

Portland Elections Commission Meeting Minutes

September 18, 2024, 7pm

PEC Members Present: Commissioners Amy Sample Ward, Anahi Segovia Rodriguez, Norman Turrill, Cristina Nieves, Kevin Neely

PEC Members Absent: Commissioner Berk Nelson, Courtney Veronneau, Amy Ruiz

Small Donor Elections Staff Present: Susan Mottet and Daniel Lewkow

Housekeeping

Minutes for the August meetings were approved with all present voting to approve except Commissioner Neely who abstained.

Program Update

- The complaint to the Auditor's office asked the program for advisory opinion on was resolved.
- A new development is that many organizations - nonprofit, news organizations - are using program certification status, and program data about number of contributions and funds raised (including matching funds raised) to determine which candidates to invite to candidate forums and debates, to invite for endorsement interviews. There seems to be agreement that our public data is useful and that our certification requirements are a sound metric for viability. It was suggested to ask media and organizations in UX research whether they understand the data viz, which the program will do.

Discuss recent media coverage of candidates participating in the program

WW and Oregonian have been covering candidates agreeing to donate to one another. The program has been telling reporters these main things:

- Contributions given in exchange for an item of value – including the promise of another contribution – are not matchable.
- The program is holding the relevant contributions as unmatchable temporarily while we consult with outside counsel as to how to apply the law in the various fact patterns that present themselves.
- Every candidate who has been certified hasn't needed these contributions to count in order to get certified.
- The program has been referring candidates with questions about this to the state, as it may violate state inducement law, but we can't interpret, apply, or enforce their laws.
- The PEC will look at this matter and determine if any changes need to be made to address this emerging issue.

The Secretary of State announced that they are looking into whether this violated state law.

The commission agreed to look into the administrative rule on this after the election to determine if any changes would be appropriate.

The mandatory training explains that the program doesn't match contributions in exchange for items of value, but this language can be more clearly applied to swaps (as opposed to only other items of value), with state approval of the language since it is state law.

Budget and match caps discussion

The commission reviewed their estimate against actuals and decided not to increase match caps because there is not additional funding in the program's budget for which there is budget authority to spend in FY2024-25.

The meeting was adjourned.