City of Portland
Ad Hoc Committee Agenda

Charter Commission Elections Committee, October 5, 2021 at 6:00 PM

1. Call the Meeting to Order
   a. a.
   Due to the existence of an "emergency or urgent issue", the Charter Commission Committees will conduct this meeting by remote methods/technology at the Zoom link provided below, in accordance with the requirements of 1 M.R.S. section 403 -B and the Charter Commission Remote Participation Policy.

   You are invited to a Zoom webinar.
   When: Oct 5, 2021 06:00 PM Eastern Time (US and Canada)
   Topic: Charter Commission Elections Committee

   Please click the link below to join the webinar:
   https://us06web.zoom.us/j/84798655465?pwd=SHJMTzczTVd0NFRSUTJzeFZ6TXNtZz09
   Passcode: 156733
   Or One tap mobile :
   US: +16465588656,,84798655465#,,,,*156733# or
   +13017158592,,84798655465#,,,,*156733#
   Or Telephone:
   Dial(for higher quality, dial a number based on your current location):
   US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 720 707 2699 or +1 253 215 8782 or +1 346 248 7799
   Webinar ID: 847 9865 5465
   Passcode: 156733
   International numbers available: https://us06web.zoom.us/u/klMxHPZv4

2. Approval of the prior meeting minutes
   a. Approval of the September 7, 2021 and September 21, 2021 meeting minutes.
3. Workshop on Ranked Choice Voting
4. Public Comment Period
5. New Business
6. Adjournment

City of Portland
Education Committee Meeting Minutes
September 7, 2021 at 6:00 PM

Call to order, 7:08 p.m.
Present: Catherine Buxton, Marpheen Chann, Patricia Washburn

Elections committee will meet first and third Tuesdays.

Committee members introduce themselves.

Leadership: Chann elected chair, Buxton vice chair, Washburn secretary

Washburn advocates for reasonably extensive notes as an aid to public information.

Workflow and priorities:

Broad list of potential issues:

Buxton: Clean elections, citizen initiatives, maybe a tweak to the ranked-choice voting formula for multi-seat elections.
Washburn: Clean elections, Universal voting, timing
Chann: Campaign finance reform

Chann: Let's get something from the city reporting on the status of clean elections.
Ron Heinick(?) scholar focused on universal resident voting

Buxton: If we tackle term limits, we should probably check in with Governance.

Chann: If we tackle Universal Resident Voting we should work with Education.

Work plan and timing:

Should we have a public hearing? Public comment segment at each meeting?
Committee decided to have public comment period at each workshop.

Chann: Next meeting will focus on clean elections, and will include someone from the city to update us on the current state of that issue. Will also invite other experts. Bear in mind the deadline for agenda packets for the next meeting.

Washburn to reach out to LWV/MCCE, Chann to reach out to Ethics Commission and Buxton to reach out to city through Chair Kebede.

Sept. 21: Clean Elections

Oct. 5: Timing, ranked choice, campaign finance

Oct. 19: Universal Resident Voting (ILAP among others)

Nov. 2: Election Day (we're meeting anyway)

Nov. 16: Keeping November meetings available for check-in, discussion, and overflow.

December meetings are reserved for putting together a packet to present in January.

Buxton to talk with representatives of other cities about ranked choice voting.

Length of meetings: Washburn suggests 60-90 minutes. Buxton suggests striving to end by 9.
Chann: let's check in at 9.

Limit time for public commenters.

Presenters in first hour, public comment in 2nd hour, general standard of ending by 9.

Buxton asks if we can go later if need be. Yes, reluctantly.

Committee to work with commission leadership to make sure we eventually create a useful deliverable.

Buxton: Do we need to do more to involve the public?
Chann: We can stream Zoom to other platforms but possibly run the risk of creating legal ramifications.

Buxton: YouTube and others have free captioning available. Would need to be able to turn comments off.

Washburn moved to adjourn, Buxton second.

City of Portland
Education Committee Meeting Minutes
September 7, 2021 at 6:00 PM

1.Remote Meeting Call to order: Present, Commissioners Chann and Buxton. Absent: Patricia Washburn

Also in attendance: Presenters, Emma Burke (Maine Ethics Commission), Anna Kellar (Maine Citizens for Clean Elections), and Cindy Black (Fix Democracy First) and Tom Watkoski

Public in attendance: 12 people.

2. Presentations on Clean Elections

a. Emma Burke, Maine Ethics Commission, who provides administration and oversight for state program.

i. Contact: **Emma.Burke@maine.gov**

ii. State funded CE programs. Majority of candidates elected use CE funds.

iii. Basic structure of Maine Program. Candidates collect $5 QCs-- Qualifying Contributions: Candidate collects these, and then these funds go into the entire CE fund. Once they get the CE grant, candidates are not allowed to use any outside funding, dollars or in-kind.

iv. Relationship between City and Maine Ethics Commission:

Any of the 15 largest cities interact with Maine Ethics Commission and have to file s campaign finance reportwith the City. (Portland) MEC has Lots of communications with Clerks, they make the forms that they use, candidate packets.

MEC does not do day-to-day oversight of candidates, City Clerks do that.

v. Suggestions for Portland program: “Portland is in a great position to handle this kind of program.” Simpler QC verification process than hat the state leve. Everyone who gives a QC has to be a registered voter….CoP has access to single voter roll, as opposed to the dozens state has to go thru.
Recommends a new position to be created.

vi. Best practices: Oversight, oversight, oversight.
State level: 20-25% of candidates are audited. Auditing helps keep people in touch with oversight office. Inspires discussion, interaction and questions between admin and candidates.

b. **Q&A:** Buxton: What % of funding actually comes from the self elected donors on taxes?) -- *It's small, smallest of the 3 of sources of funding. 3million from the state $5 QC, and then self election donors.*

Buxton: Do people get confused about what the QCs actually are? -- *Majority of donors seem to get it. Seems like folks who know it, get it. Confusion happens. The donation is channeled thru the MEC website, or you have to write a check to MEC, so that does prevent some confusion.*

Buxton: What if we contracted out to the State? *Statue requires municipalities to handle this through the City Clerk. Doing this would require a re-write of the Clean Elections Act, Current State Websites are expensive, contracts would be difficult to modify. "And lastly, I think the City could handle it by themselves."*

Chann: What company created the IT system that manages this program? *Payment processing website could be simpler, because system just has to answer Yes/No is a Portland registered voter. City would be dealing with smaller number of candidates and contributions, in theory. .*

Vendor that MEC uses: *Informer (sp?)*

Chann: Accountability, how do you manage Campaign Finance Violations? *There's a commission, two Republicans, two Dems, We contract with a Third Party Auditor.* (CB note add: How do we replicate this on a city level?)

c. Commissioner Chann requests for memo to the office on what Emma Burke covered during the meeting. Best practices etc. Via PDF

d. **Anna Kellar, Maine Citizens for Clean Elections**
(link to slides)

i. Provided some additional background to Maine's program.

ii. Many states and cities have public funding programs -- see below. New wave in the 2010s for cities to adopt these. There is also proposed Federal policy is also moving in this direction

Nationwide Examples

New York City, NY	1988, 2018	Small Donor Match
Maine (1st State!)	1996, 2015	Clean Elections Grant
Arizona	1998	Clean Elections Grant
Boulder, CO	2001	Small Donor Match
Connecticut	2005	Clean Elections Grant
Santa Fe, NM	2008	Grant + Small Donor Match
Seattle, WA	2015	Voucher
Washington, DC	2018	Small Donor Match
Portland, OR	2018	Small Donor Match

...and more!

iii. State-wide goals of clean election programs: Reduce corruption, Expand poliical equity, Limit the cost of the elections, increase voter engagement.

iv. Language of Fair Elections Portland ballot initiative.

Key Features

A Starting Point: Public Funding Charter Amendment

Section 12. Public Financing of Municipal Elections

The city council shall establish and fund a mechanism providing public campaign funds to qualified candidates for mayor, city council, and school board. The mechanism must provide sufficient funds to allow candidates who meet qualifying criteria to conduct competitive campaigns, must be voluntary, must limit the amount of private funds a candidate may raise, must only be available to candidates who demonstrate public support, and must be limited to candidates who enter into a binding agreement not to accept private contributions other than those allowed by the public funding program. The mechanism must be available by the 2021 municipal elections.

v. This language checks off the following boxes:

1. Competitive: Has to have enough money to run competitive campaigns. Fund Needs to be appealing enough for candidates to actually work!
2. Responsiveness to increasingly competitive elections.
3. Inital funds: (Maine program has a seed program, where people can fundraise a limited amount beforethey qualify. Other places have matching funds.)
4. Must be voluntary. This allows us to put limits on spending in the ways we do, Supreme Court mandated this.

vi. Spending limits: Can you limit candidate spending thru these types of programs.
    1. Maine has max amount you can qualify for in public funds.
    2. Some programs have matching funds that max out.

vii. Anna recommends: Put the mandate for funding **into** the Charter. Insulate the program from the ups and downs of "politics." The funding mechanism should be insulated from budget cycles, for example.

viii. Also recommends an Oversight commission. Potentially charged with other ethics related issues. Those commissions may also have an element of educations/engagement.

ix. Anna was curious about finding way to. Allow folks who don't have extra dollars to give to participate.

x. Anna recommends inserting a Date for implementation so that it can be time stamped and followed through.

xi. Costs tend to be fairly similar budgetarily throughout programs -- pro-rating for size and budget, most cities it costs 1-3 dollars per citizen, no matter the form the program takes.

xii. Do the research about roughly what council/candidates have raised.

xiii. When thinking about forms the program could take: Think about the administrative costs/administrative burden, And therefore how equitable and how many people are involved as donors?
    1. For example: the Portland system would be *simple* to implement, however….not as many people participate as donors in that system, so there's not that incentive to engage with folks. Whereas a Voucher program might incentivize participation. However, voucher program may have increasingly complicated administrative cost, so we need to weigh all the options.

xiv. MCCE/Fair Elections teams don't have a position in terms of which type of program, while there are three options in front of you...advantages of either Maine system or Voucher system. You could combine different elements of programs, i.e. Santa Fe and Albuquerque.

xv. The work that you're doing here is integrated with other questions you answer, in terms of types of districts, non-resident voting etc.

xvi. **?????** Bill in front of the legislature that will come up in Jan--that will shift responsibility for city elections of more than 50k to the State Ethics Commission instead of the Clerk. This might end up being something we need to consider as we move forward. Proposed by Rep Grayson Lookner?

xvii. **Q&A:** Buxton: Do you have thoughts about qualification mechanisms that make it the most equitable for people to participate? $*5 QC is really do-able.*
Chann: Do you know examples of Cities that use other mechanisms? Systems that utilize non-monetary? *Seattle does a mix of sigs and donations.*
….there were other questions, note taker did not captures responses.

e. Cindy Black, Seattle's Voucher Program, Fix Democracy First:
Slides here.

i. Background: SeattleHad public funding in 1980s, but ballot initiative prohibited public funding in 1992. They did defeat this in 2008. And in 2015 ballot initiative Honest Democracy, to set up Seattle Voucher Program (Statewide program implemented in 2016)

ii. Program gives four $25 vouchers that all eligible *residents* of Seattle can give to various candidates.

iii. Program is run by Seattle Ethics Commission.

iv. Puts vouchers in hands of eligible residents, includes green card holders, anyone who can donate to an election, can

v. Paid for by property tax of $3mil a year, funded for up to 10 years---voters can vote on it. Commercial, business, and residential properties. Costs to homeowners $8/yrs.

vi. Mix of both contirbutions and signatures? (Is this an arbitrary mix? Or…?) For district folks, sigs and $$ have to come from within the districts (something we oculd do??)

vii. Outcomes:

1. Saw a much more diverse base, increased participation during voucher elections.
2. All the primary candidate sin Seattle used teh program in the mayoral election.
3. Since program has been introduced, we've seen a huge increase in small donor participation
   Increase in YOUNGER people, under 30, under 25 participants.
   Increased non-voter turnout.

viii. Implementation Notes:

1. More up-front costs, but we're seeing that it is getting great results over-all
2. $460,000 in 2019 created online Portlands.
3. Distributed 30k grants to community groups to promote the program one year, and then another 150k to orgs to promote in 2019...so they increased the grant funding.
4. In the very first year, a lot of people didn't know what these vouchers were. So there was a big upfront cost of energy and time and education.

ix. 2019: lot of outside money thrown at the election, IE...Amazing 1.4 million, candidates who had the voucher program still won their elections despite the money that was spent

x. Much more diverse city council because of this. Opens door to more diverse candidates. It doesn't take away the money from the Super PACs, but it is something we are dealing with.
xi. Public outreach still needs to continue, and many people still don't QUITE understand them. Ongoing public communication about it. (CB note: This is a place where Portland really struggles.)
xii.

((Follow up q: (Anna do we have any stats around Clean Elections programs around voter turnout and participation in Maine?))

f. **. Tom Watkowski, Policy Organizer w/ Democracy Policy Network. Comparing Matching Funds, Lump-Sum Grants and Voucher Programs**
Present by phone due to connectivity issues.
Sent slides following meeting. Link.
   i. There are Four main problems that Public Funding of elections tries to address:
      1. --unepresentative donors have more influence.
      2. --hard to run for office without wealth
      3. --too much call-time spent on donors
      4. --political engagement
   ii. Matching Funds/Lump Sums do a good job of addressing some of these. Matching Funds for example, Shift center of power from $1000 to $100 donors (maximum matched amount) But *most* people can't really give even of that.
   iii. Lump Sum grant program is an improvement...where private contributions are banned, influence of wealth is mitigated, so this is a Positive step in the right direction.
   iv. But where Lump Sum and Matching Funds falls short, is the political engagement piece.
      1. There's stll just less of incentive to talk to lower turnout voters.
   v. This is where Vouchers really excel.
      1. You can canvass for vouchers in addition to votes. You encourage people to give them their vouchers.
      2. Non-voters who used their vouchers became 6-10x more likely to vote.
      3. Recommends that while Maine style system would be awesome, he would encourage Democracy Vouvhers in order to increase voter turnout and engagement.

   vi. **Q&A:** Buxton: What are some of the most significant hurdles that needed to be overcome in order to get to this place? *Similar cost per resident for each of these programs. (If you give everyone a $25 voucher, it doesn't) On the Administration side of things, they dont think that this is a particularly difficult program to administer. City would need Voter List, Mail them their vouchers. This is*

comparable work to disclosure requirements for example...since you have to verify all donations.
*Outreach and education piece is absolutely key and the most difficul*t.

vii. Buxton: Are you familiar with other ways cities incentive public engagement? *Seattle's program requires participation in public forums in debate if you are going to take the funds.*

viii. Online portal very successful, but an important element. Potential expensive maybe. With the pandemic, more and more things are online, and having online increases young people engagement.

ix. Voucher program in Seattle is available in 15 languages. -- Is that City funded? Yes, there was Language written in to city initiatives to mandate this.

4. Public Comment:
Please note, these notes on comments are not verbatim, but simply general notes. For full public comment please watch the live stream.

Name: Phil Steele
Address: 22 Clifford St
Comment: Great idea, worked with Fair Elections ppl, delighted that we are taking up the mantle.

Question for Cindy about some discrepancies in numbers?

Name: Bill Weber
Address: Roaring Brook Rd
Comment: I thought the presentations were enlightening. Commission should EXPAND the clean elections system currently in Maine, we have a good track record. It would be a good system for Portland, high likelihood that I would vote for it.

I think that if you want something to fail, you should bring in a West Coast system.

Portland is unique--our number of legislators in Augusta, → Talk to folks who run there.
Look at opposing viewpoints too and not just the pro-viewpoints.

Haven't seen any meeting minutes.
Record how many people attended the meeting.

Name: Justin Beth
Address: 86 Congress St.
Comment: Active in Portland Greens and Maine Greens

Would also encourage municipal level as well. I am very used to QC system. The Voucher system sounds really interesting.

If we do a QC system: what's that going to look like? How many? What should that amount be? The number of voters in districts is interesting-- Al-large seats are-more populous than state reps, some of the districts are too...should they be getting MORE $$?

Are we looking across parties to even the playing field?
If we add more council seats how does that change the cost of the program?

Seed money? How do we do that? Voucher program, does that have any seed money?

QC: Will this change candidate filing deadlines? Kind of a quick turnaround in current system.

Name: Karen Snyder
Address: 72 Waterville St
Comment: Last speaker had very good questions. I work in process improvements. Look at the +/- of each program. Ask questions, ask the hard questions.

I do believe in clean elections, I was uncomfortable to receiving donations when I ran, and so I think to even the playing field we should do this kind of program.
If we add re-districting what happens? There's so many robust questions to ask of the program. Ask all the right questions.

I support CEs.
Also support seeing more meeting minutes.
How many people are attending right now?.

Panelist Responses:

Anna Kellar: Some notes on doing the math to figure out grant amounts that candidates can qualify for: Look at the State House or Reps, districts are somewhat analogous, A/L is larger than a state senate district. Currently the initial amount is $5000 for house, and $20,000(??) for the senate, for additional amount of QCs, you can get more funding. Up to a limit of $60k, for state senate.
https://www.maine.gov/ethics/sites/maine.gov.ethics/files/inline-files/Title%2021-A%20MRSA%20Ch14-The%20Maine%20Clean%20Election%20Act_12-2020.pdf

In a really competitive race, some folks will hit 60k.

But we've also seen people return money back to the program at the end. ---you have to return not spent the funds to the program.

Also if you raise seed money you don't use before you get your initial grant, that amount is deducted from your grant.

Cindy: Answering discrepancy question from Phil Delayed program for a year so they could collect enough property tax to pay for said programs. (that's why mayor was left out.)

Buxton asked about Seed money for candidates?

5. Other business:

Discussed a need to do some more research about funding for each office, "figure out the math" especially considering potential changes in Council make-up.

Commissioner Buxton expressed desire for more public input on the *type* of program folks might want to see in Portland.

Commissioner Chan would like to interview former,current municipal candidates about funding needs.

Potential to do add some of this to next meeting, and/or after full Committee meeting. Want to loop Commissioner Washburn into this discussion.

6. Vote to adjourn:

Proposed by Buxton. Unanimously approved.