

A Report on the NDI-China Center for Comparative Politics and Economics Seminar on Local Legislative Hearings

Karşılaştırmalı Politikalar ve Ekonomi İçin NDI-Çin Merkezi, Yerel Katılımcı Yasama Toplantıları Semineri

Bu doküman yukarıda adı geçen toplantının bir özeti olma niteliği taşımaktadır. Dokümanın başlangıcında Çin’de yapılacak ve yapılmakta olan yasama toplantıları ile ilgili olarak genel bir değerlendirme sunulmaktadır. ***Dokümanda asıl olarak, Almanya’da ve Amerika Birleşik Devletleri’nde eyalet bazında yapılan yasama toplantıları hakkında bilgi verilmekte aynı zamanda bu toplantıların bütçeleri ile ilgili olarak da örnekler sağlanmaktadır.***

Seminer özetinde Almanya’da yurttaş katılımını sağlayan ve farklı düzeylerde yapılan (Almanya’nın federal bir devlet olmasından dolayı, eyalet ve federe düzeyde yapılan toplantılarda bulunmaktadır) toplantılar hakkında genel bir bilgi verilmekte aynı zamanda Berlin’de yapılan bir yasama toplantısının bütçelemesi hakkında bir örnek ve farklı bütçeleme örnekleri de verilmektedir.

Katılımcı toplantılarının Almanya’da en belirgin olan özelliği toplantıların açık olması ve toplantı notlarının medya da dahil olmak üzere herkese açık olmasıdır. Uzmanlarla yapılan kapalı toplantılar (fact finding meetings) halkın katıldığı katılımcı toplantılardan farklıdır. Yurttaşların karar alma sürecine katılımları ile ilgili olarak hakları farklı yasalar çerçevesinde güvence altına alınmıştır.

Yapılan sunumda Almanya’da gerçekleştirilen beş tür farklı toplantıdan bahsedilmektedir. (İdari Toplantılar, Katılımcı Yasama Toplantıları, Yasama Araştırma Toplantıları, Yasama Politika Üretme Toplantıları, Parlamento Dışındaki Grupların Düzenledikleri Toplantılar) *Katılımcı Yasama Toplantıları, parlamentodaki parti grupları ya da komisyonlar tarafından düzenlenmektedir.*

Almanya örneğinin yanı sıra, ABD’nin Oregon eyaletinde 1973 yılında geçirilen “Kamu Toplantıları Kanunu” çerçevesinde düzenlenen katılımcı yasama toplantıları hakkında da bilgi verilmektedir. Adı geçen yasa, karar alma sürecinde yöneticilerin, şeffaflık ve açıklık prensiplerini uygulamaları amacıyla geçirilmiştir. Yasanın ana unsurları olarak, toplantı tarihi, yeri ve gündemi hakkında kamuya önceden haber verilmesi, toplantı tutanaklarının en kısa süre içinde kamuya sunulması gibi noktalar verilmiştir. Aynı yasa, yurttaşların toplantılara katılımını garanti altına almakla birlikte, yurttaşların görüş bildirmelerine dair herhangi bir düzenlemeye bulunmamaktadır. Ancak farklı kamu kurumları, yurttaş katılımı ile ilgili olarak kendi düzenlemelerini yapmışlardır.

Her iki ülke örneğinde de ön plana çıkan unsurlar; yurttaşların karar alma sürecine katılımı ile ilgili olarak haklarının yasalar ve yönetmeliklerle garanti altına alınmış olması ve bu toplantıların bütçeleri hakkında örnekler sağlamasıdır.

Kaynak: A Report on the NDI-China Centre for Comparative Politics and Economics Seminar on Local Legislative Hearings, Lanzhou, Gansu Province PRC, 20-22 April 2004, Printed by National Democratic Institute for International Affairs



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Lanzhou, Gansu Province, PRC
April 20-22, 2004

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I. INTRODUCTION

On April 21 and 22, the National Democratic Institute for International Affairs (NDI) continued its support for the development of legislative hearings in China through a second cooperative project with the China Center for Comparative Politics and Economics (CCCPE). The regional seminar, entitled “Dissemination and Improvement of Local Legislative Hearings” took place in Lanzhou city, Gansu province with about 50 participants including representatives from Ningxia, Qinghai, and Shanxi provinces and the Inner Mongolia and Xinjiang Uighur Autonomous Regions, as well as scholars. NDI also facilitated the participation of two international experts, Alexander Longolius, former Speaker of the Berlin Parliament, and Jackie Dingfelder, a member of the Oregon Legislative Assembly.

Since 2000, NDI has sponsored and co-organized numerous seminars and conferences examining general issues about implementing public legislative and administrative hearings in China. This seminar primarily focused on assessing the effectiveness of hearings in impacting the creation of legislation and a cost analysis of holding hearings. The first day of the event was divided into morning and afternoon sessions to address these two topics separately. During the second day of the seminar, participants had the opportunity to observe Gansu province’s first ever public legislative hearing. The Legislative Affairs Commission of the Gansu Provincial People’s Congress had determined that the hearing topic would be whether additional industries, including medical, real estate, insurance and other “intermediary” services, should be included under the province’s proposed consumer protection law. Gansu officials had stated that they wanted to do their best to make sure that the revised law serves the people. The afternoon of the second day was dedicated to a critique of and discussion about the hearing.

During introductory remarks, officials from Lanzhou and CCCPE noted that hearings are important to carrying out greater democratization with leaders from Deng Xiaoping to Jiang Zemin advocating this opening up of China. Officials noted that hearings are intended to help protect the interests of the people. CCCPE’s Executive Director stated that he continues to see legislative hearings as a promising development as localities have started to learn from each other. He claimed that hearings are becoming more systematic and expanding in usage. In his words, they are becoming one of the “hotter” developments in China. He said that hearings reduce local government protectionism and intervention, and they also increase legislative capacity as sometimes it has been challenging to draw talented staff into legislative affairs commissions.

There was general agreement by speakers in this portion of the program that the practice of legislative hearings should be disseminated and improved. NDI’s representative lauded the significant progress that China has made with hearings over the past several years in order to be interested in a seminar that specifically addresses the issue of cost analysis of the practice as well as an evaluation of its efficacy.

The Effectiveness of Hearings

On the subject of the effectiveness of hearings on the development of legislation, one seminar participant argued that while there are many ways to solicit advice, public hearings are one of the more “scientific” ways to do so. However, he conceded that in China there is still not clarity on how to incorporate the results of hearings or how to manage their costs. This issue had been repeatedly raised during NDI-CCCPE’s September 2003 seminar in Beijing on the development of hearings in China. Thus these two related issues became the focus for this follow-up program in Lanzhou.

An ongoing problem that continues to diminish the potential effectiveness of legislative hearings is that they have still not been regularized. They are not institutionalized into the legislating process but are often held on a one-off basis in what some critics see as only for demonstration or show. Participants noted that good suggestions or opinions expressed at hearings are often not actually incorporated into the resulting legislation, which decreases the appeal of hearings to both citizens and officials.

One participant commented that Chinese inexperience impedes the process. Preparation for hearings takes substantial time and effort, as legislative affairs commissions or other relevant offices are not accustomed to the extra workload having not incorporated the practice into their day-to-day operations. At the same time, it appears to NDI that much of the research and other preparatory work that is counted as part of the additional burden actually would be necessary to the legislature’s work regardless of whether an actual hearing is conducted on the proposed legislation.

Other issues that were raised include the belief that public hearings still lack a legal basis in China without a clear definition of the rights and obligations of stakeholders. One participant pointed out that Chinese citizens are not that interested in participation, and that there is an over-emphasis on procedure. Finally, participants were concerned about finding a systemic way to identify which bills required hearings.

A representative from Inner Mongolia explained that his province had held its first hearing in December 2003. Inner Mongolia had based its rules of procedure on those of other provinces. The hearing on media law lasted for three hours, after which the legal affairs commission revised the law and perceived that it had been improved because of the hearing. According to the representative, the primary problem the province encountered in organizing the hearing was the low level of participation. He said that the main reason for this was insufficient publicity.

During discussion on the effectiveness of hearings, the question of how useful hearings can be in China given the closed electoral system was raised. One scholar pointed out that legislators in China are not elected and are therefore not accountable to the public. However, he asserted, hearings are still a good way to collect useful information, even though they are not an essential part of the legislative process. He cited Shanghai as an

example, where numerous new laws (presumably effective) have been passed, but only four hearings have ever been held there.

According to the national legislation law that was passed in 2000, hearings are an optional means of collecting public input on legislation. At the seminar, participants weighed the US and German systems, where in the former in many states hearings are held on every piece of legislation that is passed, and in the latter, hearings tend to be held more arbitrarily. Alexander Longolius was careful to stress that frequency matters in a system where representatives were accountable through elections, and if citizens did not feel that they had sufficient opportunity to provide input on a new law, then they could show this dissatisfaction at the polls. Jackie Dingfelder noted that this was the case in the United States as well, and also that the Oregon constitution legally requires that hearings be held on all proposed legislation.

Another issue that was raised during the discussion was whether legislative hearings should be held on judicial decisions. In China, the National People's Congress has oversight responsibility over both the executive and the judiciary. Judging from the debate at the seminar, it appears that this issue remains a contentious one in the general discussion about the use of hearings in government decision-making more broadly. Some scholars at the table seemed to advocate that court interpretation of the law should also be open to public scrutiny. One participant eventually noted that the focus of the seminar was on legislative hearings vis-à-vis lawmaking and that the group should not get side-tracked with questions about use of hearings outside of the legislative framework.

A Cost Analysis of Hearings

In discussing the cost of legislative hearings, a representative from Qinghai province, who had also participated in NDI-CCCPE's September 2003 seminar, presented the costs associated with holding the hearing he had described last autumn on the protection of Qinghai Lake. Costs for the drafting of the new legislation were 9000 *reminbi* (RMB or approximately USD1100), research was 960 RMB (USD120), and hotel and transport for experts to and from the hearing totaled 5160 RMB (USD625). The Qinghai representative also reported that there were many unquantifiable costs related to holding the hearing, such as expenses related to preparation, meetings and planning. He thought that the hearing was useful for gathering public input, but wondered if it was cost-effective and concluded that the proposal to hold hearings more regularly is still up for debate. He noted that there are still many other forms of participation available and that China should not rush to incorporate all of them. First, he said, we need verification that hearings actually improve the quality of legislation.

The representative from Guiyang municipality who had also participated in NDI-CCCPE's September 2003 seminar presented a cost analysis of hearings in her city. She noted that hearing costs could be broken down into two parts: the drafting and promulgation of legislation and the enforcement of the new law. She also reported that the cost of hearings is higher than the traditional decision meetings held in China that are

closed to the public but involve consultations with outside experts. Hearings in Guiyang are not covered under a separate budget; thus, she noted, they remain difficult to justify because of their high costs. Guiyang spent between 20,000 and 30,000 RMB (USD2400-3600) per hour for television coverage for its hearings; 50 RMB (USD6) per participant for a transportation subsidy; and thousands of additional RMB to cover meeting and planning costs. Despite the high costs, the Guiyang representative has remained an advocate of hearings in cases when the legislation would have a large impact on the public.

Several participants commented that real calculations are rarely done in China, and the discussion of costs at the seminar would help to improve cost effectiveness. As mentioned already, NDI has been questioning the attribution of various expenses that are perceived to be associated with hearings when really they should be part of the general legislative drafting process.

By the end of the first day's discussion, participants were saying that hearings provide a way for consensus politics to take place and allow the views of the minority to be heard. Hearings not only enhance rule of law, one participant noted, but they embody the constitutional spirit of human rights protection. Legislators must forget about personal factors and make decisions equitably in hearings, another participant claimed. More lofty expectations aside, the contribution of hearings to increasing transparency in governance in China was touched upon as well. One participant went on to pose the question of what advantages hearings have over traditional discussion meetings, which he then answered himself: they are more open; they are more regularized; and they can better incorporate a wide representation of sectors.

Gansu's First Legislative Hearing

On the second day of the program, participants moved to another site to observe Gansu province's first public legislative hearing. The hearing began at 9:00AM and lasted until 11:00AM. The Chairman of the Standing Committee of Gansu Provincial People's Congress presided over the hearing, along with 12 other Standing Committee members. He opened by stating the purpose of the hearing was to solve problems related to the province's consumer protection law and solicit opinions from all sectors. He noted that the hearing would provide a basis for future legislative hearings. He reported that 17 media entities had been invited to take part in the event. The first public notice about the hearing had gone out on March 13.

A total of 16 witnesses were supposed to provide six minutes each of testimony at the hearing on expanding consumer protection provisions in Gansu. Witnesses had been selected from a pool of more 80 applicants. They were essentially split into two opposing sides with one advocating the expansion of the law to include more "intermediary" services while the other argued against such a move. The hearing proceeded with one witness from one side providing testimony to be followed by another witness from the other side in an alternating pattern. One of the primary points of contention was whether malpractice by the services that were under consideration for inclusion into the consumer

protection law were already covered by existing laws, particularly under provisions at higher levels of government. Witnesses against expanding the local consumer protection law argued that a great deal of confusion would be caused if these services were covered under more than one law. Following the testimony, Standing Committee representatives asked only three questions, requesting clarification on technical points that had been presented. The witnesses were then allowed to question each other contrary to advice that NDI has provided in the past.

In the afternoon, seminar participants returned to the previous day's site to critique the legislative hearing. The two international experts commented that the hearing had been well organized, and the media had been allowed an impressive degree of access. Jackie Dingfelder advised the Legislative Affairs Commission of the Gansu Provincial People's Congress to schedule all of the pro and all of the con testimony at one time and to instruct witnesses to avoid re-stating points that had already been made to prevent repetition and to speed up the hearing process. Ms. Dingfelder also noted that she had not seen open debate among witnesses' hearings before, and that there may be some value in the exercise. She did, however, wonder if this could get out of hand during controversial issues. She also commented that the time limit of six minutes was quite generous and that during legislative hearings in Oregon, people typically only have three minutes to give their oral testimony. Finally, Ms. Dingfelder suggested that it might be useful for legislative staff to provide an overview of the legislation at the beginning of the hearing and a fiscal analysis of the law. Then, Ms. Dingfelder asked how meeting minutes would be disbursed, who was taking notes and if the meeting was tape recorded. She also expressed concern that not enough actual citizens, or "non-experts," were represented at the hearing.

Alexander Longolius commented that he felt that there were a high number of "interest group" representatives present at the hearing, and not enough more typical citizens represented. He noted that the number of representatives from the medical field, advocating that medical services should not be included under the proposed consumer protection provisions, was particularly high. He suggested that the Gansu Legislative Affairs Commission reconsider the selection of people who were being heard. Moreover, Mr. Longolius stated that the Standing Committee should get more involved in discussions during the seminar; they should try to ask questions that are not just factual or points of clarification but also ones that go beyond what is presented during the hearing.

The Chinese participants also offered a number of observations and criticisms on Gansu's first hearing. One participant asserted that the hearing in Lanzhou tried to cover too many issues and should have been more focused in order to get a more comprehensive gauge of whether each of the various practices should be added to the consumer protection law. He also questioned why there were two representatives from the same insurance company testifying and commented that the witnesses were not representative enough. Another Chinese participant pointed out that all of the witnesses were male, and that there should have been more female representation on the panel of witnesses. Yet another participant noted that there were too many people moving around causing

disruption, especially the press, and suggested that the media be confined to a specific area in the hearing room for future hearings.

The discussion on the hearing itself was followed by an examination of the rules of procedure that were used by the Gansu Provincial People's Congress with participants providing various suggestions for improvement. The Gansu Provincial People's Congress subsequently revised these rules significantly based on the feedback provided at the NDI-CCCPE seminar.

The following report documents the presentations given by both international experts, Alexander Longolius and Jackie Dingfelder. Translations of these presentations will be published in an upcoming edition of the influential journal *Research on the People's Congress* by the Standing Committee of the People's Congress of Gansu Province.

II. INTERNATIONAL EXPERTS' PRESENTATIONS

Legislative Hearings in Germany: How Effective Are They?

By Alexander Longolius

April 2004

It is a great pleasure and privilege to be with you and I am grateful for the honor of sharing some of my legislative past with you.

When I do, I will be talking about hearings in a very different political system and under very different political conditions. So, I will also have to talk briefly about the different role of hearings in my country. You will see, as is true in many cases, that our system cannot be transferred to other societies, although there are parts which some of you might want to adopt.

Let me talk about the differences first.

What are we talking about when we discuss hearings in Germany? We might think of five different kinds:

- a) Administrative or "suggested" hearings. In city planning and zoning matters, the authorities have to inform the public about their plans and have to invite comments. This is done through ads in newspapers, which also give the time and location of the hearing, as well as where criticism, approval and other opinions can be filed. At the end of the process, the public reaction is either integrated into the plans or a hearing might be scheduled.
- b) The legislative or participatory hearings, which we are discussing here today. Legislatures, or their various components like party groups (caucuses), schedule hearings on bills or general topics which are of concern to them or the public and might result in the necessity to introduce a bill at a later date.
- c) Legislative investigative hearings. Legislatures may form special committees to look into any kind of official matters, actions by the government, corruption and other legal problems or grave wrong-doings. These committees have strong legal powers, similar to court privileges.
- d) Legislative policy hearings. Again, special committees are set up to look into matters of basic political importance, such as, for example, whether the protection of the environment should be included in the constitution. This calls for hearing experts and many weeks or months of deliberation, and it usually results in lengthy reports.
- e) Non-legislative hearings organized by groups outside of parliaments.

The next element we need to keep in mind is the fact that there are basically four levels of government in my country and that hearings are only meaningful if they are being held on the correct level. Hearings without the chance for consequences do not make any sense.

How then are the Germans governed?

- a) On the European level. More and more of the social and environmental standards, Germany's positions on human rights and foreign trade, and so on, are being set by the European Commission or the European Parliament. By the way, we will have an election for this parliament coming up in June, and all the member states of the European Union will take part. These European rules become national laws.
- b) Of course, on the national level. Foreign policy, defense, most tax laws, etc., are a matter of the German national parliament and government.
- c) On the state or provincial level. Germany consists of 16 states. They administer the laws, they run education and cultural affairs, they can levy some of the taxes and they are responsible for regional security like the police. In all matters reserved to the states they have legislative powers. They have state legislatures, state governments and state courts.
- d) The municipal or local level. Our cities, towns, villages and counties have limited self-government, they elect officials to run their affairs in city and village councils, but they do not have legislative powers. That means they cannot pass laws, but they can decide on quite a few issues which are just as important for the daily life of the people.

Three of our states are cities, we call them city-states; they are states and municipalities at the same time. Berlin is one of them.

All of these people running the European, national, state, etc. bodies have been elected. And in every election, the voters have a choice.

As you can see, the political system is quite diversified. We believe that the division of power is one source of our freedom. German history has taught us to distrust centralization.

Elections in Germany are competitive, several parties with conflicting views ask for the support of the voters. Therefore, political parties are a very important element of our political life. It is almost impossible for a candidate to get elected without the support of a major party. Once elected, the members of the same party in a legislature form a group or caucus.

A legislator therefore represents his or her party just as much as he or she represents the voters which, as you can imagine, often leads to conflicts.

Citizens in Germany are free to join any party they would like to join. Actually, this is the best way to have their voice heard –when they influence the platform of their party and have a part in the selection of its representatives.

What are the other possibilities open to Germans?

- a) They can take part in elections and choose their favorite party or candidate.
- b) They can go to campaign meetings and ask questions or tell the candidates what they expect of them. They can hold them responsible for their past voting record or their promises during the last campaign.
- c) Citizens can join an interest group or a citizen’s association outside of parties, like a trade union, an environmental group or a neighborhood club.
- d) They can have that organization hold non-legislative hearings.
- e) They can lobby members of parliament, call them, go to their office, write letters, collect signatures for petitions, etc.
- f) They can have the legislator ask a so-called “Parliamentary Question” which the government has to answer in the legislature.
- g) They can go on a political strike or join a demonstration.
- h) They can get the media involved in a political cause.
- i) They can get themselves elected to the position of a parent representative in the school of their children, etc.
- j) They can petition the legislature to investigate a matter or introduce a bill.

There are other ways. All of them are guaranteed by law or even written into our national or state constitutions.

All of these methods are up to the people. They take the decision whether they want to get involved and go through the trouble of joining the political process. Every citizen can have an effect on legislation in Germany, but many decide not to go through all that trouble and leave the work to others.

Legislative hearings are a different story. The reason is simple. Here all the decisions about citizen participation are being taken by the legislature, and that includes

the topics, the time, the place and the people being heard. Does that make them less important? Definitely NOT.

The hearings we will discuss today, I called them “participatory” hearings earlier, definitely are a positive element in any system which prides itself in involving the people, their opinions and their expertise.

- Hearings not only help the legislature to improve their work, but also give citizens a feeling of responsible participation. They work both ways.
- They satisfy the interest of the public in matters of common interest.
- They automatically result in a mutual feeling of greater accountability of the leadership.
- Participation by the citizens results in a higher degree of commitment for the common good.
- Hearings will and must include minority positions in the work of legislatures and the government and therefore broaden the foundations of laws.
- Therefore: Of course they will make legislative work more effective. How do you measure that? I do not know. I could not tell you even in Germany. How do you measure the feeling of a citizen who had been heard by a legislature and felt himself or herself recognized as an equal partner?

Hearings must be organized well to produce good results. The issue should be clear, like finding out about local consequences of regional politics. The committee or panel should be open for new insights and opinions, for hopes and fears which are not their own, even irrational ones. It is important for legislators to know these fears and prejudices, more discussions may be necessary as a result to gain public support. I have often discovered ideas in hearing citizens which had escaped me, and that goes for local as well as international experts.

Here is my summary about “participatory” hearings in Germany:

- They are one, a relatively rarely used method of including citizens in decision-making.
- They are not standardized, but there are minimum requirements: They must be public, the reports (minutes) must be available to whoever wants to receive them, and that includes the media. Fact-gathering discussions with individual experts behind closed doors should not be called hearings.
- They can be a powerful tool in the hands of citizens and their organizations.
- They sometimes are used to publicize the political goals of parties and interest groups and not only to improve legislation.
- They must remain advisory instruments. In a legislature, the legislator makes the final decision. His responsibility cannot be delegated to the people he heard in a hearing. Only he will be held accountable.
- Hearings help to broaden the legislators’ perspectives and factual knowledge of a given subject matter and improve his or her respect for the expertise of the people.

- The more that people are affected by a law, the more they should be heard. In Germany, we do not hold hearings on budget issues, pay for civil servants, foreign affairs, etc., and of course we see to it that hearings are not held on the wrong level. A local city council would not hold a meeting on European affairs.
- Hearings imply that the political leadership accepts the citizens as equal partners in a dialogue organized in the best interests of the community, the region or the nation.

In developing a democratic society they are a first, but very important step. They educate the people and the leadership to work together and to accept each other.

Legislative Hearings in Germany: How Expensive Are They?

By Alexander Longolius

April 2004

This morning I had discussed some general elements of hearings in Germany, I do not have to repeat them here. Please keep in mind, though, that the many different kinds of hearings and governmental levels will of course also have consequences as far as the cost of hearings is concerned.

So what are the deciding elements which might influence the cost?

1. Who “hears?” And who decides whom to hear?

Political parties will hold non-legislative hearings which can be very political and lead to legislative initiatives. Legislative hearings will be organized by individual legislators, party groups (caucuses) in a legislature or a legislative committee. The last form has to be approved by the Speaker of the Parliament.

2. Who is being “heard?”

Many partners are possible here, including: professional associations like employers, trade unions, neighbors of a new street or jail, landlords in an issue of rent control, developers, tenants, all kinds of interest groups, small shop keepers or supermarkets, even government agencies. In the case of legal issues, especially, experts will have to be heard.

The participants in the hearing may want reimbursement; although, most of them will probably consider it an honor to appear in a hearing and not charge the organizers.

If citizens have expenses, however, in connection with having to attend a hearing, they will be reimbursed by the State, even for lost pay during that period of time if the employer deducts pay because of the employee’s absence.

The audience, which could also include experts in addition to the general public and the media, will not add to the cost of a hearing. People just watching will not be reimbursed.

What kind of expenses are possible?

In the larger states of Germany, travel expenses make up for a large part of the total cost. In Berlin, we do not have that problem, since everybody uses their car or the subway. Also, very few people will present a subway ticket to be reimbursed.

If witnesses have to stay overnight, hotel costs occur. Setting up the hearing room might produce expenses. If you have to rent equipment like microphones, there may be additional expenses. Hearings may also require additional staff people like guards, technicians, and interpreters. Copies of documents may have to be made. Invitations need to be printed and mailed. You may want to hold a press conference before and after the hearing and treat the media to a few snacks. Experts may want to charge for papers they have to write or legal documents they have to prepare. All kinds of expenses may arise, and then again, they may not.

The legislature might have staff and provide all the facilities you need. The copy cost might be taken from the general budget of the legislature. Experts may want to testify without pay. Interest groups may decide to pay their representatives out of their own funds. Therefore, expenses vary greatly.

One thing is clear, however. Whoever organizes a hearing will have to pay for the expenses. That is why the Speaker needs to approve legislative committee hearings. The money for them will eventually come out of the legislature's budget.

Since I cannot give you a fixed structure of expenses, I will go through a few budgets of German states in past years and hope that this gives you a rough idea about what we spend on the practice of hearings.

1. For the State of Berlin the total budget for the legislature is 31.7 million € for 2004. Hearings, and that includes every kind of legislative hearing, in the years from 2001 to 2004 were planned to cost 100,000 € annually. Actual expenditures in Berlin were:

in 2001 = 23,000 €
in 2002 = 4,800 €
in 2003 = 7,000 €.

2. In Bavaria, the estimate for 2002 to 2004 on this is 121,600 € annually, 50,000 for hearings and 71,600 for investigations. This comes out of a total budget of about 80 million € annually.

3. The State of Hesse only budgets for the reimbursement of experts, 170,000 € per year. The total budget of the state legislature is 37.6 million €.

4. In Rhineland-Palatinate we find 15,400 € in the budget for both 2002 and 2003, and 68,400 € for 2004. The total budget for the legislature is 29 million €.

5. Northrhine-Westfalia is the biggest and most populated state with about 16 million inhabitants. The total budget for the legislature is 88.5 million €. For commissions, hearings, etc., the plan in 2004 was for 550,000 €, and for 2005 85,000 €.

6. Mecklenburg-Vorpommern is a small state in the former German Democratic Republic. Their total budget is 24 million €. For hearings they anticipated spending 5,000 € in 2003, but actually spent only 1,600 €.

You may wonder why there are such big differences between planned and actually spent amounts. Well, writing up a budget for hearings in the upcoming fiscal year is like fortune telling. How do you know that there will be a hearing? How many will there be? How expensive will they be?

In Berlin, a few years ago we had planned our annual amount of 100,000 € for hearings and spent that entire sum on one paper which a professor wrote. We had to dig up additional funds after we got that bill.

Of course you can influence the cost of hearings. It does not have to be the one expert who lives far away and has travel and hotel costs. It could be a local expert who charges nothing.

You do not have to rent an expensive hearing room in a hotel if a school class room also does it.

At the very start, when hearings are being thought about, the money factor can be included in the planning process. Also, from my experience I can say that the quality of hearings and their results has nothing to do with the money spent on them.

In closing, let me give you three examples of possible hearings in Berlin.

- a) On the borough level. The council of a district within Berlin may want to discuss closing an elementary school. This is quite a matter of dispute, since Germans do not have enough children, the student population is going down, schools need to be closed and that always means getting children used to new traffic situations, etc.

So who might be involved in the hearing: educators, parents, school administrators, traffic police, day care centers and others. I would guess that this hearing would not cost anything.

- b) On the municipal level. The city council may want to hold a hearing on a new plant for garbage disposal. Who gets invited?

Environmental experts, because the new facility might be noisy, it might smell, it could produce fumes, etc. Business and university leaders, because some companies may want to have a disposal facility nearby, while scientists have their own concerns about consequences for the public's health. Representatives from areas close to Berlin who fear competition from a new disposal site which might ruin the economic chances of their own plant. Traffic experts and state legislators representing areas close to the new facility may also be invited.

In this case, we are getting into the realm of business and other interests. These representatives will be so interested in being heard that they probably will not present bills for their expenses either. Environmental experts may be an exception, but in this case, also I would not foresee great costs.

- c) On the state level, we might want to discuss the expansion of the European Union and possible consequences for our regional relations with Poland.

Here the legislature might want to invite the Polish Ambassador to Germany, a representative of the German Foreign Service, business representatives from Berlin and Poland, tourism experts, experts on labor and social laws, border guards and criminal police and student exchange organisations.

Here I can imagine that there will be a few who think: If they want my opinion, they should pay for my time. But still, this would not be a big bill.

I hope that I have explained the low cost of participatory hearings. Most budget plans for hearings in general include the more expensive investigative hearings which may be run over many months and call for all kinds of experts, even witnesses travelling from abroad.

Good government costs money. Bad government does too. Involving the people is always a good move, even if the expense is a little higher. Criticism of the high cost of hearings often comes from those who do not really want to have them. The immaterial benefits of hearings far outweigh the material expenses.

**Presentation on Legislative Hearings
The National Democratic Institute for International Affairs Seminar**

**By Representative Jackie Dingfelder
Oregon Legislative Assembly**

Introduction

Good morning. It is a great honor and privilege to be here with you to share information about Oregon's legislative hearing process.

Oregon has a long history of public involvement in government decision making. As an elected official, I believe it is very important to solicit citizen input and ideas before making decisions on laws and regulations. Part of the democratic process involves engaging different viewpoints and weighing both sides of an issue prior to making decisions that will affect the community at large.

I will present background and history of Oregon's public meeting laws along with specific details about the costs of holding public hearings in Oregon.

Oregon Public Meeting Law

History and Overview of the Law

"Open government" or "sunshine" laws originally were enacted nationwide in the early 1970's because of growing public unhappiness with government secrecy. As a result, every state enacted laws requiring government to conduct its business openly, rather than behind closed doors.

Open government laws benefit both government and the public. Citizens gain by having access to the process of deliberation -- enabling them to view their government at work and to influence its deliberations. Government officials gain credibility by permitting citizens to observe their information-gathering and decision-making processes. Such understanding leads to greater trust in government by its citizens. Conversely, officials who attempt to keep their deliberations hidden from public scrutiny create cynicism, erode public trust and discourage involvement.

The Oregon Legislature enacted the Public Meetings Law in 1973 to keep Oregon governments open in their decision making.

The law requires that:

- Meetings of governing bodies be open to the public
- Minutes from the meeting must be made available to the public soon after the meeting.
- That the public be given adequate notice of the meeting.

- The meeting law does not require that the public be allowed to speak at all meetings, only that they must be allowed to attend them.

The Law applies to all Governing Bodies of Public Institutions

It is considered a public meeting whenever two or more members of a public body meet. A public body is any state, regional, or local governmental board, department, commission, council, bureau, committee, subcommittee, or advisory group created by the state constitution, statute, administrative rule, order, intergovernmental agreement, bylaw or other official act.

Private companies and non-profit corporations do not have to comply with the open-meetings law, even if they receive public funds or perform public services. However, a public body may require that a private body open pertinent meetings to the public.

What is a Public Meeting

A public meeting is the convening of any governing body for which a quorum is required to make or deliberate toward a decision on any matter, or to gather information. Decisions must be made in public, and secret ballots are prohibited. Quorum requirements may vary among governing bodies. Conference calls and meetings conducted via other electronic means may still be considered public meetings

The Public Must be Given Notice of Public Meetings

Governing bodies must give notice of the time, place and agenda for any regular, special or emergency meeting. The notice should be given as far ahead of time as possible so that those wishing to attend have ample opportunity -- a week to 10 days for example. In case of emergency meeting, the media and interested parties should be notified by telephone as soon as possible before the meeting. A meeting notice must include a list of the principal subjects to be considered at the meeting. This list should be specific enough to permit citizens to recognize matters of interest. However, discussion of subjects not on the agenda is allowed at the meeting.

Public Testimony

Oregon's Public Meeting Law gives citizens the right to attend meetings and doesn't require public bodies to take testimony. However, most public bodies provided for citizens' comments under their own rules.

Exceptions to the Public Meeting Law – Executive Sessions

No final action may be taken in executive session. Decisions must be made in public session.

Minutes are required

Written minutes are required for all meetings, except tape recordings are allowed for executive sessions. The minutes must be made available to the public as soon as possible after the end of the meeting, usually within three weeks.

Minutes must indicate:

- Members present.
- All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition. The result of all votes by name of each member (except for public bodies consisting of more than 25 members). No secret ballots are allowed.
- The substance of discussion on any matter.
- A reference to any document discussed at the meeting.

Enforcement

Any person affected by a governing body's decision may file a lawsuit in circuit court to require compliance with or prevent violations of the Public Meetings Law.

The court may void a governing body's decision if it finds that the governing body intentionally or willfully violated the Public Meetings Law. In this case, members of the governing body may be found liable for all court costs.

Public Hearing Costs

Costs for holding public hearings range widely depending on the level of government, the extent of public outreach, and the complexity of the issue or law being addressed.

At the state level, public hearings are held as part of the legislative process of developing new laws or amending existing laws. This is also true for administrative rulemaking, which takes place at an agency level.

A typical Oregon Legislative public hearing held at the Capitol costs approximately \$600 per hearing depending on the length of the hearing (see Appendix A for a detailed cost breakdown).

The Oregon Legislative Assembly allocates funds for legislative public hearings (committee meetings) as part of our biennial budget. For the 2003-2005 session, \$1,164,306 was allocated to conduct public hearings on hundreds of bills. The bulk of the costs are to cover the 57 positions (both full-time and part-time) to staff the committees during the legislative session (see Appendix B for a detailed cost breakdown).

Conclusion

Public meetings or hearings are an important tool for informing and involving the public in decisions; ensuring public awareness of deliberations, decisions, and background; and

providing safeguards that governing bodies openly arrive at decisions. Hearings at the local and regional level typically involve a much more extensive public involvement process than what is presented in this paper. The costs associated with these public hearings are viewed as an essential cost of doing business and represent a fraction of the overall state budget (\$1.16 million out of \$11 billion).

Appendix A

State Legislative Hearing Cost Estimate

The cost estimates below are for a typical 2-3 hour hearing at the Capitol Building in Salem, Oregon. This assumes no travel costs and no reimbursement for witnesses.

Staffing Costs

These figures are for one meeting.

Administrator time:

7 hours preparation time

2 hours meeting time

4 hours post meeting

13 hours total Administrator Time = \$315.38

Assistant time:

3 hours prep time

2 hours meeting time

.25 clean up

6 hours office time (dropping bills, meeting action, tapelogs)

11 hours total Assistant Time = \$136.62

The hourly wage for a first session administrator is \$24.26 per hour. This takes their monthly salary of \$4,204.56 (includes salary of \$3,903.00, Social Security of \$278.00 and WCD of \$2.97) divided by 173.3 (average hours in a month).

The hourly wage for a first session assistant is \$12.42 per hour. This takes their monthly salary of \$2,153.64 (includes salary of \$1998.00, Social Security of 152.84 and WCD of \$2.80) divided by 173.3 (average hours in a month).

Supplies

The following are the initial cost of supplies. However, these supplies are kept in the hearing rooms and used by multiple committees over the course of the session.

These figures are based on an 8-member session committee:

Nameplates: \$96.00

Pad of lined paper: 13.20

Scratch Pad: 7.20

Post It Notes (3x3) 10.16

Highlighters: 7.12

Pens: 2.40

Pencils: 1.92

Cassette Tapes: .80 (2 -one hour cassette tapes)

Copies 1.40 (25 copies per member)

TOTAL 140.20

TOTAL ALL - \$592.20

Appendix B

Oregon Legislative Committee Staffing Budget

Staffing costs for a six-month session:

Committee Administrators: \$629,886.00 (this includes 11 full time positions and 9 session positions)

Committee Assistants: \$418,968.00 (this includes 5 full time positions and 27 session positions, including Revenue and Fiscal)

Other positions: \$115,452.00

Library Research Generalist (Full Time)

Committee Coordinator (Full Time)

Supervisor (Full Time)

Toll-free telephone operator (Session)

Manager (Full Time)

Total Positions: 57

20 Full Time Positions

37 Session Positions

Total Salaries: \$1,164,306.00

Appendix C

Metro Public Involvement Budget Examples

Identifying a budget for a public involvement effort within a particular study or project is always difficult because isolating public involvement tasks from alternative development, analysis, evaluation and decision-making is impossible. Public involvement occurs within projects and requires participation of public involvement staff in technical work and participation of technical and managerial staff in public involvement work.

This memo provides analysis of the budgets for the public involvement components for two corridor studies. The Highway 217 Corridor Study used a traditional public involvement approach with an advisory committee, public open houses and hearings, meetings with neighborhood groups and public opinion research. The Powell/Foster Corridor Study allocated resources differently to support non-traditional, targeted outreach that included a partnership with a local high school as well as public open houses and meetings with neighborhood groups. The budget for public involvement for both projects was about one-third of the total project budget.

Highway 217 Corridor Study- Fall 2003 through Spring 2005

The 18-month budget for the Highway 217 Corridor Study is \$1.2 million. The total public involvement budget for the study was \$366,000 including \$86,000 for materials and \$84,000 for consultants. In addition to the budget for the public involvement tasks, \$30,100 was budgeted for involvement of public involvement staff in technical tasks.

Highway 217 Corridor Study Public Involvement Budget Public Involvement and Technical Tasks

	PI tasks	PI component of technical tasks	Total cost
Metro Staff	\$196,000	\$30,100	\$226,100
Consultants	\$84,000	\$0	\$84,000
Materials	\$86,000	\$0	\$86,000
Total PI budget	\$366,000	\$30,100	\$396,100

The Metro staff budget included 45 percent of an Associate Public Involvement Planner FTE at an estimated rate of \$44 an hour and 10 percent of a Public Involvement Manager FTE at an estimated rate of \$70 an hour. In addition, the budget included 1,450 hours of technical and managerial staff time on public involvement tasks.

Public involvement techniques identified in the public involvement plan include:

- Forty stakeholder interviews
- Eight focus groups
- 600 household scientific telephone survey
- Policy advisory committee meetings

- On-going liaison work with community members
- Web based survey
- Non-scientific community survey
- Two large and three small workshops
- One public hearing
- Preparation and distribution of a public comment report
- On-going media outreach
- Preparation and distribution of four newsletters
- Preparation of four fact sheets
- On-going maintenance of a project web page and mailbox on Metro’s transportation hotline
- Preparation of graphic materials to support meetings and publications

In addition to PI tasks, PI staff is budgeted to participate in Technical Advisory Committee meetings and Project Management Group meetings as well as attend various technical and strategy meetings and review technical documents.

Powell/Foster Corridor Study

The Powell/Foster Corridor Study had a total budget of \$450,000. The total public involvement budget, which included agency coordination work, was \$140,000 which included \$36,000 for materials and \$27,000 for consultant work. In addition to the public involvement tasks, \$8,000 was budgeted for the participation of public involvement staff in technical tasks.

**Powell/Foster Corridor Study Public Involvement Budget
Public Involvement and Technical Tasks**

	PI tasks	PI component of technical tasks	Total cost
Metro Staff	\$77,000	\$8,000	\$85,000
Consultants	\$27,000		\$27,000
Materials	\$36,000		\$36,000
Total PI budget	\$140,000	\$8,000	\$148,000

The Metro staff budget included \$18,000 for a temporary staff person to implement an innovative school outreach program. For the school outreach program, Metro partnered with AIM High School in the David Douglas School District to gather input from parents of elementary school children in the study area. Metro staff worked with high school students during a semester-long class where the students learned about planning and transportation, developed a survey, implemented the survey and, finally, analyzed and presented the results.

Other key public involvement tools used during the Powell/Foster Corridor Study included:

- AIM High School Project (included take-home letters to 1,600 elementary school parents at the beginning and end of the project)
- Thirty stakeholder interviews
- Neighborhood outreach and liaison work
- Two large open houses with advertising
- Two web-based surveys
- A scientific survey of 500 households
- Preparation and distribution of one newsletters
- Preparation of three fact sheets
- On-going maintenance of web site and mailbox on transportation hotline
- On-going media outreach
- Preparation of graphic materials to support meetings and publications

In addition to PI activities, the PI budget includes some of the costs associated with agency coordination such as technical advisory committee and project management group meetings.

Legislative Hearings Presentations
The National Democratic Institute for International Affairs Seminar

Oregon Legislative Assembly
Representative Jackie Dingfelder

How do hearings impact the quality of laws in Oregon?

The Oregon Constitution and state law requires that deliberations of the Legislative Assembly and its committees be open to the public. The law also requires that public notice be given to interested persons and the public. These practices help ensure a legislative process open to public scrutiny.

Public hearings provide a forum for groups or individuals that may be affected by the actions of a government body to express their views to decision-makers. Legislators base their decisions on facts or testimony presented during the hearing process. The public's participation helps ensure that the Legislature makes an informed decision.

Lawmakers' view the costs associated with conducting public hearings as a cost of doing business. In general, hearings provide a positive impact on the quality of laws and decisions in Oregon. It is difficult to quantify the specific impact of public hearings on the quality of laws on Oregon. However, soliciting public input can and does influence the final outcome. It does not, however, guarantee that a citizen or organization will be satisfied with the particular outcome. It does help ensure transparency in decision making and that the public has an opportunity to share their views and concerns about a proposed policy or law.

How does a legislative committee decide which bill receives a public hearing?

Oregon's legislative process is dominated by legislative committees, where most of the work to shape legislation and public policy is done. In addition, hearings are held throughout the budget setting process. Committees are made up of small groups of legislators from both political parties who deal with related issues such as transportation, revenue, education, labor, economics development and the environment. An average of 3000 bills are introduced each session, approximately one-third of which become law.

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

The process begins when a bill is introduced and referred to a committee. Committee members consider the testimony of Oregon citizens; lobbyists representing certain interests; and business, education and government agency representatives during public hearings on a bill. The number of public hearings held on a bill depends on the complexity of the issue.

In order for public hearings to be effective, legislators and decision-makers need to be open to hearing differing viewpoints. For example, a legislator may be promoting a law that he or she believes will be beneficial, however, through the legislative hearing process they learn that the proposed bill may have unintended consequences for a certain group of citizens. They may decide to move forward with the bill and make recommendations for change.

What happens after the public hearing?

The fate of the proposed bill is determined during work sessions, when the committee debates and votes on the bill. The committee chair decides if and when measures will be scheduled for hearings and work session. During a work session, the committee may or may not choose to amend a measure. Vary rarely is a bill adopted in its original form, however. Amendments are often introduced during a work session based on the public testimony heard during the public hearing.

After a bill is referred out of committee, the full House or Senate considers the measure by a vote. If the measure is approved, it moves to the next chamber, and the committee process is repeated. Once a measure is approved by both chambers in the same form, it is sent to the Governor for signature.

Appendix A

Case Study

City Planning: *The Hollywood Plan*

Portland, Oregon

USA

Introduction:

This case study documents the use of public meetings in a highly successful two and half year project by the City of Portland Bureau of Planning to create a twenty year development plan for the Hollywood area of Portland, Oregon. The Hollywood area is characterized as a “Town Center,” meaning that it is already a densely populated center of commerce and entertainment within the city. The plan seeks to ensure, through such measures as zoning regulations, incentive programs, action plans, and by establishing a common vision for the district, that favored qualities of the district are maintained, and that future development in the area maximizes its vibrancy as a place to work, live, and play.

The specific objectives of the project were:

- Identify and preserve the features of the Hollywood District make it a great place for its residents today.
- Identify specific community needs and desires to make the area even better in the future.
- Develop strategies and actions to fulfill these community needs and desires.
- Make the area more amenable for walking, bicycling, and public transit.
- Provide meaningful public participation throughout the project process.

The Hollywood Plan, like any city plan, would result in rules that could change traffic patterns, dictate where businesses may be located, and specify how buildings would be designed, how tall they could be, and what activities could take place within them. It would affect everyone who lives, works, or seeks entertainment in the Hollywood District. Public participation was, therefore, a cornerstone of the planning process. Oregon law requires a high level of public participation in policy development, and especially in city planning, broad based participation from community members is essential for developing a plan that reflects the wishes and desires of the citizens while balancing public policy objectives. The following summary illustrates how different kinds of public meetings were employed during different stages of the planning process to ensure an adequate level of public participation.

Outline of the Planning Process:

The Portland Planning Bureau divided its effort to create the first draft of *The Hollywood Plan* into three phases. The draft proposal was then subject to a formal approval process, during which it underwent multiple revisions before becoming law. Each of these steps is outlined below:

Phase 1: *Spring 1998-Summer 1998*

Planning Bureau staff collected information about the existing conditions of the study area. The phase included research and compilation of data related to demographics, land use and public facilities and services. The public provided key information about the existing conditions to complement the demographic data.

Phase 2: *Spring 1998-Winter 1998*

Planning Bureau staff worked to create a common vision for what the area should look like in the future. This phase drew largely on the input of community members and technical experts.

Phase 3: *Spring 1999-Summer 1999*

Staff developed implementation strategies for how the community's vision for the area would be met. The *Proposed Hollywood Plan* that was produced was revised several times based on advice gathered from public meetings.

Approval Process: *Fall 1999-April 2000*

The Planning Bureau held two public hearings and two subsequent work sessions to consider the *Proposed Hollywood Plan*. With the resulting revisions, the Planning Bureau's *Recommended Hollywood Plan* was sent to the Portland City Council for adoption into law. The city council held two public hearings of its own on the *Recommended Plan* before adopting the final *Hollywood Plan* into law (with some revisions) on April 5th 2000.

Public Participation in the Planning Process:

Public participation was a cornerstone of the development of *The Hollywood Plan*, starting with the Kickoff Open House in November of 1997. The project established a citizen working group (CWG) comprised of community residents, businesspeople, and property owners. This group complemented the technical advisory committee (TAC), which was comprised of government agency representatives. Both groups held monthly meetings and consulted with Bureau of Planning staff throughout the project. Extensive public involvement activities were provided during each phase of the planning to gather public input. Below are some of the kinds of public meetings that were held during the planning process and what they contributed to the process. Following each event, Bureau of Planning staff produced Public Input Documents reflecting the opinions expressed at these events. The Public Input Documents were used by staff and the public in developing the Hollywood Plan.

Public Participation in Phase 1

Kickoff Open House

The Hollywood Plan project was officially begun with a Kickoff Open House that took place within the Hollywood District. The event was publicized and attendees were added to an initial mailing list of interested citizens who were then given direct notice of future planning events. This master mailing list continued to grow throughout the course of the project.

Open Houses

In February 1998, the first of three open houses was held in the project area. Input was gathered from more than 50 community members about the things they like and disliked in the different geographic sections of the study area.

Neighborhood Walks and Follow-up Public Meeting

In the spring of 1998, Planning Bureau staff held four neighborhood walks with area residents, property owners, and business owners. The groups walked around the district pointing out and discussing specific things they liked and disliked about the about it. In August of 1998, Planning bureau staff consolidated the opinions expressed on the walks into a report which was presented to about 80 citizens at a public meeting. Attendees were asked to write down locations, issues and ideas they felt were not addressed by the neighborhood walks presentation; participate in open discussion after the presentations; and provide comments on the initial draft vision statements developed by the project's citizen working group.

Canvassing Businesses

Throughout the summer and fall of 1998, Planning Bureau staff undertook a major canvassing effort in the project area. They went door-to-door visiting hundreds of business tenants, business owners, and commercial property owners. Staff provided these citizens with information about the project and sought their opinions about the basic characteristics of area businesses, the advantages of doing business in the area, and ideas for improving the area. Staff conducted follow-up meetings to gain more information from canvassed citizens who were especially helpful or insightful.

Written Survey of Businesses

Bureau staff conducted a written survey of business owner that could not be contacted in person.

Results

The Planning Bureau gained a much more thorough understanding of the Hollywood District's existing conditions from community input gained by these public meetings, canvassing efforts, surveys and neighborhood walks than it could have from its analysis of demographic data alone.

Public Participation in Phase 2

Initial Vision Principles Developed by Citizen Working Group

In July 1998, the citizen working group, comprised of residents and business owners from Hollywood District, worked with Bureau of Planning staff to draft the first vision statements for the Hollywood Plan. Through these statements, the CWG articulated that it saw the future Hollywood District as a vibrant mixed-use town center. They described their vision the area's future physical character, a mix of commercial and residential uses, a transportation system, community services, parks and infrastructure conditions.

Community Vision Workshop

Approximately fifty people participated in a public meeting in September 1998 to review and share their views about the CWG's draft vision statements. Bureau staff used citizens' comments from this meeting to refine the CWG vision statements.

Urban Design Workshop

Based on the final versions of the CWG's vision statements, Planning Bureau staff worked to create numerous concept descriptions and architectural drawing to illustrate the possible future appearance of the Hollywood District. They produced concept descriptions of buildings, street designs, traffic flow, parking, and public gathering places, as well as architectural drawings of possible future buildings and traffic intersections. These concepts and drawings were reviewed and refined multiple times over the course of a four-day public meeting in October 1998. More than 200 people attending this public meeting, and local newspapers, and television news programs covered the event.

Results

The final product of all of these public meetings was the creation of a specific and concrete vision, arrived at through near consensus, of what the residents and businesses within of the Hollywood District wanted their neighborhood to look like twenty years in the future.

Public Participation in Phase 3

Draft Plan Presented with Options

Planning Bureau staff created a draft plan, with options for implementation, to the public through a three-day public meeting in May 1999. On the first day, displays depicting proposed changes to zoning codes and idea for transportation improvements were also presented, and opportunity was given to the public for verbal and written comments. On the second day, staff made themselves available to meet one-on-one with interested property owners and residents. On the final day, small group discussions were held with affected residents to consider and discuss specific issues in the draft plan. Based on the input that was received at these meetings, the Planning Bureau created a *Revised Draft Hollywood Plan*.

Revised Plan Presented at Public Meeting

The *Revised Draft Plan* was scrutinized by the public in further public meetings in August 1999. Public comment at this point in the planning process was concentration on implementation plans for achieving end goals rather than debates about the end goals themselves. These meetings were the final major events held by Planning Bureau staff in order to receive public input on the draft plan.

Results

At the completion of Phase 3, the Planning Bureau had created its final *Proposed Hollywood Plan* for future development of the Hollywood District. Once again, this document represented a near consensus of opinions by all of those involved in and affected by the process.

Public Participation in the Approval Process

Two Public Hearings on *Recommended Plan*

The Planning Bureau submitted its *Proposed Hollywood Plan* to the City's Planning Commission for approval. In the fall of 1999, The Portland Planning Commission held two public hearings and subsequent work sessions to consider wider community testimony of the *Proposed Hollywood Plan*. The decisions from these hearing were incorporated into the Planning Commissions *Recommended Hollywood Plan*, which was forwarded to city council for approval.

City Council Hearing

The Portland City Council held its own public hearings on the *Recommended Hollywood Plan*. These hearings resulted in several minor revisions to the plan. It adopted the Hollywood Plan into law on April 5th 2000.

Conclusions

Over the course of the creation of the *Hollywood Plan*, Bureau of planning staff worked hundreds of hours on their efforts to ensure genuine public participation in the planning process. The nature of the working relationship between Planning Bureau staff and the public could be described as follows: Planning Bureau staff would solicit ideas from the public, implement these ideas as they wrote the plan, and then present that part of the plan in a public meeting for scrutiny and revision. As draft versions of the plan moved up for approval by the next level of hierarchy within city government, public hearings were held and subsequent work sessions incorporated the public's comments into revised versions of the plan. The opportunities for public involvement were extensive and only the major ones are listed in this summary. The full list of public meetings, hearings, open houses, and workshops that took place during the planning process contains over sixty entries. This high degree of public involvement ensured that the final Hollywood Plan would accomplished its goal: It meets the current needs of the public, recognizes a common vision for the future of the Hollywood District, and describes specific actions to be taken for realizing that common vision. City council adopted the plan on April 5th 2000, and it is now being successfully implemented in the Hollywood District.