*On March 20, 2019 the Open and Accountable Elections (OAE) Commission held their second regular monthly meeting from 6:30 pm - 8:00 pm at Portland City Hall. Six of the nine public commissioners were present in person: Tom Simpson was present over the phone while Courtney Helstein and Cindy Yang were not in attendance. Other attendees included OAE Deputy Director Anna Pycior, Commissioner Amanda Fritz, and Maja Haim of the Portland City Attorney’s Office.*

The following topics were discussed:

## City Attorney’s Office

Two handouts

Maja Haim of the City Attorney’s Office ran through Commission rules with the OAEC members present. Anna Pycior will brief the absent members on the training content and discussion points.

Amy Ruiz asked if there are limits under the law about whether they should or shouldn’t donate to participating candidates. Maja said the appearance of impropriety might make us consider being careful about this but there are no rules on this. It’s the difference between the legal basement and the optics, per Maja. Commissioner Fritz warned that it could damage a candidate to have received the donation from a Public Commissioner.

A member of the public asked about possible conflicts of interest moving forward should candidates get on public bodies.

Norman Turrill noted that it’s hard to have a direct conflict of interest as an advisory body.

## Minutes

SCMAF edit to can vs can’t on September 12th.

*OAEC voted unanimously to approve the minutes as amended.*

## Bylaws

The Commissioners discussed whether they are okay with having a quorum be five people? Yes, because even if we lose people from the board there should be at least five members present for meetings.

Commissioner Fritz said that the last bullet of Section V should be removed along with its ORS citation. Group agreed.

Tom Simpson brought up whether phone attendance is allowed, they reiterated what was discussed in February that indeed it is allowed and should a member not be present too often, they will address it as it arises.

Daniel Lewkow asked about the Chair selecting the committee membership – group agreed that it is at the Chair’s discretion, not a group vote, ideally with group input.

*OAEC voted unanimously to approve the bylaws as amended with the removal of the last bullet of Section V and fixing the header and footer.*

## Rules

Handouts

Regarding loans, the program would ideally align with ORESTAR as often as possible with 30 day or 7 day filing period, says OAEC. Amy Ruiz and Daniel Lewkow noted that campaigns are hectic and vendors aren’t always great at invoicing by the 30 day mark. Amy Ruiz asked what triggers the delivery of goods and service? Is the “delivery” the invoice? First draft of a design? Final product? Vendors can be loose about invoicing says Tom Simpson – how do we treat that? Invoiced in the door? Ricardo Lujan said we really need to notify candidates at the get go they cannot have “understanding” vendors. When it comes to reimbursing campaign staff, etc., should it be within 30 days, asks the members?

Regarding using the provision in the OAE ordinance allowing for unlimited staff donated to oversee campaign volunteers, Daniel Lewkow asked how we would amend it to limit the scope to ensure this in kind contribution is only used for its intended purpose. Anna Pycior noted there may have been preexisting negotiations going into this. Daniel asked how there are exceptions from $20,000 in kind cap. Ricardo said we need a full deliberation of the process. We could get more feedback and background about this.

Continuing on this topic, Amy Sample Ward said maybe there should be a separate limit for the volunteers. Serin Bussell is all about small donors and she seems like this is an independent expenditure loophole. Amy R asked us to come up with proposed secondary caps – not a salary cap? Up to X number of people and how many vols you’re organizing. X number of hours? Norman Turrill said that small donor advocates are having the same conversation at the state level. Ricardo would like a discussion item for the next meeting and have people who were part of the negotiations present; group agrees.

On the topic of whether or not to allow candidates to move matched funds from one race to another, Amy Ruiz said that donors are, in those instances, empowered to ask for their donation back; can the OAE program get the funds back? Tom Simpson asked if it adheres to our mission – when they move over from a seat to another is it open and accountable? Amy Ruiz raised the idea of having a requirement that, if they do that, they send a notification to their donors to opt in or out of moving their public funds over. Serin Bussell leans towards what will make it easier to run. The OAEC decided they want to review the issue again after OAE staff map how it would work, should the program allow candidates to change which seats they’re running for.

Regarding the question of which vehicle related expenses are reimbursable for participants, Tom Simpson brought up the question of whether volunteers have to report use of their car as in kind – the group agreed they should not have to, and the rules should stipulate that to avoid confusion. Amy Ruiz brought up the question of whether car rentals can be charged to campaigns, the OAEC decided to recommend that the rules make clear that reimbursable payment for use of other cars/scooters/bikes should be for “point to point” travel.

The OAEC members are comfortable allowing campaigns to use all funds for recounts.

On the topic of donations to the OAE fund, the Amy Ruiz flagged that it would be good for us to note on the public record any donations which have come in, in the interest of public transparency. The OAEC agreed and Commissioner Fritz suggested considering having any donations put on the record at the monthly OAEC meetings to be included in minutes available to the public.

The following rulemaking subcommittee volunteers will meet 1-2 times before the April 2019 meeting to provide recommendations to staff and to the full Commission:

* Amy Ruiz
* Norman
* Rico

## Chair and Vice Chair Conversation

Ricardo Lujan and Serin Bussell volunteer to run for Vice Chair and Chair, respectively.

OAEC members decided to vote on these nominations at the April 2019 meeting.