



6899 NE Columbia Blvd, Suite A, Portland, OR 97218

5/23/2019

**To:** Chair Holvey, Vice-Chair Williamson, Vice-Chair Wilson, Representative Boles, Representative Nosse, Representative Smith Warner, and Representative Sprenger

**Re: HB 2983**

Chair Holvey, Vice-Chair Williamson, Vice-Chair Wilson, and Members of the Committee:

Verde is a community-based organization in Portland that builds environmental wealth for communities through social enterprise, outreach, and advocacy. At present, we are a 501(c)3 that balances funding between those three program areas, although we are considering a (c)4 to expand our advocacy work. As such, in its present form, we cannot support HB 2983. Latino Network has already laid out specific concerns with regard to the bill, including its constitutionality. We will not repeat those here. Instead, we will explain in practical terms, how HB 2983 would affect an organization, such as Verde considering a (c)4.

Before doing so, Verde hopes to express our great support for the intentionality behind HB 2983. Transparency around elections is a key issue for communities of color, as are both campaign contribution limits and publicly funded elections. We believe HB 2983 was conceived to support these aims and to address bad actors in the campaign space. But we fear it is too narrowly applied to non-profit organizations while ignoring other bodies that seek to influence politics, and is burdensome in design, especially to small, low-income and community-of-color-serving organizations like Verde.

At present, Verde is able to utilize a significant number of lobbying hours in the building and toward grassroots efforts like the Portland Clean Energy Fund, because our social enterprise work affords us a larger budget than many similarly-sized organizations. As such we are at an advantage compared to many of our partners in terms of our influence on policy; but we still lack an important tool in (c)4 candidate work.

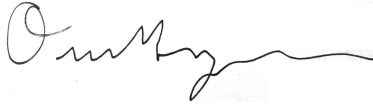
If passed, HB 2983 could discourage Verde from starting a (c)4 for several reasons. It would have a chilling effect on potential donors for any aspect of our work, it would limit our ability to communicate about political issues or candidates, and the high penalties would be unaffordable were we to make a mistake.

While the disclosure is intended to only apply to political donors, the lack of donor intent requirements opens the door for substantial grey area. Verde's advocacy is focused around ballot measures and legislation that directly affect and forward our work toward community-based, community-controlled, community-benefiting energy. Someone supporting Verde's Cully Neighborhood Energy Plan during the Portland Clean Energy Initiative campaign could be discouraged because of confusion around disclosure, or Verde could be penalized because of perceived overlap between program and political work. Clear language around donor intent added to the bill could help alleviate this concern, such that disclosure would only apply to donors who intended to support clearly defined political communication and not adjacent work.

Also concerning is the limited period in which organizations can mention an identified candidate outside the scope of an election. 60 days before a primary or 120 days before a general election abuts periods in which legislative work occurs and would limit an organization's ability to criticize or thank legislators for action on bills. We recommend reducing the disclosure period to 30 days before a primary and 60 days before a general election to avoid unnecessary complication around communication about legislative work. We seek to work effectively with legislators such as yourselves and hope to avoid confusion around how we communicate with our constituency about potential collaboration.

Verde would like to support the good intentions of legislators behind this bill, but we feel it has not been thoughtfully written. We have supported amendment suggestions from Latino Network and it is advisable that they be adopted in order to ensure needed transparency around campaign spending but not cause unintended harm to organizations who already have a limited voice in the political process as a result.

Respectfully,

A handwritten signature in black ink, appearing to read 'Oriana Magnera', with a long horizontal flourish extending to the right.

Oriana Magnera

Climate and Energy Policy Coordinator, Verde