

## **MEASURE 107:** Campaign Finance Limits Amendment

**OFFICIAL TITLE:** Amends Constitution: Allows laws limiting political campaign contributions and expenditures, requiring disclosure of political campaign contributions and expenditures, and requiring political campaign advertisements to identify who paid for them.

**REFERENDUM:** This measure is a constitutional amendment passed by the Oregon House and Senate and referred to voters.

**FINANCIAL IMPACT:** [The Oregon Financial Estimate Committee](#) says this measure will have no impact on state revenue and involve only expenditures related to printing it in the official voters' pamphlet.

### **PROBABLE RESULTS OF A "YES" VOTE:**

Laws that limit and/or require the disclosure of both contributions and expenditures of campaigns made to influence an election would be allowed. Also would allow laws that require campaign or election advertisements to identify who paid for them. It would apply to laws passed on or after January 1, 2016.

### **PROBABLE RESULTS OF A "NO" VOTE:**

We would keep the current state constitutional wording on this subject. Courts say this doesn't limit expenditures but does allow limits on contributions.

**BACKGROUND:** In 1997 the Oregon Supreme Court ruled that the state constitution prohibits limiting contributions to or expenditures of political campaigns or campaigns intended to influence the outcome of an election because this would restrain the "free expression of opinion."

This ruling foiled a 2004 attempt to change the state constitution and pass campaign contribution limits as well as two more recent election limit proposals—for Multnomah County in 2016 and for Portland in 2018. These also were challenged and have not gone into effect. However, in April 2020, as part of the Multnomah County litigation, the Oregon Supreme Court ruled that the Oregon Constitution does allow limits on campaign donations so long as they do not target expression. Limits on expenditures are still prohibited.

Since 2019, an Oregon law requires that ads supporting or opposing a clearly identified candidate include the name of the person or entity that paid for them.

**PROPOSAL:** Measure 107 would amend the Oregon Constitution to permit the state legislature, the governing body of a city, county, municipality or district, or the people, using the initiative process to enact laws or ordinances relating to the use of moneys in political or other campaigns within their jurisdiction. It would:

- Limit contributions made to political campaigns (such as candidates, ballot-measures, etc.) in a way that won't prevent candidates and political committees from raising adequate resources for effective advocacy;
- Require the disclosure of contributions or expenditures made by political campaigns or by others trying to influence the outcome of any election;
- Require that political campaign ads, or ads made to influence the outcome of any election, identify the persons or entities paying for them;
- Limit expenditures made in connection with political campaigns or to influence the outcome of any election to the extent permitted under the Constitution of the United States
- Applies to any such laws that have been passed on or after January 1, 2016.

## **ARGUMENTS PRO AND CON:**

### **Yes - For the Measure**

- Oregon is one of only five states with no contribution limits of any kind. As a result, large corporations, wealthy donors and special interest groups have an undue influence over the candidates who are elected.
- Reducing the influence of money in politics will allow candidates to compete more equitably for public office.
- Transparency: The public has a fundamental right to know the true sources of money spent on our elections.
- This reform will promote citizen participation in the political process by reducing the influence of special interests and the wealthy.

### **No - Against the Measure**

- “Special interests” represent the interests and voices of many ordinary citizens.
- Limiting campaign contributions and expenditures does not level the playing field.
- Campaign donations don't "influence" the behavior of elected officials.
- The measure would weaken the freedom of speech of Oregonians, and political speech deserves the most protection, not the least.