Portland Elections Commission Meeting

*July 20, 2022*

**Commissioners Present:** Sabra Purifoy, Norm Turrill, Berk Nelson, Amy Sample Ward, Anahi Rodriguez, Jenny Lee, Cristina Nieves. **Commissioners Absent:** Amy Ruiz and Courtney Helstein. **Staff Present:** Director Susan Mottet and Deputy Director Daniel Lewkow.

7:05-7:10pm - Housekeeping:

* The PEC meetings are now hybrid and occur in Pettygrove in City Hall if PEC members or the public would like to join in person. Parking is free starting at 7pm. Bus passes available upon request
* Staff went to the national convening on public finance administration, held in Albuquerque.

Minutes were not sent out so PEC members did not review them. Staff will supply them for the August meeting.

Director Mottet will send out the links to the user survey, so the whole PEC can offer feedback

7:10-7:15pm - People’s Pledge

Director Mottet decided not to offer the PEC as arbiters in any independent People’s Pledge organized around the City Council #3 race. And in any case, PEC staff has not heard any news about whether such a pledge had been advanced. If it does proceed, it will be a good test of the strengths and pitfalls of the concept. The SDE program may consider it as a potential tool to be incorporated into the Code for the 2024 elections.

7:15-7:30pm - PEC/SDE Independence update

Staff is working on specific language that Commissioner Rubio’s Office could use for a bill to make the PEC and the SDE program independent. Commissioner Rubio’s team and the City Attorney is exploring using the Independent Police Review policy as a model, since that program was also made independent through code. The current plan is to make the program independent, but keep hiring and firing power with the City Council, but only for Cause. Every City Council office would have a staff member present on the hiring panel to review candidates. The process for nominating new PEC members would remain unchanged.

Director Mottet was asked to write a member to the Charter Review Commission about this. The CRC is considering bringing this up in their Phase II work, which is very short and would have them voting on any such matter for referral in November or December, with the measure placed on the May 2023 ballot.

7:30-8:30pm - CRC Amendments

The Charter Review Commission changed their referral to make the elections for the Mayor, 12 City Council seats, and Auditor occur during November 2024. Which means the SDE program will need a larger budget to accommodate more candidates running under matching. But then after 2024 when we move again to elections every 2 years, we can resume the normal 1 cycle of funding at a time.

If the proposal passes and the ranked choice voting proposal was implemented but the other policies were not finished in time (such as drawing the new district lines), then the 2024 election will cost the program an additional $6 million. Or the Council could decide to delay the other reforms until the 2026 election.

SDE Amendments to wrap around CRC reform

* Contribution Limits
  + The PEC agreed to a $500 limit per cycle for individuals
  + The PEC agreed to combine the in-kind limits to make it $10k for groups per cycle
* Matching

The PEC agreed to match donations from all over the city not just within a district, and to match all donations at the same rate. The PEC also agreed that qualifying donations should be able to come from anywhere in the city.

Director Mottet: Whatever match rate we set for the new election system, it will need to provide enough funds for the entire race—since the election will no longer be divided into a Primary and General and so candidate won’t be able to go back to their donors for another matched gift. If we keep with the 9:1 on $20, then that will make the program only half as generous as it is now. But if we match up to $40, then we’re running into equity issues, because the PEC moved away from matching up to $50 (which was the matchable limit in the 2020 election) because that was a higher amount and was thus amplifying inequity. Perhaps we could do a reset midway through the cycle and allow candidates to go back to the same donors for matching gifts? Chair Sample Ward: A donation reset would be tougher for campaigns to track. Director Mottet: we could change the match rate to be more generous, but only do it one time for this cycle. The Honest Elections limits will be about $560 in the next election, but the idea is to keep the combination of private donations plus public matching to total around $560, to encourage candidates to participate. Chair Sample Ward: if you had a rest tied to a calendar date, how would you choose the date? Director Mottet: we could ask the campaigns for their input. Chair Sample Ward: I think a one-time donation is easier for campaigns to communicate, rather than a reset. Commissioner Turrill: since the districts will be smaller, maybe candidates will not need to spend as much since they only need a third of the vote to win, and thus we do not need to provide as much in matching funds. Chair Sample Ward: in our last meeting, we agreed that they won’t be able to cut that many expenses, such as staff costs. Commissioner Turrill: We might still end up with parity since some of the ad costs may be cheaper.

* Match caps

Director Mottet: We interviewed an advocate in Maine who tracks campaign finance there, since Maine has ranked choice voting (but not multi-member districts). This expert says that candidates are incentivized to run on a slate. But we should not assume that everyone will join one, and thus cannot design our program to factor in the cost-reductions that come with a slate campaign.

The current match caps for council races are $440k for the Primary and the General. What should a new number look like? Commissioner Turrill: we should be generous with this, to prevent a candidate from being swamped under IE spending. Chair Sample Ward agreed. Director Mottet: we do need to be careful to avoid running out of matching funds and having to reduce the match cap or the match rate. We could tier it out so that if you need more money to fight IEs, you can raise more and unlock the next set of funding. Should we explore what a tiered system would look like? Chair Sample Ward: we should consider it with a few different rates. The current match cap for Mayoral races is $250k between the Primary and General. Commissioner Turrill: I think it will be less but not half as much, because the mayor’s cycle will be shortened. Commissioner Lee: most likely we’ll see IEs, so we should keep it at the higher range. Commissioner Turrill: we should keep it at $750k for the first cycle. Director Mottet: we could tier it out, like lower end is $400k and higher is another number. Commissioner Lee: keep at $750k.

PEC members then shared what broad ranges they would be comfortable with for the total amount a candidate would need for district races. This will help to think about how much the SDE program needs to provide to candidates in matching funds.

Chair Sample Ward: $150k would be too low, and $400k would be on the higher end.

Commissioner Lee: $100k for a low estimate and $350k for a high estimate

Commissioner Nieves: $150k for a low estimate and $300-$400k for a high estimate

Commissioner Turrill: $200k for a low estimate and $600k for a high estimate

Commissioner Purifoy; $100k for a low estimate and $300-$400k for a high estimate

Commissioner Nelson: $100k for a low estimate and $300-$400k for a high estimate

PEC members then gave their ideal match rates and amounts:

Chair Sample Ward: $25

Commissioner Purifoy: $25

Commissioner Nieves: $25

Commissioner Turrill: $25 with a 9:1 or 10:1 match