

**THE BRIEF HISTORY OF “VOTER-OWNED ELECTIONS” IN
PORTLAND, OREGON: IF PUBLIC FINANCING CAN’T
MAKE IT THERE, CAN IT MAKE IT ANYWHERE?**

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In 2005, Portland, Oregon became the first city in the nation to adopt a system of “clean” public financing for citywide political campaigns. Portland’s “Voter-Owned Elections” program (VOE) promised to fully fund the campaigns of candidates who demonstrated political0-icac0-i3.3()-3.t(c)-2.y by3acng a(a)6.5 30-ia4(rg3)d.4.e(a)6.5 nu3m(0-i3.be(a)6.5r3)d.1(o

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corruption, which is notoriously difficult to define,¹⁷ public financing may also influence government outcomes—*e.g.*, regulatory policy, taxes, public benefits—by reducing the influence of persons and interest groups who donate frequently and in large amounts to privately financed campaigns.¹⁸ Indeed, advocates of public financing have often argued that despite the up-

II. PUBLIC FINANCING COMES TO PORTLAND

Portland is by far the most populous city in Oregon and the anchor of the state's largest metropolitan area.²⁶ With the only international airport and major-league sports team(s) in the state, the city is central to Oregon's economy and self-image.²⁷ Portland's politics are notoriously politically "liberal," leaning far to the left of much of the rest of the state.²⁸ By virtue of its large population, the Portland metropolitan area, which includes Multnomah County (in which almost all of the city of Portland is located), frequently plays a decisive role in statewide elections.²⁹ Like all Oregon cities, Portland enjoys relatively strong home-rule powers under the Oregon constitution.³⁰ The city may initiate legislation with respect to any social or economic matter not preempted by the state, and in deciding

file with author) (arguing that local governments' unicameral legislatures and lack of supermajority requirements enables heightened regulation, at least in the field of public health).

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on the form and mode of its municipal government Portland enjoys
near-

progressive voice on the council touted as a potential mayoral candidate.⁴⁵ Sten convinced three of his colleagues to support the measure, and in May 2005 the council enacted the VOE by a vote of 4 to 1.⁴⁶ In order to obtain at least one additional vote on the council, Sten agreed to a five-year sunset provision for the program, requiring that voters re-authorize it in 2010.⁴⁷ Upon passage, VOE was hailed as the first of its kind for any city in the nation—a fully funded, clean system of public financing for municipal candidates.⁴⁸

The details of VOE were complex. The program required candidates for auditor and commissioner to collect 1,000 five-dollar contributions from qualified voters, and candidates for mayor to collect 1,500 contributions of the same amount from the same pool in

Fritz would remain a supporter of VOE through its demise and beyond, crediting the program with making her a viable candidate.⁶⁹

In its final primary election cycle before going to the voters, VOE suffered another black eye when council candidate Jesse Cornett, who received and spent \$145,000 in VOE funds, finished a distant third in his bid to unseat sitting councilor Dan Saltzman.⁷⁰ Cornett finished behind a candidate who raised a mere \$23,000, and barely beat out a college student who raised and spent nothi

opposed it. On the other hand, civic groups like the League of Women Voters and Common Cause Oregon, as well as a Portland municipal employees' union, strongly supported the program.⁷⁷ Indeed, proponents of retaining VOE outraised its opponents by a margin of 5 to 1 during the ballot measure campaign.⁷⁸ Despite this financial advantage, Portland voters rejected VOE in November 2010 by the slimmest of margins: 50.38 to 49.62 percent, or 1600 votes.⁷⁹ No doubt the election's timing affected the results. Nationally, the 2010 midterm election was a great year for more conservative candidates and causes, and turnout was lower among more liberal or progressive voters.⁸⁰ In Oregon, a close gubernatorial contest kept turnout relatively high, but it still lagged behind presidential election levels.⁸¹ While views about public financing do not neatly track party affiliation, even a slightly depressed turnout among progressive voters may have been enough to cost VOE a win at the ballot box.⁸² Had the election been held in November 2008 or 2012, the outcome may well have been different.

77. Janie Har, *Union, Clean-Government Groups Give to Portland's "Voter-Owned Elections,"* OREGONLIVE.COM (Aug. 4, 2010), http://www.oregonlive.com/portland/index.ssf/2010/08/union_clean-government_groups.html.

78. Brad Schmidt, *City Hall: Portland's Publicly Funded Campaign System Ends Without Reaching Aspirations,* OREGONLIVE.COM (Nov. 4, 2010), http://www.oregonlive.com/portland/index.ssf/2010/11/city_hall_portlands_publicly_f.html; Har, *supra* note 77 ("It takes big money to keep big money out of elections.").

79. *See* Nov. 2, 2010 General Election, MULTNOMAH COUNTY ELECTIONS, <http://web.multco.us/elections/november-2010-general-election> (click on "City of Portland") (citing official results for Measure 26-108) (last visited July 23, 2013).

80. *See A Clear Rejection of the Status Quo, No Consensus About Future Policies,* PEW RESEARCH CENTER (Nov. 3, 2010) (updated Nov. 17, 2010), <http://www.pewresearch.org/80/>

III. LESSONS FROM PORTLAND'S VOE

What can VOE tell us about the efficacy and viability of public campaign financing, especially at the local level? With respect to efficacy, the data points are too few to reach firm conclusions. Only two candidates emerged using VOE funds, both on the city council. One resigned less than halfway through his term. The other candidate, Amanda Fritz, largely self-funded her 2012 re-election

uncertain whether that effort will gain traction.⁹⁴ For now, scholars of public financing must turn to Albuquerque and Santa Fe to see how