

Process Committee Recommendations on Campaign Finance

Approved – 9/19/06

In August, the commission approved a recommendation from the Process Committee that the 2007 Legislative Assembly appoint a special commission, with outside advisers, to consider campaign finance reform including financing alternatives and disclosure procedures.

Recommendation 1.

The Process Committee adds to that recommendation, the following findings and charge:

The Public Commission on the Oregon Legislature finds that:

1. Public confidence in the legislative process is at or near a historically low level today;
2. Ever rising campaign costs increase candidate and caucus reliance on special interest funding;
3. Increased reliance on special interest funding inhibits independent decision making, intensifies partisanship, and discourages problem solving;
4. Partisanship is an integral part of our democratic system and performs necessary and important functions in legislatures. When partisanship dominates decision making, however, cooperation, creativity and compromise in decision making are neglected. Legislatures perceived to be so dominated risk eroding public confidence in their decisions and effectiveness; and
5. Legislative effectiveness builds public confidence in the legislative process and the outcomes of that process.

The Public Commission on the Oregon Legislature recommends that:

1. The 2007 Legislative Assembly appoint a commission to examine the role of campaign finance in legislative decision making with the goals of:
 - a. Dividing legislative policy and budget decisions from the influence of campaign contributions;
 - b. If possible, restraining the escalation of campaign costs and spending;
 - c. Shifting the balance of campaign activity away from fundraising to increased issue discussion and voter engagement activities;
 - d. Lessening candidate and caucus dependence on donations from special interest groups; and
 - e. Preserving the Oregon legislative tradition of effective bi-partisan issue resolution.
2. The Commission on Campaign Finance Reform will include elected officials, former officials, lobbyists, professional legislative staff and others with expertise and experience in the subject area. The majority of the commission should not have immediate political or professional interests in the outcome.
3. The Commission on Campaign Finance Reform will be staffed and funded by the legislature and present its findings by a date certain as determined by the legislature.

Recommendation 2.

In addition to adding goals and structure to the proposed Commission on Campaign Finance Reform, the Process Committee also reconsidered their recommendation on the use of campaign contributions. The Ethics Work Group of the Oregon Law Commission is considering a similar recommendation to what follows.

Campaign contributions are not the candidate's property and the committee recommends that contributions should be used to support the nomination or election of the candidate, with limited exceptions. Candidates and elected officials should be prohibited from using contributions for personal use, to defray office expenses, to pay criminal and civil penalties and with certain exceptions, from using contributions to make contributions to other candidates or political

committees. Exceptions are: a) The candidate may distribute contributions to the principal campaign committee of the same candidate for nomination or election to a different public office; and b) If a candidate no longer intends to receive contributions or make expenditures and intends to discontinue the statement of organization of the candidate or committee, excess contributions may be distributed to charitable organizations, political party political committees, legislative caucus political committees or to the Legislative Assembly.

Recommendation 3.

The committee recommends that improvements to legislative compensation be made only after the legislature approves reform of the use of campaign funds by candidates and elected officials as outlined in the forgoing paragraph.

Recommendation 4.

Finally, the committee recommends that the Legislative Assembly and Secretary of State consider moving the primary election date to a date later in the year such as the first Tuesday in June or August. The goal of such a move would be to reduce the length of the campaign season and therefore reduce the cost of campaigns and the amount of money raised for campaign purposes.