, legislators evaluate the expertise and subject matter familiarity of the source, factoring in the source’s interests, biases, and funding source(s). Many legislators acknowledge that much of legislative decision-making is an intuitive process, especially given its political context, rather than a purely analytic process with a “fact-based agenda”, adding, however, that it can vary by bill and “one’s guts should be checked by facts.”

Exposure to the Oregon Progress Board and Its Reports

All of the legislators reported exposure to the reports of the Oregon Progress Board, including former legislators whose years of service preceded the start of the Oregon Progress Board and its publications. They report referencing these documents in their work outside the state legislature. Many of the legislators described their active roles with the Oregon Progress Board during or after their years of service. Notably, one legislator had just learned of the Oregon Progress Board, a week before the interview in the middle of the 2007 session, stating a desire for just such an organization and state vision.

Use of Oregon Benchmark Data in Legislative Decision-Making

Use of the Oregon Benchmark data is mixed, favoring budget activities in the Ways and Means committee. Legislators value the Oregon Benchmarks for their aspirational quality, keeping people creative, looking forward, and measuring progress. Further, legislators experienced with the Oregon Progress Board described how the Oregon Benchmarks serve as yardsticks, aid “big picture” systems thinking and show how “pieces of the puzzle” (e.g. policies, agencies, programs, etc.) fit together. Legislators also described historic bipartisan support, advocacy of the Oregon Benchmarks, and their role in catalyzing community-level and interagency collaborations. Lest history repeat itself, legislators also recalled important lessons regarding the importance of nonpartisanship, realistic targets, and a manageable number of Oregon Benchmarks. In retrospect, one legislator felt it might have been better to include the Governor, the Senate President and the Speaker of the House on the Oregon Progress Board. It was also apparent from some interviewees’ responses that some legislators struggle to differentiate agency KPMs (key performance measures) and the OBM (Oregon Benchmarks). Legislators felt the Oregon Benchmark data was underutilized and could be enhanced through orientation activities, leadership, training and increased focus during budgeting. According to legislators, the stage is set for increased use of the Oregon Benchmark data given the current political climate in which legislators and citizens are demanding more accountability, increasingly understand the language of accountability.

The best times to introduce, inform and/or train legislators on how to use Oregon Benchmark data, identified by legislators include:

1. Early committee meetings during session
2. Closest to the time of a decision
3. Before the caucus suggests which issues candidates will run on
4. During campaign season, to stimulate and frame debate
5. During the interim between legislative sessions
6. During orientation with the support of House and Senate leadership

Additional Thoughts on Legislative Decision-Making

Data matters in politics, especially with limited resources. Because it is impossible to meet all budget requests, legislators must prioritize and allocate resources accordingly. In a political environment with winners and losers, they can seldom pursue solely a fact-based agenda. Legislators also pointed out that the Oregon Benchmarks alone do not embody strategies (e.g. which strategy increases early learning best? Nutrition? Parenting classes? Other?)

Discussion

The cross-sectional qualitative analysis of this study revealed strong themes surrounding Oregon state legislators' use of Oregon Benchmark data in legislative decision-making.

Oregon state legislators are a unique and important audience for Oregon Benchmark data (Liner, et al, 2000, 47). Corroborating prior research studies, the legislators participating in this study clearly expressed specific preferences for information sources, content, timing, management, criteria, and presentation (Liner et al, 2000; NLPES, NCSL, 2004; Canadian Comprehensive Auditing Foundation, 2006; Franzitch, 1982, 62). Further, the fact that state legislators have multiple interests (i.e. public, legislature, party, district, individual, etc.) to balance was apparent both in the literature on collective theory (Coleman, 1986; Franzitch, 1982, 62) and interviewee responses. For example, legislators recounted their efforts to communicate with multiple stakeholders including opinion leaders, industry leaders, district constituents, caucuses, and others before forming an opinion or casting a vote. In addition to their searches for political information, legislators described their rational analyses of proposed legislation, looking at costs and benefits, for example.

Legislators' intrinsic (innate) influences were illuminated in their responses, as well. Legislators varied in their cognitive abilities and approaches to process vast amounts of information. Several stated that information overload was inevitable, especially at the start of a legislative career. Some legislators explained how they relied on their education, special training, and intellect to manage and prioritize all the information associated with legislative decision-making. Moral values also factored into their decisions when they would ask "Is it good for society?" or "Is it right?" as one defines right. Several legislators also discussed struggles when the number of Oregon Benchmarks exceeded 100. One legislator also highlighted how the Oregon Benchmark data looks at information about the past whereas the legislator felt legislators prefer information about the future, though it is filled with uncertainty and risks. Variations in individual cognitive abilities, along with limits of knowledge, uncertainty and risk are examples of decision-making constraints for which Herbert Simon constructed the theory of "bounded rationality" (Simon, 1960; Brown, 1993, 16). By this theory, legislative decision-making is not a simple, purely rational process. Nor does the legislator make decisions solely as a rational actor, serving his own interests as he sees them, but as a member of multiple groups with multiple constraints, extrinsic and intrinsic factors.

Legislators reconcile the vast range of public-policy topics with the constraints of time through a distribution of legislative committees. Viewing their peers on legislative committees as specialists, for example, legislators identified trusted legislative colleagues as the most frequently mentioned source of information for legislative decision-making, followed by lobbyists and interest groups. This confirms the findings of similar studies (Cohen and Kerschner, 2002; Mooney, 1991; Kingdon, 1981; Entin 1973). The way legislators manage their trust of colleagues, “even those from the other house or party,” and lobbyists through their reputations, tolerating no errors by rule of thumb, coincides with the findings of various games and group tests mimicking legislative decision-making and Franzitch’s assertion of the same (Coleman, 1986; Crain and Tollisan, 1980; Czada and Windhoff-Hertier, 1991; Riker, 1986; Patton, 1978; Franzitch, 1982, 30).

Specialization via legislative committees as an essential strategy, along with organized bill folders, to help legislators cope with the overwhelming amount of information and number of issues was confirmed by both interviewees’ responses and prior research (Francis and Riddlesperger, 1982, 453; Cox and McCubbins, 1993, 11; Mooney, 1991).

As knowledgeable informants had suggested during the design of this study, certain legislative committees tend to be heavier users of “hard data”, facts and figures, including Oregon Benchmark data, such as Ways and Means, Business and Labor, and Judiciary committees. Use of Oregon Benchmark data varied considerably, according to the legislators, depending on the committee, favoring budgeting activities. Some legislators described sharing Oregon Benchmark data reports with their committees or inviting the Oregon Progress Board to present information near the beginning of a biennial legislative session to frame future discussions. A few legislators analyzed the interrelatedness of agencies and tried to get a look at the “big picture” though this remains a challenge particularly during the hectic biennial legislative sessions.

An important contribution of the legislators who participated in this study was the concept of timing with respect to the delivery of Oregon Benchmark data and training on how to use it, integrating state budgeting, agency performance, and strategic planning. Legislators felt the Oregon Benchmark data was underutilized and shared feedback to increase its use. The legislators proposed key opportunities for bringing Oregon Benchmark data to their attention, including during campaign season, the interim between legislative sessions, session orientation, near the time of decisions, and more. Prior research noted timing as one of the most influential factors in state legislators’ use of reports (NLPES, NCSL, 2004, 17). Specifically, legislators’ comments identified a lack of familiarity and understanding as barriers to use, suggesting that outreach remains an ongoing necessity (Tryens, 2004, 6). Legislators proposed addressing the matter through a combination of leadership, orientation activities and increased focus during budgeting.

In addition, legislators expressed their interest in preserving the Oregon Progress Board. One legislator identified independence, non-partisanship and responsiveness as the key factors for survival, further facilitating the utility of Oregon Benchmark data. Support, buy-in and communication from top state officials including the state Governor, Senate

President and Speaker of the House along with party leaders was also emphasized. Members and staff of the Oregon Progress Board are aware of many of these issues as evidenced by their website materials online at: <http://www.oregon.gov/DAS/OPB/>. Still, the findings of this study may prove validating and/or helpful, particularly the suggestions by legislators regarding the timing of Oregon Benchmark data delivery.

Oregon state legislators make critical decisions impacting Oregon's quality-of-life and thus, have an important role in achieving the Oregon Shines vision of "prosperity in all spheres of life." The Oregon Benchmarks serve legislators as instruments of vision and aspiration as well as accountability (Leichter and Tryens, 2002). Legislators expressed an appreciation of all three functions, emphasizing the third one, noting how citizens are increasingly demanding accountability and learning its language. This trend will likely increase with advances in technology, telecommunications and information management that facilitate near-instant Oregon Benchmark data reporting with interactive drill down, data visualization and analysis via the Internet to legislators and citizens alike. Hence, the stage is set and conditions seem favorable for increased use of Oregon Benchmark data by state legislators, especially with the support of the Oregon Progress Board. Working together, Oregon state legislators and the Oregon Progress Board can help one another to facilitate improved legislative decision-making, thereby improving Oregon's quality-of-life.

Recommendations

To increase Oregon state legislators' use of Oregon Benchmark data, directly and indirectly, for the betterment of Oregon, an outline of action steps with recommendations is presented, incorporating many of the findings from this study. These suggestions are made without regard to the size of the Oregon Progress Board budget.

PRIMARY GOAL:

Increase Oregon state legislators' use of Oregon Benchmark data

ACTION STEPS:

I. Identify and analyze target audiences for Oregon Benchmark data

The Oregon Progress Board has developed an extensive list of audiences for distribution of its biennial reports. To efficiently and effectively advance use of the Oregon Benchmark data with custom strategies for each target audience, an inventory of specific profiles reflecting thoughtful analysis is recommended, documenting needs and preferences for timing, format, media, opportunities, etc. Members of the Outreach Committee for the Oregon Progress Board are well acquainted with many of these audiences and can help identify specific aspects. Based on legislators' responses, some audiences may serve as primary or secondary sources of information for legislators, such as: legislative colleagues/committee members, lobbyist/interest groups, legislative staff/offices, business/industry leaders, community/opinion leaders, expert organizations, media, publications including NCSL, CSG and Capitol Clips. Addressing

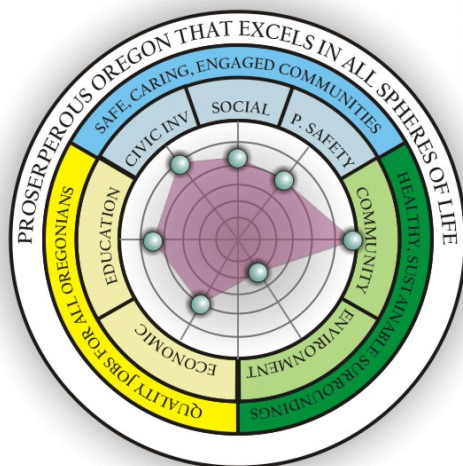
students from grade school through college, especially high school government classes, would empower the next generation to become astute consumers of the Oregon Benchmark data.

II. Increase legislators' familiarity with Oregon Benchmark data

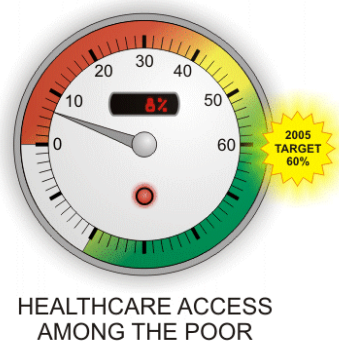
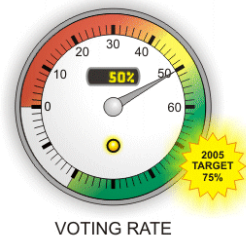
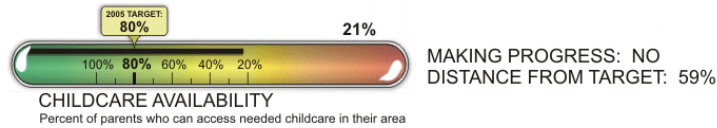
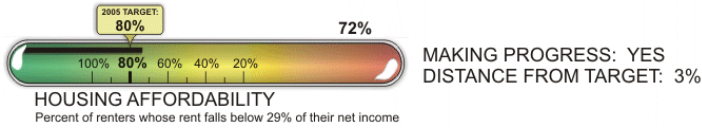
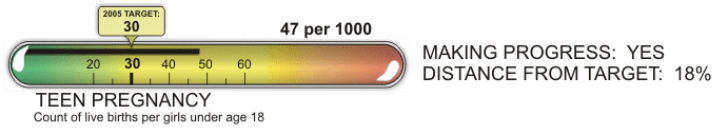
The Oregon Progress Board has prepared orientation materials for legislators, provided trainings, issued press releases and participated in press conferences surrounding releases of its publications. Further, it prepares legislative committee briefs on the Oregon Benchmarks for certain committees, like Transportation, and has two legislators serving on the board, along with the Governor.

Ideas for strengthening and increasing legislators' familiarity with Oregon Benchmark data include:

1. Direct contact with house leaders, party leaders, legislators, legislative candidates and media personnel through informational visits or phone appointments; a short elevator speech should be developed to answer "What are the Oregon Benchmarks and why are they important?"; identify "hot issues" early in the campaign season; deliver related Oregon Benchmark data to party leadership (who may determine what issues candidates will run on), media/press reporters, public debate forums, town hall events, voting guides, etc. to stimulate and frame constructive debate and dialog
2. Distinct branding for both the OBMs (Oregon Benchmarks) and the agency KPMs (key performance measures) should be developed and emphasized through consistent and repeat exposure to clarify and anchor these in legislators' and citizens' minds, reflected in publications, reports and training curricula, including curricula prepared for students, grade school through college, especially high school government classes
3. Reportedly successful in the past, informational posters could be developed. An interactive visual systems map illustrating linkages between agencies, key performance measures and Oregon Benchmarks could aid systems' thinking and familiarity. Eye catching dashboard elements featuring "big picture" overviews and some drill-down could help. (NOTE: Figures below do not include actual data.)



SOCIAL-ECONOMIC INDICATORS AS OF 1/1/2007



4. Pursuit of increased online and offline publicity, advertising, and recognition, including local newspapers and special publications read by legislators such as NCSL, CSG and Capitol Clips
5. Continued maintenance, development and promotion of updated curriculum materials online with memorable examples, stories and exercises for state legislators; expanded pursuit of inclusion or reference of Oregon Progress Board curricula content regarding the use of Oregon Benchmark data in training materials for legislator orientation (e.g. Science 101), plus leadership training (e.g. The Ford Family Foundation Leadership Training), nonprofit assistance (e.g. Technical Assistance for Community Services), government networking (e.g. Association for Oregon Counties) and others

III. Increase legislators' use of Oregon Benchmark data

The Oregon Progress Board prepares and delivers published reports to legislators near the beginning of biennial sessions and demonstrates impressive agility with an array of active media channels. Upon request, Oregon Progress Board staff deliver presentations to legislative committees and provide technical support year-round. The Oregon Progress Board has also worked with both the executive and

legislative branches to tie agency key performance measures to the Oregon Benchmarks and produce meaningful reports.

A standardized Oregon Benchmark Impact Statement attached to each proposed legislative bill would meet legislators' need for bill-specific information. Connecting with those who review and develop proposed legislation, and drafting informational materials for reference by bill sponsors could facilitate this process. Preparing legislative committee briefs highlighting relevant subsets of Oregon Benchmark data for each legislative committee, expanding upon the Oregon Progress Board's current efforts is recommended. As technology advances, consider future opportunities to collect and provide data from a level (e.g. household) that can be summarized by (moving) district boundaries for legislators.

Continuing to guard and promote the Oregon Progress Board's credibility, nonpartisanship, responsiveness and independence will be important for survival, reputation and acceptance of data by legislators. Mindful of these success factors, however, strategically joining Oregon Benchmark data with nonpartisan political information (e.g. polls, reports, analyses of proposed legislative bills) could increase readership and relevance for legislators.

Willing legislators have an important opportunity to partake in the visioning and strategic planning for the state of Oregon with Oregon Shines III just around the corner. Having a shared vision with the buy-in of legislators can yield incredible benefits for the State of Oregon with success building upon success to achieve a better quality of life for all Oregonians. Such strategic planning work is fundamental for achieving maximized effective and efficient use of public resources, yielding increased buying power, reduced waste, and better services for more people. Engage and survey Oregon state legislators with questions like:

1. What is your vision for Oregon?
2. What are your priorities?
3. What are your districts' priorities?
4. What's important over the long haul to ensure health? Safety? etc.
5. What assets, strengths and successes do you see?
6. What needs, inefficiencies and tragedies do you see?
7. What do you see as important to preserve?
8. What information do you seek to judge how Oregon is doing?
9. How do your priorities line up with the Oregon Shines vision?

Limitations of the Research: Generalizability, Validity and Reliability

Given that the information gained from this study for the findings and recommendations was directly solicited from current and former Oregon state legislators, plus the fact that the Oregon Progress Board and its reports are state-specific, these findings and recommendations would likely be generalizable only to the Oregon state legislature.

Also, given the small number of interviews, these findings may not be generalizable at all. The limited number of participants, particularly female participants and representatives of Eastern Oregon legislative districts, may weaken the results of this study. Further research could cover a greater number of legislators and a representative number of female participants for improved validity.

Further, this cross-sectional study was conducted only at one point in time, during the legislative session. To determine whether these findings would be reliable, the research should be repeated over time.

Future Research

Future research could extend the sample size of this study to further gauge Oregon state legislators' use of Oregon Benchmark data in legislative decision-making, before and after the online reporting system for Oregon Benchmark data gains widespread use. Assessing the impact of the online reporting system and/or any outreach efforts could prove useful for state government offices considering such investments. Also, Henderson and Nutt (1980) concluded decision-making style is an important determinant of behavior. Recent studies document intuitive behavior among top performing decision makers. There is room for further study to examine the decision-making style of legislators (Agor, 1986).

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Appendix

Appendix 1.1 Interviewee Demographics and Characteristics

Sample Population Features											
Committee Memberships and other characteristics	Interviewee Number										Number of Interviewees n=10
	1	2	3	4	5	6	7	8	9	10	
Interview (Telephone)	X	X	X	X	X		X			X	7 of 10
Interview (Face to Face)						X		X	X		3 of 10
House - Representative	X	X	X			X	X	X	X	X	8 of 10 (7 plus 1 double)
Senate - Senator			X	X	X						3 of 10 (2 plus 1 double)
R - Republican		X	X	X			X	X			5 of 10
D - Democrat	X				X	X			X	X	5 of 10
District (Counties)	LANE	LANE	HILL	DESC	JO/JA	LANE	CO/CU	JO/JA	PDX	PDX	Range (Lane, Deschutes, PDX etc.)
Leadership Position	X	X	X	X	X	X	X	X	X	X	10 of 10
Oregon Progress Board Member		X	X	X	X			X		X	6 of 10
Starting Year of Legislative Service	1983	1975	1999	1992	1981	2007	2001	1988	2005	1981	Range (22 Years)
Ending Year of Legislative Service	1995	1979	2003	2001	1993	Pres.	Pres.	2006	Pres.	1984	Range (1975 to Present)
Number of Sessions of Legislative Service	6	3	3	5	6	0.5	3.5	9	2.5	2	4.1 (Average) -- excludes special sessions
Age Range (10s)	60s	60s	40s	50s	60s	30s	60s	50s	50s	70s	50s (Average)
Highest Educational Attainment	PhD	LAW	LAW	LAW	MD	BA	SOME	BS	MSW	SOME	Range (Some College to PhD/MD/LAW)
Male	X	X	X	X	X	X	X	X	X		9 of 10
Female										X	1 of 10
COMMITTEES (PARTIAL LIST)											
Business / Labor				X		X		X	X	X	5 of 10
Judiciary		X	X	X			X				4 of 10
Ways & Means (incl. sub-committee)				X		X	X		X		4 of 10
Natural Resources	X						X	X			3 of 10
Water Policy / Water Use	X			X	X						3 of 10
Revenue	X									X	2 of 10
Emergency Board / Prep				X			X				2 of 10
Govt Accountability					X	X					2 of 10
Leg. Counsel			X	X							2 of 10
Education		X									1 of 10

Appendix 1.2 Summary of Interviewee Responses, Question 1

Q1: How much time per week would you say you spent seeking information for the purposes of legislative decision-making?												
<i>Response / Theme</i>	<i>Interviewee Number</i>										<i>Number of Responses n=10</i>	
	1	2	3	4	5	6	7	8	9	10		
All the time, 40 hours plus	X	X	X									3 of 10
20 hours, plus				X	X	X	X		X	X		6 of 10
10 hours, plus								X				1 of 10

Appendix 1.3 Summary of Interviewee Responses, Question 2

Q2: When you consider (or considered) legislation, whether for a floor vote, a committee decision or bill sponsorship, where do (or did) you look for information to make your decision(s)?											
Response / Theme	Interviewee Number										Number of Responses n=10
	1	2	3	4	5	6	7	8	9	10	
Colleagues / Associates / Personal Contacts	X	X	X*		X	X	x		X	X	7 of 10 Direct, 1 of 10 Indirect (* See Q4 response, too)
Lobby / Interest Groups	X		X		X	x	X	X	x	X	6 of 10 Direct, 2 of 10 Indirect
Staff and/or Interns	X		X	X		X	X			X	6 of 10 Direct
Experts / Policy Reports / Best Practices	X			X	X	X				X	5 of 10 Direct
Caucuses		X				X	X		X		4 of 10 Direct
Committee / Hearings		X				X	X				3 of 10 Direct
NCSL (National Conference of State Legislators)			X			X		X*			3 of 10 Direct (* See Q4 Response, includes NCSL)
CSG (Council of State Governments)			X								1 of 10 Direct
CC (Capitol Clips)	X							X*			2 of 10 Direct (* See Q3 response, includes Capitol Clips)
Education / Knowledge / Expertise	x	X	X						X*		3 of 10 Direct, 1 of 10 Indirect (* See Q3 response, includes expertise)
Common Sense		X	X				x				2 of 10 Direct, 1 of 10 Indirect
Archives / Library	X		X								2 of 10 Direct
OSB (Oregon State Bar)			X								1 of 10 Direct
Past Budgets				X							1 of 10 Direct
Past Performance				X							1 of 10 Direct
Floor Debate		X									1 of 10 Direct
Proponents in the Building					X						1 of 10 Direct
Statutes (Federal and State) and Case Law				X							1 of 10 Direct
Wide Variety of Sources		X*	X								2 of 10 Direct (* See Q4 response)
Oregon Progress Board											0 of 10 Direct
CONSTITUENTS											
All (in general)	X	X							X	X	4 of 10 Direct
Some (interested)	X				X	X		X			4 of 10 Direct
Correspondence							X	X	X*		3 of 10 Direct (*See Q4)

Appendix 1.4 Summary of Interviewee Responses, Question 3

Q3: What types of information do (or did) you seek?												
Response / Theme	Interviewee Number										Number of Responses n=10	
	1	2	3	4	5	6	7	8	9	10		
It depends on the issue / committee / bill				X*	X**	X				X		4 of 10 Direct (* See Q2) (** See Q1)
Political Information	X		X		X*	X	X	X				6 of 10 Direct (* See Q1, too)
How will society be affected in general? (Public Interest)	X	X	X		x	x			X	x		4 of 10 Direct, 3 of 10 Indirect
Supporters / Opponents / Special Interests		X*	X		X**	X	X			X		6 of 10 Direct (* See Q5, ** See Q1, too)
Who will be affected / winners / losers?	X*		X*		x	X	X			X		5 of 10 Direct, 1 of 10 Indirect (* See Q5, too)
How will constituents be affected?	X	X			x	X						3 of 10 Direct, 1 of 10 Indirect
Hard Data			X	X	X	x	x					3 of 10 Direct, 2 of 10 Indirect
Soft Data			X	X	x	x	x					2 of 10 Direct, 3 of 10 Indirect
Background Information					X	X	x					2 of 10 Direct, 1 of 10 Indirect
Preferences		X				X						2 of 10 Direct
Newspaper Reports or Editorials		X						X		X*		3 of 10 Direct (* See Q4)
Projections (e.g. Revenue)	X*									X		2 of 10 Direct (* See Q5)
Past Budgets				X*								1 of 10 Direct (* See Q2)
Benchmarks				X*								1 of 10 Direct (* See Q2, too - has qualifiers)
Performance				X*								1 of 10 Direct (* See Q2)
Statutes, Court Cases, etc.				X*								1 of 10 Direct (* See Q2)
Subject Matter Experts							X			x		1 of 10 Direct, 1 of 10 Indirect
Colleagues Views		X										1 of 10 Direct
State Agencies						X						1 of 10 Direct
Staff Committee Summary Report							X					1 of 10 Direct
Organizations						X						1 of 10 Direct
Capitol Clips								X				1 of 10 Direct
Body of Literature									X			1 of 10 Direct
My expertise (where applicable)									X			1 of 10 Direct
Performance Measures				x								0 of 10 Direct, 1 of 10 Indirect
Supportive confirming issues					x*							0 of 10 Direct, 1 of 10 Indirect (* See Q4)

Appendix 1.5 Summary of Interviewee Responses, Question 4

Q4: How do you manage [all the vast amounts] of information coming in from multiple streams? [and prevent information overload]											
Response / Theme	Interviewee Number										Number of Responses n=9
	1	2	3	4	5	6	7	8	9	10	
Bill folder	X	X	X	X			X	X	X	X	8 of 9 Direct
Organized bill folder / file system	X	-					X	X	X	X	5 of 9 Direct
Review them / take them home the night before a vote			X				x	X	X	X	4 of 9 Direct, 1 of 9 Indirect
Used lobby time and/or interested constituents' time			X*	X	X**		X***	X***			4 of 9 Direct, 1 of 9 Indirect, (* See Q3, ** See Q1, Q2 & Q3, ***See Q2)
Relevant to you?		X	X				X		X		4 of 9 Direct
You can't prevent information overload. You become overwhelmed. There's so much to deal with.											
Colleagues, Caucus Members	X*		X	X			X			X	4 of 9 Direct (* See Q2, also)
Who do you trust?	X		X							x*	3 of 9 Direct (* See Q5)
Staff				X						X	2 of 9 Direct, 1 of 9 Indirect (* See Q2)
4,000+ bills (10,000+ people)							X	X			2 of 9 Direct
Professional Training to Sift Through											
Logical and Well Trained Mind		X									1 of 9 Direct
Garbage Can									X		1 of 9 Direct
Write it down					X						1 of 9 Direct

Appendix 1.6 Summary of Interviewee Responses, Question 5

Q5: What criteria did you use to weigh information?											
Response / Theme	Interviewee Number										Number of Responses n=10
	1	2	3	4	5	6	7	8	9	10	
Consider the source	X	X	X*	X	X	x	X		X	X	8 of 10 Direct, 1 of 10 Indirect (* See Q4)
- is the source credible?			X*	X	X	x	X				4 of 10 Direct, 1 of 10 Indirect (* See Q4)
- is the source biased (or have an interest/agenda)?	X	X	x		X	X				X	5 of 10 Direct, 1 of 10 Indirect
- is the source reliable?	X			X			X				3 of 10 Direct
Do I have confidence in the source?				X						X	2 of 10 Direct
Why is the source telling me NOW?	X										1 of 10 Direct
Subjective / Intuitive Judgement (by the legislator)				X			X	X			3 of 10 Direct
Is it good policy?	X					X	X				3 of 10 Direct
Is it the right thing to do? (moral/ethical)			X			x	X				2 of 10 Direct, 1 of 10 Indirect
Is it good for my district?						X	x				1 of 10 Direct, 1 of 10 Indirect
Is the information valid (objective, not biased)? Hold up to deeper analysis?	X	X			X		x				3 of 10 Direct, 1 of 10 indirect
Was it professional and well done (e.g. report)?			X	X							2 of 10 Direct
Does it make sense?	X						x				1 of 10 Direct, 1 of 10 Indirect
Do they subscribe to a higher standard?				X							1 of 10 Direct
Is the information complete? (What is the other side of the story?)		X									1 of 10 Direct
What do the constituents say?						X	X				2 of 10 Direct
Consider the advocates and opponents		X			x			x		X	2 of 10 Direct, 2 of 10 Indirect
Consider the votes		X			x			x			1 of 10 Direct, 2 of 10 Indirect
Consider the opinions of respected industry leaders					X	x					1 of 10 Direct, 1 of 10 Indirect
Cost Benefits Analysis			X					X	X*		3 of 10 Direct (* See Q3)
Consider downside impacts for those negatively affected	x	X			x	x			X*		2 of 10 Direct, 3 of 10 Indirect (* See Q3)
Consider the underlying motive of the bill itself			X			x					1 of 10 Direct, 1 of 10 Indirect

Appendix 1.7 Summary of Interviewee Responses, Question 6

Q6: Have you ever looked at benchmark performance data? [data on Oregon's quality of life, state of affairs, trends for economy/crime/health/environment, etc.]												
<i>Response / Theme</i>	<i>Interviewee Number</i>										<i>Number of Responses n=10</i>	
	1	2	3	4	5	6	7	8	9	10		
Yes			X	X	X	X	X	X	X	X	x	7 of 10 Direct, 1 of 10 Indirect
Very rarely	X	X										2 of 10 Direct
No (No, not really...it wasn't termed bm'g)											X	1 of 10 Direct
It is underutilized					X	X						2 of 10 Direct
More training, familiarity recommended					X	X						2 of 10 Direct

Appendix 1.8 Summary of Interviewee Responses, Question 7

Q7: What has been your exposure to the Oregon Progress Board?											
<i>Response / Theme</i>	<i>Interviewee Number</i>										<i>Number of Responses n=10</i>
	1	2	3	4	5	6	7	8	9	10	
Benchmark Development Work		X	X*	X**			X*	X		X	6 of 10 Direct, (* See Q6, ** See Q3
Member		X	X	X	X			X		X	6 of 10 Direct
Limited	X					X*	X		X		4 of 10 Direct, (* See Q6)
Indirect	X					X*	X		X		4 of 10 Direct, (* See Q6)
In Favor of / Supportive of / Defensive of	X*		X							X	3 of 10 Direct, (* See Q6, too)
Chair					X					X	2 of 10 Direct
Recruited		X									1 of 10 Direct
Recipient of Benefits (via exposure)			X								1 of 10 Direct
SEE Q8 - EXPOSURE TO REPORTS / PUBLICATIONS	X	X	X	X	X	X	X	X	X	X	10 of 10 Direct

Appendix 1.9 Summary of Interviewee Responses, Question 8

Q8: Have you ever seen any of the reports produced by the Oregon Progress Board such as the biennial Benchmark Performance Report, County Data Book, Committee Briefs, online reports on the website, etc.?												
<i>Response / Theme</i>	<i>Interviewee Number</i>										<i>Number of Responses</i>	
	1	2	3	4	5	6	7	8	9	10	<i>n=10</i>	
YES	X	X	X	X	X	X	X	X	X	X	X	10 of 10 Direct
NO												0 of 10 Direct
FORMER LEGISLATORS ONLY: Seen Since Legislative Svc	X	X	X*	X*	X			X		X		7 of 7 Direct (* See Q3)

Appendix 1.10 Summary of Interviewee Responses, Question 8a

Q8a: If yes, Could you describe the role of such documents in your committee work? For example, policy-making, budgeting and/or oversight functions?											
<i>Response / Theme</i>	<i>Interviewee Number</i>										<i>Number of Responses n=10</i>
	1	2	3	4	5	6	7	8	9	10	
Not much					X	X					2 of 10 Direct
Plan or Measure Effective Resource Use / Allocation / Budgeting							X	X			2 of 10 Direct
Fulfilling Service Obligations to Public							X	X			2 of 10 Direct
Policymaking							X	X			2 of 10 Direct
Shared with Committee Members			X	X							2 of 10 Direct
Initiated Discussion with Committee Members			X								1 of 10 Direct
Understanding interrelatedness and pieces of the puzzle			X								1 of 10 Direct
Interim	X										1 of 10 Direct
Worked on their development		X									1 of 10 Direct
They didn't exist										X	1 of 10 Direct
NO									X		1 of 10 Direct

Appendix 1.11 Summary of Interviewee Responses, Question 8b

Q8b: [If yes,] Could you describe the impact of benchmark performance information on your legislative decision-making?											
<i>Response / Theme</i>	<i>Interviewee Number</i>										<i>Number of Responses n=6</i>
	1	2	3	4	5	6	7	8	9	10	
There has been (but no specifics were given)							X	X			2 of 6 Direct
Relevance			X	X							2 of 6 Direct
Policy Making			X								1 of 6 Direct
Resource Allocation			X					X			2 of 6 Direct
Agency Oversight (with qualifiers)			X								1 of 6 Direct
Aspirational			X								1 of 6 Direct
Important to show how we were moving and where								X			1 of 6 Direct
Election Results	X										1 of 6 Direct
Legislator Specialization	X										1 of 6 Direct
NO									X		1 of 6 Direct

Appendix 1.12 Summary of Interviewee Responses, Question 8c

Q8c: [If no,] Could you describe what type of information had the biggest impact on your legislative decision-making?												
<i>Response / Theme</i>	<i>Interviewee Number</i>										<i>Number of Responses n=2</i>	
	1	2	3	4	5	6	7	8	9	10		
Is there an enduring quality to the issue?	X											1 of 2 Direct
Information presented during the campaign cycle would be best						X						1 of 2 Direct
Information presented during the interim would be good						X						1 of 2 Direct

Appendix 1.13 Summary of Interviewee Responses, Question 9

Q9: Additional thoughts on legislative decisionmaking											
<i>Response / Theme</i>	<i>Interviewee Number</i>										<i>Number of Responses n=8</i>
	1	2	3	4	5	6	7	8	9	10	
Priorities, Direction, Aspiration		X	X					X			3 of 8 Direct
Interim versus Session (oversight frequency, benchmark perf info use)	X*					X*	X				3 of 8 Direct (* See Q8a)
Use it during the campaign cycle		X				X					2 of 8 Direct
Accountability / Agency Oversight		X						X			2 of 8 Direct
Central figurehead needed to drive through bpi during session						X*					1 of 8 (* See Q8a)
Understanding Linkages / Systems Thinking / Holistic Approach			X*								1 of 8 (* See Q8a)
Political environment		X									1 of 8 Direct
Respect for the Process										X	1 of 8 Direct
Heavy use/adoption by Committees, Poster Board										X	1 of 8 Direct
Useful for Prioritization/Collaboration during Measure 5 Budget Cuts										X	1 of 8 Direct
Gave Language and Framework, Changed Focus (Inputs to Outcomes)										X	1 of 8 Direct
NO										X	1 of 8 Direct

Appendix 1.14 Summary of Interviewee Responses, Question 10

Q10: Which of the following best describes your approach to legislative decision-making? Intuitive or Analytical?											
Response / Theme	Interviewee Number										Number of Responses n=5
	1	2	3	4	5	6	7	8	9	10	
BOTH				X			X	X	X	X	5 of 5 Direct
More intuitive				X				X			2 of 5 Direct
Depends on Committee								X			1 of 5 Direct
Test your gut/knowledge with facts/data/info							X				1 of 5 Direct
Ask questions until you're satisfied with the info for dm										X	1 of 5 Direct

Appendix 1.15 Summary of Interviewee Responses, Question 11

Q11: Do you prefer hard or soft data (facts and figures compared to stories/hearings/affadavits/testimonies)?											
Response / Theme	Interviewee Number										Number of Responses n=8
	1	2	3	4	5	6	7	8	9	10	
BOTH		X	X*	x*	X					X	4 of 8 Direct, 1 of 8 Indirect (* See Q3)
Hard data	X	X		X			X	X			5 of 8 Direct
Soft data		X			X	x*		X			3 of 8 Direct, 1 of 8 Indirect (* Other answers suggest soft data may be preferred)
Soft data is weighed less	X			X			X		x		3 of 8 Direct, 1 of 8 Indirect
Getting good hard data is hard		X		X*							2 of 8 Direct (* See Q3)
Soft data is more powerful					X			X			2 of 8 Direct
Hard data should be the basis		X									1 of 8 Direct
Soft data helps us make sense of the numbers		X									1 of 8 Direct
Depends on the source; even hard data can be slanted critical to see who produced it and who funded it										X	1 of 8 Direct

Appendix 2.1 Legislators' Brief on the Oregon benchmarks and Oregon Progress Board

This text was taken directly from the Oregon Progress Board web site last viewed on 16 May 2007 at http://www.oregon.gov/DAS/OPB/docs/kpm/Measuring_Results_2006.doc

October 2006

Legislative Committee Services
State Capitol Building
Salem, Oregon 97301
(503) 986-1813

Background Brief on Measuring Results

Prepared by:

Rita Conrad, Executive Director, Oregon Progress Board
Dawn Farr, Legislative Fiscal Office

Oregon state government spends over 43 billion dollars biennially. What actual results are Oregonians getting for their money? Are they the right results? Assuming they are, are they being produced in the most efficient manner possible? Oregon's performance measures system is getting better at answering these questions.

Oregon's system measures results at several levels or "altitudes" and embraces an internationally accepted Governmental Accounting Standards Board (GASB) language.

The most basic GASB measures terms are:

- Inputs = resources used, such as time and money
Example: dollars spent per student
- Outputs = products or services produced with those resources
Example: percent of 3rd graders with individual education plans
- Outcomes = the results of those products or services
Example: 3rd grade reading and math skills

30,000 feet: Oregon Benchmarks

Oregon Benchmarks are societal, high-level outcome indicators. They are about results, not efforts. Alongside business, not-for-profits and local governments, state agencies are a major partner in achieving the broad goals of Oregon Shines. Every two years, the Oregon Progress Board uses the benchmarks as yardsticks to report Oregon's progress towards the three goals of Oregon's statewide plan, Oregon Shines:

1. Quality Jobs for all Oregonians
Benchmark examples: Net Job Gain/Loss, College Degrees
2. Engaged, Caring and Safe Communities
Benchmark examples: Infant Mortality, Child Abuse, Poverty Rates
3. Healthy, Sustainable Surroundings
Benchmark examples: Housing Affordability, Air Quality

20,000 feet: Key Performance Measures

All state agencies have identified Key Performance Measures (KPMs) to quantify program outcomes. KPMs should align with the agency's strategic plan and, where pertinent, with one or more Oregon Benchmarks. KPMs are the most results-oriented measures an agency can come up with, and should reflect

the full scope of the agency's mission-driven work. Output measures are acceptable as KPMs when reliable outcome data, usually more difficult to gather, are unavailable.

10,000 feet: Internal Agency Performance Measures

Some state agencies have developed internal measures that inform management decisions and help them evaluate their performance. Internal measures may include input, output or outcome measures and should align or "roll up" to higher-altitude outcome measures or KPMs.

Ground Level: Line of Sight

Staff implementing programs benefit from understanding how the work they do on a daily basis contributes to achieving results. When individual workload indicators or program performance measures are linked to KPMs or higher-level internal measures, employees gain "line of sight" as to how their work impacts agency performance.

Using the Data

Having a developed performance measures hierarchy contributes to measuring results; however, performance data needs to link to the processes they support. Oregon's performance measures system supports:

Agency management and oversight – Is the state producing the desired results as efficiently and effectively as possible? Agency leaders review KPMs and other measures to determine that appropriate progress is being made toward defined targets. The Department of Administrative Services (DAS) Budget and Management (BAM) Division and the Legislative Fiscal Office (LFO) analysts work with agencies to juxtapose reported performance results against agency budgets and resources used.

Policy development – Are we focusing on the right results? Most policy areas such as education or public safety involve numerous agencies. By sharing Benchmark, KPM and other performance data, agency partners can begin to see a more holistic picture. For example, all agency KPMs linked to education benchmarks can be arrayed in one view. When all the pieces are placed together, it becomes easier to identify further partnering opportunities and policy gaps.

Budgeting – What are we getting for our investment? Ways and Means subcommittees consider agency KPM data from the previous fiscal year as part of the budget process. If, for example, an agency misses a target, legislators can probe for the reason and depending on the answers received, respond accordingly. The legislature also approves the agency's proposed KPMs and targets for the upcoming biennium.

Continuous improvement – Are we improving? Ideally, agency leaders and staff use performance data from all altitudes for continuous learning and improvement. Learning organizations keep performance data on the radar screen and regularly encourage management and staff conversations about real time successes, challenges and solutions.

Communicating results – Do others know how we are doing? Agency Annual Performance Progress Reports are posted online on each agency's "About Us" web page and on the Progress Board's website. In addition, the Progress Board's biennial Benchmark Performance Reports list KPMs aligned to each benchmark and link readers to agency data.

Statutory Reference

ORS 291.110(2)(d) specifies that each agency will "use performance measures to work toward achievement of identified missions, goals, objectives and any applicable benchmarks." House Bill 3358 (2001) required the Progress Board to establish, with the LFO, Secretary of State Audits Division and DAS, guidelines for state agencies to link performance measures to Oregon Benchmarks. The law also directed DAS to use the guidelines to ensure "the development of a statewide system of performance measures designed to improve the efficiency and effectiveness of state programs and services." The Performance Measure Guidelines were published in the DAS Budget and Legislative Concepts Instructions for the last three biennia.

For More Information:

Oregon Shines, Oregon Benchmarks, agency KPMs and agency Annual Performance Progress Reports are available at: <http://www.oregon.gov/DAS/OPB>.

Performance measure guidelines, forms and related information are available at:
<http://www.oregon.gov/DAS/OPB/GOVresults.shtml>

Staff contact:

Patricia Nielsen

Legislative Committee Services/Library

503-986-1086

Appendix 2.2 Oregon Progress Board At-A-Glance

This text is taken directly from the web site of the Oregon Progress Board last viewed on 16 May 2007 at <http://www.oregon.gov/DAS/OPB/docs/Glance.doc>

The Oregon Progress Board is an independent state planning and oversight agency. Created by the Legislature in 1989, the board is responsible for keeping Oregonians focused on achieving the quality-of-life goals in the state's 20-year strategic vision, *Oregon Shines*. The 12-member panel, chaired by the governor, is made up of citizen leaders and reflects the state's social, ethnic and political diversity. Please click here for a [brief history](#) (doc) of the board.

The Progress Board focuses Oregon's citizens and institutions on a set of quality-of-life measures that gauge progress towards the overall goals of *Oregon Shines*:

- Quality jobs for all Oregonians
- Safe, caring and engaged communities
- Healthy, sustainable surroundings

The measures are called Oregon Benchmarks. The benchmarks include a broad array of up to 100 social, economic and environmental indicators, including K-12 student achievement, per capita income, air quality, crime rates, employment, and infant health.

The Progress Board is a catalyst for change. It gathers and distributes data on the benchmarks. It encourages state and local government agencies, businesses, and nonprofit and citizen groups to use the benchmarks in their planning and reporting. It works with state government to measure its results and contribution to achieving statewide goals. And it assists other partners in and out of state government in developing their own benchmarks and creating programs that support the achievement of benchmark targets and a better quality of life in Oregon. Both *Oregon Shines* and the benchmarks were created with extensive citizen involvement.

Every other year since 1991, the Progress Board has issued an Oregon Benchmark report, tracking Oregon's success in achieving the benchmark targets. In January 1997 by *Oregon Shines II*, a complete update of the original strategic plan was released. The board will launch the *Oregon Shines III process in 2007, with scheduled completion by 2009.*

In 2006 and 2007, the Progress Board will meet quarterly on the third Thursday of January, April, July and October. For further information, please call, write or visit www.oregon.gov/DAS/OPB.

“Oregon's Future is Everybody's Business”

Appendix 2.3 A Brief History of the Oregon Progress Board

This text is taken directly from the web site of the Oregon Progress Board last viewed on 16 May 2007 at <http://www.oregon.gov/DAS/OPB/docs/BriefHistory.doc>

A BRIEF HISTORY OF THE OREGON PROGRESS BOARD

Updated May 2007

Members – Current

Governor Ted Kulongoski, Chair
Michael Jordan, Vice Chair
Pat Ackley
Rep. Tom Butler
Sue Densmore
Annabelle Jaramillo
Joe Johnson
Michael Jordan
Robert Landauer
John Miller
Thomas Potiowsky
Sen. Kurt Schrader

Lindsay Ball
Ex officio
Heather Kaplinger
Student Ex officio

Members – Past

Governor Neil Goldschmidt
Governor Barbara Roberts
Governor John A. Kitzhaber, M.D.
Lindsay Berryman
Patrick Borunda
Neil Bryant
Bob Chandler
Ronald L. Daniels
Myrlie Evers-Williams
Irv Fletcher
Bobbie Dore Foster
Dave Frohnmayer
John Gray
Darlene Hooley
Gussie McRobert
Matthew Prophet
Louis Rios
William C. Scott
Duke Shepard
Patsy Smullen
Diane Snyder
Beverly Stein
Peggi Timm
Brett Wilcox
Diane Williams
Bill Wyatt
Michael Greenfield, Ex officio
Fred Miller, ex officio
Dan Simmons, ex officio
Laurie Warner, ex officio
Gary Weeks, ex officio
Jon Yunker, ex officio

Staff

Rita Conrad
Executive Director
503-378-3202
Rita.R.Conrad@state.or.us

Whitney Temple
Data Analyst
503-378-3204
Whitney.Temple@state.or.us

Jay Grussing
Data Analyst
503-378-3205
Jay.Grussing@state.or.us

Oregon Progress Board
155 Cottage St. SE
Salem, OR 97301
503-378-3201
503-373-7643 fax
www.oregon.gov/DAS/OPB

**A BRIEF HISTORY OF THE
OREGON PROGRESS BOARD
1989-2001**

The Oregon Progress Board was created in 1989 to be the steward of the state strategic plan, *Oregon Shines*. Since then the Progress Board has become a unique forum to help Oregonians shape their preferred future. The Progress Board has sponsored public policy debates, selected indicators to track progress toward the state's goals for its future and helped create strategies to achieve those goals.

This summary describes the Progress Board's accomplishments in four areas: benchmark development; legislation; planning, policy and management; and new programs and organizations. In virtually every example, *partnerships* complement the Progress Board's work, especially the Oregon Benchmarks. According to former Multnomah County Commission Chair Beverly Stein, benchmarks are "magnets for collaboration."

BENCHMARK DEVELOPMENT

The Progress Board's most visible work has been to create the Oregon Benchmarks, a set of quantifiable indicators for the economy, communities and the environment. (Benchmarks were originally organized into three somewhat different topic areas: economy, people and quality of life.) The benchmarks define Oregon's strategic goals as measurable outcomes, with targets for improvement.

Benchmarks are useful in a great range of circumstances. Specific examples in the following sections show diverse groups across the state have used them to organize and take action around issues important to them. The Benchmarks have been used to address many topics, at the state level and in communities, among public, private and nonprofit sectors, and in several types of planning.

The Benchmarks have attracted much attention outside Oregon. Every state and more than a dozen foreign countries have requested benchmark reports or related information. Several states have requested more extensive information about Oregon's system, and have adapted the benchmarks for their own uses. Among the groups according the benchmarks national recognition for policy leadership and innovation are the Corporation for Enterprise Development, *Financial World Magazine*, the Ford Foundation, the Kennedy School of Government at Harvard University, Partners for Livable Communities, and the National Governors' Association. The Benchmarks also plays a significant role in the federal efforts to reinvent government led by former Vice President Al Gore and outlined in National Performance Review, September 1996, *The Best Kept Secrets in Government*.

With the support of over a dozen other state agencies, the Progress Board developed a single household survey that provides data for over a dozen benchmarks. This 5,000 household phone survey also provides a single source of data for many agencies on a host of issues of concern to state government.

LEGISLATION

The legislature has incorporated the Progress Board's work in several significant initiatives. They include adoption of the benchmarks, human services reforms linked to the state's broader policy goals, and performance-based management of state agencies.

The Oregon Benchmarks (1991 Senate Bill 636)

The Progress Board's first significant legislative achievement was to win unanimous legislative adoption of the benchmarks as state policy. Like the Progress Board, the benchmarks were developed to strengthen Oregon's on-going strategic planning and review effort. They articulated the state's goals as a set of measurable indicators in one coherent plan, identified short-term-and long-term priorities, and established targets for improvement over time.

During 1990, the Progress Board defined the scope of issues benchmarks would cover, agreed on the characteristics, created specific indicators, and reviewed the draft list with Oregonians. In 1991, 18 committees of the legislature reviewed the benchmarks, and made several modifications prior to adoption.

Workforce Quality Council (1991 House Bill 3133)

The legislature created the Workforce Quality Council to develop and implement a state workforce strategy. Council members came from business, labor, education and government. Fifteen regional workforce quality committees designed and implemented regional strategic plans.

The legislature declared that the economic policy of the state included supporting and promoting education and training for students, workers and businesses to achieve benchmarks related to education and training. The legislature mandated that the strategy be comprehensive, consistent with the benchmarks, and specifically that it adopt benchmarks for worker-training investment, including business and industry investment.

The council initially chose 10 benchmarks to frame its objectives to develop and enhance the skills of workers, students, and adults entering the workforce. In 1995, the council revised its list to include the benchmarks created for the Oregon Option (discussed below).

In 1998 the federal Workforce Investment Act included requirement for high-level outcome measures similar to the Benchmarks.

Education Act for the 21st Century (1991 House Bill 3565)

In 1991, the legislature passed one of the nation's most sweeping educational reform laws. The action grew out of a concern for the future of the state. It declared restructuring of the educational system to be necessary to achieve the Oregon Shine's goal of a world-class workforce. The legislation also required the Superintendent of Public Instruction to issue an annual report card on the state of public schools and on progress toward a set of education benchmarks and other goals.

Key reforms mandated by House Bill 3565 included the following:

- A more demanding curriculum,
- A more extensive assessment system,
- World-class performance standards,
- Increased parental involvement,
- Site-based management,
- Greater support for young children at risk of school failure, and
- Certification of skills needed for the transition from high school to employment, training or further education (Certificate of Advanced Mastery).

In 1999, the legislature required the Superintendent of Public Instruction to issue report cards for how well students in every school in the state were doing at meeting the reading and math standards established under HB 3565.

Key Industries (1991 Senate Bill 997; 1995 Senate Bill 309)

The legislature created the Key Industries program in 1991, based on the analysis and recommendations in *Oregon Shines*. The legislation identified 14 major Oregon industries whose firms face national or international competition. Through the program, the Oregon Economic Development Department helped form trade associations in each industry to develop strategies and action plans that help members organize around common issues such as education and training, market development, and research. As part of the strategic development process, each association identified benchmarks for its industry, based on the Oregon Benchmarks.

The legislature allowed the key industries program to sunset in 1999.

State Agency Performance Measurement and Budget Policy (ORS 291.100)

This legislation built benchmark-based planning into agency performance measurement and budget policy for the state. It directed the state Department of Administrative Services to ensure that state agency activities and programs are directed toward achieving the benchmarks. Under the department's direction, agencies are required to define their missions, goals and objectives, identify benchmarks applicable to their missions, and develop performance measures to track program and agency efficiency and effectiveness.

The legislation also required that state budget policy include creating and administering programs and services to attain societal outcomes such as the Oregon Benchmarks. It listed actions state agencies must take to implement budget policy. These include allocating resources to achieve desired outcomes, expressing program outcomes in measurable terms, measuring progress toward desired outcomes in measurable terms, measuring progress toward desired outcomes, encouraging savings, promoting investments that reduce or avoid future costs, and accountability at all levels for meeting program outcomes.

The Oregon Commission on Children and Families (1993 House Bill 2004)

The Oregon Commission on Children and Families was created to reform the system of services to children and their families so that:

- services support child and family wellness (a strategy focused on prevention rather than treatment),
- families have better access to services (through coordination with other public and private family support groups), and
- outcomes for children and families are used to measure success and local plans are developed, accordingly.

Benchmarks have played an important role in the commission's work. The state commission chose 10 health and development-related benchmarks to define the scope of its mandate and the outcomes that county comprehensive plans must address. The Progress Board provided local benchmark data for county commissions to use in setting program priorities and targeting resources. The state and local commissions have also worked with Oregon State University to design an evaluation program that permits more direct comparison of local outcomes with benchmark targets.

This work builds on that of the earlier Children and Youth Services Commission. Its staff helped draft the benchmarks in 1990, and quickly put them to use to coordinate state policy with local planning and service prioritizing. By 1992, on its own initiative, that commission had created a database of local demographic and benchmark information for its county-level commissions to use in developing their comprehensive plans.

In 1999, Senate Bill 555 added an additional responsibility. The Commission on Children and Families is required to coordinate a planning process to bring the key state agencies together, at both the state and local level, to develop a single comprehensive, coordinated plan for services to children and families. (See SB 555 description, below.)

Public Assistance Reform (1995 Senate Bill 1117)

In 1994-95, the Progress Board executive director co-chaired a ground-breaking legislative task force on public assistance reform. The resulting report proposed ambitious goals to reduce child poverty and to reduce and avoid dependence on assistance programs. It proposed a sweeping reform agenda:

- build individual and family self-sufficiency,
- leverage public, private and personal resources to finance the plan,
- build a community-based delivery system and a family support and workforce development system, and
- provide accountability for investments in public assistance programs.

The legislature enacted key task force proposals including measures to: increase participation in job skill training; increase fathers' responsibility for recipient children; and implement a statewide welfare-to-work pilot program.

The legislation also directed the Department of Human Resources to seek federal waivers to implement the reforms. The Department received a waiver in March 1996 that allowed Oregon to keep a share of program expenditures avoided by reducing welfare caseloads faster than the national rate. (This idea was integrated into the Clinton Administration's national welfare reform program.)

1997 Enabling Legislation (Senate Bill 285)

After allowing the Progress Board's enabling legislation to sunset in 1995, the legislature made the Board a permanent part of state government in 1997. The legislature required that the Board develop an updated strategic vision every six years as part of the revision.

Reorganizing Services to Children and Families (1999 Senate Bill 555)

This law was enacted as an attempt to enhance coordination of the many state and local agencies that provide services to children and families. Under the leadership of the Oregon Commission for Children and Families, each county is required to develop a comprehensive plan. Plans are to integrate portions of work of numerous state agencies including the Oregon Health Division, the Oregon Youth Authority, Oregon Office of Alcohol and Drug Abuse Programs and the commission. Eventually, planners hope that all agencies providing services to children and families at the local level, including schools, will participate in the process.

The Progress Board, for the first time, was given an evaluative function as part of SB555. The Board was instructed to report to the legislature on how well the counties were achieving their targets.

Performance Measurement in State Government (2001 House Bill 3358)

House Bill 3358 (2001) required the Board to develop performance measure guidelines that linked agency performance to statewide goals and the Oregon Benchmarks. It required the Department of Administrative Services (DAS) to consider those guidelines. The guidelines were developed with the help of an external advisory committee of experts and stakeholders. Beginning in the 2003-05 budget cycle, performance measure guidelines developed by the Board were included by DAS in agency budget instructions. Since then, in addition to monitoring, reporting and helping Oregonians use benchmark information, the Board has administered the state's performance measure program. In the 2007-09 budget preparation cycle, Legislative Fiscal Office and the Department of Administrative Services Division of Budget and Management assumed a greater role in reviewing proposed agency measures against established criteria.

Performance Measure Role Assigned to the Department of Administrative Services (2005 Senate Bill 1101)

SB 1101, passed at the end of the 2005 legislative session, transfers responsibility for performance measurement from the Progress Board to the Department of Administrative Services (DAS). Since the Progress Board is housed in the Director's Office of DAS, the statute had the effect of giving the director additional flexibility in assigning performance measure-related tasks within the department.

IMPACT ON PLANNING, POLICY AND MANAGEMENT

While the legislature was using benchmarks to support policy changes, these measures were also being used to guide state budget policy and have contributed to policy and planning analyses of statewide issues and state and local management reforms.

Budget Development Policies

In 1992, Governor Roberts, anticipating a significant budget shortfall, directed agencies to develop base budgets at 80 percent of projected current service levels. Agencies were then permitted to add back up to 10 percent for programs linked to benchmarks. Budget requests above the 90 percent level were required to be tied to one of 17 critical short-term benchmarks. To facilitate budget development for the last increment, and to encourage cross-agency efforts, the Governor assigned teams to develop budget packages for each of the priority benchmarks. The policy resulted in changes in the budget distribution (e.g., in favor of watershed health, teen pregnancy, and workforce preparation) estimated at \$130 million.

In 1994, the governor directed agencies to recast their programs to address the benchmarks, working within the previous allocation. Effects were not as great as in 1992, but several agencies, noted below, took the opportunity to make significant changes in their organizations.

In 1996, Governor Kitzhaber instructed state agencies to identify benchmark linkages in their budgets and describe how proposed programs would contribute to achieving benchmark targets.

Clarifying Oregon's Fiscal Choices

The benchmarks were an important element of a 1994 report, *Clarifying Oregon's Fiscal Choices*, which compared Oregonians' desires for the future with the fiscal choices affecting that future. It was prepared by the Oregon Fiscal Choices Project, headed by an advisory council drawn from public and private sector leadership statewide and staffed by Oregon's public universities.

This report contrasted Oregon's vision, as described in the benchmarks, and the Oregon Business Council's *1993 Values and Beliefs Study* with socioeconomic trends and changing roles and capacities of government. A prime example of such change was the passage of Measure 5, a property tax rate limitation, in 1990. The report outlined the consequences of Oregonians' fiscal choices for three policy issues: youth crime, educational reform, and teen parents, chosen to represent important state values and priority benchmark subjects. The report stressed the importance of prevention and early intervention strategies to achieve the state's long-range aims for all three issues. It called for informing citizens and elected officials about the long-range personal, social, and financial consequences of their choices.

In 1999, the Progress Board launched the *Oregon State of the Environment Report 2000* (SOER) project. It developed, for the first time, a sound scientific assessment of the condition of Oregon's environment across all key resources. The team of scientists that developed the report recommended changes to the Progress Board's environmental benchmarks as part of the project. Ultimately, the SOER will enable policymakers to create policies oriented toward managing Oregon's environment on the basis of performance indicators.

State Agency Performance Management

Many state agencies use benchmark-based planning, budgeting, and/or management systems. Their uses include strategic planning, creating and linking agency performance measurement to statewide goals, budget development, and local planning and priority setting.

The Oregon Health Division demonstrated these uses by employing the benchmarks to develop agency plans and prioritize its goals and funding requests, both within its parent agency and before the legislature. It works with other state and local agencies to address common benchmarks. In partnership with local health agencies and schools, it has developed pilot projects to provide school-based health services. The program is intended to help achieve benchmark goals to reduce teen pregnancy, improve student health, and raise educational attainment.

The Health Division has used benchmark data in several ways to advance its public health mission:

- developing an extensive state and local benchmark database using funding through the Assessment Initiative of the Centers for Disease Control and Prevention to improve health assessment at the state and local levels;
- building benchmarks into local health department planning and funding, and
- supporting local use of health data in planning and assessment through training including on benchmarks.⁵

Many Oregon state agencies that have used benchmarks in strategic planning include: the Office of the Health Plan Administrator, Department of Forestry, the Department of Land Conservation and Development, the Oregon State Police, the Judicial Department and numerous divisions of the Department of Human Services including the Senior and Disabled Services Division.

⁵ This description of the Oregon Health Division's activities is condensed from David E. Nelson, *et al.*, "Outcome-based Management and Public Health: The Oregon Benchmarks Experience," in *Journal of Public Health Management and Practice*, 1995, 1(2) 8-17.

The 1993 law requiring state agencies to develop measurable performance measures directed toward achieving the benchmark targets has spurred some agencies to action. The Oregon State Police, the Adult and Family Services Division and the Department of Economic and Community Development are three of the best example of agencies that have developed such systems and use them as management tools.

Several agencies use benchmarks in internal management as well as in strategic planning. The Department of Land Conservation and Development uses the benchmarks to develop both agency objectives and performance measures based on the objectives. The Department of Transportation incorporates benchmarks into its agency-wide plans, and links them to work group level indicators through an extensive performance measurement system. The Oregon Youth Authority integrates all planning and budgeting processes as it links benchmark requirements with agency performance measures.

Several divisions of the Department of Human Services operate programs based on partnerships with community groups, using benchmark data in distinct ways. Volunteer programs use benchmark data to choose specific issues to address, and local advisory committees define their service plans based on those priorities. The Office of Alcohol and Drug Abuse Programs uses benchmarks to measure the success of “Oregon Together,” a community coalition focus that addresses alcohol and drug abuse use in over 50 communities. The Child Care Division of the Employment Department uses benchmark data to estimate child care supply and demand and to coordinate child care with other services to families.

Local Governments

City and county governments have also found *Oregon Shines* and the benchmarks to be useful for planning, management, and budgeting.

Many counties use the *Oregon Shines* and benchmarks in their strategic planning processes. Some, like Linn County, have reviewed local data as orientation materials for their managers. Others, like Benton County, have used the benchmarks in their overall strategic planning process, including establishing its short-and long-term priorities. Several departments within the county have also used the benchmarks in developing their strategic plans. In 1995, the Eugene City Council established 17 council outcome measures, similar to benchmarks, to chart progress on its strategic planning process. The Council reviews progress on its goals at its trimester work sessions.

Multnomah County has developed benchmarks to complement the Oregon Benchmarks and those of an Oregon Progress Board sister organization, the Portland Multnomah Progress Board. The county uses its benchmarks extensively in long-term planning, management and budgeting.

Both Wasco County government and the city of The Dalles have completed strategic vision statements and action plans linking selected local indicators to the benchmarks. The county plan addressed community and economic development. The city’s plan addressed issues related to a healthy community.

Human Investment Partnership

In November 1991, the Progress Board published *Human Investment Partnership*, a strategy to achieve Oregon’s goal to build a world-class workforce by the year 2010. The report incorporated “benchmarks for people” in a discussion of key human development issues at each stage of life, summarized recent initiatives and recommended further actions to achieve our goals.

The Progress Board identified significant challenges facing the state, and prepared a set of recommendations designed to help us reach higher levels of competence and self-reliance. The strategy acknowledged emerging efforts, including workforce and education reform legislation and local high school-business training partnerships, and proposed additional efforts to address issues for specific populations.

The strategy also recommended fundamental changes in governance and budgeting, which foreshadowed later reforms such as the Oregon Option. They included implementing a “human investment system” for human services and education, stressing prevention and preparation efforts to improve early childhood development outcomes (e.g., reducing teen pregnancy, building parents’ self-sufficiency) and reducing remediation and treatment costs (e.g., welfare and related programs, remedial education).

The Oregon Community Foundation

The Oregon Community Foundation uses the benchmarks to look at needs in Oregon, and compare grant applications to move the benchmarks forward. The foundation asks grant applicants how their proposals address benchmarks and consider their responses in a general way in grant evaluation, though not as a grant criterion.

Social Support Investment Work Group

When Governor Kitzhaber wanted to improve social support services, he called on the Progress Board to help. Board staff worked with a broad array of agency staff to identify opportunities to impact key benchmarks. The project resulted in implementation of administrative measures and new statutes ranging from making more housing affordable to low income Oregonians to reorganizing how services are provided to pregnant women.

NEW PROGRAMS AND ORGANIZATIONS

The Progress Board has contributed to the creation of several new programs and organizations to achieve public aims in Oregon. Typically, these organizations bring together diverse groups, in partnership, around important public issues to combine resources and coordinate efforts (including linking public and private sectors).

The Oregon Option

In late 1994, then-Vice President Al Gore joined with Governor Barbara Roberts, Governor-elect John Kitzhaber, and a bipartisan group of mayors and county commissioners in a memorandum of understanding creating the Oregon Option - a pilot program for providing federally funded public services. In his book, *Common Sense Government*, Vice President Gore noted that the Oregon Benchmarks were, “perhaps the main reason the federal government agreed to the Oregon Option.”

Federal, state and local partners agreed to established outcomes in three issue clusters -early childhood health, family stability, and workforce. Some of the outcome indicators were taken directly from the Oregon Benchmarks. Others were developed in a similar format. Agencies were to receive federal funding in each cluster with fewer federal regulatory requirements in exchange for agreed upon targets for improvement of benchmark related outcomes. While the Oregon Option was launched with high hopes and great expectations, it never delivered on that promise. Few exchanges of regulations for outcomes actually occurred. While still existing “in spirit,” the option never achieved the lofty goals that its creators had envisioned.

Community Partnership Team

In 1991, the Department of Human Resources (DHR) invited communities to propose interagency state/local partnerships to improve delivery of services to meet targeted locally-identified objectives. The projects were built around improving community outcomes for one or more of 10 selected benchmarks related to DHR services, including teen pregnancy, drug and alcohol abuse, and domestic violence. DHR has accepted additional proposals in following years, and a total of 39 communities have developed service integration projects.

In 1992, Partners for Human Investment was created by the Progress Board and Portland State University to provide education and training on the benchmarks. The program, which received grants from The Oregon Community Foundation, state agencies and the private sector, helped community partnerships form to address “benchmarks for people.” Its work included helping the Department of Education develop a pilot benchmarks’ training program in two workforce quality regions. Partners for Human Investment completed its work in 1995.

That same year, DHR created the Community Partnership Team to extend service integration to more comprehensive efforts, and combine community training in use of benchmarks formerly provided by Partners for Human Investment. In Klamath Falls, for example, the community identified barriers to creating a respite care system for dependents at all stages of life. The team used the outcomes-based approach with benchmarks as an organizing principle - a common meeting ground for groups to develop collaborative strategies around specific issues.

Communities-based Strategic Planning

Like state agencies, Oregon communities have found benchmarks to be a useful tool. Examples include:

- The first local progress board, in Baker County, used benchmarks to articulate an economic development strategy. That group has since revisited the strategic visioning and planning process to create a more comprehensive plan.
- The Gresham Progress Board, organized by the City, has established a community agenda that extends beyond the issues of city government.
- In Marion and Polk Counties Today's Choices: Tomorrow's Community has created a vision and strategy, based on citizen input, to address regional quality of life.
- The Portland Multnomah Progress Board has brought together city and county interests by combining earlier strategic visions. Its scope of interests is similar to that of the Oregon Progress Board.
- Other community-based efforts to identify and address policy issues through benchmarks or similar indicators include STRIDE in Albany, Canby By Design, Tillamook Progress Board, Eugene-Springfield Community Progress Board and projects in Deschutes, Jefferson and Clackamas counties.
- Rural Development Initiatives, Inc., a nonprofit corporation that assists community economic development, strongly encourages its client communities to use benchmarks in their strategic planning.

Livable Communities

With the Governor's Office and several other co-sponsors, the Progress Board, in 1994, convened regional meetings on livability issues in Bend/Redmond, Jackson/Josephine counties and the Willamette Valley. Invited participants from government, business, and nonprofit sectors discussed livability issues, identified needed actions to protect quality of life, and discussed the value of further work at the regional level. Each region was a coherent area, with shared values, identities and issues.

At each meeting, participants wanted further action around regional issues. For example, Willamette Valley meetings participants wanted to continue the regional discussion of livability issues, to better coordinate planning efforts among local governments, and to improve information sharing. The Willamette Valley Livability Forum eventually became a governor's initiative and planned a valley-wide conference in April, 2001 to consider alternative scenarios that have been developed.

In Southern Oregon, participants initiated a planning process to create a regional vision, sustainable indicators, and action plan to achieve the vision. Through the Rogue Valley Civic League, the Healthy and Sustainable Communities Project is carrying out a multi-year, community-based visioning and planning project.

PROGRESS BOARD PLANNING: OREGON SHINES

In January 1997, the Progress Board released an updated version of *Oregon Shines II* that focused on fewer benchmarks and linked the plan's goals directly to a set of key benchmarks. The report incorporated the recommendations of a 46-person gubernatorial task force appointed to assess the effectiveness of the *Oregon Shines* process. The Board also released its first ever report card on progress toward achieving the benchmarks in December 1996. Between *Oregon Shines* updates the Board releases a "Benchmark Performance Report" to the legislature every two years.

House Bill 3358 (2001) required the Progress Board to add two legislators to the Board membership. The Board fully expects that this stronger link to the legislature will result in more involvement on the part of the legislature in Oregon Shines and the benchmarks.

The Progress Board will launch the second update of *Oregon Shines* in 2007. *Oregon Shines III* will be released in 2009.

Appendix 3.1 Overview of Oregon State Government and Legislature

These excerpts were taken directly from the *Oregon Legislative Guide 2007: A Guide to Oregon's Seventy-Fourth Legislative Assembly and the Oregon Legislative Process* published by the State of Oregon, Legislative Administration.

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Functions of the Legislature

In Oregon's representative form of government, the legislature is integral to the process of proposing, deliberating and setting public policy.

The primary functions of the Legislative Assembly are to enact new laws and revise existing one relating to the health, education and general welfare of Oregonians, and to make decisions that keep the state in good economic and environmental condition. An informal, but highly significant function is to provide a forum for resolution of group conflicts and expressions of public grievances. This public/legislative interaction frequently occurs without enactment of any new laws.

The Legislative Assembly often referred to as state government's board of directors, is responsible for a biennial budget in excess of \$10 billion. The power to allocate state monies gives the legislature influence over the executive branch. In deciding where and how much money the state will spend on its agencies and programs, the legislature establishes priorities and sets public policy.

In addition to enacting laws, setting public policy and administering the state's budget, legislators review administrative rules drafted by state agencies. An additional responsibility is the Senate's confirmation of certain executive appointments made by the Governor.

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The Legislative Body

Oregon's bicameral legislature consists of the House of Representatives, which has 60 members elected for two-year terms, and the Senate, whose 30 members are elected to serve for four-year terms.

Oregonians choose their legislators by voting every even-numbered year. The primary election is held on the third Tuesday in May. The general election is held on the first Tuesday (after the first Monday) in November.

Oregon uses a system of single-member districts to elect its legislators. Each of the 90 members represent a designated senatorial or representative district, meaning each Oregonian is represented by a single Senator and a single Representative. Representative districts have a population of about 57,000; Senate districts contain about 114,000 people. These district lines are redrawn every ten years.

According to the Oregon Constitution, Senators or Representatives must be United States citizens of at least 21 years of age, and residents for at least one year of the legislative district from which they were elected.

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Convening of the Legislature

The Oregon legislature convenes every two years in regular session, on the second Monday in January during odd-numbered years, a date set by statute. The Oregon Constitution does not specify a limitation on session length.

If an emergency arises during the interim period when the legislature is not in session, the Governor or a majority of both houses of the legislature may call a special session. Special sessions have been called as recently as 2002 when the Governor convened the legislature five times to address budget issues.

In 1976, a constitutional amendment was passed, authorizing the legislature to call itself into special session. That power was exercised in 2002 when the legislature convened itself to address budget issues.

Executive Appointments

The Oregon Constitution states that the Governor's appointments may be subject to Senate confirmation and that appointees are not eligible to serve until confirmed in the manner required by law.

The Senate convenes at the call of the Senate President to act on executive appointments made during legislature interim periods generally on a quarterly basis.

Gubernatorial appointments made during a regular or special session of the legislature are considered during that session by the Senate. Any appointments not acted upon prior to adjournment must be resubmitted for consideration by the interim committee on executive appointments.

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Legislative Leadership

The Speaker of the House and the President of the Senate, the two most significant leadership positions in the legislature, are elected by the majority of their respective houses to preside over daily sessions and perform other duties prescribed by rule, custom, and law.

The Speaker and the President are empowered to assign members and appoint chairpersons and vice-chairpersons to standing committees. They refer measures to committee and oversee their respective employees.

A Speaker Pro Tempore and a President Pro Tempore, who serve as the temporary presiding officers in the absence of the Speaker and the President, are also elected.

Each body also elects an officer who is not a legislator to manage internal operations. The Chief Clerk of the House and the Secretary of the Senate provide parliamentary assistance, maintain legislative records and measures and supervise the personnel managing the legislature's paper flow.

A Sergeant at Arms is also elected in each chamber to maintain order.

In addition to the official posts of the Legislative Assembly, the minority and majority parties of each body elect a leader to help manage party affairs. The House and Senate majority and minority leaders retain continuing staff to provide constituent relations, public information and general operations services for each caucus.

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Legislative Committees

Oregon's legislative process, unlike some legislatures in the nation, is dominated by legislative committees, where most of the work to shape legislation and public policy is done. Committees are made up of small groups of legislators from both political parties, who deal with related issues such as transportation, revenue, education, labor and economic development.

House and Senate committee members, committee chairpersons and vice chairpersons are appointed by their respective presiding officers. The committee chairperson has the power to determine which measures

will be on the committee's agenda. The chair also directs the committee's staff and presides over its deliberations. In some instances, the committee chair may also appoint subcommittees.

Committee members consider the testimony of Oregon citizens, lobbyists, and business, education and government agency representatives during public hearings on a measure. The number of public hearings held on a measure depends on the complexity of the issue. Sometimes an issue, considered a "housekeeping" measure, receives very little testimony.

The fate of a measure is determined during work sessions, when the committee debates and votes on measures. The committee may choose from several options when dealing with a measure. They may or may not choose to amend it. If they decide to report a measure out of committee, they may attach a recommendation to the body of do pass, do pass with amendments or no recommendation. A committee may also choose to table a piece of legislation, whereby postponing its consideration until a motion is adopted to take from the table.

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Legislative Interim

The time period between sessions is referred to as the interim. Legislative work continues during this time. Legislators serve on interim committees and task forces which study issues likely to be faced by the Legislative Assembly during the next session. Statutory committees are also active during the period.

The Legislative Emergency Board operates during the interim. The board watches over the state budget and may allocate funds to state agencies beyond the original appropriation from an emergency fund allotted by the Legislative Assembly. It may allocate monies to carry out an activity required by the law for which an appropriation was not made. The Emergency Board may revise budgets by authorizing transfers between expenditure classifications. It may approve appropriations for new activities coming into existence after the budget's original submission to the Legislative Assembly.

Legislative Staff

The Legislative Assembly has about 300 continuing staff. During legislative sessions, approximately 300 additional employees join the legislative work force.

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Continuing Staff (abbreviated)

- Speaker of the House and President of the Senate
- Caucus Offices (constituent relations, research, public information and info about legislative business provided to caucus members)
- Secretary of the Senate and Chief Clerk of the House
- Legislative Administration Committee
- Legislative Counsel Committee
- Legislative Fiscal Office
- Legislative Revenue Office

Session Staff (abbreviated)

- **Personal Staff.** Each legislator typically employs two people: a legislative assistant and a secretary. The legislative assistant provides research support and works with constituents while the secretary provides clerical assistance. During the 1987 session, a bill was passed to enable legislators to employ staff part-time during the interim, as well as full-time during the session.
- **Committee Services Staff.** The staff of a committee typically consists of a committee administrator and an administrative support staff. At the direction of the chairperson, responsibilities of the committee staff include notifying legislators and the public of meetings, preparing official committee records, developing background information on issues, and generally assisting the committee.
- **Floor Staff.** Sergeant at arms, assistant sergeant at arms, pages, doorkeepers, and receptionists are hired by each body to deliver messages, answer telephones, distribute bills and other publications, and perform other tasks

Appendix 4.1 Demographic Data on Oregon's Legislators (1967-2005)

The demographic data referred to in this appendix was compiled in by Marjorie Taylor, Committee Administrator for the Public Commission on the Oregon Legislature. In 2005, she created a database of the self-reported demographic information about legislators published in Oregon's Bluebook series (1967 - 2005 biennia). She reported that she might update the demographics for the 2007 legislative session during the interim.

Marjorie Taylor noted a few caveats to this data set. The number of sessions served is actually the difference between the first and last year served. Thus, in some cases, where a legislator may take time off from the legislature and return, the years they were off the legislature were not subtracted. Therefore, the numerical figure may be incorrect. In addition, there was mention of the possibility of a party caucus proposing that its members list their occupation as small business owners, perhaps explaining the spike in legislators' occupation data between the 2003 and 2005 biennia. It was also noted that legislators' careers frequently transform over their lifetime, thus there could be inconsistencies from year to year. She also mentioned that some legislators have a JD degree, though their occupation was not listed as a lawyer, and noted a decline in the number of legislators with reported occupations in banking or law. In fact, there's been an increase in legislators reporting their current occupation as "legislator," which fits with the findings in this study regarding the specialization and professionalization of legislators.

Table L-1. Average Age of Members by Category

STAGE	COUNT OF LEGISLATORS (3 Biennia Average, 2001, 2003, 2005)	TREND (1967-2005)
Early Career (20-34)	4.7	Falling
Mid Career (35-49)	25.0	Falling
Advanced Career (50-64)	43.3	Rising
Retired (65-90)	16.7	Rising
Unknown	0.7	Relatively Flat

Table L-2. Average Number of Sessions Served*

*data may not exclude years off

# SESSIONS	COUNT OF LEGISLATORS (3 Biennia Average, 2001, 2003, 2005)
1	21.3
2	20.7
3	20.7
4	9.7
5	7.3
6	3.0
7	2.3
8	0.7
9	1.3
10	1.3
10+	3.3

Table L-3. Number of Legislators in 4 Top Occupations*

*Legislators self selected occupation titles. These may change over legislators' careers. Coding of categories detailed online.

OCCUPATION*	COUNT OF LEGISLATORS (3 Biennia Average, 2001, 2003, 2005)	HIGHEST COUNT SINCE 1967	TREND
Small Business / Bus.	27.3	33 in 2005	Rising Fast
Legislator	23.7	38 in 2003	Rising
Agriculture / Livestock	9.3	15 in 1967	Falling Slow
Law	9.3	23 in 1969	Falling Slow
Total	69.6 (77.3% ALL)		

Table L-4. Legislator Birth State in 4 Top Locations

BIRTH STATE	COUNT OF LEGISLATORS (3 Biennia Average, 2001, 2003, 2005)	HIGHEST COUNT SINCE 1967	TREND
OREGON	35.3	51 in 1973	Falling
CENTRAL US	9.3	23 in 1969	Falling Slow
WASHINGTON	7.7	11 in 1979, 1981	Rising Slow
CALIFORNIA	13.7	14 in 1993, 2001, 2005	Rising
Total	66.0 (73.3% ALL)		

Appendix 4.2 Majority Party, Governor, Speaker of the House and President of the Senate (1846-2005)

STATE OF OREGON								
Majority Party, Governor, Speaker of the House and President of the Senate								
Prepared by Laura Rose Misaras, 12/25/2006								
Source: Oregon Blue Book Online, Oregon Secretary of State, Archives Division, 12/25/2006								
http://arcweb.sos.state.or.us/banners/governors.htm								
http://www.bluebook.state.or.us/state/elections/elections34.htm								
http://www.bluebook.state.or.us/state/elections/elections23.htm								
SESSION	HOUSE PARTY	HOUSE SPEAKER	SENATE PARTY	SENATE PRESIDENT	H F S PARTY SPLIT	GOVERNOR PARTY	GOVERNOR	H F S G PARTY SPLIT
2005	R	Minnis, Karen	D	Courtney, Peter	x	D	Kulongoski	x
2003	R	Minnis, Karen	D	Courtney, Peter	x	D	Kitzhaber	x
2001	R	Simmons, Mark	R	Derfler, Gene	RR	D	Kitzhaber	x
1999	R	Snodgrass, Lynn	R	Adams, Brady	RR	D	Kitzhaber	x
1997	R	Lundquist, Lynn	R	Adams, Brady	RR	D	Kitzhaber	x
1995	R	Clarno, Bev	R	Smith, Gordon	RR	D	Roberts	x
1993	R	Campbell, Larry	D	Bradbury, Bill	x	D	Roberts	x
1991	R	Campbell, Larry	D	Kitzhaber M.D., John A.	x	D	Goldschmidt	x
1989	D	Katz, Vera	D	Kitzhaber M.D., John A.	DD	D	Goldschmidt	DDD
1987	D	Katz, Vera	D	Kitzhaber M.D., John A.	DD	R	Atiyah	x
1985	D	Katz, Vera	D	Kitzhaber M.D., John A.	DD	R	Atiyah	x
1983	D	Kerans, Grattan	D	Fadeley, Edward N.	DD	R	Atiyah	x
1981	D	Myers, Hardy	D	Heard, Fred W.	DD	R	Atiyah	x
1979	D	Myers, Hardy	D	Boe, Jason	DD	D	Straub	DDD
1977	D	Myers, Hardy	D	Boe, Jason	DD	D	Straub	DDD
1975	D	Lang, Philip D.	D	Boe, Jason	DD	R	McCall	x
1973	D	Eymann, Richard O.	D	Boe, Jason	DD	R	McCall	x
1971	R	Smith, Robert F.	D	Burns, John D.	x	R	McCall	x
1969	R	Smith, Robert F.	D	Potts, E. D.	x	R	McCall	x
1967	R	Montgomery, F.F.	D	Potts, E. D.	x	R	Hatfield	x
1965	R	Montgomery, F.F.	D	Boivin, Harry D.	x	R	Hatfield	x
1963	D	Barton, Clarence	D	Musa, Ben	DD	R	Hatfield	x
1961	D	Duncan, Robert B.	D	Boivin, Harry D.	DD	R	Hatfield	x
1959	D	Duncan, Robert B.	D	Pearson, Walter J.	DD	D	Holmes	DDD
1957	D	Dooley, Pat	D	Overhulse, Boyd R.	DD	R	Smith	x
1955	R	Geary, Edward	R	Smith, Elmo	RR	R	Patterson	RRR
1953	R	Wilhelm, Rudie Jr.	R	Marsh, Eugene E.	RR	R	McKay	RRR
1951	R	Steelhammer, John F.	R	Patterson, Paul L.	RR	R	McKay	RRR
1949	R	Van Dyke, Frank J.	R	Walsh, William E.	RR	R	Hall	RRR
1947	R	Hall, John H.	R	Cornett, Marshall E.	RR	R	Snell	RRR
1945	R	Marsh, Eugene E.	R	Belton, Howard C.	RR	R	Snell	RRR
1943	R	McAllister, William M.	R	Stelwer, W. H.	RR	R	Sprague	RRR
1941	R	Farrell, Rovert S. Jr.	R	Walker, Dean H.	RR	R	Sprague	RRR
1939	R	Fatland, Ernest R.	R	Duncan, Robert M.	RR	D	Martin	x
1937	D	Boivin, Harry D.	R	Franciscovich, F. M.	x	D	Martin	x
1935	D	Cooter, John E.	R	Corbett, Henry L.	x	I	Meier	x
1933	R	Snell, Earl W.	R	Kiddle, Fred E.	RR	I	Meier	x
1931	R	Loneragan, Frank J.	R	Marks, Williard L.	RR	R	Norblad	RRR
1929	R	Hamilton, R. S.	R	Norblad, A. W.	RR	R	Patterson	RRR
1927	R	Carkin, John H.	R	Corbett, Henry L.	RR	D	Pierce	x
1925	R	Burdick, Denton G.	R	Moser, Gus C.	RR	D	Pierce	x
1923	R	Kubli, K. K.	R	Upton, Jay	RR	R	Olcott	RRR
1921	R	Bean, Louis E.	R	Ritner, Roy W.	RR	R	Olcott	RRR
1919	R	Jones, Seymour	R	Vinton, W. T.	RR	R	Withycombe	RRR
1917	R	Stanfield, R. N.	R	Moser, Gus C.	RR	R	Withycombe	RRR
1915	R	Selling, Ben	R	Thompson, W. Lair	RR	D	West	x
1913	R	McArthur, C. N.	R	Malarkey, Dan J.	RR	D	West	x
1911	R	Rusk, John P.	R	Selling, Ben	RR	R	Bowerman	RRR
1909	R	McArthur, C. N.	R	Bowerman, Jay	RR	D	Chamberlain	x
1907	R	Davey, Frank	R	Haines, E. W.	RR	D	Chamberlain	x
1905	R	Mills, A. L.	R	Kuykendall, W.	RR	D	Chamberlain	x
1903	R	Harris, L. T.	R	Brownell, George C.	RR	R	Geer	RRR
1901	R	Reeder, L. B.	R	Fulton, C. W.	RR	R	Geer	RRR
1899	R	Carter, E. V.	R	Taylor, T. C.	RR	R	Lord	RRR
1898	R	Carter, E. V.	R	Simon, Joseph	RR	R	Lord	RRR
1897	House failed to Organize		R	Simon, Joseph	x	DP	Pennyoy	x
1895	R	Moores, C. B.	R	Simon, Joseph	RR	DP	Pennyoy	x
1893	R	Keady, W. P.	R	Fulton, C. W.	RR	DP	Pennyoy	x
1891	R	Geer, T. T.	R	Simon, Joseph	RR	DP	Pennyoy	x
1889	R	Smith, E.L.	R	Simon, Joseph	RR	R	Moody	RRR
1887	R	Gregg, J. T.	R	Carson, John C.	RR	R	Moody	RRR
1885	R	Keady, W. P.	R	Waldo, William	RR	R	Moody	RRR
1882	R	McBride, George W.	R	McConnell, W. J.	RR	D	Thayer	x
1880	R	Moody, Z. F.	R	Hirsch, Sol	RR	D	Thayer	x
1878	D	Thompson, J. M.	D	Whiteaker, John	DD	D	Grover	DDD
1876	D	Weatherford, J. K.	D	Whiteaker, John	DD	D	Grover	DDD
1874	D	Drain, J. C.	D	Cochran, R. B.	DD	D	Grover	DDD
1872	R	Mallory, Rufus	D	Fay, James	x	D	Grover	x
1870	D	Hayden, Benjamin	D	Fay, James	DD	R	Woods	x
1868	D	Whiteaker, John J.	D	Burch, B. F.	DD	R	Woods	x
1866	R	Chenoweth, F. A.	R	Cornelius, T. R.	RR	R	Gibbs	RRR
1864	R	Moores, I. R.	R	Mitchell, J.H.	RR	R	Gibbs	RRR
1862	R	Palmer, Joel	R	Bowlby, Wilson	RR	D	Whiteaker	x
1860	D	Harding, B. F.	D	Elkins, Luther	DD	D	Curry	DDD
1858						D	Curry	
1856						D	Curry	
1854						W	Gaines	
1852						W	Gaines	
1850						U	Abernathy	
1848						U	Abernathy	
1846						U	Abernathy	
1844								
1842								
1840								