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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

In the Matter of:

Case No.

Validation Proceeding to Determine the  
Legality of City of Portland Charter Chapter 3,  
Article 3 and Portland City Code Chapter 2.10  
Regulating Campaign Finance and Disclosure.

CITY OF PORTLAND’S PETITION FOR  
COMMENCEMENT OF VALIDATION  
PROCEEDING UNDER ORS 33.710 AND  
33.720

**Exempt from Filing Fee Pursuant to ORS  
20.140**

Petitioner alleges as follows:

1.

The City of Portland (the “City”) is a municipal corporation for purposes of ORS 33.710  
and 33.720.

2.

The Portland City Council (the “Council”) is the governing body of the City of Portland.

3.

The City seeks a judgment from this Court under ORS 33.710 as to the legality of the  
City of Portland Home Rule Charter (the “Charter”) Chapter 3, Article 3 (the “Charter  
Amendment”) and of Portland City Code Chapter 2.10 (the “Code Amendment”), enacted by  
implementing Ordinance No. 189348 (the “Ordinance”). *See* ORS 33.710(2)(e-g); Exhibit 1  
(Charter Chapter 3, Article 3); Exhibit 2 (Ordinance No. 189348 “Authorize changes to City  
Code to implement Campaign Finance in Candidate Elections Charter amendment and request  
initiation of validation action”), Exhibit 3 (Portland City Code Chapter 2.10). Specifically, the

1 City seeks a judgment from this Court that the Charter Amendment and Code Amendment are  
2 constitutional under both the state and federal constitutions.

3 4.

4 ORS 33.720(1) provides that a proceeding under ORS 33.710 is in the nature of a  
5 proceeding in rem.

6 5.

7 Jurisdiction of the City is obtained by the publication of a notice directed to the City.  
8 Jurisdiction of the electors of the City is obtained by publication of a notice directed to all  
9 electors, freeholders, taxpayers and other interested persons, without naming them individually.  
10 ORS 33.720(2). The notice will be published at least once a week for three successive weeks in  
11 a newspaper of general circulation published in Multnomah County. Jurisdiction of this Court  
12 shall be complete within ten days after the date of final publication of such notice. ORS  
13 33.720(2). Any person interested may at any time before the expiration of the ten-day period  
14 appear and contest the validity of the Charter Amendment, Code Amendment, or these  
15 proceedings. ORS 33.720(3).

16 **HISTORY OF CHARTER CHAPTER 3, ARTICLE 3 AND PORTLAND CITY CODE**

17 **CHAPTER 2.10**

18 6.

19 The Charter Amendment began as an initiative petition that qualified for the November 6,  
20 2018 ballot. Initiative petition PDX 03 became Measure 26-200. *See* Exhibit 4 (Excerpt from  
21 November 2018 Voters' Pamphlet). The ballot measure was offered to address corporate  
22 corruption, bring down the costs of running for office, reduce the influence of special interests,  
23 and increase transparency and accountability. *See* Exhibit 4.

24 7.

25 At the November 6, 2018 general election, 87.4% of City voters approved Measure 26-  
26

1 200. *See* Exhibit 5 (November 2018 General Election Official Precinct Results for Measure 26-  
2 200).

3 8.

4 Measure 26-200 is incorporated into the Charter as Chapter 3, Article 3.

5 9.

6 The voter-approved Charter Amendment requires that its provisions “be implemented by  
7 ordinance to be operative not later than September 1, 2019.” Charter §3-305(a). On January 16,  
8 2019, the Council took the first step to implement the Charter Amendment by adopting the  
9 Ordinance, which enacted the Code Amendment. *See* Exhibits 2, 3. The text of Portland City  
10 Code Chapter 2.10 is substantially similar to the text of Charter Chapter 3, Article 3 adopted by  
11 the voters and, becomes operative by its terms on September 1, 2019.

12 **CONTENT OF THE CAMPAIGN FINANCE MEASURE**

13 **LIMITS CONTRIBUTIONS**

14 10.

15 Charter §3-301 and PCC § 2.10.010 impose limits on the amounts that an individual or  
16 entity can contribute to a candidate or candidate committee and impose those same limits on the  
17 amounts that a candidate or candidate committee can receive. An individual or political  
18 committee can contribute \$500, a small donor committee can give unlimited amounts, and other  
19 entities are prohibited from making contributions to candidates or candidate committees. Those  
20 limits apply to candidates in elections to the Council, including the Mayor, and the auditor, and  
21 the limits apply during an election cycle, generally defined as the period between the election at  
22 which a candidate is elected and the next election for the same office. Those sections do not  
23 impose limits on the amounts that can be contributed to political committees, but, as discussed  
24 below, the independent expenditure provisions for political committees contemplate those  
25 committees receiving contributions of no more than \$500 per individual per year.

1 **LIMITS EXPENDITURES**

2 11.

3 Charter §3-302 and PCC § 2.10.020 include both a general restriction on expenditures  
4 and a specific restriction on independent expenditures. First, the Charter and City Code provide  
5 that individuals and entities can expend funds to support or oppose a candidate only if those  
6 funds were collected from the sources and under the contribution limits described in the Charter  
7 and City Code. Second, the Charter and City Code limit aggregate independent expenditures, as  
8 defined in ORS 260.005(10), for candidates per election cycle to \$5,000 for individuals; \$10,000  
9 for political committees if the independent expenditure is funded by individual contributions of  
10 no more than \$500 per individual per year; and no limits for small donor committees.  
11 Independent expenditures from other sources are not permitted.

12 **REGISTRATION**

13 12.

14 Charter §3-302(b) and PCC § 2.10.020.B require entities to register as political  
15 committees within three business days of making aggregate independent expenditures exceeding  
16 \$750 in any election cycle.

17 **DISCLOSURE**

18 13.

19 Charter §3-303 and PCC § 2.10.030 require that each communication to voters related to  
20 a City of Portland candidate election prominently disclose the true original sources of  
21 contributions or independent expenditures used to fund the communication.

22 **PAYROLL DEDUCTIONS**

23 14.

24 Charter §3-301(c) and PCC § 2.10.010.C require employers who allow payroll  
25 deductions for any purpose to also allow deductions for campaign contributions.

1 **ADMINISTRATION**

2 15.

3 The remaining sections of the Charter Amendment and the Code Amendment are  
4 administrative and provide definitions, implementation and enforcement measures, adjustments  
5 in dollar amounts, and severability. *See Exhibits 1, 3.*

6 **IMPACTS OF IMPLEMENTATION**

7 16.

8 Full implementation of the Charter Amendment and Code Amendment will require  
9 significant investment of City time and resources and expenditure of public funds. An expedited  
10 ruling will resolve the important legal issues raised in the Charter Amendment and Code  
11 Amendment before they become effective, providing certainty to both candidates and the public.  
12 This will, in turn, result in more efficient and accountable expenditure of both public and private  
13 resources in implementation of these provisions. Through the expedited review of this validation  
14 proceeding, the City seeks full resolution of potential court challenges prior to the September 1,  
15 2019 effective date of the Charter Amendment and Code Amendment. Expedited review will  
16 allow implementation to occur as intended by the voters and the Council, without doubt as to the  
17 constitutionality of the Charter Amendment or Code Amendment. It will also reduce the risk of  
18 future challenge, allowing for implementation that is free from disruption by future court  
19 proceedings.

20 **EFFECTUATING THE INTENT OF THE VOTERS**

21 17.

22 This validation proceeding is intended to expeditiously effectuate the intent of the voters  
23 and confirm the constitutionality of the Charter Amendment and Code Amendment. By passing  
24 the ballot measure, the voters intended to address “the reality and appearance of corruption,  
25 including *quid pro quo* corruption.” *See Exhibit 4.*

1           **LEGALITY, INCLUDING CONSTITUTIONALITY OF CHARTER AMENDMENT**  
2   **AND CODE AMENDMENT**

3   18.

4           The City seeks a ruling confirming the legality of Charter Chapter 3, Article 3 and  
5 Portland City Code Chapter 2.10 including under Article I, section 8 of the Oregon Constitution  
6 and the First Amendment to the United States Constitution, to resolve all doubt regarding the  
7 constitutionality of campaign finance and disclosure requirements as enacted by the  
8 voters and implemented by the Council.

9           WHEREFORE the City seeks:

- 10          1. To have judgment rendered expeditiously, declaring as follows:
- 11                  a. Every subdivision of Charter Chapter 3, Article 3 and Portland City Code  
12                          Chapter 2.10 is constitutional under the Oregon Constitution;
- 13                  b. Every subdivision of Charter Chapter 3, Article 3 and Portland City Code  
14                          Chapter 2.10 is constitutional under the United States Constitution;
- 15                  and
- 16                  c. Every subdivision of Charter Chapter 3, Article 3 and Portland City Code  
17                          Chapter 2.10 is otherwise valid under state or federal law.
- 18          2. That the Court shall order other relief as it deems just and equitable.

19          DATED February 7, 2019.

20    Respectfully submitted,

21    /s/ Robert L. Taylor

22    ROBERT L. TAYLOR, OSB #044287  
23    Chief Deputy City Attorney  
24    robert.taylor@portlandoregon.gov  
25    NAOMI SHEFFIELD, OSB #170601  
26    Deputy City Attorney  
  naomi.sheffield@portlandoregon.gov

  Of Attorneys for Petitioner City of Portland

# Article 3 Campaign Finance in Candidate Elections

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## -Article 3 note

[Article added November 6, 2018, effective December 5, 2018.]

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## 3-301 Contributions in City of Portland Candidate Elections

- (a) An Individual or Entity may make Contributions only as specifically allowed to be received in this Article.
  - (b) A Candidate or Candidate Committee may receive only the following Contributions during any Election Cycle:
    - (1) Not more than five hundred dollars (\$500) from an Individual or a Political Committee other than a Small Donor Committee;
    - (2) Any amount from a qualified Small Donor Committee;
    - (3) A loan balance of not more than five thousand dollars (\$5,000) from the candidate;
    - (4) No amount from any other Entity, except as provided in Section 3-304 below.
  - (c) Individuals shall have the right to make Contributions by payroll deduction by any private or public employer upon the employer's agreement or if such deduction is available to the employees for any other purpose.
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## 3-302 Expenditures in City of Portland Candidate Elections.

- (a) No Individual or Entity shall expend funds to support or oppose a Candidate, except those collected from the sources and under the Contribution limits set forth in this Article.
  - (b) An Entity shall register as a Political Committee under Oregon law within three (3) business days of making aggregate Independent Expenditures exceeding \$750 in any Election Cycle to support or oppose one or more Candidates in any City of Portland Candidate Election.
  - (c) Only the following Independent Expenditures are allowed per Election Cycle to support or oppose one or more Candidates in any particular City of Portland Candidate Election:
    - (1) An Individual may make aggregate Independent Expenditures of not more than five thousand dollars (\$5,000).
    - (2) A Small Donor Committee may make Independent Expenditures in any amounts from funds contributed in compliance with Section 3-301 above.
    - (3) A Political Committee may make aggregate Independent Expenditures of not more than ten thousand dollars (\$10,000), provided that the Independent Expenditures are funded by means of Contributions to the Political Committee by Individuals in amounts not exceeding five hundred dollars (\$500) per Individual per year.
-

### **3-303 Timely Disclosure of Large Contributions and Expenditures.**

(a) Each Communication to voters related to a City of Portland Candidate Election shall Prominently Disclose the true original sources of the Contributions and/or Independent Expenditures used to fund the Communication, including:

- (1) The names of any Political Committees and other Entities that have paid to provide or present it; and
- (2) For each of the five Dominant Contributors providing the largest amounts of funding to each such Political Committee or Entity in the current Election Cycle:
  - a) The name of the Individual or Entity providing the Contribution.
  - b) The types of businesses from which the maker of the Contribution has obtained a majority of income over the previous 5 years, with each business identified by the name associated with its 6-digit code of the North American Industry Classification System (NAICS).
- (3) For each of the largest five Dominant Independent Spenders paying to provide or present it:
  - a) The name of the Individual or Entity providing the Independent Expenditure.
  - b) The types of businesses from which the maker of the Independent Expenditure has obtained a majority of income over the previous 5 years, with each business identified by the name associated with its 6-digit code of the North American Industry Classification System (NAICS).

- (b) If any of the five largest Dominant Contributors or Dominant Independent Spenders is a Political Committee (other than a Small Donor Committee) or nonprofit organization, the prominent disclosure shall include its top three funders during the current Election Cycle.
- (c) The disclosure shall be current to within ten (10) days of the printing of printed material or within five (5) days of the transmitting of a video or audio communication.

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### **3-304 Coordination with Public Funding of Campaigns.**

A candidate participating in a government system of public funding of campaigns (including the Public Election Fund established under Portland City Code Chapter 2.16) may receive any amount that such system allows a participating candidate to receive.

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### **3-305 Implementation and Enforcement.**

- (a) The provisions of this Article shall be implemented by ordinance to be operative not later than September 1, 2019.
- (b) Each violation of any provision in this Article shall be punishable by imposition of a civil fine which is not less than two nor more than twenty times the amount of the unlawful Contribution or Expenditure or Independent Expenditure at issue.
- (c) Any person may file a written complaint of a violation of any of the Provisions with the City Auditor.
- (d) The City Auditor, otherwise having reason to believe that a violation of any provision has occurred, shall issue a complaint regarding such violation.
- (e) Upon receipt or issuance of a complaint, the City Auditor:



(1) Shall examine the complaint to determine whether a violation has occurred and shall make any investigation necessary.

(2) Within two business days of receiving or issuing a complaint, shall issue a notification, including a copy of the complaint, to every person who is the object of the complaint.

(3) Shall accept written materials supporting or opposing the complaint for a period of 10 business days following any such notification.

(4) Shall render a decision on the complaint within 10 business days of the close of the material submission period.

(f) If the complaint is received or issued within 30 days of the date of the election involving the object of the complaint, then all time periods stated in subsections (e)(3) and (e)(4) above shall be reduced by one-half.

(g) The City Auditor may issue subpoenas to compel the production of records, documents, books, papers, memoranda or other information necessary to determine compliance with the provisions of this Article.

(h) Upon finding a violation of the requirement for timely disclosure set forth in Section 3-303 above, the City Auditor shall determine the true original sources of the Contributions and/or Independent Expenditures used to fund the Communication at issue and shall immediately issue a statement to all interested parties and news organizations containing all of the information about the involved donor(s) required by Section 3-303 above.

(i) The complainant or any person who is the object of the complaint may, within 30 days of the issuance of the decision, appeal that order to the appropriate Circuit Court as an agency order in other than a contested case.

(j) The decision in the matter shall be deemed final, following completion of any judicial review. Such decision shall be enforced by the City of Portland. If the decision is not enforced within thirty (30) days of the decision becoming final, the complainant may bring a civil action in a representative capacity for the collection of the applicable civil penalty, payable to the City of Portland, and for any appropriate equitable relief.

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### **3-306 Adjustments.**

All dollar amounts shall be adjusted on January 1 of each odd-numbered year to reflect an appropriate measure of price inflation, rounded to the nearest dollar.

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### **3-307 Severability.**

For the purpose of determining constitutionality, every section, subsection, and subdivision thereof of this Section, at any level of subdivision, shall be evaluated separately. If any section, subsection or subdivision at any level is held invalid, the remaining sections, subsections and subdivisions shall not be affected and shall remain in full force and effect. The courts shall sever those sections, subsections, and subdivisions necessary to render this Section consistent with the United States Constitution and with the Oregon Constitution. Each section, subsection, and subdivision thereof, at any level of subdivision, shall be considered severable, individually or in any combination.

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### **3-308 Definitions.**

Unless otherwise indicated by the text or context of this Article, all terms shall have the definitions at Chapter 260 of Oregon Revised Statutes, as of January 1, 2018. Terms found therein or defined below are capitalized in this Article.

(a) "Candidate" has the meaning set forth at ORS 260.005(1).

- (b)** "Candidate Committee" has the meaning set forth at ORS 260.039 - 260.041, as of November 8, 2016, for the term "principal campaign committee."
- (c)** "City of Portland Candidate Election" means an election, including a primary election, to select persons to serve (or cease serving) in public offices of City of Portland.
- (d)** "Communication" means any written, printed, digital, electronic or broadcast communications but does not include communication by means of small items worn or carried by Individuals, bumper stickers, Small Signs, or a distribution of five hundred (500) or fewer substantially similar pieces of literature within any 10-day period.
- (e)** "Contribution" has the meaning set forth at ORS 260.005(3) and 260.007, as of November 8, 2016, except it does not include
- (1)** funds provided by government systems of public funding of campaigns or
  - (2)** providing rooms, phones, and internet access for use by a candidate committee free or at a reduced charge.
- (f)** "Dominant Contributor" means any Individual or Entity which contributes more than one thousand dollars (\$1,000) during an Election Cycle to a Candidate Committee or Political Committee.
- (g)** "Dominant Independent Spender" means any Individual or Entity which expends more than one thousand dollars (\$1,000) during an Election Cycle to support or oppose a particular Candidate.
- (h)** "Election cycle" means:
- (1)** Generally, the period between an election at which a candidate is elected and the next election for that same office, disregarding any intervening primary or nominating election, any recall election, or any special election called to fill a vacancy.
  - (2)** For any recall election: the period beginning the day that the recall election is called or declared and ending at midnight of the day of the recall election.
  - (3)** For any special election called to fill a vacancy: the period beginning the day that the special election is called or declared and ending at midnight of the day of the election.
- (i)** "Entity" means any corporation, partnership, limited liability company, proprietorship, Candidate Committee, Political Committee, or other form of organization which creates an entity which is legally separate from an Individual.
- (j)** "Expenditure" has the meaning set forth at ORS 260.005(8) and ORS 260.007, as of January 1, 2018, except that:
- (1)** It does not include a Communication to its members, and not to the public, by a Membership Organization not organized primarily for the purpose of influencing an election.
  - (2)** The exception in ORS 260.007(7) does not apply.
- (k)** "General Election Period" means the period beginning the day after the biennial primary election and ending the day of the biennial general election.
- (l)** "Individual" means a citizen or resident alien of the United States entitled to vote in federal elections; however, when this Article expresses a limitation or prohibition, "Individual" means any human being.
- (m)** "Membership Organization" means a nonprofit organization, not formed or operated for the purpose of conducting or promoting commercial enterprise, which has Individual members who have taken action to join the organization and have made a payment of money or volunteer time to maintain membership in the organization.
- (1)** It cannot have commercial enterprises as members.

**(2)** It can transfer to one and only one small donor committee not more than forty percent (40%) of the amount paid to the organization by each Individual member, with a limit of one hundred dollars (\$100) transferred per Individual member per calendar year.

**(3)** It shall within thirty (30) days of any such transfer notify each paying member of the amount transferred, expressed in dollars or as a percentage of the member's amount paid to the organization. Such notice may be provided by regular mail or electronic mail to each affected member or by posting the information on the organization's main website. If the amount transferred is the same for each member or category of members (in dollars or in percentage of amount paid), the posting may state that amount or percentage without identifying Individual members.

**(n)** "Primary Election Period" means the period beginning on the 21st day after the preceding biennial general election and ending the day of the biennial primary election.

**(o)** "Prominently Disclose" means that the disclosure shall be readily comprehensible to a person with average reading, vision, and hearing faculties, with:

**(1)** any printed disclosure appearing in a type of contrasting color and in the same or larger font size as used for the majority of text in the printed material;

**(2)** any video disclosure remaining readable on the regular screen (not closed captioning) for a not less than 4 seconds;

**(3)** any auditory disclosure spoken at a maximum rate of five words per second;

**(4)** any website or email message in type of a contrasting color in the same or larger font size as used for the majority of text in the message;

**(5)** any billboard or sign other than a Small Sign: in type of a contrasting color and not smaller than 10 percent of the height of the billboard or sign.

**(p)** "Small Donor Committee" means a Political Committee which has never accepted any Contributions except from Individuals in amounts limited to one hundred dollars (\$100) per Individual contributor per calendar year.

**(q)** "Small Sign" means a sign smaller than six (6) square feet.

**ORDINANCE No. 189348**

\* Authorize changes to City Code to implement Campaign Finance in Candidate Elections Charter amendment and request initiation of validation action (Ordinance; add Code Chapter 2.10)

The City of Portland ordains:

Section 1. The Council finds:

1. An initiative petition amending the City's Charter to regulate campaign contributions and expenditures in City candidate elections qualified for the November 6, 2018 ballot.
2. The initiative petition was passed by City voters, with 87.4% of voters voting in favor of the Charter amendment. The Charter amendment becomes operative by its terms on September 1, 2019.
3. The Campaign Finance in Candidate Elections Charter amendment was added to the Charter at Chapter 3, Article 3.
4. This ordinance implements the above-described Charter amendment.
5. There are concerns that Charter Chapter 3, Article 3 and this implementing ordinance may violate constitutional protections, including but not limited to Article I, section 8 of the Oregon Constitution and the First Amendment of the United States Constitution as an impermissible limitation on protected speech or association.
6. On March 6, 2018, the Multnomah County Circuit Court struck down several provisions of a substantially similar regulatory scheme in Multnomah County as impermissible under Article I, section 8 of the Oregon Constitution.
7. Council wishes to effect the will of the people in the most efficient and defensible way.
8. In light of these concerns, the Council requests the City Attorney to initiate a validation action pursuant to ORS 33.710(2)(e)-(g) in Multnomah County Circuit Court to determine the regularity and legality of this ordinance, including the constitutionality of the ordinance.
9. Notice of the validation action will be published by the City Attorney's Office at least once per week for three weeks, and interested parties will have an opportunity to appear and participate in the lawsuit in accordance with ORS 33.720.

NOW, THEREFORE, the Council directs:

- a. The City Attorney or the City Attorney's designee, on behalf of the City of Portland, shall file or join in a validation action proceeding to determine the regularity and

legality of this ordinance and shall see such action to conclusion, at trial and in any subsequent appeals.

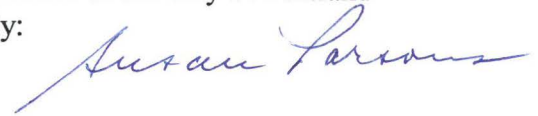
- b. Chapter 2.10, attached as Exhibit A and incorporated by reference, is added to the Portland City Code.

Section 2. The Council declares that an emergency exists because delay in initiating a validation action proceeding would interrupt the City's timely implementation of the Campaign Finance in Candidate Elections Charter amendment; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: JAN 16 2019

**Mary Hull Caballero**  
Auditor of the City of Portland

By:



Deputy

City Auditor Mary Hull Caballero  
Prepared by: Maja K. Haium  
December 20, 2018

Agenda No. **189348**  
**ORDINANCE NO.**  
 Title

\*Authorize changes to City Code to implement Campaign Finance in Candidate Elections Charter amendment and request initiation of validation action (Ordinance; add Code Chapter 2.10)

<p><b>INTRODUCED BY</b>                  Commissioner/Auditor:  <b>Mary Hull Caballero</b>  <i>Mary Hull Caballero</i></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance &amp; Administration - Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Hardesty</p> <p>Position 4/Safety - Eudaly</p> <p><b>BUREAU APPROVAL</b></p> <p>Auditor's Office                  Approval: Mary Hull Caballero</p> <p>Prepared by: Mary Hull Caballero                  Date Prepared: January 7, 2019</p> <p>Impact Statement                  Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document                  If "Yes" requires City Policy paragraph stated in document.                  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/> <b>City Auditor Office Approval:</b>                  required for Code Ordinances <i>Toni/Ku</i></p> <p><input checked="" type="checkbox"/> <b>City Attorney Approval:</b> <i>MKH 1/10/19</i>                  required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date <b>January 16, 2019</b></p>	<p>CLERK USE: DATE FILED <u>JAN 08 2019</u></p> <p style="text-align: center;">Mary Hull Caballero                  Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u>                  Deputy</p> <p><b>ACTION TAKEN:</b></p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____                  (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input checked="" type="checkbox"/></p> <p>Total amount of time needed: <b>20 minutes</b>                  (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Hardesty	3. Hardesty	✓	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	

**CHAPTER 2.10 – CAMPAIGN FINANCE IN CANDIDATE ELECTIONS****2.10.010 Contributions in City of Portland Candidate Elections.**

- A.** An Individual or Entity may make Contributions only as specifically allowed to be received in this Chapter.
- B.** A Candidate or Candidate Committee may receive only the following Contributions during any Election Cycle:
  - 1. Not more than \$500 from an Individual or a Political Committee other than a Small Donor Committee;
  - 2. Any amount from a qualified Small Donor Committee;
  - 3. A loan balance of not more than \$5,000 from the Candidate;
  - 4. No amount from any other Entity, except as provided in Section 2.10.040.
- C.** Individuals shall have the right to make Contributions by payroll deduction by any private or public employer upon the employer's agreement or if such deduction is available to the employees for any other purpose.

**2.10.020 Expenditures in City of Portland Candidate Elections.**

- A.** No Individual or Entity shall expend funds to support or oppose a Candidate, except those collected from the sources and under the Contribution limits set forth in this Chapter.
- B.** An Entity shall register with the Oregon Secretary of State as a Political Committee under Oregon law within 3 business days of making aggregate Independent Expenditures exceeding \$750 in any Election Cycle to support or oppose one or more Candidates in any City of Portland Candidate Election.
- C.** Only the following Independent Expenditures are allowed per Election Cycle to support or oppose one or more Candidates in any particular City of Portland Candidate Election:
  - 1. An Individual may make aggregate Independent Expenditures of not more than \$5,000.
  - 2. A Small Donor Committee may make Independent Expenditures in any amounts from funds contributed in compliance with Section 2.10.010.

3. A Political Committee may make aggregate Independent Expenditures of not more than \$10,000, provided that the Independent Expenditures are funded by means of Contributions to the Political Committee by Individuals in amounts not exceeding \$500 per Individual per year.

**2.10.030 Timely Disclosure of Large Contributions and Expenditures.**

- A. Each Communication to voters related to a City of Portland Candidate Election shall Prominently Disclose the true original sources of the Contributions and/or Independent Expenditures used to fund the Communication, including:
  1. The names of any Political Committees and other Entities that have paid to provide or present it; and
  2. For each of the five Dominant Contributors providing the largest amounts of funding to each such Political Committee or Entity in the current Election Cycle:
    - a. The name of the Individual or Entity providing the Contribution.
    - b. The types of businesses from which the maker of the Contribution has obtained a majority of income over the previous 5 years, with each business identified by the name associated with its 6-digit code of the North American Industry Classification System (NAICS).
  3. For each of the largest five Dominant Independent Spenders paying to provide or present it:
    - a. The name of the Individual or Entity providing the Independent Expenditure.
    - b. The types of businesses from which the maker of the Independent Expenditure has obtained a majority of income over the previous 5 years, with each business identified by the name associated with its 6-digit code of the NAICS.
- B. If any of the five largest Dominant Contributors or Dominant Independent Spenders is a Political Committee (other than a Small Donor Committee) or nonprofit organization, the prominent disclosure shall include its top three funders during the current Election Cycle.
- C. The disclosure shall be current to within 10 business days of the printing of printed material or within 5 business days of the transmitting of a video or audio communication.



**2.10.040 Coordination with Public Funding of Campaigns.**

A Candidate participating in a government system of public funding of campaigns (including the Open and Accountable Elections Fund established under Portland City Code Chapter 2.16) may receive any amount that such system allows a participating candidate to receive.

**2.10.050 Implementation and Enforcement.**

- A. The provisions of this Chapter shall take effect on September 1, 2019.
- B. Each violation of any provision in this Chapter shall be punishable by imposition of a civil fine which is not less than 2 nor more than 20 times the amount of the unlawful Contribution or Expenditure or Independent Expenditure at issue.
- C. Any person may file a written complaint of a violation of any provision in this Chapter with the City Auditor.
- D. The City Auditor, otherwise having reason to believe that a violation of any provision has occurred, shall issue a complaint regarding such violation.
- E. Upon receipt or issuance of a complaint, the City Auditor:
  - 1. Shall examine the complaint to determine whether a violation has occurred and shall make any investigation necessary.
  - 2. Within 2 business days of receiving or issuing a complaint, shall issue a notification, including a copy of the complaint, to every person who is the object of the complaint.
  - 3. Shall accept written materials supporting or opposing the complaint for a period of 10 business days following any such notification.
  - 4. Shall render a decision on the complaint within 10 business days of the close of the material submission period.
- F. If the complaint is received or issued within 30 calendar days of the date of the election involving the object of the complaint, then all time periods stated in Subsections 2.10.050 E.3. and 2.10.050 E.4. shall be reduced by one-half.
- G. The City Auditor may issue subpoenas to compel the production of records, documents, books, papers, memoranda or other information necessary to determine compliance with the provisions of this Chapter.
- H. Upon finding a violation of the requirement for timely disclosure set forth in Section 2.10.030, the City Auditor shall determine the true original sources of the Contributions and/or Independent Expenditures used to fund the Communication

at issue and shall immediately issue a statement to all interested parties and news organizations containing all of the information about the involved donor(s) required by Section 2.10.030.

- I. The complainant or any person who is the object of the complaint may, within 30 calendar days of the issuance of the decision, appeal that order to the appropriate Circuit Court as an agency order in other than a contested case.
- J. The decision in the matter shall be deemed final, following completion of any judicial review. Such decision shall be enforced by the City of Portland. If the decision is not enforced within 30 calendar days of the decision becoming final, the complainant may bring a civil action in a representative capacity for the collection of the applicable civil penalty, payable to the City of Portland, and for any appropriate equitable relief.

**2.10.060 Adjustments.**

All dollar amounts shall be adjusted on January 1 of each odd-numbered year to reflect an appropriate measure of price inflation, rounded to the nearest dollar.

**2.10.070 Severability.**

For the purpose of determining constitutionality, every section, subsection and subdivision thereof of this Section, at any level of subdivision, shall be evaluated separately. If any section, subsection or subdivision at any level is held invalid, the remaining sections, subsections and subdivisions shall not be affected and shall remain in full force and effect. The courts shall sever those sections, subsections and subdivisions necessary to render this Section consistent with the United States Constitution and with the Oregon Constitution. Each section, subsection and subdivision thereof, at any level of subdivision, shall be considered severable, individually or in any combination.

**2.10.080 Definitions.**

Unless otherwise indicated by the text or context of this Chapter, all terms shall have the definitions at Chapter 260 of Oregon Revised Statutes, as of January 1, 2018. Terms found therein or defined below are capitalized in this Chapter.

- A. "Candidate" has the meaning set forth at ORS 260.005(1).
- B. "Candidate Committee" has the meaning set forth at ORS 260.039 - 260.041, as of November 8, 2016, for the term "principal campaign committee."
- C. "City of Portland Candidate Election" means an election, including a primary election, to select persons to serve (or cease serving) in public offices of City of Portland.
- D. "Communication" means any written, printed, digital, electronic or broadcast communications but does not include communication by means of small items worn or carried by Individuals, bumper stickers, Small Signs, or a distribution of

500 or fewer substantially similar pieces of literature within any 10 business-day period.

- E.** “Contribution” has the meaning set forth at ORS 260.005(3) and 260.007, as of November 8, 2016, except it does not include:
1. Funds provided by government systems of public funding of campaigns; or
  2. Providing rooms, phones, and internet access for use by a candidate committee free or at a reduced charge.
- F.** “Dominant Contributor” means any Individual or Entity which contributes more than \$1,000 during an Election Cycle to a Candidate Committee or Political Committee.
- G.** “Dominant Independent Spender” means any Individual or Entity which expends more than \$1,000 during an Election Cycle to support or oppose a particular Candidate.
- H.** “Election Cycle” means:
1. Generally, the period between an election at which a Candidate is elected and the next election for that same office, disregarding any intervening primary or nominating election, any recall election, or any special election called to fill a vacancy.
  2. For any recall election: the period beginning the day that the recall election is called or declared and ending at midnight of the day of the recall election.
  3. For any special election called to fill a vacancy: the period beginning the day that the special election is called or declared and ending at midnight of the day of the election.
- I.** “Entity” means any corporation, partnership, limited liability company, proprietorship, Candidate Committee, Political Committee, or other form of organization which creates an entity which is legally separate from an Individual.
- J.** “Expenditure” has the meaning set forth at ORS 260.005(8) and ORS 260.007, as of January 1, 2018, except that:
1. It does not include a Communication to its members, and not to the public, by a Membership Organization not organized primarily for the purpose of influencing an election.

2. The exception in ORS 260.007(7) does not apply.
- K.** “General Election Period” means the period beginning the day after the biennial primary election and ending the day of the biennial general election.
- L.** “Individual” means a citizen or resident alien of the United States entitled to vote in federal elections; however, when this Chapter expresses a limitation or prohibition, “Individual” means any human being.
- M.** “Membership Organization” means a nonprofit organization, not formed or operated for the purpose of conducting or promoting commercial enterprise, which has Individual members who have taken action to join the organization and have made a payment of money or volunteer time to maintain membership in the organization.
1. It cannot have commercial enterprises as members.
  2. It can transfer to one and only one Small Donor Committee not more than 40 percent of the amount paid to the organization by each Individual member, with a limit of \$100 transferred per Individual member per calendar year.
  3. It shall within 30 calendar days of any such transfer notify each paying member of the amount transferred, expressed in dollars or as a percentage of the member’s amount paid to the organization. Such notice may be provided by regular mail or electronic mail to each affected member or by posting the information on the organization’s main website. If the amount transferred is the same for each member or category of members (in dollars or in percentage of amount paid), the posting may state that amount or percentage without identifying individual members.
- N.** “Primary Election Period” means the period beginning on the 21st day after the preceding biennial general election and ending the day of the biennial primary election.
- O.** “Prominently Disclose” means that the disclosure shall be readily comprehensible to a person with average reading, vision, and hearing faculties, with:
1. any printed disclosure appearing in a type of contrasting color and in the same or larger font size as used for the majority of text in the printed material;
  2. any video disclosure remaining reading on the regular screen (not closed captioning) for not less than 4 seconds;
  3. any auditory disclosure spoken at a maximum rate of 5 words per second;

4. any website or email message in type of a contrasting color in the same or larger font size as used for the majority of text in the message;
  5. any billboard or sign other than a Small Sign: in type of a contrasting color and not smaller than 10 percent of the height of the billboard or sign.
- P.** “Small Donor Committee” means a Political Committee which has never accepted any Contributions except from Individuals in amounts limited to \$100 per Individual contributor per calendar year.
- Q.** “Small Sign” means a sign smaller than 6 square feet.

# CITY OF PORTLAND

## Measure 26-200

*Proposed by Initiative Petition.*

### BALLOT TITLE

Amends Charter: Limits candidate contributions, expenditures; campaign communications identify funders.

**Question:** Should Portland Charter limit campaign contributions, expenditures for elected offices; require certain funding disclosures for campaign communications; allow payroll deductions?

**Summary:** Measure amends charter, to be implemented by ordinance effective by September 2019.

Limits contributions received by candidates, candidate committees in city elections per election cycle to:

- No more than \$500 from individual, political committee.
- No more than \$5,000 loan balance from candidate.
- Any amount from small donor committee (defined), which may accept contributions of \$100 or less per individual donor per year.

Allows candidates to receive any amount from government public campaign funding system. Limits independent expenditures to \$5,000 per individual, \$10,000 per political committee, per election cycle. Unlimited independent expenditures by small donor committees.

Each communication (defined) to voters relating to a city candidate election must prominently disclose (defined) information about source of contributions, expenditures for communication.

Allows individuals to make campaign contributions by payroll deduction if private or public employer agrees or allows payroll deductions for other purposes.

Entities making independent expenditures greater than \$750 must register as political committee within three days.

Fines for violations; subpoena power for, investigations by City Auditor.

Definitions; other provisions.

*No Explanatory Statement submitted.*

# CITY OF PORTLAND

## Measure 26-200

### ARGUMENT IN FAVOR

Alliance for Democracy urges **YES on 26-200 for limits on campaign contributions/expenditures and disclosure of true funders of city-level political campaigns.**

Twelve years ago Oregon voters approved limits on campaign contributions/expenditures and prominent disclosure of who funded political ads. The Secretary of State and Attorney General have refused to enforce that measure, effectively overturning the will of the people.

Thus, Oregon has had no limits, one of only six such states. As a result, we have among the most expensive political races in the nation. Our political leaders should not be decided by who has the most money to spend; yet, in the vast number of cases, that is exactly what happens.

Just in the past several months, we know of contributions being given to Portland City Commissioner candidate Loretta Smith from corporations and people with interests which could come before City Council\*. This is not unusual. While we don't know that these contributions (many of them \$5,000 or more each) will influence her decisions, we are left to wonder if decisions are made on the basis of merit or on the basis of who has made big contributions.

\*She has taken very large contributions from real estate developers; two individuals totaling \$70,000; soft drink distributors/manufacturers; and, indirectly, from Nike. Source: Orestar.

We should not have to wonder; we should be able to trust that merit is the deciding factor. Voters in Portland now have the opportunity to enact limits and disclosure requirements for city level offices. Measure 26-200 limits contributions to \$500 per individual per election cycle, limits the amounts of independent expenditures, and bans all corporate contributions and expenditures.

Further, it requires political advertisements disclose the real identity of the top 5 funders of the ads on the ads.

#### **We deserve HONEST ELECTIONS.**

We want limits on campaign contributions/expenditures.

We want disclosure.

**Vote YES on 26-200!**

*(This information furnished by David Delk, Alliance for Democracy.)*

### ARGUMENT IN FAVOR

We Need Campaign Finance Reform in Portland

Measure 26-200 is needed to fight the corruption caused by unlimited political campaign contributions.

Oregon is one of only 5 states with no statewide limits on political contributions. Candidates and public officials have become unduly beholden to the special interests. Campaign spending on Oregon candidates has skyrocketed 10-fold (1,000%) since 1996, from \$4 million to nearly \$50 million.

The State Integrity Investigation of the Center for Public Integrity and Public Radio International in 2015 graded Oregon an overall "F" in systems to avoid government corruption. **Oregon ranked 2nd worst of the 50 states in control of "Political Financing," beating only Mississippi.**

But the Koch Brothers-funded "Institute for Free Speech" in 2018 ranked Oregon #1 in America for having the "best" system of campaign finance regulation -- no limits! **Big corporations and billionaires really like Oregon's system of no limits, because they can use their money to buy politicians.**

National Study of  
Anti-Corruption (2015)  
Grades Oregon: F

<b>Public Access to Information</b>	<b>F</b>
<b>Political Financing</b>	<b>F</b>
<b>Executive Accountability</b>	<b>F</b>
<b>Legislative Accountability</b>	<b>D-</b>
<b>Procurement</b>	<b>F</b>
<b>Lobbying Disclosure</b>	<b>F</b>
<b>Ethics Enforcement Agencies</b>	<b>F</b>

Center for Public Integrity  
Public Radio International

THE OREGONIAN reported that candidates for the Oregon Legislature raise and spend more in their campaigns, per capita, than in any other state, except New Jersey.

- The average spent in 2014 by the top 10 Oregon Senate candidates = \$750,000 each.
- The average spent in 2016 by the top 10 Oregon House candidates = \$825,000 each.
- Some candidates spent over \$1 million, over \$80 per vote received.

In 1998 the candidates for Governor spent \$2.5 million. That rose to \$20 million in 2010 and could reach \$30 million this year.

As of early August, more than 60% of the funds raised by each of the Democratic and Republican campaigns for Governor came in donations of \$5,000 each or more.

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*(This information furnished by Dan Meek, Honest Elections Oregon.)*

### ARGUMENT IN FAVOR

#### **THESE OREGON GROUPS AND OREGONIANS SUPPORT 'YES' ON MEASURE 26-200 FOR PORTLAND CAMPAIGN FINANCE REFORM**

#### **Political Parties**

Democratic Party of Multnomah County  
Oregon Progressive Party  
Independent Party of Oregon  
Pacific Green Party

#### **Local Affiliates of National Organizations**

League of Women Voters, Portland Chapter  
Jobs with Justice - Portland  
NAACP - Portland  
350 PDX (also Bill McKibben, founder of 350.org)

#### **Community Organizations**

Alliance for Democracy  
Asian Pacific American Network of Oregon (APANO)  
Association of Oregon Rail & Transit Advocates  
Bernie PDX  
Democracy Spring  
First Unitarian Church, Economic Justice Action  
Health Care for All Oregon  
Honest Elections Oregon  
Humboldt Neighborhood Assn  
Linnton Neighborhood Assn  
Move to Amend PDX  
Onward Oregon  
Oregon Physicians for Social Responsibility  
Portland-Metro People's Coalition  
Portland Clean Air  
Portland Tenants United  
Right to Survive

# CITY OF PORTLAND

## Measure 26-200

Tax Fairness Oregon  
Unite Oregon  
Utility Reform Project

### Elected Officials

Brad Avakian	Oregon Labor Commissioner
Chloe Eudaly	Portland City Commissioner
Sharon Meieran	Multnomah County Commission
Michael Sonleitner	Portland Community College Board

### 2018 Candidates for Elected Office

Jo Ann Hardesty	Portland City Council #3
Marc Koller	U.S. Representative, 3rd District

### Individuals

Barbara Dudley	Jason Kafoury
Bob Stacey	Liz Trojan
Dan Meek	Mitch Greenlick
David Delk	Moses Ross
Emma Easley Darden	Seth Woolley
James Cook	Jamie Partridge

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*(This information furnished by Dan Meek, Honest Elections Oregon.)*

## ARGUMENT IN FAVOR

Strengthen democracy and advance racial equity

With Measure 26-200 the City of Portland has an opportunity to strengthen our democracy and advance racial equity.

Portland NAACP has long sought to raise the voices of people of color, immigrant communities and Oregonians of different backgrounds. One of the biggest barriers to this advancement has been the role of money in local politics.

A lack of contribution limits has led to exponential increases in the cost of a campaign for elected office in Portland. This creates a significant racial disparity, placing a disproportionate amount of power in the hands of a few millionaires and large corporations. This undermines a basic democratic principle— one person, one vote.

The most successful Portland candidates often have wide networks of wealthy people financially supporting their campaigns.

This dynamic makes it very difficult for low-income and historically disenfranchised communities. When the voices of the marginalized are stifled, it becomes a threat to the equality promised to all Americans in our political process. If you don't have that wide network of wealthy people supporting your campaign, it proves problematic to run an effective campaign.

Communities of color in Oregon experience higher rates of poverty. Not having access to those

networks poses an almost insurmountable obstacle for a person of color to run a successful campaign for office.

By limiting campaign contributions, the cost in running for office decreases significantly. This will allow young people from different backgrounds, people of color, and people from low-income communities to participate in our democracy. Every community should be able to vote for a true representative in their government, one who has also shared their experiences.

E.D. Mondainé, Jr.  
President  
NAACP Portland Chapter 1120

*(This information furnished by E.D. Mondainé, NAACP Portland Chapter 1120)*

## ARGUMENT IN FAVOR

With Measure 26-200, the City of Portland has an opportunity to strengthen our democratic process and advance equity.

APANO has long sought to raise the voices of people of color, immigrant communities, and Oregonians of different backgrounds. But one of the biggest structural barriers to this has been the role of money in politics.

The lack of contribution limits has led to exponential increases in the cost of a campaign for elected office in Oregon. This creates a significant racial disparity, placing a disproportionate amount of power in the hands of a handful of millionaires. When one or two millionaires can pump major donations into campaigns, they undermine our basic democratic principle: one person, one vote.

This dynamic makes it very difficult for low-income communities and historically disenfranchised communities to have their voices heard equally in our political process. If you need to have a wealthy network to be a candidate, people who don't have that network struggle to run an effective campaign. Because many communities of color in Oregon do not have access to those networks, and experience higher rates of poverty, it is hard for a person of color to run for office.

Oregon is a diverse state, and it needs to have more diversity in its elected positions. For instance, in all of Oregon today, there are only 5 elected officials at any level of government who are Asian American or Pacific Islander (AAPIs) -- in a diverse state with over 260,000 AAPIs. By limiting campaign contributions, we can help to bring down the costs of running for office. That will allow young people, people of color, people from both low-income and rural communities, and people of different backgrounds to participate in our democracy by serving as candidates. Every community should be able to vote for a true representative in their government, who understands their experiences because they have also shared those experiences.

Asian Pacific American Network of Oregon (APANO)

*(This information furnished by Colin K Crader, Asian Pacific American Network of Oregon, APANO)*

## ARGUMENT IN FAVOR

### Big Money Dominates Portland Elections

The 2012 winner of Portland's mayorship spent over \$1.7 million. His two primary opponents spent \$1.4 million and \$965,000. The 2016 winner spent \$1 million in the primary alone.

Most of the money comes from big donors, in chunks as large as \$60,000 per donor. The major corporate donors are typically property developers, landlords, construction companies, financial moguls, timber companies, rail contractors, and companies wanting government to pay more of the \$1 billion+ tab for the Portland Harbor Superfund cleanup.

Portland has an affordable housing crisis. Rents are high. The largest campaign contributors to candidates for city office are usually owners and developers of real estate, who benefit from high rents. Go figure.

Of the \$1 million spent by Ted Wheeler's 2016 mayor campaign, 52% came from contributions of \$2,000 or more. Only 5% came from contributions of under \$200.

Of the \$1.7 million spent by Charlie Hales's 2012 mayor campaign, 44% came from contributions of over \$1,000 each. Only 7% came from contributions of \$100 or less.

In the current contest for Portland City Commissioner, as of early August 2018:



# CITY OF PORTLAND

## Measure 26-200

Of the \$476,000 raised by Loretta Smith's campaign, 64% came from contributions of \$2,000 or more. Only 3% came from contributions of under \$200. She has received 12 contributions over \$10,000 each.

Of the \$269,000 raised by Jo Ann Hardesty's campaign, only 17% came from contributions of \$2,000 or more, while over 36% came from contributions of \$200 or less. Please read her statement in this Voters' Pamphlet supporting Measure 26-200. Her campaign demonstrates that candidates for Portland office can raise sufficient funds from donations of \$500 or less (69% of her total).

Portland should Seattle by adopting limits on political campaign contributions, which are in place for 90% of local governments in the nation. Our proposed \$500 limits are the same as those adopted by voters in Seattle in 2015.

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*(This information furnished by Dan Meek, Honest Elections Oregon.)*

## ARGUMENT IN FAVOR

### CANDIDATES DO NOT NEED HUGE CONTRIBUTIONS IN ORDER TO RUN EFFECTIVE CAMPAIGNS VOTE YES ON 26-200

Some opponents of campaign finance reform say that Measure 26-200's limits on political contributions would not allow candidates to run effective campaigns for public offices of the City of Portland.

Measure 26-200 limits candidates to receiving only contributions from individuals or PACs in the amount of \$500 each per election cycle.

**But similar limits have been in place for decades in 44 other states**, and candidates there are running effective campaigns. The difference is that those candidates need to contact more people who are not corporate executives or wealthy individuals. They have to contact more regular people, like us. That can be done, thanks to the internet.

Campaign contributions in Washington have been limited to \$600 per person per 2-year election cycle for a long time. Seattle last year reduced the limit to \$500 per person. Yet, politicians there raise funds and conduct effective campaigns there.

Many states limit contributions, even in statewide races, to \$600 or less per person per election cycle:

Alaska	\$ 500	Kansas	\$ 500
Colorado	\$ 200	Maine	\$ 375
Connecticut	\$ 250	Montana	\$ 170
Delaware	\$ 600	Wisconsin	\$ 500

Candidates for Portland office can certainly conduct effective campaigns, funded by contributions capped at \$500 per person and per PAC.

**The Bernie Sanders campaign raised \$231 million from 7 million donations (from 2.7 million donors)**, an average of \$86 per donor (\$33 per donation). It is now very fast and easy to make political contributions on the internet.

Also, Measure 26-200 provides for Small Donor Committees, which is a PAC that limits incoming contributions to \$100 per year per individual. The Small Donor Committee can then spend all those funds to support or oppose candidates. So candidates can obtain significant financial support from grassroots organizations that receive only small individual contributions.

### We call that Grassroots Democracy.

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*(This information furnished by Dan Meek, Honest Elections Oregon.)*

## ARGUMENT IN FAVOR

### EXPLANATION OF MEASURE 26-200

Measure 26-200 creates a new City Charter provision placing limitations on:

- (1) Contributions to political campaigns for candidates running for city elective offices.
- (2) Independent Expenditures in support or opposition to any Candidate for a city elective office.

Measure 26-200 requires that each Communication to voters about a City of Portland Candidate Election prominently disclose the five largest true original sources of its funding (in excess of \$500).

The measure:

1. **Limits Contributions and Expenditures to support or oppose Candidates for public office in City of Portland elections:**
  - Limits Candidate or Candidate Committee to receiving only these Contributions per Election Cycle:
    - from any Individual: \$500
    - from any Political Committee: \$500
    - from any corporation: \$0
  - Allows formation of Small Donor Committees, which may accept contributions only of \$100 or less per Individual person per year. Small Donor Committee can use these funds to support or oppose Candidates, if it complies with the \$100 per Individual per year limit on incoming contributions.
  - Requires any entity that spends more than \$750 per Election Cycle on Independent Expenditures to register as a Political Committee; requires reporting of funding sources and expenditures on the state ORESTAR system.
  - Limits Independent Expenditures in any City of Portland Candidate race to:
    - \$5,000 per Individual
    - \$10,000 per Political Committee, but only from contributions to the Political Committee by Individuals of \$500 or less per Individual per calendar year
2. Requires that each paid Communication to voters related to a City of Portland Candidate Election prominently disclose the five largest true original sources of Contributions and/or Independent Expenditures in excess of \$500 each that funded the Communication.
3. Violations are subject to a civil fine of not less than two and not more than twenty times the amount of the unlawful Contribution, Expenditure or Independent Expenditure.
5. Includes adjustments for inflation on January 1 of each odd-numbered year.

*(This information furnished by Dan Meek, Honest Elections Oregon.)*

# CITY OF PORTLAND

## Measure 26-200

### ARGUMENT IN FAVOR

#### OREGON DOES NOT REQUIRE EFFECTIVE DISCLOSURE OF THE SOURCES OF BIG MONEY

##### "Independent Expenditures"

In Oregon it is easy to pay for political ads through a **501(c)(4) "dark money"** nonprofit corporation with a nice name. The corporation never has to identify where its money came from, making it impossible to identify the true source.

##### Direct Campaign Contributions

Even if the ad is purchased by the candidate's PAC, Oregon **does not** require that the ad identify the PAC or any of its sources of money. If the ad identifies the PAC, it is usually "Friends of Mary Jones [candidate name]."

Yes, you can look up on ORESTAR the contributions to the candidate's PAC, but those often come from other PACs, which in turn are funded by yet other PACs. Unlike most states, **Oregon allows unlimited PAC-to-PAC transfers**, which can be used to hide the true sources of the money.

Requiring the voter to spend hours on Internet research to find out the funding sources is not at all the same as revealing them directly in the political ad itself.

#### TAGLINE REQUIREMENTS IMPACT ELECTION AND AIR QUALITY OUTCOMES

Taglines on candidate ads in Richmond, California foiled the massive attempt by Chevron, Inc. to take over Richmond leadership in 2014.

Accidents (including huge explosions) at the Chevron refinery in Richmond released toxic gases. Richmond City Council pushed for toxic controls and sued Chevron for damages resulting from a major fire in 2012 that sent thousands of Richmond residents to hospitals. Chevron decided to take over the city government by running candidates for mayor and city council in 2014. Chevron spent over \$3 million promoting its 4 candidates (\$281 per voter), outspending the environmentalist candidates, including Green Party members, by a factor of 50.

But California law required that the ads identify their major funder: **Chevron, Inc.**

**All of Chevron's candidates lost overwhelmingly. Air quality won.**

See [http://pdxcleanair.org/richmond\\_article](http://pdxcleanair.org/richmond_article)

#### GREENS & PORTLAND CLEAN AIR SUPPORT YES ON 26-200

*(This information furnished by Seth Woolley, Pacific Green Party and Portland Clean Air.)*

### ARGUMENT IN FAVOR

#### MEASURE 26-200 REQUIRES THAT POLITICAL ADVERTISEMENTS DISCLOSE THEIR BIG FUNDERS

The **Pacific Green Party** and **Portland Clean Air** jointly support 26-200 because real campaign transparency works for environmental causes.

Portland Clean Air publishes pollution maps and educates neighbors so they can fight back against pollution, but political pressure from shadowy campaign funders made it ridiculously difficult to get records from the Oregon Department of Environmental Quality.

See [http://pdxcleanair.org/oregonian\\_article](http://pdxcleanair.org/oregonian_article)

Voters should know who are paying for political ads in order to judge credibility of the messages and so stop electing

politicians beholden to corporate polluters.

Measure 26-200 requires that every political ad in a Portland candidate race state, **in the ad itself**, the **5 largest true, original sources of money** used to fund it.

Opponents of limits on campaign contributions often say that all the public needs is disclosure of the funders of the political advertisements. But such disclosure does not work well in Oregon.

Laws requiring that political advertisements identify their source are in place in 46 states. The Oregon Legislature repealed the law so requiring in 2001. **Here it is legal to do political ads and never identify their source or who paid for them.**

Federal law requires that ads on broadcast TV and radio at least identify their source, but even that can be the name of a nice-sounding committee or nonprofit corporation that tells you nothing about the real sources of the money.

The Corporate Reform Coalition (75 prominent organizations) in 2012 concluded that only 6 states have worse systems than Oregon for disclosing "independent expenditures" that pay for political ads. **Oregon earned an F**, while Washington got an A. Oregon has not improved since 2012.

Several states have adopted more stringent "tagline requirement" laws that mandate that political advertisements identify their true, original major sources of funding, including California, Washington, Connecticut and Maine.

Voters deserve to know who is providing the Big Bucks behind political ads.

#### VOTE YES ON 26-200

*(This information furnished by Seth Woolley, Pacific Green Party and Portland Clean Air.)*

### ARGUMENT IN FAVOR

#### VOTE YES ON 26-200 TO PROTECT OUR ENVIRONMENT

Portland residents have recently become aware that our urban environment is not the green and healthy place that many believed it to be. The air shed is filled with unhealthy levels of toxic metals, our rivers are polluted, our children's drinking water is contaminated with lead, and dangerous fossil fuel infrastructure sits in seismic liquefaction zones where it can leak or explode -- especially in the event of a large earthquake.

Lax environmental regulation is at the core of these problems.

One major factor is that our government at all levels is unduly influenced by polluters who make large campaign contributions to the politicians they believe will protect their interests.

Here's how it works:

- (1) environmental and public health laws are weak because big polluters have an undue influence in the political process;
- (2) regulators recognize this influence and are less aggressive in enforcing the already weak environmental rules; and
- (3) the apparent conflicts of interest reduce public confidence in government, and people stop expecting the government to protect public health and the environment.

Elected officials come to rely on campaign contributions in order to stay in office and adjust their regulatory priorities as to not upset big contributors. This undue influence filters down to the bureaus, departments, and agencies who are charged with administering our environmental rules. This "regulatory capture" is often why environmental rules are weakened and underenforced.

Examples include the failure of government to:

- require significant clean-up of toxic materials in the

# CITY OF PORTLAND

## Measure 26-200

Willamette River at Portland Harbor

- protect our air from cadmium, arsenic, chromium, & lead emissions from local industries.

We can take an important step toward creating a government willing to protect the environment and public health based on the best available science, instead of looking out for the profits of polluters.

Please vote YES for 26-200 to move Portland toward better environmental stewardship.

Nicholas Caleb  
Environmental Attorney

*(This information furnished by Nicholas Caleb.)*

## ARGUMENT IN FAVOR

### Why Campaign Finance Reform Matters for the Environment

Clean air and water are among our highest priorities and must be protected when making development and economic policies. But the lack of limits on campaign contributions and effective disclosure of campaign funding sources mean translate into environmental harm.

More than 2/3 of Oregon's largest industrial polluters are operating without valid permits, which are often 3 decades out of date. Some industrial facilities have gone for decades without inspection by the state. In 2017 Oregon legislators defeated a proposal to regulate large-scale industrial polluters that would have addressed this problem.

The 2017 Legislature removed the authority of the state agency responsible for regulating the final cover and structural integrity of landfills--immediately before one of the state's largest regional landfills was scheduled to close.

A 2016 review by THE OREGONIAN of the state's handling of toxic air quality in Portland found that the agency was "timid, leaderless and consistently influenced by industry interests."

Oregon is the dumping ground for dirty diesel engines and trucks that are banned in California and Washington but are allowed to operate in Oregon. EPA reports that diesel emissions cause nearly 250 premature deaths in Oregon per year and \$3.5 billion in health care costs and lost productivity. Multnomah County air ranked in the worst 1% of counties nationwide for concentrations of diesel particulate, according to the EPA National Air Toxics Assessment (December 2015). The same study ranked Portland as the worst city nationwide for respiratory distress and Multnomah County in the worst 2% of U.S. Counties for cancer risk. The State of Washington has invested 20-fold more in diesel clean-up than Oregon since 2002.

Communities with low socio-economic scores and minority communities are the most likely locations for "toxic outliers"--facilities that emit extraordinary amounts of harmful pollutants.

Campaign finance reform is critical for protecting the environment.

Independent Party of Oregon info@indparty.com 503-437-2833

*(This information furnished by Dan Meek, Independent Party of Oregon.)*

## ARGUMENT IN FAVOR

### Health Care for All-Oregon Action Supports 26-200

Health Care for All-Oregon Action aims to pass a ballot measure to implement an equitable, affordable, comprehensive, high quality, publicly funded universal health care system serving everyone in Oregon.

HCAO Action supports Portland Measure 26-200 limiting

campaign contributions for candidate elections in the city. We recognize that a big reason for lack of universal publicly funded healthcare up to now, which is supported by a majority in Oregon, is excessive money from corporations and wealthy individuals that candidates feel they need to win elections. The resultant influence is said by some in public debates to make the most effective and affordable approaches to health care "politically unrealistic."

Measure 26-200 is a small step to limit the influence of big money in politics and policy making. It will improve public accountability in the city. It can help build momentum for wider reform, by offering a good example for other counties and the state of Oregon to follow.

HCAO Action has adopted principles of Universality, Equity, Accountability, Transparency, Participation, and health care as a Public Good. Measure 26-200 helps make candidate elections more equitable, by limiting the effect of wealth on candidate elections. It has specific requirements that increase transparency. If passed the measure may increase participation by giving ordinary voters more voice in elections. Increased transparency and participation will make officials more accountable to the public as a whole, rather than to wealthy donors.

HCAO Action urges Portland voters to approve measure 26-200.

*(This information furnished by Jim Robison, Health Care for All Oregon Action.)*

## ARGUMENT IN FAVOR

Big money dominates Portland elections. Contribution limits could help restore balance, allowing regular people to play a bigger role in determining who can run for public office, who can win, and what issues elected officials work on while in office.

In Portland's 2016 Mayoral race, just 400 big dollar donors together gave nearly half a million dollars to campaigns. Regular people contributing tens of dollars each, and candidates who rely on regular people to support their campaigns, can not compete with the flood of money from big donors. By limiting the amounts each big donor can give, contribution limits would restrict big donors from overshadowing regular people. Portland will soon be implementing Open and Accountable Elections Portland, to give people-powered campaigns a chance in Portland, but small-dollar candidates will still have a hard time competing against big donors without limits. Honest Elections Portland would provide those limits, evening the playing field.

The State Integrity Investigation of the Center for Public Integrity gave Oregon and "F" in systems to avoid government corruption, and ranks Oregon 49th out of 50 states in "Political Financing" (only Mississippi scored worse). Honest Elections Portland would be an important step towards improving the integrity of Portland's elections.

-Kristin Eberhard, Sightline Institute

*(This information furnished by Kristin Eberhard, Sightline Institute.)*

## ARGUMENT IN FAVOR

Portland Forward urges you to vote YES on getting big money out of Portland politics.

We believe that **political power should arise from the value of ideas, not the size of contributors' checkbooks**. We also know that a system with unlimited contributions leads to much more expensive and exclusive elections. Other larger, wealthier cities in the US spend much less per capita than Portland on their local races. For example, Seattle typically spends less than half as much in their Mayoral races.

# CITY OF PORTLAND

## Measure 26-200

Measure 26-200 will limit large contributions, empower small donors, and inform voters of the largest donors to each candidate.

This measure includes best practices from around the country and will allow politics to be accessible to everyone, not just the wealthy. This measure would go a long way towards creating a city where people from every corner would be able to participate in determining the direction of Portland's future.

Portland Forward is a multigenerational group dedicated to achieving big-picture progressive changes for the Portland region. In 2015, a group of local leaders recognized that the scale of problems facing our community required a coordinated, long-term strategic effort.

Our top priorities are:

- Solving our housing and transportation woes
- Helping develop a clean energy economy
- Creating a public bank to maximize our public investments and keep our funds out of institutions such as Wells Fargo that undermine our community values
- Making our local democracy more fair, equitable, and effective for everyone

What stands in the way of these, and many other, important policies for our City is the outsized role of big money. The corrupting influence of wealthy special interests creates an atmosphere where the average Portlander does not have a meaningful voice in City Hall.

**Please join Portland Forward in voting YES on 26-200 and building a democracy that works for all Portlanders.**

For more information on our organization and how to get involved, visit:

<https://www.portlandforward.org>

*(This information furnished by Jason Kafoury, Portland Forward.)*

## ARGUMENT IN FAVOR

### Fed up with Big Money Politics? Vote Yes on Measure 26-200

There is WAY too much money from too few people in politics today. Millionaires and billionaires shouldn't have a larger voice than anyone else when it comes to Oregon elections.

Measure 26-200 sets tough, fair limits on the amount of money anyone can contribute to a local candidate, PAC, or political party. Let's shut down the loopholes that big donors are using to secretly funnel huge amounts of money to influence public policy in Oregon, and let's force every campaign to disclose its major donors right in their ads. Don't let big money drown out your voice. Vote YES on Measure 26-200.

### Ban SUPERPACS and Dark Money groups by voting YES on Measure 26-200

Under current law, wealthy interests can give unlimited amounts of money to so-called "independent" campaigns or secretive "non-profit" organizations that don't even have to disclose their donors. Those groups then fund attack ads and mailers that clog your mailbox, television and computer screen with slander and mudslinging.

Let's make local politics honest by making SuperPACS and other campaign organizations play by the same rules that individuals have to play by, with limited contributions promptly disclosed. Measure 26-200 would do that and require every political ad to identify its top 5 sources of funding.

### Make Portland Officials Accountable to Ordinary Citizens

Even our local elected officials in Portland raise most of their campaign funds from a small group of wealthy interests. After the election, those officials inevitably listen more to the big donors who funded their campaigns than they do to the rest of us.

We can change that by requiring all candidates to raise their campaign funds from small donations that come from a broad base of their constituents. That will ensure that everyone's voice is heard during campaigns. More importantly, it will make politicians accountable to their constituents, not big money interests.

**Vote YES on Measure 26-184.**

honest-elections.com  
503-427-8771

info@honest-elections.com  
@honestelect

Utility Reform Project info @ utilityreform.org

*(This information furnished by Dan Meek, Utility Reform Project.)*

## ARGUMENT IN FAVOR

### HOW PORTLAND MEASURE 26-200 IS DIFFERENT FROM PORTLAND'S PROGRAM FOR "PUBLIC FUNDING" OF CAMPAIGNS

They are very different, but they could work well together in the future.

#### Portland Measure 26-200

Measure 26-200 limits campaign contributions and independent expenditures and requires that political ads identify their top 5 funders. The limits are:

- Contributions to candidates from individuals and political action committees: \$500 per election cycle (4 years)
- Contributions and "Independent Expenditures" by corporations: Zero
- "Independent Expenditures" by individuals: \$5,000 per election cycle (4 years)

It does not provide public funding to candidates. It applies to races for Portland city offices, including Mayor, City Commissioner, and City Auditor.

Measure 26-200 is a ballot measure to be adopted, or rejected, by a vote of the people of Portland.

#### City of Portland Public Funding of Campaigns Program

This is a program adopted by the Portland City Council in 2016, for implementation in 2020.

The Portland proposal would not limit campaign contributions or independent expenditures. It would provide public funding for candidates for Portland City elected offices (Mayor, City Council and Auditor) by paying matching funds for every contribution of \$250 or less received by each participating candidate. It includes restrictions on which candidates qualify and requires each to agree to a cap on overall campaign spending:

Mayor	\$950,000
City Commissioner	\$550,000
City Auditor	\$550,000

It is expected to cost about \$2 million per 2-year election cycle.

#### Learning for the Future

Both approaches to campaign finance reform have advantages over the present Oregon system of unlimited contributions, unlimited expenditures, and poor disclosure of the sources of campaign money.

Measure 26-200 would decrease the cost of the public funding system by reducing the amounts of added funding provided when non-participating candidates raise large amounts in private donations. It would also require that advertising paid for by large private donations prominently disclose its top five funders.

If Measure 26-200 passes, we can learn from the implementation of both systems.

# CITY OF PORTLAND

## Measure 26-200

honest-elections.com  
503-427-8771

info@honest-elections.com  
@honestelect

(This information furnished by Dan Meek, Honest Elections Oregon.)

### ARGUMENT IN FAVOR

The **Democratic Party of Multnomah County** endorses and supports Portland Measure 26-200 and encourages a **YES** vote.

In early September, Knute Buehler received **\$1.5 million** from a single person, Phil Knight, former CEO of Nike. That was a striking and terrifying example of how a **single individual** with massive resources thinks they can buy-off the electorate and purchase Oregon's political landscape.

**In 44 other states this contribution to a candidate for state office would be illegal.**

That \$1,500,000 contribution was the biggest from an individual to a candidate in the history of Oregon. Chris Dudley, the Republican candidate for Governor in 2010, collected over \$2.5 million from the "Republican Governors Association," a private group that does not disclose its donors. **Oregon allows such contributions to remain cloaked in secrecy.**

As of early August, only 25% of the funds for Buehler's campaign came in donations of \$500 or less. **54% of Buehler funds came in donations of larger than \$5,000 each.** Even federal candidate donations are limited to \$2700 per individual donor.

Michael Cohen, the personal lawyer for Donald Trump paid \$130,000 to porn star Stormy Daniels just before the 2016 election to prevent her from revealing her affair with Trump. Cohen pleaded guilty to making a campaign contribution larger than allowed by the federal limits. **But those limits do not apply to races for state or local office in Oregon.**

Tom Delay, the former Republican leader in the U.S. House of Representatives was convicted by a jury in 2011 of money laundering for channeling \$190,000 of corporate money into the campaigns of candidates for the Texas Legislature. **What he did is legal in Oregon.**

The Multnomah County Democratic Party endorses and supports a **YES** vote for Portland **Measure 26-200** to level the political playing field and to get big money out of politics.

[www.MultDems.org](http://www.MultDems.org)

**Lurelle Robbins, Chair, The Democratic Party of Multnomah County**

(This information furnished by Lurelle E Robbins, The Democratic Party of Multnomah County.)

### ARGUMENT IN OPPOSITION

This measure is unconstitutional censorship. Voting for this measure is voting to waste taxpayer money on lawyers.

A nearly identical measure was passed in 2016 as Measure 26-184, a Multnomah County Charter amendment. The Multnomah County Circuit Court recently ruled that that measure's contribution and expenditure limits were unconstitutional (case no. 17CV18006).

Also recently, the Oregon Supreme Court reaffirmed that political contributions are constitutionally protected. Quoting *Markley/Lutz v. Rosenblum*, 362 Or 531, 413 P3d 966 (2018):

Article I, section 8, of the Oregon Constitution prohibits laws "restraining the free expression of opinion, or restricting the right to speak, write, or print free[ly] on any subject whatever." See *State v. Robertson*, 293 Or 402, 649 P2d 569 (1982) (interpreting Article I, section 8). This court held

in *Vannatta v. Keisling*, 324 Or 514, 931 P2d 770 (1997) (*Vannatta I*), that making contributions to candidates is protected expression and that laws limiting the amount of contributions that a person, corporation, or union makes to candidates or political committees violate Article I, section 8. 324 Or at 537-39; see *Vannatta v. Oregon Government Ethics Comm.*, 347 Or 449, 222 P3d 1077 (2009) (clarifying *Vannatta I*).

This measure has no chance of surviving a court challenge. Adopting this would merely cause another round of litigation, a complete waste of resources for a foregone conclusion.

This measure is invasive and limits the ability of ordinary people to get involved in politics. Section 3-302(c)(1):

An Individual may make aggregate Independent Expenditures of not more than five thousand dollars (\$5,000).

This makes it illegal to spend "too much" of your own money on your own communications to support or oppose a candidate. You could not do things (e.g. send direct mail) that political organizations still could – but organizations aren't supposed to have more rights than people!

This measure even limits how much of a candidate's own money they can spend on their campaign. Muzzling the candidate themselves is the pinnacle of censorship.

(This information furnished by Kyle Markley.)

### ARGUMENT IN OPPOSITION

#### No on Measure 26-200

**26-200 makes it harder for ordinary citizens to run as candidates,**

**26-200 protects the 95% re-election rate of politicians.**

The re-election rate of politicians nationwide has been 95%.

Arbitrary money limits like 26-200 hurt ordinary citizen challenger candidates TWICE as hard than sitting politicians already in office.

Incumbent Politicians have all the basic money they need because you and I taxpayers pay for their offices, websites, salaries and public relations staff. They get endless free press from the media anytime they want.

Simply put, politicians start every election race far ahead of challengers.

Measure 26-200 blocks ordinary citizens from raising funds necessary to create a level playing field.

Imagine if you were a candidate. Could you produce a TV ad and raise a million dollars through small donations as Measure 26-200 requires? You can't! The voice of ordinary candidates will vanish under Measure 26-200.

Sitting politician don't need million dollar TV ads. They can get free continuous media attention anytime they want because of the office they hold.

Measure 26-200 handicaps ordinary citizens running for office.

The current 95% re-election rate is proof the system is unfair. Measure 26-200 makes it more unfair by punishing ordinary citizen candidates.

Vote No on Measure 26-200

(This information furnished by Jason Williams, Taxpayers Association of Oregon.)

# CITY OF PORTLAND

## Measure 26-200

### ARGUMENT IN OPPOSITION

No on Measure 26-200

**If you ran for elected office and your grandma donated \$505 she would be breaking the law under Measure 26-200.**

Does that makes sense to you?

Turning grandma into a criminal won't make things better.

Restricting free speech and blocking people from participating in democracy won't make things better either.

The key problem isn't corporations giving money to politicians. The bigger problem is politicians giving money to corporations. Look at Oregon's shameful corporate welfare.

- \$5 million in taxpayer resources being used to build private luxury hotels in Portland (The Nines hotel, Portland Convention Center Hyatt). Maybe these luxury hotels should house our homeless as thanking us taxpayers for their privileged government support?
- \$19 million in Oregon tax dollars are lavished on Hollywood-style film companies to do movies here. Since the City won't fix your pothole, maybe you should hire a Hollywood film crew to do it for you while you cash in your government rebates.
- Over \$1.9 billion in state government contracts went to corporations of whom these same corporations donated \$826,000 back to the very statewide office holders who awarded the contracts. This is illegal in other states! It should be illegal in Oregon. (Forbes 2-13-17)

Cleaning up politics begins with outlawing corporate welfare not making outlaws out of ordinary citizens as Measure 26-100 does.

Please...

- Don't censor free speech as Measure 26-100 does.
- Don't limit people participating in politics
- Don't criminalize grandma for giving a simple \$505 donation
- Don't perpetuate the politicians' 95% re-election rate by handicapping challengers

**The Taxpayer Association urges No on 26-100**

-- Follow our popular Oregon tax and political news website at [OregonWatchdog.com](http://OregonWatchdog.com) -- updated daily for 17 years.

*(This information furnished by Jason Williams, Taxpayers Association of Oregon.)*

### ARGUMENT IN OPPOSITION

**OREGON ELECTIONS ARE RIGGED BY BIG MONEY  
LET'S KEEP IT THAT WAY!**

**VOTE NO ON 26-200**

With Oregon's unlimited political campaign contributions and spending (unlike 44 other states), candidate who raise and spend the most money wins over 91% of the time (almost always the incumbent).

Portland city races now cost upwards of \$1 million, sometimes almost \$2 million.

**POWER TO THE PEOPLE -- THE BEST PEOPLE**

Most of that money comes in huge contributions from property developers, landlords, executives of multinational corporations, construction companies, financial moguls, timber companies, rail contractors, hedge fund operators, and corporations wanting government to pay more of the \$1 billion+ tab for the Portland Harbor Superfund cleanup (PHS).

These funders are truly the elite leaders of America. They have the best educations, the nicest houses, and the biggest yachts. **They know best who should serve in public office.** Elected officials should indeed listen to them do what they say.

The next best thing to having a rich person in public office is a public officer beholden to rich people.

**THE BEST PEOPLE ARE THE ONES WITH THE MOST MONEY**

As our President, Donald Trump, said:

"As a businessman and a very substantial donor to very important people, when you give, they do whatever the hell you want them to do." (July 29, 2015)

"I gave to many people, before this, before two months ago, I was a businessman. I give to everybody. When they call, I give. And do you know what? When I need something from them two years later, three years later, I call them, they are there for me." (August 6, 2015)

**"When I call, they kiss my ass."** (January 9, 2016)

Talking Points Memo, September 6, 2016  
<http://talkingpointsmemo.com/trump-bondi-contributions>.

**MONEY IS SPEECH - THE BEST SPEECH  
DON'T LET VOTERS SPOIL OUR RIGGED SYSTEM!**

All of the statements in favor of Measure 26-200 are fake news. Committee of the Best People with the Best Words [best-words.com](http://best-words.com)

*(This information furnished by Dan Meek.)*

### ARGUMENT IN OPPOSITION

**Committee to Welcome Michael Cohen to Oregon  
Opposes Measure 26-200**

We extend a hearty welcome to Michael Cohen and urge him to relocate to Oregon, where his skills at financial and political manipulation will be appreciated -- and legal!

Michael Cohen pleaded guilty to making an in-kind contribution to the presidential campaign of Donald Trump that was larger than allowed by federal law. His contribution was the \$130,000 paid to Stormy Daniels to silence her before the 2016 election. Federal law allowed him to contribute only \$2,700 to the Trump Campaign. His violation was a felony, punishable by a fine of up to \$250,000 and even jail time. Disgusting!

**If Michael Cohen had contributed that \$130,000 to a candidate for state or local office in Oregon, it would have been perfectly legal.** Oregon politicians often receive contributions far larger than \$130,000. Phil Knight recently contributed \$1.5 million to the Knute Buehler (R) campaign for Governor. In 2014 he contributed \$250,000 to the John Kitzhaber (D) campaign for Governor. Oregon's timber executives contribute \$200,000 to \$400,000 at a pop.

Michael Cohen would fit right in here in Oregon.

**Also, Oregon law has a great loophole that exempts all campaign contributions from the law against bribery of public officials.** ORS 162.015 defines bribery as giving "any pecuniary benefit upon a public servant with the intent to influence the public servant's vote, opinion, judgment, action, decision, or exercise of discretion in an official capacity." But ORS 162.005 specifies that "pecuniary benefit" "does not include a political campaign contribution." Fantastic!

**So, in Oregon, bribery with campaign contributions is legal.  
Are you listening, Michael Cohen?**

Portland Measure 26-200 would prevent Michael Cohen (and anyone else) from political bribery of City officials or candidates. Sad! It would also be a model for all of Oregon, which would entirely derail Michael's new career in Oregon. Treason?

**Vote No on Measure 26-200. Welcome, Michael Cohen!**

Committee to Welcome Michael Cohen to Oregon  
[ocwmc@oreg.us](mailto:ocwmc@oreg.us)

*(This information furnished by Dan Meek, Honest Elections Oregon.)*

**Measure 26-200 (Vote for 1)**

Precinct	Ballots Cast	Reg. Voters	Total Votes	Yes	No	Over Votes	Under Votes
Precinct 2701	565	667	520	416	80.00%	104	20.00%
Precinct 3101	1150	1489	1086	892	82.14%	194	17.86%
Precinct 3301	9957	12454	9405	8359	88.88%	1046	11.12%
Precinct 3303	3120	4010	2942	2440	82.94%	502	17.06%
Precinct 3501	858	1086	815	677	83.07%	138	16.93%
Precinct 3502	4433	5327	4189	3558	84.94%	631	15.06%
Precinct 3602	4973	6362	4707	4196	89.14%	511	10.86%
Precinct 3603	6608	10311	6266	5450	86.98%	816	13.02%
Precinct 3605	2145	2570	2022	1617	79.97%	405	20.03%
Precinct 3606	1624	1930	1549	1366	88.19%	183	11.81%
Precinct 3607	5192	6278	4930	4284	86.90%	646	13.10%
Precinct 3608	4345	5496	4125	3578	86.74%	547	13.26%
Precinct 3609	276	313	262	195	74.43%	67	25.57%
Precinct 3610	3220	3926	3054	2607	85.36%	447	14.64%
Precinct 3611	4815	5851	4551	3942	86.62%	609	13.38%
Precinct 3612	4539	6147	4313	3777	87.57%	536	12.43%
Precinct 3802	8181	9924	7746	6623	85.50%	1123	14.50%
Precinct 3803	5353	6678	5102	4512	88.44%	590	11.56%
Precinct 3804	1128	1316	1080	921	85.28%	159	14.72%
Precinct 3805	743	902	710	606	85.35%	104	14.65%
Precinct 3808	149	309	134	122	91.04%	12	8.96%
Precinct 4101	7949	9525	7570	6794	89.75%	776	10.25%
Precinct 4102	4148	5426	3931	3516	89.44%	415	10.56%
Precinct 4103	3395	3983	3243	2800	86.34%	443	13.66%
Precinct 4203	8477	10779	8103	7590	93.67%	513	6.33%
Precinct 4204	7486	8948	7213	6704	92.94%	509	7.06%
Precinct 4205	3764	4489	3620	3355	92.68%	265	7.32%
Precinct 4207	4628	5513	4425	4137	93.49%	288	6.51%
Precinct 4208	2771	3364	2640	2436	92.27%	204	7.73%
Precinct 4209	6437	8451	6107	5561	91.06%	546	8.94%
Precinct 4210	8968	11099	8575	7790	90.85%	785	9.15%
Precinct 4301	8263	10668	7881	7219	91.60%	662	8.40%
Precinct 4302	9013	11911	8542	7731	90.51%	811	9.49%
Precinct 4304	6832	8287	6517	5922	90.87%	595	9.13%
Precinct 4305	8538	11010	8115	7281	89.72%	834	10.28%
Precinct 4306	1676	2024	1603	1481	92.39%	122	7.61%
Precinct 4310	7250	9254	6914	6261	90.56%	653	9.44%
Precinct 4401	8063	11203	7670	6818	88.89%	852	11.11%
Precinct 4402	8325	11595	7865	6866	87.30%	999	12.70%
Precinct 4403	6715	8291	6435	5849	90.89%	586	9.11%
Precinct 4404	7996	11039	7587	6636	87.47%	951	12.53%
Precinct 4409	1696	2793	1591	1334	83.85%	257	16.15%
Precinct 4501	9168	10498	8747	7708	88.12%	1039	11.88%
Precinct 4502	4070	5065	3856	3435	89.08%	421	10.92%
Precinct 4503	3387	4155	3225	2897	89.83%	328	10.17%
Precinct 4505	6767	8328	6439	5720	88.83%	719	11.17%

Multnomah County Election Results

November 2018 General Election - Final Precinct Results

All Precincts, City of Portland, All ScanStations, City of Portland, Commissioner, Position 3, Measure 26-200, Measure 26-201, All Boxes

Total Ballots Cast: 320879, Registered Voters: 432597, Overall Turnout: 74.18%

**Measure 26-200 (Vote for 1)**

Precinct	Ballots Cast	Reg. Voters	Total Votes	Yes	No	Over Votes	Under Votes
Precinct 4506	2899	4115	2723	2263	460	2	174
Precinct 4508	3589	5177	3380	2963	417	0	209
Precinct 4509	2141	3297	1979	1606	373	3	159
Precinct 4510	1864	2884	1730	1360	370	0	134
Precinct 4511	2022	3324	1858	1491	367	0	164
Precinct 4601	8787	10425	8360	7544	816	2	425
Precinct 4602	3427	3889	3297	2929	368	0	130
Precinct 4604	4842	7654	4526	3888	638	0	316
Precinct 4605	4435	5738	4178	3718	460	3	254
Precinct 4606	8948	11629	8490	7563	927	3	455
Precinct 4607	2972	4798	2737	2251	486	0	235
Precinct 4608	1165	1935	1095	924	171	0	70
Precinct 4701	2105	3428	1944	1490	454	0	161
Precinct 4702	636	1010	583	464	119	0	53
Precinct 4703	1845	2573	1720	1343	377	0	125
Precinct 4704	2890	4645	2658	2129	529	0	232
Precinct 4705	4204	6877	3922	3189	733	1	281
Precinct 4706	2508	4662	2329	1825	504	3	176
Precinct 4707	1353	2254	1244	1025	219	1	108
Precinct 4708	2926	5013	2713	2191	522	1	212
Precinct 4709	1537	2579	1436	1141	295	0	101
Precinct 4710	2661	5149	2457	1915	542	0	204
Precinct 4801	1121	1780	1052	846	206	0	69
Precinct 4803	5495	9259	5163	4387	776	1	331
Precinct 4804	1217	2178	1125	932	193	0	92
Precinct 4805	636	1307	595	468	127	1	40
Precinct 4806	1227	1885	1137	893	244	1	89
Precinct 4807	2291	4094	2133	1677	456	0	158
Precinct 4902	27	33	22	21	1	0	5
Precinct 5009	736	1466	679	496	183	0	57
Precinct 5101	563	1285	523	377	146	0	40
Precinct 5102	3511	6475	3278	2558	720	1	232
Precinct 5103	1998	3439	1866	1436	430	0	132
Precinct 5104	2907	4894	2716	2075	641	0	191
Precinct 5106	238	403	210	154	56	0	28
Total	320879	432597	303780	265511	38269	77	17022