

tional discrimination against interstate commerce because the entire assessment is then distributed to Massachusetts dairy farmers in spite of the fact that about two-thirds of the assessed milk is produced out of state. The discrimination imposed by the pricing order is not justified by a valid factor unrelated to economic protectionism.

Justices concurring: Stevens, O'Connor, Kennedy, Souter, Ginsburg

Justices concurring specially: Scalia, Thomas

Justices dissenting: Rehnquist, C.J., Blackmun

903. *Honda Motor Co. v. Oberg*, 512 U.S. 415 (1994).

A provision of the Oregon Constitution, prohibiting judicial review of the amount of punitive damages awarded by a jury unless the court can affirmatively say there is no evidence to support the verdict, is invalid under the Due Process Clause of the Fourteenth Amendment. Judicial review of the amount awarded was one of the few procedural safeguards available at common law, yet Oregon has removed that safeguard without providing any substitute procedure, and with no indication that the danger of arbitrary awards has subsided.

Justices concurring: Stevens, Blackmun, O'Connor, Scalia, Kennedy, Souter, Thomas

Justices dissenting: Ginsburg, Rehnquist, C.J.

904. *Board of Educ. of Kiryas Joel Village v. Grumet*, 512 U.S. 687 (1994).

A New York State law creating a special school district for an incorporated village composed exclusively of members of one small religious sect violates the Establishment Clause.

Justices concurring: Souter, Blackmun, Stevens, O'Connor, Ginsburg

Justice concurring specially: Kennedy

Justices dissenting: Scalia, Thomas, Rehnquist, C.J.

905. *McIntyre v. Ohio Elections Comm'n*, 514 U.S. 334 (1995).

Ohio's prohibition on the distribution of anonymous campaign literature abridges the freedom of speech. The law, aimed at speech designed to influence voters in an election, is a limitation on political expression subject to exacting scrutiny. Neither of the interests asserted by Ohio justifies the limitation.

Justices concurring: Stevens, O'Connor, Kennedy, Souter, Ginsburg, Breyer

Justice concurring specially: Thomas

Justices dissenting: Scalia, Rehnquist, C.J.

906. *U.S. Term Limits, Inc. v. Thornton*, 514 U.S. 779 (1995).

An amendment to the Arkansas Constitution denying ballot access to congressional candidates who have already served three terms in the House of Representatives or two terms in the Senate is invalid