



**Testimony in Support of HB 4124**  
**Submitted by Katherine McDowell on behalf of ACLU of Oregon**  
**House Committee on Rules**  
**February 4, 2020**

Chair Holvey and Members of the Committee:

The American Civil Liberties Union of Oregon<sup>1</sup> supports House Bill 4124, which would establish a Task Force on Political Campaign Contribution Limits and delay the effective date for Ballot Measure 47 if the Oregon Supreme Court issues a decision that renders Ballot Measure 47 operative.

The regulation of money in politics involves two of the most important principles in our democratic republic: the public's right to express itself free from government censure and the right to participate in free and fair elections. Historically, the ACLU of Oregon has reconciled these interests squarely on the side of free expression. In the face of growing evidence that increasing campaign costs and growing corporate influence suppress political participation, our position has changed.

The Oregon Supreme Court is now considering the constitutionality of Multnomah County's campaign finance ordinance. This case turns on whether the Supreme Court will adhere to its decision in *Vannatta v. Kiesling*, which found that Article I, Section 8 of the Oregon Constitution precludes regulation of campaign contributions. While the ACLU of Oregon agrees that *Vannatta* correctly protects campaign contributions as political expression, we have asked the Supreme Court to recognize that Article II, Section 8 of the Oregon Constitution separately allows reasonable restrictions on campaign contributions.

A decision to overrule *Vannatta* could allow Measure 47 to go into effect immediately without an opportunity to determine whether it follows the Supreme Court's new guidance. The ACLU of Oregon believes that allowing the legislature to review the Supreme Court's decision and enact compliant legislation is the best way to ensure the proper harmonization of free expression and free suffrage rights. While some may argue that it is expedient to allow Measure 47 to take effect, our view is that these issues are too important to rush.

**For these reasons, the ACLU of Oregon urges your support for HB 4124. Thank you for your time and consideration.**

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<sup>1</sup> The American Civil Liberties Union of Oregon (ACLU of Oregon) is a nonpartisan organization dedicated to the preservation and enhancement of civil liberties and civil rights. We have more than 28,000 members in the State of Oregon, and that number is growing as we speak.