

Submitter:

Donna Bleiler

On Behalf Of:

Committee:

Senate Committee On Rules

Measure, Appointment or Topic:

SB686

I STRONGLY OPPOSE SB 686.

Besides the obvious that this money will go out-of-state and not benefit Oregon media, there are legal issues.

Congress has the power to regulate the trade between states, not individual states. The First Amendment protects against the government either prohibiting speech — or forcing people or businesses to speak or otherwise display particular speech.

SB 686 conflicts with the Supremacy Clause because it requires payment for the display of headlines, ledes, facts, and other elements of copyrightable works that the Copyright

Act provides are freely accessible. Because of this, the bill is also expressly preempted by

Section 301(a) of the U.S. Copyright Act.