

Chairman Garrett, Vice chairs Hicks and Hoyle, and members of the committee:

Thank you for this opportunity to testify.

My name is Steve Bintliff, a resident of Tigard, a member of Beaverton Citizens for Fairness, and an original member of the Occupy Portland Solutions Committee.

You've been hearing how the Supreme Court ruling of Citizen's United v. FEC opened the floodgates of independent campaign expenditures. Most of the emphasis in the press this last election cycle has been how SuperPACs have influenced politics on a national scale. What most people haven't considered is how that Supreme Court ruling has the vast potential to change state and local political campaigns. I offer two recent examples:

In Oklahoma City's election for city council in 2011, a \$527 corporation called the Committee For Oklahoma City Momentum contributed over a half million dollars to 4 candidates. Today, 3 of those candidates are sitting on the Council. The donors of the group still have not been disclosed. The corporation hasn't stated their political agenda, but clearly, there are people behind the scenes who will be expecting a return on their investment.

Last year, in Durham County, NC, Southern Durham Development Corporation, a SuperPAC funded solely by a land developer, spent over \$50,000 backing 4 candidates for County Commissioner. Notable in this case was that Southern Durham Development clearly stated their intention to use the Commission to gain sewer and water access for their land development project, at county expense. 3 of their candidates won, and 2 months later, the corporation got the infrastructure improvement it sought, courtesy of the county. ROI was delivered there!

You can argue that this kind of thing has always gone on at the local level. While that may be true, what's changed since Citizen's United is that city, county and state governments are now unable to regulate independent expenditures made in political campaigns. According to the court, attempts to regulate these independent expenditures would violate the constitutional rights of the corporations making them.

Every corporation now knows how to play this game. But not every elected official knows that they're powerless to stop the damage that's being inflicted on our democracy.

We expect our political system to be based on fairness, transparency, equality. Both the Federal Constitution and the Oregon Constitution enumerate the most important of these principles.

Here in Oregon, it doesn't look like a level playing field anymore.

As I write, I am exercising my Constitutional right to free speech.  
On September 25<sup>th</sup>, 2012, 73 corporations exercised theirs.  
On that single day, \$302,000 was given to candidates for the Oregon House.

I'd like to think that my testimony here today can influence you. But the fact is that there have been lots of days like September 25<sup>th</sup>. I fear that those corporate contributions speak louder than my voice ever could. I'd like to think that my vote --- my single vote cast on election day --- matters more than the 15,000 votes contributed by Annheiser Busch on September 25<sup>th</sup>, or the 15,000 votes made by The Standard, or the 10,000 votes by Stimson Lumber, the 6,000 votes cast by Nike, or any of the 73

corporate contributors who, on that day, were exercising THEIR court-appointed right to free speech.

Even with elected officials with the best intentions – with the highest moral and ethical convictions, the presence of these unregulated campaign contributions raise a cloud over the idea of free and fair elections. At best, it LOOKS like our democracy can be corrupted, and our governments are for sale. At worst, our institutions really ARE for sale.

The institutions that are supposed to be closest to the people and representative of them: city councils, county commissions, and state and federal legislatures, should decide what limits can be imposed on political spending – not the courts. Amending the Constitution is the only way to restore our democracy, to preserve the time-honored principle of one person, one vote, and the ideals of consent of the governed, the right of self determination and local control.

I urge you to pass HJM 6, and send a message to Congress and the Court that corporations do not have the same Constitutional rights as people, that spending money is not a form of speech, and that campaign contributions can and should be regulated by institutions representative of and accountable to the People.

Respectfully,

Stephen J. Bintliff  
Beaverton Citizens for Fairness

Sources:

Follow the Money

<http://followthemoney.org>

Group Spends Nearly Half Million Dollars On City Council Election

<http://www.newson6.com/story/14362725/group-spends-nearly-half-million-dollars-on-city-council-election>

Southern Durham Development tries to influence commissioners' race

<http://www.indyweek.com/indyweek/southern-durham-development-tries-to-influence-commissioners-race/Content?oid=3059981>