

To: House Rules Committee
From: Kate Titus, Common Cause Oregon
Re: HB 3343 & HB 2680, Contribution Limits
Date: March 30, 2021

Common Cause

Common Cause is a nonpartisan organization that works for open, honest, accountable government. We are over 1.5 million Americans – including roughly 30,000 Oregonians – working together to realize the unfinished promise of democracy.

Across party lines, Oregon voters are fed up with money in politics and want meaningful reform. Last November, over two thirds of us in every single Oregon county – 78% statewide – passed Measure 107 (Fair & Honest Elections), providing the state constitutional authority for the necessary campaign finance reform. It is exceptionally rare for a ballot measure to garner that much support. Now it's time for the legislature to get it done.

The System is Broken

The way we finance political campaigns isn't working. Special interests drown out those who can't contribute large sums to candidates or campaigns. A wealthy donor class plays an outsized role in determining who runs for office and which communities and interests receive the most support. Most voters don't donate to campaigns at all, and many no longer believe our elected officials work for us. The current system creates barriers to running for office and dissuades constituent participation and influence—especially for those facing structural barriers to wealth, including women, people of color, and young people of all races—and contributes to ongoing underrepresentation of these populations in election turnout and elected leadership. As a result, the most important concerns of many Oregonians are underrepresented in government debate.

We Can Do Better

It doesn't have to be this way—it just requires political will. Oregon can enact the common sense, proven campaign finance rules needed to shut down big money dominance of our elections and government. We can start by establishing an upper ceiling on campaign contributions like nearly every other state. We can reduce and minimize the impact of independent expenditures, by strictly prohibiting all coordination between PACs and other independent spenders and the candidates they seek to influence and by requiring that hidden money behind campaign advertisements is made fully transparent. Yes, this will force a big change. But that's the point. And even while closing off the big money, we can begin to plan now to add in a public match for small-dollar contributions – say a 9-to-1 match on the first \$10 of any contribution, making everyone's first \$10 equal \$100 – to make small contributions meaningful, incentivize broader participation, and make sure candidates can raise enough without relying on big donors.

Here's what real reform will look like:

- No unlimited contributions.
- Limits set at levels that most Oregonians could consider giving themselves.
- No loopholes allowing any donors or political committees to bypass limits, buy outsized influence, or have a dominant influence on elections.
- PACs and other independent spenders prohibited from spending "independently" if they are in fact coordinating with the candidates they seek to influence.
- No more secretive independent expenditures. Campaign advertisements must disclose to voters the true sources of funding.
- All money tracked and fully transparent to voters.
- People allowed to aggregate their contributions for collective impact, but not to operate front groups for pass-through money. All money must be tracked, transparent, and limited.
- A public match used to amplify small contributions, making every contribution significant, incentivizing broader participation, and ensuring candidates can raise enough without relying on big donors.

HB 3343 – STRONGLY SUPPORT

This bill largely meets the principles outlined above. It is designed to deliver the kind of meaningful reform that voters seek. Common Cause recommends two modifications: amending *out* the limits on candidate self-funding, since these have been found federally unconstitutional; and directing the funds generated when PACs spend out their excess carry-over after each election cycle into a Public Campaign Fund that can one day be used to match small contributions.

HB 2680 – STRONGLY OPPOSE

This bill largely fails to meet the principles outlined above. To the contrary, it includes a number of loopholes (outlined further in testimony by others) that undermine the positive impact it could otherwise have. Notably, this bill allows membership organizations to operate as if they were small donor committees, while instead, essentially turning them into Super PACs that can pass through big money from any source, a provision which eviscerates the underlying intent to promote a truly small dollar democracy.

We encourage you to pass HB 3343 out of committee.