

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2331/1dn  
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March 2, 1999

The U.S. supreme court has held that limits may not be imposed on the spending of committees that wish to express their views independently of candidates. See *Buckley v. Valeo, et al.*, 96 S.Ct. 612, 644-650 (1976) and *F.E.C. v. N.C.P.A.C.*, 105 S.Ct. 1459, 1465-1471 (1985). However, the court has also held, in *Buckley*, that reasonable contribution limitations may be imposed upon committees. If one views this proposal simply as an attempt to restrict independent spending, it would likely not meet the court's current standard for passing constitutional muster. If one views this proposal as only a limited restriction designed to prevent evasion of contribution limitations and to protect contributors by ensuring that their contributions are not used for purposes they did not intend, the proposal may be viewed more favorably, and could be sustained.

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