

169 SW COAST HWY  
NEWPORT, OREGON 97365

COAST GUARD CITY, USA



[www.thecityofnewport.net](http://www.thecityofnewport.net)

MOMBETSU, JAPAN, SISTER CITY

June 2, 2010

Dear Prospective Candidate:

Here is the Candidate Information Packet for the upcoming municipal election that will be held on November 2, 2010. It contains a plethora of information that candidates need regarding the November election.

The City of Newport will have four positions up for election - the Mayor and three Councilors. Newport voters elect these positions at-large, meaning that the candidates can live in any area of the community, but once elected, they represent all city constituents, rather than those in a particular district or ward.

Financial documents are filed with the Oregon Secretary of State Elections Division using the Orestar system. Filing is done electronically, and to assist you in this process, we have included the Campaign Finance Manual 2010 and the Orestar User's Manual.

To become a candidate, you must meet the qualifications outlined in the City Charter:

1. The mayor and each councilor must be a qualified elector under state law, and reside within the city for at least one year immediately before election or appointment to office.
2. No person may be a candidate at a single election for more than one city office.
3. Neither the mayor nor a councilor may be employed by the city.

Candidates are required to complete the SEL120 form (Filing of Candidacy for Nonpartisan Nomination) and return it to my office.

I am happy to answer any questions, and look forward to working with you through the election process.

Very truly yours,

A handwritten signature in black ink that reads "Peggy Hawker". The signature is written in a cursive, flowing style.

Peggy Hawker  
City Recorder/Special Projects Director  
541.574.0613  
[p.hawker@thecityofnewport.net](mailto:p.hawker@thecityofnewport.net)

EST.

1882

## 2010 MAYOR AND CITY COUNCIL ELECTION

The terms of Mayor Bain and City Councilors Patrick, Obteshka, and Kilbride, will expire on December 31, 2010. The Mayor's term is two years, and each Councilor's term is four years. An election for these positions will be held on Tuesday, November 4, 2010.

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**Qualifications for holding office:** Pursuant to the City Charter, a candidate must have been a resident of the City of Newport for at least one year immediately before the election. No person may be a candidate at a single election for more than one city office, and neither the Mayor nor a Councilor may be employed by the city.

Interested persons may become a candidate by meeting the qualifications prescribed by City Charter, state statute, and filing a declaration of candidacy (form SEL120) by 5:00 P.M., on Tuesday, August 24, 2010.

This packet contains information useful to candidates for City of Newport offices.

### **ELECTION CALENDAR**

**2010 CITY ELECTIONS MANUAL.** This manual contains the candidacy form (SEL120) and other forms needed by candidates.

### **CAMPAIGN FINANCE MANUAL**

### **ORESTAR USER'S MANUAL**

### **NEWPORT CITY CHARTER**

### **LINCOLN COUNTY VOTER'S PAMPHLET INFORMATION**

### **CITY OF NEWPORT SIGN ORDINANCE**

### **"SO YOU WANT TO RUN FOR OFFICE"**

For additional election information, contact Peggy Hawker, City Recorder/Special Projects Director, at 541.574.0613, or stop by City Hall, 169 SW Coast Highway, Newport, Oregon 97365, or by e-mail at [p.hawker@thecityofnewport.net](mailto:p.hawker@thecityofnewport.net).

**CITY OF NEWPORT**  
**2010 ELECTION CALENDAR**  
**GENERAL ELECTION**  
**NOVEMBER 2, 2010**

**June 2, 2010**

Candidate Information Packets available.

Candidates receiving contributions and making expenditures should review the schedule of accounting periods and filing deadlines for detailed reporting included in the Campaign Finance Manual.

**August 24, 2010**

Deadline for filing declarations of candidacy.

**September 7, 2010**

Deadline for submitting information to the County Clerk for inclusion in the Voter's Pamphlet. The filing fee is \$50.00.

**November 2, 2010**

Election Day.

## CANDIDACY INFORMATION

### GENERAL ELECTION

NOVEMBER 2, 2010

To become a candidate, several forms must be completed. They are:

1. Filing of Candidacy for Nonpartisan Nomination form (SEL120). This document is filed with the Newport City Recorder.
2. A Statement of Organization for Candidate Committee (SEL220) and Campaign Account Information form (SEL223) for a new committee must be filed within three business days of receiving a contribution or making an expenditure, but not later than the deadline for filing for candidacy. These documents are to be filed with the Oregon Secretary of State, Elections Division. A copy of the Orestar User's Manual is included in this packet. Reference this document for financial filing information.

A candidate is not required to establish a campaign account, file a Statement of Organization, or file contribution and expenditure reports, if ALL THREE of the following conditions are met:

- A. The candidate serves as the candidate's own treasurer;
- B. The candidate does not have an existing candidate committee; AND
- C. The candidate does not expect to receive or spend more than \$350.00 during a calendar year.

These forms are contained in the 2010 City Elections Manual and/or the 2010 Campaign Finance Manual.

***File declarations of candidacy no later than 5:00 P.M., August 24, 2010, in the office of the City Recorder, City Hall, 169 SW Coast Highway, Newport, Oregon 97365.***

# City Elections Manual

*Published by*

Elections Division  
255 Capitol St NE  
Suite 501  
Salem OR 97310-0722

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**fax** 503 373 7414  
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## 2010

**Secretary of State**  
Kate Brown

**Notice**

The 2010 City Elections Manual and associated forms are adopted by Oregon Administrative Rule No. 165-020-0005.

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**Office of the Secretary of State**

Kate Brown  
Secretary of State

**Elections Division**

255 Capitol St NE, Suite 501  
Salem, OR 97310-0722  
503 986 1518

Dear Oregonian,

It is my pleasure to provide the online 2010 City Elections Manual. The purpose of this manual is to promote uniformity in administration of elections for more than 240 cities in the State of Oregon. The manual is prepared for use by city governing bodies, city elections officials, candidates and chief petitioners in the conduct of elections.

Procedures are provided for filing for city office, citizens interested in filing a city initiative or referendum petition, and city governing bodies to follow during an election cycle. However, it is recommended that city elections officials check their local charters and/or ordinances for provisions that may impose different or additional requirements.

In the 2009 Legislative Session a change in the timeframe in which a "city initiative" may be circulated was limited to two years from the time the petition is approved to circulate.

Please read this year's manual carefully to find any other changes that will affect the process. The person responsible for coordinating elections for a city should work closely with your county elections official. The Elections Division of the Secretary of State is also available to assist you with any questions or resolve any concerns you may have.

Best,



Kate Brown  
Secretary of State







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# Introduction

The 2010 City Elections Manual explains the procedures and regulations necessary to file for candidacy for city office or to file a city initiative or referendum petition.

This manual provides an overview of city initiative and referendum processes. Some of the processes **may be superseded** by the city's charter. In the absence of a conflicting city charter or ordinance provisions this manual is the legal guideline to follow. Check with the city elections official for applicable city charter or ordinance provisions.

City elections official means the city official responsible for city elections processes, including initiative and referendum petitions, recall petitions, candidate filings, governing body referrals, contribution and expenditure reporting and certification of elections results.

 **This symbol denotes deadlines, which are always located at the bottom of the page.**

## For assistance contact the Elections Division at:

Elections Division  
255 Capitol St NE, Suite 501  
Salem, OR 97310

**phone** 503 986 1518

**email** elections@sos.state.or.us

**web** [www.sos.state.or.us/elections](http://www.sos.state.or.us/elections)  
[www.oregonvotes.org](http://www.oregonvotes.org)

**toll free** 1 866 ORE VOTE/673 8683  
se habla español

**tty** 1 800 735 2900  
for the hearing impaired

All city candidates file their Statement of Organization and contribution and expenditure transactions with the Secretary of State, Elections Division. A city candidate should check with their city, as it may adopt ordinances that require a committee to also file campaign finance transactions with the city.

## 2010 Local Elections Calendar

	Date of Election			
	March 9	May 18	September 21	November 2
<p><b>County Elections Filing Officers<sup>1</sup></b> publish notice of district board election on or before (ORS 255.075)</p>	November 28, 2009	January 28	June 12	July 15
<p><b>District Candidates<sup>2</sup></b> file verified signatures or \$10 filing fee with county elections officer on or before (ORS 255.235)</p>	January 7	March 9	July 22	August 24
<p><b>Local Governing Bodies<sup>3</sup></b> file notice of measure with county elections filing officer on or before (ORS 254.095, 254.103, 255.085)</p>	January 7	March 18	July 22	September 2 <sup>4</sup>
<p><b>Voters' Pamphlet Filings</b> → candidates who file candidacy with county clerk, file material for inclusion in county Voters' Pamphlet on or before</p>	January 11	March 11	July 26	August 26
<p>→ persons filing measure arguments and candidates who file candidacy with governing body other than county clerk, file material for inclusion in county Voters' Pamphlet on or before (OAR 165-022-0010)</p>	January 11	March 22	July 26	September 7

### Footnotes

<sup>1</sup> Regular district elections for the purpose of electing district board members (including Local School Committee members, School Board and ESD directors) are generally held at the May election in each odd-numbered year. Districts should contact the county elections filing officer of the county in which the district's administrative office is located for district board election information.

<sup>2</sup> Candidates: contact the Secretary of State regarding filing required campaign finance reports.

<sup>3</sup> County and City Elections Filing Officers: Publish notice of receipt of ballot title and notice of measure election, as required by charter, ordinance and/or statute, in next available edition of newspaper in electoral district.  
**Note:** When a city files a referral with the County Elections Filing Officer the ballot title challenge process must be complete. (ORS 250.175, 250.275, 255.085, 255.145)

<sup>4</sup> For resubmitted measures the deadline is September 16; the measure argument filing deadline is September 20, if the county includes the resubmitted measure in the county voters' pamphlet.

# 2011 Local Elections Calendar

	Date of Election			
	March 8	May 17	September 20	November 8
<b>County Elections Filing Officers<sup>1</sup></b> publish notice of district board election on or before (ORS 255.075)	November 27 2010	February 5	June 11	July 30
<b>District Candidates<sup>2</sup></b> file verified signatures or \$10 filing fee with county elections officer on or before (ORS 255.235)	January 6	March 17	July 21	September 8
<b>Local Governing Bodies<sup>3</sup></b> file notice of measure with county elections filing officer on or before (ORS 254.095, 254.103, 255.085)	January 6	March 17	July 21	September 8 <sup>4</sup>
<b>Candidate Statements and Measure Arguments</b> file for inclusion in county Voters' Pamphlet (OAR 165-022-0010)	January 10	March 21	July 25	September 12

## Footnotes

<sup>1</sup> Regular district elections for the purpose of electing district board members (including Local School Committee members, School Board and ESD directors) are generally held at the May election in each odd-numbered year. Districts should contact the county elections filing officer of the county in which the district's administrative office is located for district board election information.

<sup>2</sup> Candidates: contact the Secretary of State regarding filing required campaign finance reports.

<sup>3</sup> County and City Elections Filing Officers: Publish notice of receipt of ballot title and notice of measure election, as required by charter, ordinance and/or statute, in next available edition of newspaper in electoral district.  
**Note:** When a city files a referral with the County Elections Filing Officer the ballot title challenge process must be complete. (ORS 250.175, 250.275, 255.085, 255.145)

<sup>4</sup> For resubmitted measures the deadline is September 22; the measure argument filing deadline is September 26, if the county includes the resubmitted measure in the county voters' pamphlet.

## Candidates Filing by Declaration

(ORS 221.180, 249.002-249.056)

The following information for city candidates is provided in the order in which the activities generally occur and includes explanations and time frames for each activity.

For city offices, city charter or ordinance requirements may differ from state statutes. For more information and specific requirements, contact the city elections official before filing.

### All Candidates for City Office

Qualifications for various city offices differ. Before filing for public office, a candidate should review the city charter and statutory requirements for the office sought.

Candidates for city offices file under ORS Chapters 221 and 249.

### City Elections Official

The city elections official provides the following approved candidate filing forms, available at the back of this manual and online:

- Filing of Candidacy for Nonpartisan Nomination (SEL 120)
- Statement of Organization for Candidate Committee (SEL 220)
- Campaign Account Information (SEL 223)

#### Warning

A person may only file for one lucrative office at the same election. Unless the person has withdrawn from the first filing, all filings are invalid. ORS 249.013(3)

#### Deadline to File a Statement of Organization

The Statement of Organization must be filed within 3 business days of receiving a contribution or making an expenditure, but no later than when the Filing of Candidacy for Nonpartisan Nomination (SEL 120) is filed.

### City Candidates

- 1 A candidate may have only one candidate committee. A prospective candidate establishes a candidate committee by establishing a campaign account and filing a Statement of Organization for Candidate Committee (SEL 220) and Campaign Account Information form (SEL 223) with the Secretary of State, Elections Division.

The candidate is not required to establish a campaign account, file a Statement of Organization or file contribution and expenditure transactions, if **all three** of the following conditions are met:

- the candidate serves as the candidate's own treasurer
- the candidate does not have an existing candidate committee
- and*
- the candidate does not expect to receive or spend more than \$350 during a calendar year

The \$350 includes personal funds spent for any campaign related expenses, such as any costs related to circulating a nominating petition, paying the candidate filing fee, paying any Voters' Pamphlet filing fee or cost of a Voters' Pamphlet portrait. If the candidate exceeds \$350 in either contributions or expenditures, the candidate must establish a campaign account and file a Statement of Organization within three business days after exceeding the threshold. Additionally, all contributions and expenditures made during the calendar year must be filed electronically not later than seven calendar days after the threshold has been exceeded.

If the candidate has an existing candidate committee, the candidate or treasurer must file an amended Statement of Organization for Candidate Committee (SEL 220) within 10 days to reflect any changes (designation of office sought, applicable election, etc.), but no later than the date of the filing of candidacy.

For further detail on campaign finance requirements, see the *Campaign Finance Manual* and the ORESTAR User's Manual. ORESTAR (Oregon Elections System for Tracking and Reporting) is the Secretary of State, Elections Division's secure, web-based electronic reporting system.

- 2 A prospective candidate files a completed Filing of Candidacy for Nonpartisan Nomination (SEL 120), accompanied by the appropriate filing fee, if any, with the city elections official. Suggested guidelines on completing required sections on this form are on page 22.

**J** **Deadline to File a Completed Filing of Candidacy for Nonpartisan Nomination**

The deadline is no sooner than September 10, 2009, and no later than 5pm on March 9, 2010, for the 2010 Primary Election. If a city does not hold a Primary Election, the filing deadline is no sooner than June 2, 2010, and no later than August 24, 2010, for the 2010 General Election.

## Candidates Filing by Petition

(ORS 221.180, 249.002-249.048, 249.061-249.076)

The following information for city candidates is provided in the order in which the activities generally occur and includes explanations and time frames for each activity.

For city offices, city charter or ordinance requirements may differ from state statutes. For more information and specific requirements, contact the city elections official before filing.

### All Candidates for City Office

Qualifications for various city offices differ. Before filing for public office, a candidate should review the city charter and statutory requirements for the office sought.

Candidates for city offices file under ORS Chapters 221 and 249.

#### Warning

A person may only file for one lucrative office at the same election. Unless the person has withdrawn from the first filing, all filings are invalid. ORS 249.013(3)

### City Elections Official

The city elections official provides the following approved candidate filing forms, available at the back of this manual and online:

- Filing of Candidacy for Nonpartisan Nomination (SEL 120)
- Petition for Nonpartisan Nomination Signature Sheet (SEL 121)
- Statement One or More/No Petition Circulators Will Be Paid (SEL 301)
- Statement of Organization for Candidate Committee (SEL 220)
- Campaign Account Information (SEL 223)

#### Warning

All signature sheets must be approved in writing by the city elections official, **before** circulating. Failure to do so will result in the rejection of those signature sheets.

### Candidates Filing by Petition

- 1 A candidate may have only one candidate committee. A prospective candidate establishes a candidate committee by opening a campaign account and filing a Statement of Organization for Candidate Committee (SEL 220) and Campaign Account Information form (SEL 223) with the Secretary of State, Elections Division.

The candidate is not required to establish a campaign account, file a Statement of Organization or file contribution and expenditure transactions, if **all three** of the following conditions are met:

- the candidate serves as the candidate's own treasurer
- the candidate does not have an existing candidate committee
- and*
- the candidate does not expect to receive or spend more than \$350 during a calendar year

The \$350 includes personal funds spent for any campaign related expenses, such as any costs related to circulating a nominating petition, paying the candidate filing fee, paying any Voters' Pamphlet filing fee or cost of a Voters' Pamphlet portrait. If the candidate exceeds \$350 in either contributions or expenditures, the candidate must establish a campaign account and file a Statement of Organization within three business days after exceeding the threshold. Additionally, all contributions and expenditures made during the calendar year must be filed electronically not later than seven calendar days after the threshold has been exceeded.

If the candidate has an existing candidate committee, the candidate or treasurer must file an amended Statement of Organization for Candidate Committee (SEL 220) within 10 days to reflect any changes (designation of office sought, applicable election, etc.), but no later than the date of the filing of candidacy.

#### Deadline to File a Statement of Organization

The Statement of Organization must be filed within 3 business days of receiving a contribution or making an expenditure, but no later than when the completed petition is filed.



For further detail on campaign finance requirements, see the *Campaign Finance Manual* and the ORESTAR User's Manual. ORESTAR (Oregon Elections System for Tracking and Reporting) is the Secretary of State, Elections Division's secure, web-based electronic reporting system.

- 2 Before circulating the nominating petition, the candidate files a prospective petition with the city elections official.

*See pages 41-43 for signature sheet requirements.*

### Checklist for Filing a Prospective Petition

Below is a checklist of all the components required to file a **prospective** nominating petition:

- Filing of Candidacy for Nonpartisan Nomination (SEL 120) check-marked "Filing of Candidacy by **Prospective** Petition." Suggested guidelines on completing required sections on this form are on page 22.
- Petition for Nonpartisan Nomination Signature Sheet (SEL 121)
- Statement One or More/No Petition Circulators Will Be Paid (SEL 301)

### City Elections Official

As soon as possible, the city elections official reviews the prospective petition for required information. The city elections official gives **written** approval for circulating the petition and advises the candidate of the number of signatures required.

### Candidate Filing By Petition

- 1 Before circulating the nominating petition for signatures, the candidate reviews with the circulators **all of the guidelines** for circulating the petition. Failure to comply with the legal requirements and guidelines will result in the rejection of these sheets. The guidelines are:
  - all signers **must** be active registered voters in the candidate's electoral district
  - all signers on any one petition sheet **must** be registered in the same county
  - all signatures **must** be original signatures
  - all signatures **must** be personally witnessed by the petition circulator and circulator's certification must be completed and dated after all signatures on that sheet have been collected
  - circulators **must not** attempt to obtain signatures of persons knowing that the person signing the petition is not qualified to sign it
  - circulators **must** personally sign their legal signature on the petition circulator's certification with a minimum of a first name initial and full last name
  - circulators **must not** alter, correct, clarify or obscure on the signature sheet any information about the petition signer unless the signer initials the changes made. Only a signer **may** complete the information about themselves, such as their printed name, address and date signed. However, a circulator **may** assist a disabled signer who requests assistance in completing the optional information
  - circulators **must not** accept compensation to circulate a petition that is based on the number of signatures obtained *and*
  - circulators **must** complete the date when the certification is signed and **should not** collect any other signatures on that sheet unless the additional signatures are certified

For instructions on certifying new signatures to a petition sheet that has already been certified and dated by a circulator, see OAR 165-014-0270(4)(d) on page 52.

*See pages 20-21 for petition signer and circulator requirements and circulator certification guidelines.*

#### Warning

Violations of certain circulator requirements may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years.

## Candidates Filing by Petition (cntd.)

- 2 The candidate circulates the nominating petition by:
- obtaining more than the required number of signatures to ensure the petition contains a sufficient number of valid signatures
  - ensuring each signature sheet certification is signed and dated by the circulator
- and*
- submitting the signature sheets to the appropriate county elections official for signature verification

A candidate must allow enough time to have the signatures verified before the filing deadline.

The county elections official reviews signature sheets for sufficient circulator certification (see OAR 165-014-0270, page 52), verifies the original signatures against the voters' current registration card and returns the certified signature sheets to the candidate. The county may confer with the Secretary of State on the proper application of this rule.

## Signature and Distribution Requirements (ORS 249.072)

Generally, the number of active registered voters' signatures required to place a candidate on the ballot is based upon a percentage of voters registered in the electoral district or upon a percentage of votes cast at a previous election. Confer with the city elections official for specific requirements.

Unless a city charter or ordinance provides otherwise, the number of signatures of active voters registered in the electoral district must equal the lesser of **500** signatures **or 1%** of the votes cast in the electoral district for all candidates for Governor at the last general election at which a candidate for Governor was elected to a full term. This number will be calculated after the prospective petition is filed.

The signatures must include those of active voters registered in each of at least **10%** of the precincts in the city.

- 3 The candidate files the **completed** nominating petition with the city elections official consisting of the following:
- new Filing of Candidacy for Nonpartisan Nomination (SEL 120) check-marked "Filing of Candidacy by **Completed** Petition." Suggested guidelines on completing required sections of this form are on page 22
  - Statement One or More/No Petition Circulators Will Be Paid (SEL 301) marked completed and signed by the candidate
- and*
- signature sheets with the sufficient number of signatures verified by the appropriate county elections officials



### Deadline to File the Completed Nominating Petition

The deadline is no sooner than September 10, 2009, and no later than 5pm on March 9, 2010, for the 2010 Primary Election. If a city does not hold a Primary Election, the filing deadline is no sooner than June 2, 2010, and no later than August 24, 2010, for the 2010 General Election.

## Timeline for City Candidates

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### Candidate

The deadline for submitting a Filing of Candidacy for Nonpartisan Nomination or a completed nominating petition is:

2010 Primary: no sooner than September 10, 2009, and no later than March 9, 2010

2010 General: no sooner than June 2, 2010, and no later than August 24, 2010

A Statement of Organization for Candidate Committee (SEL 220) and Campaign Account Information form (SEL 223) for a new committee must be filed within 3 business days of receiving a contribution or making an expenditure, but no later than the deadline for filing for candidacy.

The deadline for withdrawing a candidacy or nomination is no later than 5pm on:

2010 Primary	March 12	2010 General	August 27
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### County Elections Official

The 2010 Primary and General Elections are conducted on:

2010 Primary	May 18	2010 General	November 2
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The abstract of votes must be delivered to the city no later than:

2010 Primary	June 7	2010 General	November 22
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### City Elections Official

The deadline to determine the results of the election and to prepare a register of nominations (for the Primary Election) and prepare a proclamation and certificates of nomination or election is no later than 5pm on:

2010 Primary	June 17	2010 General	December 2
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## General Information for Candidates

The following information gives a general overview of other procedures relating to candidates filing for office, including submitting a Voters' Pamphlet statement, withdrawal of candidacy, contribution and expenditure reporting, conduct of elections and signature sheet requirements.

### State Voters' Pamphlet (ORS Chapter 251)

A candidate of a city with a population of 50,000 or more may file a statement for inclusion in the state Voters' Pamphlet if no county Voters' Pamphlet is published. Counties may publish a county Voters' Pamphlet for any election. Contact the county elections official for filing information and requirements.

### Secretary of State

The Elections Division publishes and distributes the state Voters' Pamphlet. Published candidate information includes:

- candidate's photograph
  - office for which candidate has filed
  - candidate's name and party affiliation, if applicable
  - candidate's required information (occupation, occupational background, educational background and prior governmental experience)
  - candidate's optional information (the candidate's statement of the reasons for seeking nomination or election)
- and*
- name of the candidate or the candidate committee that provided the information

### Checklist for Filing a Statement in the State Voters' Pamphlet

Below is a checklist of all the components required to file a state Voters' Pamphlet statement:

- one original and two identical copies (for a total of three) of Candidate's Statement for State Voters' Pamphlet (SEL 430)
- a Statement of Endorsement (SEL 400), if the candidate's statement uses the name or title of another person or organization as supporting or endorsing the candidate. A separate Statement of Endorsement must be filed for each person or organization named, unless the statement of the person or organization is a quotation, identified by source and date, which has been previously published.
- phone numbers and fax numbers, if available, for possible contact by the Elections Division for any corrections
- appropriate Voters' Pamphlet filing fee
- two identical 5" x 7" black and white photographs meeting the requirements listed on form SEL 430 (ORS 251.075)

### Withdrawal of Candidacy or Nomination (ORS 249.170 and 249.180)

#### All Candidates

To withdraw from candidacy or nomination, a candidate must file a Withdrawal of Candidacy or Nomination (SEL 150), with the city elections official. On this form, the candidate provides a reason for the withdrawal and must sign the form attesting that the information is accurate.

#### **Deadline for the Elections Division to Mail the Voters' Pamphlet**

The mailing of the Voters' Pamphlet must be completed no later than April 28, 2010, for the 2010 Primary Election, and October 13, 2010, for the 2010 General Election.

#### **Deadline to Withdraw from Candidacy or Nomination**

The deadline to withdraw from candidacy or nomination is no later than 5pm on:

- 2010 Primary Election: March 12
- 2010 General Election: August 27

## Contribution and Expenditure Reporting (ORS Chapter 260)

### All Candidates

- 1 Every candidate and prospective candidate is required to establish a candidate committee by opening a campaign account and filing a Statement of Organization (SEL 220) and Campaign Account Information form (SEL 223) within 3 business days of receiving or spending any money to support the candidacy.

The candidate is not required to establish a campaign account, file a Statement of Organization or file contribution and expenditure transactions, if **all three** of the following conditions are met:

- the candidate serves as the candidate's own treasurer
- the candidate does not have an existing candidate committee
- and*
- the candidate does not expect to receive or spend more than \$350 during a calendar year

The \$350 includes personal funds spent for any campaign related expenses, such as any costs related to circulating a nominating petition, paying the candidate filing fee, paying any Voters' Pamphlet filing fee or cost of a Voters' Pamphlet portrait. If the candidate exceeds \$350 in either contributions or expenditures, the candidate must establish a campaign account and file a Statement of Organization within three business days after exceeding the threshold. Additionally, all contributions and expenditures made during the calendar year must be filed electronically not later than seven calendar days after the threshold has been exceeded.

All city candidates file their Statement of Organization and contribution and expenditure transactions with the Secretary of State, Elections Division. A city candidate should check with their city as it may adopt ordinances that require a committee to also file campaign finance transactions with the city.

- 2 A candidate, the candidate's treasurer or the designated alternate transaction filer files contribution and expenditure transactions. "Candidate" includes **any** of the following:
  - a candidate who files for office
  - a candidate who withdraws or is disqualified
  - an individual who files a prospective petition for candidacy, even if signatures are never filed
  - or*
  - an individual who has solicited or received a contribution or made an expenditure to secure the nomination or election to any public office at any time, whether or not the office for which the individual will seek nomination or election is known when the solicitation is made, the contribution is received and retained or the expenditure is made and whether or not the name of the individual is printed on a ballot

Oregon election law requires all candidate committees to disclose timely and accurate contribution and expenditure transactions. All candidates must retain documentation pertaining to contributions received and expenditures made. Campaign finance transactions must be filed electronically using the Secretary of State's online filing system, ORESTAR, or by using vendor software to upload transactions. In addition, the statute provides for civil penalties up to 10% of the amount of any late or insufficient transactions.

A candidate or committee that does not expect to receive or spend more than \$2,000 in a calendar year may qualify to file a Certificate of Limited Contributions and Expenditures (PC 7).

*See the Campaign Finance Manual for detailed information on filing a certificate (PC 7).*

*continued on the next page*

### Deadline to File a Statement of Organization

The Statement of Organization must be filed within 3 business days of receiving a contribution or making an expenditure, but no later than when candidacy papers are filed.

### Deadline to Report Contribution and Expenditure Transactions

Generally, a transaction is due no later than 30 calendar days after the date of the transaction. However, for the period between the 42nd day before the election and election day, transactions must be reported no later than seven days after the date of the transaction. For detailed deadlines, see the *Campaign Finance Manual*.

## General Information for Candidates (cntd.)

The candidate and treasurer are jointly responsible for the committee and for filing contribution and expenditure transactions. If the treasurer violates any campaign finance regulations, the candidate is also in violation and is jointly liable for any civil penalties.

For further detail on campaign finance requirements, see the *Campaign Finance Manual* and the ORESTAR User's Manual. ORESTAR (Oregon Elections System for Tracking and Reporting) is the Secretary of State, Elections Division's secure, web-based electronic reporting system.

### Conduct of Elections (ORS Chapter 254)

#### City Elections Official

The city elections official prepares and files a statement of candidates to be placed on the ballot with the county elections official.

#### County Elections Official

- 1 County elections officials conduct the election.
- 2 County elections officials deliver the abstract of votes to the appropriate elections official of each electoral district involved in the election.

#### City Elections Official

The city elections official completes the post-election procedures:

- 1 The city elections official receives the abstract of votes from the county elections official and determines the results of the election.

#### **Deadline for the City Elections Official to File a Statement of Candidates with the County Elections Official**

The statement must be filed no later than 5pm on:  
 2010 Primary Election: March 18  
 2010 General Election: September 2

#### **Deadline for the County Elections Officials to Deliver Abstract of Votes to City**

The abstracts must be delivered no later than:  
 2010 Primary Election: June 7  
 2010 General Election: November 22

- 2 The city elections official prepares:
  - a register of nominations, including:
    - name of each candidate nominated
    - office for which the candidate was nominated
    - date of entry
  - proclamation declaring the nomination or election of candidates  
*and*
  - certificates of nomination or election

### Write-In Post Elections Procedures

If any individual is nominated or elected by write-in votes:

- 1 The city elections official delivers a write-in acceptance form to the individual (SEL 141).
- 2 The individual must sign and file the write-in acceptance form with the city elections official.
- 3 If the individual files the write-in acceptance form, the city elections official must prepare and deliver a certificate of nomination or election to the individual and, if applicable, issue a proclamation of election.

If the individual fails to file the write-in acceptance form there is a vacancy in nomination or office.

With the exception of the office of sheriff, county clerk, county treasurer or to fill a vacancy a nonpartisan office may be won at the Primary. To win at the Primary one candidate must receive a majority of the votes cast. If no candidate receives a majority of the votes cast the top two vote getters are nominated to the General election.

The office of sheriff, county clerk, county treasurer or to fill a vacancy may only be won at the General election. If one or two candidates file for the Primary election for one of these offices, they are considered to be directly nominated to the General election and their names will not appear on the Primary election ballot. If more than two candidates file for the office at the Primary election, all names will be printed on the Primary election ballot. If one candidate receives a majority of the votes cast at the primary election, only their name will appear on the General election ballot. If no candidate receives a majority of the votes cast at the primary election, the top two vote getters will be nominated to the General election.

## Signature Sheet Requirements (ORS 249.031, 249.061 and 249.064)

All signature sheets must be approved, in writing, by the city elections official **before** circulating. Failure to do so will result in the rejection of those signature sheets.

### Signature Sheet Requirements

Each signature sheet must include **all** of the following:

- candidate's name, office for which the candidate is running and political party, if applicable
- statement that one or more/no petition circulators will be paid
- statement that signers on any one signature sheet must be active registered voters in the same county
- area for placing the petition identification number
- statement that signers must initial any changes that the circulator makes to their printed name, residence or mailing address or date they signed the petition
- area for placing the signature sheet number
- petition circulator's certification stating that the circulator witnessed the signing of the signature sheet by each individual whose signature appears on

the signature sheet, that the circulator believes each individual is an elector qualified to sign the petition and that any compensation received was not based on the number of signatures obtained

- area for providing date when circulator signed certification
- area for placing the county elections official's certification  
*and*
- ten signature lines unless a variation is approved by the city elections official

Each signature line **must** include fields for:

- signature
- date of signing petition
- printed name
- residence or mailing address
- precinct number

Signers are required to provide a signature and residence or mailing address. However, an elector's printed name, the date they signed the petition and precinct number are not mandatory under Oregon law. These information fields, while optional for the signers, provide valuable assistance to county elections officials who perform the signature verification. If these optional fields are not completed, the signatures may still be submitted for signature verification. If the county elections official can determine from the signature alone that the elector was an active registered voter at the time the elector signed the petition, that signature will count toward the total signature requirement for the petition. If no date is provided by the elector, the signature is considered valid only if the county elections official determines that the elector was an active registered voter during the period beginning the date the petition was approved for circulation through the petition is filed for signature verification.

### Deadline for the City Elections Official to Complete the Post-Election Procedures

The post-election procedures must be completed no later than 5pm on:

- 2010 Primary Election: June 19
- 2010 General Election: December 2

### Deadline to Complete the Post-Election Procedures for Write-in Candidates

If applicable, the deadlines are as follows:

- 1** City delivers write-in acceptance form to candidate
  - 2010 Primary Election June 17
  - 2010 General Election December 2
- 2** Candidate files write-in acceptance form
  - 2008 Primary Election July 2
  - 2008 General Election December 17
- 3** City delivers certificate of nomination or election and, if applicable, issues a proclamation
  - 2008 Primary Election July 7
  - 2008 General Election December 22

### Warning

Circulators are advised to encourage signers to complete the optional information whenever possible. Failure to provide the optional information increases the possibility that the signature cannot be confirmed to be that of an active registered voter, and thus reduces the chances of the petition having adequate verifiable signatures to qualify for the ballot.

## General Information for Candidates (cntd.)

### Signature Sheet Format

Candidate signature sheets **must** meet the following formatting requirements:

- standard 8-1/2" x 11" size paper
- at least 20 pound (weight) uncoated paper  
*and*
- printed on white or pastel colored paper stock to render text readable and enable election officials to readily verify signatures

Size and style of type must be deemed readable and approved in writing by the city elections official.

#### Warning

Logos, slogans, advertisements, party affiliation, etc. or any symbol or language which may be construed as advocacy is not permitted on any cover or signature sheet. Failure to comply with this requirement will result in rejection of those sheets and disqualification of those signatures.

#### Warning

Any proposed variation to an approved signature sheet must be resubmitted and approved in writing by the city elections official **before** circulating. Failure to do so will result in the rejection of those signature sheets.

### Petition Signer Requirements (ORS 249.072)

Electors' signatures on candidate nominating petitions must be verified by the appropriate county elections official **before** filing the candidate's completed petition with the city elections official. Signers must meet **all** of the following requirements:

- signers on any one signature sheet **must** be active registered voters in the same county
- each signer **must** be an active registered voter of the candidate's electoral district at the time of signing the petition  
*and*
- each signer **must** provide a signature and residence or mailing address

### Circulator Requirements (ORS 249.061)

The circulator of the candidate nominating petition **must** sign the circulator's certification, stating that:

"I hereby certify that I witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet, and I believe each individual is an elector qualified to sign the petition. I also certify that compensation I received, if any, was not based on the number of signatures obtained for this petition."

Circulators **must not** alter, correct, clarify or obscure on the signature sheet any information about the petition signer unless the signer initials the changes made. Only a signer **may** complete the information about themselves, such as their printed name, address and date signed. However, a circulator **may** assist a disabled signer who requests assistance in completing the optional information.

The circulator **must** complete the date when the certification is signed and **should not** collect any other signatures on that sheet unless the additional signatures are certified.

For instructions on certifying new signatures to a petition sheet that has already been certified and dated by a circulator, see OAR 165-014-0270(4)(d) on page 52.

Circulators must follow **all** of the guidelines for circulating the petition listed on page 44.

#### Warning

Violations of certain circulator requirements may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years.



## Certification of Signature Sheets (OAR 165-014-0270)

While processing signature sheets submitted for verification the county and city elections officials confirm that each signature sheet has a sufficient circulator certification. The following criteria (as adopted in OAR 165-014-0270, pages 52-53) are used to determine what constitutes an insufficient or sufficient circulator certification.

### Insufficient Circulator Certification

A petition sheet **will be rejected** for insufficient circulator certification for **any** of the following reasons:

- no signature whatsoever appears below the certification
- no date appears next to circulator's signature or the date is crossed out
- the date of the circulator certification is earlier than the date of the electors' signatures, unless the circulator and the only signer are the same person
- the original date is crossed out, and a new date is provided, but the circulator failed to re-sign
- any part of the original date is overwritten with a different date
- the date information is insufficient or ambiguous  
The date must be provided in month, day, year order if written in all numeric characters
- the original signature of a circulator has been crossed out, and a different circulator's signature is inserted
- two individuals sign and date as circulator, unless the only signers and the circulators are the same people
- white-out appears on the signature or date line
- the circulator has signed using only initials, unless the circulator's use of initials as a signature is verified by exemplar
- the circulator has signed using a signature stamp, unless use of a signature stamp has been approved under ORS 246.025
- the circulator's signature is photocopied, carbon-copied, or otherwise appears on the face of the document to be a replicated and not an original signature except as provided for in ORS 250.043
- the signature, printed name, and address are all illegible
- the signature alone is illegible, unless the circulator's use of the apparently illegible signature is verified by exemplar
- the circulator's signature is in printed script rather than cursive script, unless the circulator's use of a printed signature is verified by exemplar

*or*

- if for any other reason, from the face of the signature sheet, the circulator's identity cannot be determined or it otherwise cannot be determined that the circulator executed the certification after witnessing the electors' signatures

If a preliminary determination is made that a certification is insufficient, the certification signature may be verified by exemplar. For correct procedures on filing an exemplar, refer to OAR 165-014-0270 located on pages 52-53.

### Sufficient Circulator Certification

The following defects in the circulator certification **will not result in rejection** of the signature sheet:

- the circulator's signature appears on the printed name line instead of on the signature line
- the signature consists of full last name and at least the first name initial
- the circulator has signed and dated the certification, but has not provided an address or printed name

*or*

- the circulator has re-signed and re-dated the certification and the circulator's original signature has not been crossed out

## General Information for Candidates (cntd.)

### Guidelines for Required Information on SEL 120 (ORS 249.031)

On the Filing of Candidacy for Nonpartisan Nomination form, SEL 120, the information in the fields for “occupation,” “occupational background,” “educational background” and “prior governmental experience” are **required** and must be accurate. The statements made in these fields are subject to ORS 260.715(1), which states, “*No person shall knowingly make a false statement, oath or affidavit where a statement, oath or affidavit is required under the election laws.*” A false statement may be enforced as a Class C Felony.

The purpose of these guidelines is to assist the candidate in completing the required fields. A variation not addressed here does not necessarily indicate an election law violation. The main principle is that all information provided is accurate and can be substantiated by the candidate should a complaint be filed.

The following are some suggestions for completing the **Occupation** category:

- Include current full or part-time employment or other line of work, business, craft or professional information (not required to indicate whether paid or unpaid).
- There is no required amount of time spent at an occupation in order to include it.
- It is not required that every occupational experience is included, but what is listed must be accurate.
- If there is no relevant information, the candidate must at least list “None,” although it is advisable to provide a description such as, “retired,” “unemployed,” “student,” “homemaker,” etc.
- It is advisable to convey the nature of the work performed rather than only a generic description (such as, “self-employed writer,” rather than only “self-employed” or “Grocery Store Manager,” rather than only “Manager”).
- Caution is advised in listing an occupation title that is regulated and requires a specific license, permit or degree, unless the license, permit or degree has already been obtained and is currently valid (for example, “Attorney,” “Doctor of Chiropractic,” “Paramedic”).

The following are some suggestions for completing the **Occupational Background** category:

- Include previous full or part-time employment or other line of work, business, craft or professional information (not required to indicate whether paid or not paid).
- It is not required for the candidate to go back to their first occupational experience.
- There is no required amount of time spent at an occupation in order to include it.
- It is not required that every occupational experience is included, but what is listed must be accurate.
- If there is no relevant information, the candidate must at least list “None,” although it is advisable to provide a description such as, “retired,” “unemployed,” “student,” “homemaker,” etc.
- It is advisable to convey the nature of the work performed rather than only a generic description (such as, “self-employed writer,” rather than only “self-employed” or “Grocery Store Manager,” rather than only “Manager”).
- Caution is advised in listing an occupation title that is regulated and requires a specific license, permit or degree, unless the license, permit or degree was obtained (for example, “Attorney,” “Doctor of Chiropractic,” “Paramedic”).

The following are some suggestions for completing the **Educational Background** category:

- It is advisable to include the complete name of a school rather than only acronyms.
- If a school’s name has changed since attendance, it is advisable that both the old and new names are included.
- It is not required for the candidate to go back to their first educational experience (such as school attended in Kindergarten or Grade School).
- It is not required that every educational experience is included, but what is listed must be accurate.
- Do not indicate a diploma, degree or certificate unless it has already been obtained.
- A “degree” indicates a college, university or professional school has conferred a title upon the person upon completion of a program of study.

The following are some suggestions for completing the **Prior Governmental Experience** category:

- Include current and previous **governmental** experience, which refers to a person's involvement in governmental activities, such as appointed boards and commissions, elected boards and other elected or appointed public offices.
- Full or part-time, paid or unpaid or volunteer experience may be included (not required to indicate whether paid or not paid).
- It is not required for the candidate to go back to their first governmental experience.
- There is no required amount of time spent at an experience in order to include it.
- It is not required to list every governmental experience, but what is listed must be accurate.
- If there is no relevant information, the candidate must at least list "None."
- Include the complete name of the position - the use of acronyms is not advised.

## City Initiative Petition Process

### Filing Prospective Initiative Petition (Oregon Constitution, Article IV, §1 and ORS 250.265)

A prospective initiative petition consists of the text of the proposed city charter or ordinance, or an amendment to an existing city charter or ordinance, as well as the required forms that must be completed before filing the prospective initiative petition with the city elections official. All the forms required to file a prospective initiative petition and the instructions for completing those forms are contained in the back of this manual and are available online.

City charter or ordinance requirements may supersede certain state statutes, **except** for the statutory form and ballot title requirements and other mandatory state laws. Review the requirements with the city elections official before filing the prospective petition.

### Chief Petitioners

The chief petitioners file the prospective initiative petition with the city elections official. The prospective initiative petition **must** include the following:

- text of proposed measure to be initiated Chief petitioners are encouraged to seek legal assistance when drafting the text of any measure.
- Statement One or More/No Petition Circulators Will Be Paid (Initiative/ Referendum Only) (SEL 301)
- Prospective Petition for Local Measure (SEL 370) which designates not more than three chief petitioners

If the petition designates fewer than three chief petitioners, additional chief petitioners, up to a total of three, may be added before final approval of the cover and signature sheets. A chief petitioner may not resign or be replaced by another individual after final approval of the cover and signature sheets. A letter signed by all current chief petitioners must accompany the SEL 370 when designating additional or different chief petitioners. **At least one original chief petitioner must remain as a chief petitioner throughout the process.** If all original chief petitioners resign, the initiative must be refiled.

Residence addresses of the chief petitioners are printed on the cover sheet ORS 250.265(2).

- Statement of Organization for Petition Committees (SEL 222), if required
  - Campaign Account Information (SEL 223), if required
- These forms are not required with the initial filing of the prospective petition but must be filed with the State Elections Division within 3 business days of spending or receiving any money to support the initiative effort. However, approval to circulate will not be given until the Statement of Organization and Campaign Account Information form have been filed with Elections Division.

*See the Campaign Finance Manual*



#### **Deadline to File a City Prospective Initiative Petition**

A prospective initiative petition may be filed at any time.

## Checklist for Filing a Sufficient Prospective Initiative Petition

Below is a checklist of all the components required to file a prospective initiative petition:

- the text of proposed measure to be initiated
- a completed Statement One or More/No Petition Circulators Will Be Paid (Initiative/Referendum Only) (SEL 301)
- Prospective Petition For Local Measure (SEL 370).

## Constitutional Requirements (Oregon Constitution, Article IV, §1 and ORS 250.270)

After receiving the prospective initiative petition, the city elections official must review the text of the proposed charter or ordinance to determine whether it complies with constitutional requirements. After the review, the city elections official notifies the chief petitioners of the determination.

### City Elections Official

If the text of the proposed charter or ordinance **does not** comply with constitutional requirements, the city elections official notifies the chief petitioners by certified mail (with return receipt requested).

If the text of the proposed charter amendment or ordinance **does** comply with constitutional requirements:

- 1 The city elections official notifies the chief petitioners in writing that the text complies with constitutional requirements.
- 2 The city elections official forwards two copies of the prospective initiative petition to the City Attorney for preparation of the ballot title.
- 3 The city elections official assigns the petition an identification number.

### Deadline to File a Statement of Organization

The Statement of Organization must be filed with the State Elections Division within 3 business days of spending or receiving any money to support the initiative effort.

### Deadline for the City Elections Official to Complete Review of the Prospective Initiative Petition

After receiving the prospective initiative petition the city elections official has 5 business days to review the text of the proposed charter or ordinance to determine whether it complies with constitutional requirements.

### Deadline for the City Elections Official to Mail the Notice that Prospective Initiative Petition Does or Does Not Comply with Constitutional Requirements

The city elections official must mail the notice no later than the 6th business day after the prospective initiative petition is filed.

### Deadline for the City Elections Official to Forward the Prospective Initiative Petition to the City Attorney

If the text of the prospective initiative petition does comply, the city elections official forwards it to the City Attorney no later than the 6th business day after the prospective initiative petition is filed.

## City Initiative Petition Process (cntd.)

### Registered Voter

Any elector who disagrees with the city elections official's constitutional requirement determination may file a petition with the Circuit Court to review the determination.

### Ballot Title (ORS 250.035, 250.275 and 250.296)

If the city elections official determines that the proposed charter amendment or ordinance complies with constitutional requirements, the city elections official forwards two copies of the prospective initiative petition to the City Attorney for preparation of the ballot title.

### City Attorney

After receiving copies of the prospective initiative petition, the City Attorney must prepare a ballot title and file it with the city elections official. Oregon law requires that the ballot title contain **all** of the following elements:

- a caption that does not exceed 10 words  
The caption must reasonably identify the subject of the initiative.
- a question that does not exceed 20 words  
The question must plainly phrase the chief purpose of the initiative so that an affirmative response corresponds to a yes vote on the ballot.
- and*
- a summary of the prospective initiative that does not exceed 175 words

The summary must be concise and impartial and summarize the measure and its major effect.

### City Elections Official

Immediately after receiving the ballot title from the City Attorney the city elections official completes the ballot title process as follows:

- 1 The city elections official provides the chief petitioners with a copy of the ballot title.
- 2 The city elections official publishes a notice in the next available edition of a newspaper of general circulation in the city which includes **all** of the following:
  - a statement that the ballot title has been received
  - a statement that the prospective initiative petition complies with the constitutional requirements
  - a notice that an elector may file a petition to review the ballot title
  - the deadline for filing a petition to review the ballot title with the Circuit Court
  - and*
  - the ballot title provided by the City Attorney or information on how to obtain a copy of the ballot title

#### **Deadline to File a Petition to Review the Procedural Constitutional Requirement Determination**

- text does not comply with constitutional requirements: no later than the 7th business day after the written determination is made
- text does comply with constitutional requirements: no later than the 7th business day after the ballot title is filed with the city elections official

#### **Deadline for the City Attorney to File the Ballot Title**

After receiving the prospective initiative petition, the City Attorney has 5 business days to prepare a ballot title and file it with the city elections official. file a petition to review the ballot title.

#### **Deadline for the City Elections Official to Publish Notice that the Ballot Title has been Received**

After receiving the ballot title from the City Attorney, the city elections official publishes a notice that the ballot title has been received in the next available edition of a newspaper of general circulation in the city. The notice must be published prior to the deadline to file a petition to review the ballot title.

## Registered Voter

- 1 Any elector who is dissatisfied with the ballot title may petition the Circuit Court to review the ballot title issued by the City Attorney. The petition must name the City Attorney as the respondent. The petition must also state the reasons the title filed with the court is insufficient, not concise or unfair.
- 2 If an elector files a petition to review a ballot title with the Circuit Court, the elector must also notify the city elections official in writing that the petition has been filed.

### Warning

If this notice to the city elections official is not timely filed, the petition to the Circuit Court will be dismissed.

## Circuit Court

- 1 After a petition to review a ballot title is filed, the Circuit Court conducts its review. The review of the ballot title by the Circuit Court shall be the first and final review.
- 2 After reviewing the ballot title the Circuit Court renders its decision and certifies a ballot title meeting the requirements of ORS 250.035 to the city elections official.

The city elections official must not approve the cover and signature sheets for circulation until after the challenge period for the ballot title or, if the ballot title is challenged, after the Circuit Court order is received by the city elections official.

### Deadline to File a Petition to Review the Ballot Title

The deadline to file a petition to review the ballot title is no later than the 7th business day after the ballot title is filed with the city elections official.

### Deadline to Notify the City Elections Official that a Petition has been Filed

The notice must be filed with the city elections official no later than 5pm on the first business day after the petition is filed with the Circuit Court.

## Prospective Initiative Petition Cover and Signature Sheets (ORS 250.265)

After receiving a final ballot title, the chief petitioners may begin the cover and signature sheet approval process.

The text, cover and signature sheets for a prospective initiative petition must be approved in writing by the city elections official before the chief petitioners may begin circulating the petition.

The chief petitioners must comply with specific detailed requirements when preparing their cover and signature sheets. Failure to comply with the requirements on pages 41-43 will delay the receipt of written approval to circulate.

## Chief Petitioners

After preparing the cover and signature sheets for the prospective initiative petition, the chief petitioners submit a draft to the city elections official for review. If the text of the prospective initiative is not printed on the cover sheet, a complete copy of the text must also be submitted with the draft cover and signature sheets. If cover and signature sheets are submitted for approval by someone other than a chief petitioner, all of the chief petitioners must file written consent with the city elections official before the initial review of the cover and signature sheets.

*See the Guidelines and Requirements for Petitions on pages 41-45 and the Sample Cover Sheet on page 55.*

## City Elections Official

After receiving the text, cover and signature sheets from the chief petitioners, the city elections official reviews the sheets for compliance with the requirements for prospective city initiative petitions.

- 1 The city elections official contacts the State Elections Division to determine if the chief petitioners have filed a Statement of Organization. Cover and signature sheets will not be approved for circulation until the Statement of Organization and Campaign Account Information form have been filed.

*continued on next page*

## City Initiative Petition Process (cntd.)

- 2 The city elections official reviews the text of the initiative petition to ensure that the text reads exactly the same and is formatted the same as the text submitted with the prospective petition. The city elections official also reviews the cover and signature sheets for compliance with the city petition requirements.

*See pages 41–43.*

- 3 The city elections official prepares and mails a written notice to the chief petitioners detailing any corrections which must be made to the text, cover or signature sheets before they can be approved for circulation.
- 4 Once the text, cover and signature sheets meet all of the requirements, the city elections official notifies the chief petitioners in writing of approval to circulate the initiative petition.

The city elections official informs the chief petitioner of the number of required signatures.

### Circulating an Initiative Petition (ORS 250.265)

Once the chief petitioners receive written approval of the text, cover and signature sheets from the city elections official the chief petitioners may collect the signatures needed to place the initiative on the ballot.

If the chief petitioners intend to mail cover and signature sheets to prospective signers the text must be included with each mailing.

If at any time after receiving approval to circulate the residence address of any chief petitioner changes or if the circulators pay status changes, new cover and signature sheets with the correct address must be submitted for approval.

### Chief Petitioners

Before collecting signatures, the chief petitioners must review with circulators the legal requirements and guidelines for circulating an initiative. **Failure to comply with the legal requirements and guidelines will result in rejection of those sheets.**

*See page 44.*

### Chief Petitioners and Circulators

After reviewing the legal requirements and guidelines for circulating an initiative, the chief petitioners and circulators may circulate the petition.

- Each person collecting signatures **must** carry at least one full and correct copy of the text of the initiative and **must** allow any person to review the text upon request.
- Each signature collected **must** be personally witnessed by the circulator. The circulator **must** sign and date the certification at the bottom of the petition sheet after all the signatures on the sheet have been collected.
- The circulator **must** complete the date when the certification is signed and **should not** collect any additional signatures on that sheet unless the additional signatures are certified.

For instructions on certifying new signatures to a petition sheet that has already been certified and dated by a circulator, see OAR 165-014-0270(4)(d) on page 52.

- Circulators **must not** attempt to obtain signatures of a person knowing that the person signing the petition is not qualified to sign it.
  - Circulators **must not** alter, correct, clarify or obscure on the signature sheet any information about the person who signed the signature sheet unless the person who signed the signature sheet initials after the changes are made.
- Only a signer **may** complete the optional information about themselves, such as their printed name, address and dates signed. However, a circulator may assist a disabled signer who requests assistance in completing the optional information.
- Circulators **must not** offer money or any thing of value to another person to sign or not sign a petition, and **must not** sell or offer to sell signature sheets.
  - Circulators **must not** accept compensation to circulate a petition that is based on the number of signatures obtained.

### Warning

Violations of the circulator requirements may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years.



## Filing a Completed Initiative with the City Elections Official (ORS 250.315)

Once the chief petitioners have collected at least the constitutionally required number of signatures to place an initiative on the ballot, the chief petitioners may submit the signature sheets to the city elections official.

Chief petitioners must submit a new SEL 301, marked **completed** and signed by all current chief petitioners at the time signatures are submitted for verification.

### Chief Petitioners

Only the chief petitioners may submit signature sheets to the city elections official for verification. Signature sheets will not be accepted from circulators, agents, circulator companies or any other individual or entity.

- 1 Before submitting the signature sheets for verification with the city elections official, the chief petitioners must number the signature sheets beginning with the number 1 and continue numbering sequentially until all sheets have been numbered.

### Warning

It is the responsibility of the chief petitioners to ensure that the signature sheets are numbered sequentially before filing the petition signatures for verification. Failure to comply with this requirement will result in rejection of those sheets not filed in accordance with OAR 165-014-0110.

- 2 The chief petitioners submit sorted and numbered signature sheets for verification with the city elections official. The initiative must contain at least the constitutionally required number of original signatures.

- 3 When submitting signature sheets the chief petitioners must include a letter stating how many signatures they purport to have.

The chief petitioners must submit the petition signature sheets to the city elections official no later than two years after the date on which the petition was approved to circulate.

- 4 Chief petitioners must report contribution and expenditure transactions electronically using the Elections Division's ORESTAR system. Each financial transaction must be independently reported.

*See the Campaign Finance Manual.*

## Withdrawing an Initiative (ORS 250.029)

### Chief Petitioners

Chief petitioners may withdraw their initiative only prior to submitting the petition signature sheets for signature verification. A Withdrawal of Initiative or Referendum Petition (SEL 375) must be submitted to the city elections official signed by all current chief petitioners.

### City Elections Official

The city elections official discontinues the initiative process and forwards a copy of the withdrawal to the City Attorney. The chief petitioners may not re-activate the withdrawn petition.

### Deadline to Report Contribution and Expenditure Transactions

Generally, a transaction is due no later than 30 calendar days after the date of the transaction. However, for the period between the 42nd day before the election and election day, transactions must be reported no later than seven days after the date of the transaction. For detailed deadlines, see the *Campaign Finance Manual*.

## City Initiative Petition Process (cntd.)

### Verification of Signatures (ORS 250.315 and OAR 165-014-0110)

After receiving the signature sheets from the chief petitioners, the city elections official begins the process of signature verification to determine if the initiative contains enough valid signatures to qualify for the ballot.

#### City Elections Official

The city elections official processes signature sheets submitted for verification by:

- comparing the submitted cover and signature sheets to the approved versions
- verifying that each signature sheet is signed and dated by the circulator
- verifying that each signature sheet has the approved-cover sheet copied on the back
- and*
- verifying the original signature using the voter registration card

City elections officials arrange with the county elections officials for verification of signatures.

If the petition requires more than 4,500 signatures the city elections official must use a statistical sampling process to determine if the petition contains a sufficient number of signatures to qualify to the ballot. See OAR 165-014-0110.

### Review of Initiated Measure by City Governing Body (ORS 250.325)

#### City Elections Official

The city elections official files the initiated measure with the city governing body no later than the next meeting of the city governing body after determining that the initiative has qualified for the ballot.

#### City Governing Body

After receiving the initiated measure, but not later than the 30th day after the measure is filed with it, the governing body may either adopt or reject the initiated measure (unless the measure, for example disincorporation of the city, is required to be submitted to the voters under the city charter or state law). If the governing body rejects the measure, or city charter or state law requires an election, the initiated measure must be submitted to city electors at the next available election date which is no sooner than the 90th day after the completed initiative petition was filed with the city governing body.

*See page 46.*

The governing body may also refer a competing measure to the ballot at the same election where the initiated measure will appear. If the governing body chooses to refer a competing measure it must prepare the measure no later than the 30th day after the initiated measure is filed with the governing body. The mayor does not have power to veto an initiated measure or a competing measure.

#### **Deadline to Submit Signatures**

Signatures must be submitted to the city elections official no later than 2 years after the petition was approved to circulate.

#### **Deadline to Withdraw an Initiative**

Chief petitioners may withdraw their initiative only prior to submitting the petition signature sheets for signature verification.

#### **Deadline for the City Elections Official to Verify Signatures**

Signature verification must be completed no later than the 15th calendar day after signatures are submitted.

#### **Deadline for the Governing Body to Accept or Reject Initiated Measure**

The deadline is no later than the 30th day after the measure is filed with the governing body.

#### **Deadline for the Governing Body to Refer a Competing Measure**

The measure must be prepared no later than the 30th day after the initiated measure is filed with the governing body.

## Certification of Measure to Ballot (ORS 250.325 and 254.108)

After the governing body acts, the city elections official notifies the county elections official if an election is required.

### **City Elections Official**

The city elections official notifies the county elections official of the election and files with the county elections official a completed SEL 802.

*See page 46.*

### **County Elections Official**

The county elections official assigns a measure number. Ballot measure numbers will not be repeated.



#### **Deadline to Notify the County Elections Official and Conduct the Election**

The city elections official must give notice of measure election to the county elections official no later than the 61st day before the election. The election will be held at the next available election that is no sooner than the 90th day after the completed initiative petition was filed with the city governing body.

## Timeline for Placing a City Initiative on the Ballot

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### Chief Petitioner or Interested Party

A prospective initiative petition may be filed at any time.

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### Elections Officials

After receiving the prospective initiative petition, the city elections official has 5 business days to review the text of the proposed charter or ordinance.

The city elections official must mail the notice by certified mail that the text of the prospective initiative petition does or does not comply no later than the 6th business day after it is filed.

If the text of the prospective initiative petition does comply, the city elections official forwards it to the City Attorney no later than the 6th business day after the prospective initiative petition is filed.

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### City Attorney

After receiving the prospective initiative petition, the City Attorney has 5 business days to prepare a ballot title and file it with the city elections official.

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### Chief Petitioner or Interested Party

If the text of the prospective initiative petition does not comply with constitutional requirements, petitions to review the determination must be filed no later than the 7th business day after the written determination is made.

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### Elections Officials

After receiving the ballot title from the City Attorney, the city elections official publishes notice of receipt of the ballot title in the next available edition of a newspaper of general circulation in the city. The notice must be published prior to the deadline to file a petition to review the ballot title.

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### Chief Petitioner or Interested Party

Petitions to review the ballot title must be filed no later than the 7th business day after the ballot title is filed with the city elections official.

A notice must be filed with the city elections official no later than 5pm on the first business day after the petition has been filed with the circuit court.

If the text of the prospective initiative petition does comply with constitutional requirements, petitions to review the determination must be filed no later than the 7th business day after the ballot title is filed with the city elections official.

Chief petitioners may withdraw the initiative only prior to submitting the petition signature sheets for verification.

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**Chief Petitioner Committee**

The Statement of Organization for Petition Committee (SEL 222) and Campaign Account Information form (SEL 223) for a new committee must be filed within 3 business days of receiving a contribution or making an expenditure to support the initiative effort.

Generally, a transaction is due no later than 30 calendar days after the date of the transaction. However, for the period between the 42nd day before the election and election day, transactions must be reported no later than seven days after the date of the transaction. For detailed deadlines, see the *Campaign Finance Manual*.

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**Elections Officials**

Signature verification must be completed no later than the 15th calendar day after signatures are submitted for verification.

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**Governing Body**

The deadline for the city governing body to accept or reject the initiated measure is no later than 30 days after the initiated measure is filed with it.

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**Elections Officials**

The city elections official must give notice of measure election no later than the 61st day before the election. The election will be held at the next available election that is no sooner than the 90th day after the initiative petition was filed with the city governing body.

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**Governing Body**

The deadline for the city governing body to refer a competing measure to the ballot is no later than 30 days after the initiated measure is filed with it.

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**Elections Officials**

The county elections official prepares the abstract of votes no later than 20th day after the election.

The city elections official determines the results of the measure election no later than the 30th day after the election.

The city elections official must send a status inquiry letter no later than 30 days before the annual anniversary date of when the petition was approved for circulation.

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**Chief Petitioner or Interested Party**

Chief petitioners must certify to city elections officials no later than each anniversary date of approval to circulate that the initiative is still active.

## City Referendum Petition Process

### Filing Prospective Referendum Petition (ORS 250.265)

A prospective referendum petition consists of the text of the ordinance or other legislative enactment adopted by the governing body, as well as the required forms that must be completed before filing the prospective referendum petition with the city elections official. All the forms required to file a prospective referendum petition and the instructions for completing those forms are contained in the back of this manual and are available online.

City charter or ordinance requirements may supersede certain state statutes, **except** for the statutory form and ballot title requirements and other mandatory state laws. Review the requirements with the city elections official before filing the prospective petition.

A referendum petition may be filed on an entire or a part of an ordinance or other legislative enactment. References to the ordinance in this manual include a portion of the ordinance or other legislative enactment, if that is what is referred.

#### **Deadline to File a City Prospective Referendum Petition**

A prospective referendum petition must be filed after the ordinance is adopted and signatures must be filed for verification with the elections official no later than the 30th day after the adoption of a nonemergency ordinance. To determine the filing deadline, day one is the first day after the measure was adopted by the governing body. If after the deadline to file, changes may only be made by initiative petition.

### Chief Petitioners

The chief petitioners file the prospective referendum petition with the city elections official. The prospective referendum petition **must** include the following:

- text of the ordinance as enacted by the governing body
- Statement One or More/No Petition Circulators Will Be Paid (Initiative/ Referendum Only) (SEL 301)
- Prospective Petition for Local Measure (SEL 370) which designates not more than three chief petitioners. If the petition designates fewer than three chief petitioners, additional chief petitioners, up to a total of three, may be added before final approval of the cover and signature sheets. A chief petitioner may not resign or be replaced by another individual after final approval of the referendum cover and signature sheets. A letter signed by all current chief petitioners must accompany the SEL 370 when designating additional or different chief petitioners. **At least one original chief petitioner must remain as a chief petitioner throughout the process.** If all original chief petitioners resign, the referendum must be refiled.

Residence addresses of the chief petitioners are printed on the cover sheet ORS 250.265(2).

*and*

- Statement of Organization for Petition Committees (SEL 222), if required
  - Campaign Account Information (SEL 223), if required
- These forms are not required with the initial filing of the prospective petition but must be filed with the State Elections Division within 3 business days of spending or receiving any money to support the referendum effort. However, approval to circulate will not be given until the Statement of Organization and Campaign Account Information forms have been filed with Elections Division.

*See the Campaign Finance Manual*

#### **Deadline to File a Statement of Organization**

The Statement of Organization must be filed with the State Elections Division within 3 business days of spending or receiving any money to support the referendum effort.

## Checklist for Filing a Sufficient Prospective Referendum Petition

Below is a checklist of all the components required to file a prospective referendum petition:

- text of the ordinance as enacted by the governing body
- a completed Statement One or More/No Petition Circulators Will Be Paid (Initiative and Referendum Only) (SEL 301)
- Prospective Petition For Local Measure (SEL 370)

### Ballot Title (ORS 250.035, 250.275 and 250.296)

Upon receiving a prospective referendum petition, the city elections official assigns the petition an identification number and forwards, two copies to the City Attorney for preparation of the ballot title. **The ballot title drafting process and the collection of signatures can occur simultaneously.** Once the chief petitioners have received written approval to circulate from the city elections official the chief petitioners may begin collecting signatures. The chief petitioners are not required to wait for the ballot title before collecting signatures.

### City Attorney

After receiving copies of the prospective referendum petition, the City Attorney must prepare a ballot title and file it with the city elections official. Oregon statutes require that the ballot title contain **all** of the following elements:

→ a caption that does not exceed 10 words

The caption must reasonably identify the subject of the referendum.

→ a question that does not exceed 20 words

The question must plainly phrase the chief purpose of the referendum so that an affirmative response corresponds to a yes vote on the ballot.

*and*

→ a summary of the referendum that does not exceed 175 words

The summary must be concise and impartial and summarize the measure and its major effect.

### City Elections Official

Immediately after receiving the ballot title from the City Attorney the city elections official completes the ballot title process as follows:

- 1 The city elections official provides the chief petitioners with a copy of the ballot title.
- 2 The city elections official publishes a notice in the next available edition of a newspaper of general circulation in the city which includes **all** of the following:
  - a statement that the ballot title has been received
  - a notice that an elector may file a petition to review the ballot title
  - the deadline for filing a petition to review the ballot title with the Circuit Court

*and*

→ the ballot title provided by the City Attorney or information on how to obtain a copy of the ballot title

#### 1 Deadline for the City Attorney to File the Ballot Title

After receiving copies of the prospective referendum petition, the City Attorney has 5 business days to prepare a ballot title and file it with the city elections official.

#### 1 Deadline for the City Elections Official to Publish a Notice that the Ballot Title has been Received

After receiving the ballot title from the City Attorney, the city elections official publishes a notice that the ballot title has been received in the next available edition of a newspaper of general circulation in the city. The notice must be published prior to the deadline to file a petition to review the ballot title.

## City Referendum Petition Process (cntd.)

### Registered Voter

- 1 Any elector who is dissatisfied with the ballot title may petition the Circuit Court to review the ballot title issued by the City Attorney. The petition must name the City Attorney as the respondent. The petition must also state the reasons the title filed with the court is insufficient, not concise or unfair.
- 2 If an elector files a petition to review a ballot title with the Circuit Court, the elector must also notify the city elections official in writing that the petition has been filed.

### Warning

If this notice to the city elections official is not timely filed, the petition to the Circuit Court will be dismissed.

### Circuit Court

- 1 After a petition to review a ballot title is filed, the Circuit Court conducts its review. The review of the ballot title by the Circuit Court shall be the first and final review.
- 2 After reviewing the ballot title the Circuit Court renders its decision and certifies a ballot title meeting the requirements of ORS 250.035 to the city elections official.

### **Deadline to File a Petition to Review the Ballot Title**

The deadline to file a petition to review the ballot title is no later than the 7th business day after the ballot title is filed with the city elections official.

### **Deadline to Notify the City Elections Official that a Petition has been Filed**

The notice must be filed with the city elections official no later than 5pm on the first business day after the petition is filed with the Circuit Court.

### Prospective Referendum Petition Cover and Signature Sheets (ORS 250.265)

The text, cover and signature sheets for a prospective referendum petition must be approved in writing by the city elections official before the chief petitioners may begin circulating the petition.

The chief petitioners must comply with specific detailed requirements when preparing their cover and signature sheets. Failure to comply with the requirements on pages 42-43 will delay the receipt of written approval to circulate.

**The ballot title drafting process and the collection of signatures can occur simultaneously.** The chief petitioners are not required to wait for the ballot title before collecting signatures. Once the chief petitioners have received written approval to circulate from the city elections official they may begin collecting signatures.

### Chief Petitioners

After preparing the cover and signature sheets for the prospective referendum petition, the chief petitioners submit a draft to the city elections official for review. A complete copy of the ordinance must also be submitted with the draft cover and signature sheets. If cover and signature sheets are submitted for approval by someone other than a chief petitioner, all of the chief petitioners must file written consent with the city elections official before the initial review of the cover and signature sheets.

See the Guidelines and Requirements for Petitions starting on page 41 and the Sample Cover Sheet on page 55.

### City Elections Official

After receiving the ordinance, cover and signature sheets from the chief petitioners, the city elections official reviews the sheets for compliance with the requirements for a city referendum petition.

- 1 The county elections official contacts the State Elections Division to determine if the chief petitioners have filed a Statement of Organization. Cover and signature sheets will not be approved for circulation until the Statement of Organization and Campaign Account Information form have been filed.



- 2 The city elections official reviews the text of the ordinance to ensure that the text reads exactly the same and is formatted the same as the ordinance adopted by the governing body. The city elections official also reviews the cover and signature sheets for compliance with the city petition requirements.

*See pages 42–43.*

The petition will be circulated using the title of the ordinance as enacted by the city governing body or, if there is no title, the title supplied by the chief petitioner.

- 3 The city elections official prepares and mails a written notice to the chief petitioners detailing any corrections which must be made to the text of the ordinance, cover or signature sheets before they can be approved for circulation.
- 4 Once the text of the ordinance, cover and signature sheets meet all of the requirements, the city elections official notifies the chief petitioners in writing of approval to circulate the referendum petition.

The city elections official informs the chief petitioner of the number of required signatures and the last day to submit signatures collected for the referendum petition.

## Circulating a Referendum Petition (ORS 250.265 and 250.305)

Once the chief petitioners receive written approval of the text of the ordinance, cover and signature sheets from the city elections official, the chief petitioners may collect the signatures needed to place the referendum on the ballot.

If the chief petitioners intend to mail cover and signature sheets to prospective signers the text of the ordinance must be included with each mailing.

If at any time after receiving approval to circulate the residence address of any chief petitioner changes or if the circulators pay status changes, new cover and signature sheets with the correct address must be submitted for approval.

## Chief Petitioners

Before collecting signatures, the chief petitioners must review with circulators the legal requirements and guidelines for circulating a referendum. Failure to comply with the legal requirements and guidelines will result in rejection of those sheets

*See page 44.*

## Chief Petitioners and Circulators

After reviewing the legal requirements and guidelines for circulating a referendum, the chief petitioners and circulators may circulate the petition.

- Each person collecting signatures **must** carry at least one full and correct copy of the text of the ordinance to be referred and **must** allow any person to review the text upon request.
- Each signature collected **must** be personally witnessed by the circulator. The circulator **must** sign and date the certification at the bottom of the petition sheet after all the signatures on the sheet have been collected.
- The circulator **must** complete the date when the certification is signed and **should not** collect any additional signatures on that sheet unless the additional signatures are certified.
 

For instructions on certifying new signatures to a petition sheet that has already been certified and dated by a circulator, see OAR 165-014-0270(4)(d) on page 52.
- Circulators **must not** attempt to obtain signatures of a person knowing that the person signing the petition is not qualified to sign it.
- Circulators **must not** alter, correct, clarify or obscure on the signature sheet any information about the person who signed the signature sheet unless the person who signed the signature sheet initials after the changes are made.
- Only a signer **may** complete the optional information about themselves, such as their printed name, address and dates signed. However, a circulator may assist a disabled signer who requests assistance in completing the optional information.

## City Referendum Petition Process (cntd.)

- Circulators **must not** offer money or any thing of value to another person to sign or not sign a petition, and **must not** sell or offer to sell signature sheets.
- Circulators **must not** accept compensation to circulate a petition that is based on the number of signatures obtained.

### Warning

Violations of the circulator requirements may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years.

### Filing a Completed Referendum with the City Elections Official (ORS 250.315)

Once the chief petitioners have collected at least the constitutionally required number of signatures to place a referendum on the ballot, the chief petitioners may submit the signature sheets to the city elections official.

Chief petitioners shall submit a new SEL 301, marked **completed** and signed by all current chief petitioners, at the time signatures are submitted for verification.

### Chief Petitioners

Only the chief petitioners may submit signature sheets to the city elections official for verification. Signature sheets will not be accepted from circulators, agents, circulator companies or any other individual or entity.

- 1 Before submitting the signature sheets for verification with the city elections official, the chief petitioners must number the signature sheets beginning with the number 1 and continue numbering sequentially until all the sheets have been numbered.

### Warning

It is the responsibility of the chief petitioners to ensure that the signature sheets for each county are separated and numbered sequentially before filing the petition signatures for verification. Failure to comply with this requirement will result in rejection of those sheets not filed in accordance with OAR 165-014-0110.

- 2 The chief petitioners submit sorted and numbered signature sheets for verification with the city elections official. The referendum must contain at least the constitutionally required number of original signatures.
- 3 When submitting signature sheets the chief petitioners must include a letter stating how many signatures they purport to have.
- 4 Chief petitioners must report contribution and expenditure transactions electronically using the Elections Division's ORESTAR system. Each financial transaction must be independently reported.

*See the Campaign Finance Manual.*

### Deadline to File Signatures with the City Elections Official

Signatures must be filed for verification with the elections official no later than the 30th day after the adoption of a nonemergency ordinance. To determine the filing deadline, day one is the first day after the measure was adopted by the governing body.

### Deadline to Report Contribution and Expenditure Transactions

Generally, a transaction is due no later than 30 calendar days after the date of the transaction. However, for the period between the 42nd day before the election and election day, transactions must be reported no later than seven days after the date of the transaction. For detailed deadlines, see the *Campaign Finance Manual*.

## Withdrawing a Referendum (ORS 250.029)

### Chief Petitioners

Chief petitioners may withdraw their referendum only prior to submitting the petition signature sheets for signature verification. A Withdrawal of Initiative or Referendum Petition (SEL 375) must be submitted to the city elections official signed by all current chief petitioners.

### City Elections Official

The city elections official discontinues the referendum process and forwards a copy of the withdrawal to the City Attorney. The chief petitioners may not re-activate the withdrawn petition.

## Verification of Signatures (ORS 250.315 and OAR 165-014-0110)

After receiving the signature sheets from the chief petitioners, the city elections official begins the process of signature verification to determine if the referendum contains enough valid signatures to qualify for the ballot.

### City Elections Official

The city elections official processes signature sheets submitted for verification for each referendum by:

- comparing the submitted cover and signature sheets to the approved versions
- verifying that each signature sheet is signed and dated by the circulator

→ verifying that each signature sheet has the approved-cover sheet copied on the back

*and*

→ verifying the original signature using the voter registration card

City elections officials arrange with the county elections officials for verification of signatures.

If the petition requires more than 4,500 signatures the city elections official must use a statistical sampling process to determine if the petition contains a sufficient number of signatures to qualify to the ballot. See OAR 165-014-0110.

## Certification of Measure to Ballot (ORS 250.355 and 254.108)

### City Elections Official

After the signature verification process has been completed and it has been determined that the referendum has enough valid signatures to qualify as a city measure, the city elections official notifies the county elections official and files with the county elections official a completed SEL 802.

### County Elections Official

The county elections official assigns a measure number. Ballot measure numbers will not be repeated.

*See page 46.*

#### **Deadline to Withdraw a Referendum**

Chief petitioners may withdraw their referendum only prior to submitting the petition sheet for signature verification.

#### **Deadline for the County Elections Official to Verify Signatures**

Signature verification must be completed no later than the 15th calendar day after signatures are submitted for verification.

#### **Deadline for the County Elections Official to Conduct the Election**

The election will be held at the next available election date which is no sooner than the 90th day after the referendum petition was filed with the city elections official.

## Timeline for Placing a City Referendum on the Ballot

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### Chief Petitioner or Interested Party

A prospective referendum petition must be filed after the ordinance is adopted.

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### Elections Official

After the city elections official receives a prospective referendum petition, two copies are forwarded to the City Attorney for preparation of the ballot title.

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### City Attorney

After receiving copies of the prospective referendum petition, the City Attorney has 5 business days to prepare a ballot title and file it with the city elections official.

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### Elections Official

After receiving the ballot title from the City Attorney, the city elections official publishes notice of receipt of the ballot title in the next available edition of a newspaper of general circulation in the city. The notice must be published prior to the deadline to file a petition to review the ballot title.

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### Chief Petitioner or Interested Party

Petitions to review the ballot title must be filed no later than the 7th business day after the ballot title is filed with the city elections official.

A notice must be filed with the city elections official no later than 5pm on the first business day after the petition has been filed with the circuit court.

Chief petitioners may withdraw the referendum only prior to submitting the petition signature sheets for verification.

Signatures must be filed for verification with the city elections official no later than the 30th day after the adoption of a nonemergency ordinance.

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### Elections Official

Signature verification must be completed no later than the 15th calendar day after signatures are submitted for verification.

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### Chief Petitioner Committee

The Statement of Organization for Petition Committee (SEL 222) and Campaign Account Information form (SEL 223) for a new committee must be filed within 3 business days of receiving a contribution or making an expenditure to support the referendum effort.

Generally, a transaction is due no later than 30 calendar days after the date of the transaction. However, for the period between the 42nd day before the election and election day, transactions must be reported no later than seven days after the date of the transaction. For detailed deadlines, see the *Campaign Finance Manual*.

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### Elections Official

The election will be held at the next available election date which is no sooner than the 90th day after the referendum petition was filed with the city elections official.

The county elections official prepares the abstract of votes no later than 20th day after the election.

The city elections official determines the results of the measure election no later than the 30th day after the election.

## Guidelines and Requirements for Petitions

### Initiative Petition Cover and Signature Sheet Requirements (Oregon Constitution, Article IV, §1, ORS 250.265)

All cover and signature sheets must be approved in writing by the city elections official **before** circulating any petition. Signatures collected on unapproved cover and signature sheets will be rejected.

The city elections official will not approve the cover and signature sheets for circulation until after the challenge period for the ballot title expires or, if the ballot title is challenged, after the Circuit Court order is received by the city elections official.

If at any time after approval to circulate the residence address of any chief petitioner changes or if the circulators pay status changes, new cover and signature sheets must be submitted for approval.

#### Warning

Logos, slogans, advertisements, party affiliation, etc. or any symbol or language which may be construed as advocacy is not permitted on any text, cover or signature sheet. Failure to comply with this requirement will result in rejection of those sheets and disqualification of those signatures.

### Cover Sheet Requirements

Each cover sheet for a prospective initiative petition must include **all** of the following:

- the printed words **City Initiative Petition** across the top of the cover sheet
- the certified ballot title for the initiative
- names and residence addresses of all chief petitioners as designated on the Prospective Petition For Local Measure (SEL 370)

*and*

- the instructions to the petition circulators and signers

The instructions **must** read exactly as they appear on the Prospective Petition For Local Measure (SEL 370).

The chief petitioners may also include the name and mailing address of the political committee sponsoring the prospective initiative petition.

### Signature Sheet Requirements

Form SEL 371 or 373 may be recreated by the chief petitioners but must appear the same as the original form. Each signature sheet for an initiative petition must have a cover sheet copied on the back and include **all** of the following:

- a notice stating **Some Circulators For This Petition Are Being Paid**, if one or more persons will be paid for obtaining signatures of electors on the petition
- the sentence “It is unlawful to sign a petition more than one time.”
- the petition identification number
- statement that signers must initial any changes that the circulator makes to their printed name, residence address or date they signed the petition
- caption of the final ballot title
- a space for placing the signature sheet number
- petition circulator’s certification stating that the circulator witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet, that the circulator believes each signer is an elector, and that any compensation received was not based on the number of signatures obtained
- area for providing date when circulator signed certification
- area for placing county elections official’s certification  
*and*
- ten signature lines unless a variation is approved by the city elections official
- Each signature line **must** include fields for:
  - signature
  - date of signing petition
  - printed name
  - residence address

## Guidelines and Requirements for Petitions (cntd.)

Signers are only required to provide a signature. An elector's printed name, residence address and date they signed the petition are not mandatory under Oregon law. These information fields, while optional for the signer, provide valuable assistance to county elections officials who are performing the signature verification. If these lines are not completed, the signatures may still be submitted for signature verification. Failure to provide the optional information increases the possibility that the signature cannot be confirmed to be that of an active registered voter, and thus reduces the chances of the petition having adequate verifiable signatures to qualify for the ballot. If no date is provided by the elector, the signatures are considered valid only if the county elections official determines that the elector was an active registered voter during the period beginning the date the petition was approved for circulation through the date of filing the petition for signature verification.

### Warning

Circulators are advised to encourage signers to complete the optional information whenever possible. Circulators are prohibited from completing the optional information for signers, unless the signer is disabled and requests assistance.

### Referendum Petition Cover and Signature Sheet Requirements (Oregon Constitution, Article IV, §1, ORS 250.265–250.275)

All cover and signature sheets must be approved in writing by the city elections official **before** circulating any petition. Signatures collected on unapproved cover and signature sheets will be rejected.

If at any time after approval to circulate the residence address of any chief petitioner changes or the circulators pay status changes, new cover and signature sheets must be submitted for approval.

### Warning

Logos, slogans, advertisements, party affiliation, etc. or any symbol or language which may be construed as advocacy is not permitted on any text, cover or signature sheet. Failure to comply with this requirement will result in rejection of those sheets and disqualification of those signatures.

### Cover Sheet Requirements

Each cover sheet for a prospective referendum petition must include **all** of the following:

- the printed words **City Referendum Petition** across the top
- the title of the measure as enacted by the city governing body or, if there is no title, the title supplied by the chief petitioners
- names and residence addresses of the chief petitioners as designated on the Prospective Petition For Local Measure (SEL 370)
- and*
- instructions to the petition circulators and signers

The instructions must read exactly as they appear on the Prospective Petition For Local Measure (SEL 370).

The chief petitioners may also include the name and mailing address of the political committee sponsoring the prospective referendum petition.

### Signature Sheet Requirements

Form SEL 371 or 373 may be recreated by the chief petitioners but must appear the same as the original form. Each signature sheet for a referendum petition must have a cover sheet copied on the back and include **all** of the following:

- a notice stating **Some Circulators For This Petition Are Being Paid**, if one or more persons will be paid for obtaining signatures of electors on the petition
- the sentence “It is unlawful to sign a petition more than one time.”
- the petition identification number
- statement that signers must initial any changes that the circulator makes to their printed name, residence address or date they signed the petition
- the number of the ordinance being referred, if any, and the date it was adopted by the city governing body
- a space for placing the signature sheet number
- petition circulator's certification stating that the circulator witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet, that the circulator believes each signer is an elector, and that any compensation received was not based on the number of signatures obtained

- area for providing date when circulator signed certification
- area for placing county elections official's certification
- and*
- ten signature lines unless a variation is approved by the city elections official
- Each signature line **must** include fields for:
  - signature
  - date of signing petition
  - printed name
  - residence address

Signers are only required to provide a signature. An elector's printed name, residence address and date they signed the petition are not mandatory under Oregon law. These information fields, while optional for the signer, provide valuable assistance to county elections officials who are performing the signature verification. Failure to provide the optional information increases the possibility that the signature cannot be confirmed to be that of an active registered voter, and thus reduces the chances of the petition having adequate verifiable signatures to qualify for the ballot. If no date is provided by the elector, the signatures are considered valid only if the county elections official determines that the elector was an active registered voter during the period beginning the date the petition was approved for circulation through the date of filing the petition for signature verification.

### **Warning**

Circulators are advised to encourage signers to complete the optional information whenever possible. Circulators are prohibited from completing the optional information for signers, unless the signer is disabled and requests assistance.

## Format Requirements for Text Cover and Signature Sheets

Text, cover and signature sheets **must** meet the following formatting requirements:

- standard 8 ½ " x 11" size paper
- at least 20 pound (weight) uncoated paper
- and*
- printed on white or pastel colored paper stock to render text readable and enable election officials to readily verify signatures

All paper must be approved by the city elections official prior to circulation (coated paper and newsprint will not be approved).

Size and style of type must be deemed readable and approved in writing by the city elections official. However, the text must be printed in at least 10 point type.

Text, cover and signature sheets must be submitted for approval exactly as intended to circulate, including weight, style and color of paper with cover sheet copied on the back of the signature sheet. Any proposed variation to approved text, cover or signature sheets must be resubmitted and approved in writing by the city elections official before circulating.

## Guidelines and Requirements for Petitions (cntd.)

### Guidelines for Circulation of Petitions (ORS 250.265, 260.555 and 260.558)

It is very important for chief petitioners to instruct circulators on the guidelines for circulating a petition. A circulator's failure to comply with the guidelines may result in the rejection of petition signature sheets and a felony conviction for the circulator. To ensure compliance with the circulating requirements the chief petitioners must educate their circulators and monitor their activities.

#### Petition Circulator

Each petition circulator:

- **must** carry at least one full and correct copy of the text of the initiative or referendum and must allow any person to review the text upon request
  - **must** ensure all active registered voters who sign a single signature sheet are residents of the city and the same county
  - **must** personally sign their legal signature on the petition circulator's certification with a minimum of a first name initial and full last name
  - **must** provide the date when the certification was signed and **should not** collect any additional signatures on that sheet after dating the certification unless the additional signatures are certified
- For instructions on certifying new signatures to a petition sheet that has already been certified and dated by a circulator, see OAR 165-014-0270(4)(d) on page 52.
- **must not** attempt to obtain the signature of a person knowing that the person signing the petition is not qualified to sign it
  - **must not** alter, correct, clarify or obscure on the signature sheet any information about the person who signed the signature sheet unless the person who signed the sheet initials after the changes are made

Only a signer **may** complete the optional information about themselves, such as their printed name, address and dates signed. However, a circulator **may** assist a disabled signer who requests assistance in completing the optional information.

- **must not** knowingly make any false statement regarding the contents, meaning or effect of the petition to a prospective signer
- **must not** offer money or any thing of value to another person to sign or not sign a petition
- **must not** sell or offer to sell signature sheets
- **may** be paid to obtain signatures on any petition, but **must not** accept compensation based on the number of signatures obtained



#### Warning

Violations of the circulator requirements may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years.

#### Petition Signer

Each petition signer must be an active registered voter and a resident of the city at the time of signing the petition or the person's signature will not be counted.

Signing a petition and filling out a voter registration card, or updating their voter registration information at the same time, is not sufficient to make the petition signature valid unless the **completed** card is received by an elections filing officer before 5pm on the same day the petition is signed.



## Certification of Signature Sheets (OAR 165-014-0270)

While processing signature sheets submitted for verification, the city elections official verifies that each signature sheet has a sufficient circulator certification. The following criteria (as adopted in OAR 165-014-0270; see pages 52-53) are used to determine what constitutes an insufficient or sufficient circulator certification.

### Insufficient Circulator Certification

A petition sheet **will be rejected** for insufficient circulator certification for **any** of the following reasons:

- no signature whatsoever appears below the certification
- no date appears next to circulator's signature or the date is crossed out
- the date of the circulator certification is earlier than the date of the electors' signatures, unless the circulator and the only signer are the same person
- the original date is crossed out, and a new date is provided, but the circulator failed to re-sign
- any part of the original date is overwritten with a different date
- the date information is insufficient or ambiguous  
The date must be provided in month, day, year order if written in all numeric characters.
- the original signature of a circulator has been crossed out, and a different circulator's signature is inserted
- two individuals sign and date as circulator, unless the only signers and the circulators are the same people
- white-out appears on the signature or date line
- the circulator has signed using only initials, unless the circulator's use of initials as a signature is verified by exemplar
- the circulator has signed using a signature stamp, unless use of a signature stamp has been approved under ORS 246.025
- the circulator's signature is photocopied, carbon-copied, or otherwise appears on the face of the document to be a replicated and not an original signature except as provided for in ORS 250.043
- the signature, printed name, and address are all illegible

→ the signature alone is illegible, unless the circulator's use of the apparently illegible signature is verified by exemplar

→ the circulator's signature is in printed script rather than cursive script, unless the circulator's use of a printed signature is verified by exemplar

*or*

→ if for any other reason, from the face of the signature sheet, the circulator's identity cannot be determined or it otherwise cannot be determined that the circulator executed the certification after witnessing the electors' signatures

If a preliminary determination is made that a certification is insufficient, the certification signature may be verified by exemplar. For correct procedures on filing an exemplar, refer to OAR 165-014-0270 located on pages 52-53.

### Sufficient Circulator Certification

The following defects in the circulator certification **will not result in rejection** of the signature sheet:

- the circulator's signature appears on the printed name line instead of on the signature line
  - signature consists of full last name and at least the first name initial
  - the circulator has signed and dated the certification, but has not provided an address or printed name
- or*
- the circulator has re-signed and re-dated the certification and the circulator's original signature has not been crossed out

## Signature Requirements for Completed Petitions (ORS 250.305)

The number of active registered voters' signatures required to place an initiative or referendum measure on the ballot is based upon a percentage of voters registered in the city at the time the prospective petition is filed.

The signature requirements are:

- for an initiative petition, not less than **15%**
- for a referendum petition, not less than **10%**

## General Information for Petitions

Initiative and Referendum Timeline for Ballot Placement (ORS 221.230, 250.325 and 250.355)

### For a City Initiative Measure

After the city elections official has determined that the initiative has qualified for the ballot, the city elections official files the completed initiative measure with the city governing body at the body's next meeting. The governing body may either adopt or reject the initiated measure (unless the measure is required to be submitted to the voters under the city charter or state law). If the governing body rejects the measure, or city charter or state law requires an election, the initiated measure must be submitted to city electors at the next available election date which is no sooner than the 90th day after the completed initiative petition was filed with the city governing body.

### For a City Referendum Measure

After the city elections official has determined that the referendum has qualified for the ballot, the city elections official notifies the county elections official of the election.

### County Elections Official

After receiving notification from the city elections official of the impending election the county elections official issues the measure a number and assigns it to the appropriate election.

### Timeline for City Measure

Signatures are filed for verification

Signature verification must be completed no later than the 15th calendar day after signatures are submitted for verification.

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#### Initiative only

The petition is filed with the city governing body at its next meeting. The governing body must adopt measure or refer to voters within 30 days of its receipt.

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#### Initiative

The date of the election is the next available election date not sooner than the 90th day after the measure was filed with the city governing body after verification.

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#### Referendum

The date of the election is the next available election date not sooner than the 90th day after the referendum petition was filed with the city elections official.



### City Initiative Election Dates

### Last Day to File Initiative Measure with Governing Body to Qualify for this Election

March 9, 2010	December 9, 2009
May 18, 2010	February 17, 2010
September 21, 2010	June 23, 2010
November 2, 2010	August 4, 2010
March 8, 2011	December 8, 2010
May 17, 2011	February 16, 2011
September 20, 2011	June 22, 2011
November 8, 2011	August 10, 2011

## Contribution and Expenditure Reporting (ORS Chapter 260)

All local committees must file their Statement of Organization and contribution and expenditure transactions with the Secretary of State, Elections Division.

All chief petitioners must comply with ORS 260.118 regarding filing of statements of organization and contribution and expenditure transactions with the Elections Division. For detailed information regarding compliance and schedules of accounting and reporting periods refer to the *Campaign Finance Manual*.

## Conduct of Elections (ORS Chapter 254)

### County Elections Official

- 1 County elections official conducts the election.
- 2 County elections official prepares the abstract of votes and delivers them to the city elections official.

### City Elections Official

After receiving the abstract of votes from the county, the city elections official determines the result of the election.

#### **Deadline for the County Elections Official to Deliver Abstracts to the City**

The county elections official delivers the abstract of votes to the city, no later than the 20th day after the election.

#### **Deadline for the City Elections Official to Determine the Election Results**

The election results must be determined no later than the 30th day after the election.

## Definitions

As used in state election manuals, unless the context requires otherwise, the following terms mean:

### Act

A bill that has been passed by both houses of the legislature and has either been signed by the Governor, or not vetoed by the Governor within the time provided for the Governor to veto or sign the bill. A bill becomes an Act when it has been signed by the Governor or has become law without the Governor's signature.

### Appropriate Elections Filing Officer/Official

The person with whom the candidate or political committee files the appropriate forms:

- State Candidate or Measure—Elections Division, Secretary of State's Office
- County Candidate or Measure—County Elections Official
- City Candidate or Measure—City Recorder/Auditor
- District Candidate or Measure—County Elections Official. (For a district located in more than one county, the County Elections Official of the county in which the administrative office of the district is located.)

As of January 1, 2007, all state and local candidates file their Statement of Organization and contribution and expenditure transactions with the Secretary of State, Elections Division. A local candidate should check with their local jurisdiction (e.g. a city or county) as it may adopt ordinances that require a committee to also file campaign finance transactions with the local jurisdiction.

### Assembly of Electors

A gathering of registered voters in one place at one time to nominate candidates to partisan office.

### Business Days

Regular work days (calendar days excluding weekends and legal holidays as provided in ORS 187.010 and 187.020.)

### Candidate

An individual whose name is printed or expected to be printed on the ballot, an individual who campaigns for write-in votes, or an individual who collects or spends money to secure nomination or election to office at any time, even if the specific office is not indicated and the candidate's name does not appear on a ballot. "Candidate" for purposes of ORS chapter 260 does not include a candidate for precinct committee person.

### Candidate Committee

A political committee formed by an individual running for public office.

### Chief Petitioner

The individual responsible for the preparation and organization of an initiative, recall or referendum petition. No more than three persons may be designated as chief petitioners for any one initiative or referendum petition. For a recall petition, there is only one chief petitioner.

### Circulator

Any person who carries cover and signatures sheets to obtain and witness the collection of signatures.

### City Offices

The elected public offices of a city which may be voted on only by the registered voters of the city. City offices typically include a Mayor, four City Councilors, a municipal Judge and other officers the city council considers necessary for the conduct of business. (The offices may vary depending upon the city's charter and ordinances. Contact the city elections filing officer for any questions regarding city offices.)

## Definitions (cntd.)

### Committee

A political committee or a chief petitioner committee.

### Committee Director

Any person who directly and substantially participates in decision-making on behalf of a political committee concerning the solicitation or expenditure of funds and the support of or opposition to candidates or measures. The officers of a political party are considered the directors of any political party committee of that party, unless otherwise provided in the party's bylaws.

### Committee Identification Number

The six-digit number assigned to Oregon committees registered with the Elections Division.

### Completed Petition

A completed petition is either of the following:

- the prospective initiative or referendum petition where the chief petitioners have submitted 100% of the signatures required for verification
- a candidate petition containing 100% of the certified signatures necessary to obtain ballot access

### County Offices

The elected public offices of a county which may be voted on only by the registered voters of the county. County offices typically include County Commissioners, County Assessor, County Clerk, County Sheriff and County Treasurer.

The offices may vary depending upon the county's charter and ordinances. Contact the county elections filing officer for any questions regarding county offices.

### District Offices

The elected public offices of a special district (such as a school or water district) which may be voted on only by the registered voters of the special district. District offices typically include a board of directors.

The offices may vary depending upon the district's statutory requirements. Contact the county elections filing officer for any questions about district offices.

### Electoral District

An area within the state, county, city or district that is designated to be governed or represented by a particular elected public office.

### Electors

Active registered voters in the State of Oregon.

### Federal Offices

President, Vice President, United States Senator or United States Representative.

### Filing Officer

See "Appropriate Elections Filing Officer/Official."

### Initiative Petition

An initiative petition, including complete text, cover and signature sheet, which has received written approval to circulate from the filing officer but has not yet qualified for the ballot.

### Local Office or Measure

Any office or measure to be voted upon by the registered voters of a county, city or special district.

## Measure

Includes any of the following submitted to the people for their approval or rejection at an election:

- an Act or part of an Act of the Legislative Assembly
- a county, city or special district legislation
- a proposed law
- a proposition or question
- a proposed revision or amendment to the Oregon Constitution

## Measure Committee

A political committee organized exclusively to support or oppose one or more measures certified to a ballot in Oregon.

## Nonaffiliated Candidate

A candidate filing for a partisan office by Assembly of Electors or Individual Electors. A nonaffiliated candidate cannot have been a member of any political party during the last 180 days before the deadline for filing the certificate of nomination.

## Nonpartisan Office

An office for which the candidate does not run under the name of any political party. Nonpartisan offices include: Judge (Supreme Court, Court of Appeals, Tax Court, Circuit Court and County Judge who exercises judicial functions), Superintendent of Public Instruction, Commissioner of the Bureau of Labor and Industries, any elected office of a metropolitan service district under ORS chapter 268, Justice of the Peace, County Clerk, County Assessor, County Treasurer, Sheriff, District Attorney and any office designated nonpartisan by a home rule charter or ordinance. Special District offices are also nonpartisan.

## OAR

Oregon Administrative Rules.

## Open Office

An office that would normally appear on the upcoming election ballot because the term of office is complete.

## ORS

Oregon Revised Statutes.

## Partisan Office

An office for which the candidate may be nominated by a major or minor political party or as a nonaffiliated candidate.

## Person

An individual, corporation, limited liability company, labor organization, association, firm, partnership, joint stock company, club, organization or other combination of individuals having collective capacity.

## Petition Committee

A committee formed by the chief petitioners of an initiative, referendum or recall petition. A petition committee may be designated to support only one initiative, referendum, or recall petition. A petition committee is not a political committee.

## Political Committee

A combination of two or more individuals, or a person other than an individual, that has received a contribution or made an expenditure for the purpose of supporting or opposing a candidate, measure or political party. Expenditure does not include a contribution to a candidate or political committee required to report the contribution or an independent expenditure that is required to be reported. Political committee also includes an individual who solicits and receives a contribution. A chief petitioner committee is not a political committee.

## Political Party Committee

A political committee organized by a political party which has appropriately filed its organizational documents with the Secretary of State under ORS 248.007 or 248.009.

## Presidential Elector

A member of the Electoral College who, under the provisions of the United States Constitution, meets after a presidential election (in December) to select the next President and Vice President of the United States.

## Definitions (cntd.)

### Prospective Petition

- Candidate—The information and filing forms, except signatures and other identification of petition signers, required to be contained in a completed petition.
- Local (City, County, District)—The information and filing forms, except signatures and other identification of petition signers, required to be contained in a completed petition.
- Statewide—A prospective initiative or referendum petition, which has been filed and accepted by the Elections Division's office, but has not received written approval to circulate, from the Elections Division.

### Public Office

Any federal, state, county, city or district office or position, except a political party office, filled by electors.

### Recall Petition

A petition by electors to place a question on a special recall election ballot regarding whether a specified public officer should be removed from office.

### Referral

A resolution prepared by the Oregon legislature or a local governing body to place a question on the ballot for electors to decide.

### Referendum Petition

A petition by electors to approve or reject legislation adopted by the Oregon legislature or the governing body of a county, city or district.

### Registered Voter

A resident of the State of Oregon who:

- is a US citizen
- is 18 years of age or older
- is registered more than 20 calendar days before the election

### Regularly Published Publication

A publication published on a recurring basis according to a time schedule that bears no relation to an election.

### State Measure

A measure to be voted on by the registered voters of the entire state.

### State Offices

Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, Superintendent of Public Instruction, Judge (Supreme Court, Court of Appeals, Tax Court, Circuit Court and any County Judge who exercises judicial functions), State Senator, State Representative or District Attorney.

### Statewide Offices

The elected public offices of the State of Oregon which are voted on by all the registered voters of the state (Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, Superintendent of Public Instruction, Supreme Court Judge, Court of Appeals Judge and Tax Court Judge).

### Text

Actual language of proposed new constitutional, statutory, charter or ordinance amendment to be initiated or referred.

### Treasurer

A person appointed by a candidate or political committee to manage and report the contributions and expenditures of the candidate or political committee. A treasurer must perform all the duties prescribed for a candidate or political committee under ORS 260.005 and 260.035 to 260.156.

### Vacant Office

An office that has been vacated by retirement, resignation, recall or death that would not normally be printed on the upcoming ballot.

## OAR 165-014-0270 Circulator Certification

- (1) The purpose of this rule is to incorporate into administrative law previously enforced standards on what constitutes a sufficient circulator certification on Initiative, Referendum, Recall, and Candidate Nominating petitions.
- (2) A petition signature sheet will be rejected for insufficient circulator certification if:
  - (a) No signature whatsoever appears below the certification;
  - (b) No date appears next to circulator's signature or the date is crossed out;
  - (c) The date of the circulator certification is earlier than the date of the electors' signatures, unless the circulator and the only signer are the same person;
  - (d) Original date is crossed out, and a new date is provided, but the circulator failed to re-sign;
  - (e) Any part of the original date is overwritten with a different date;
  - (f) Date information is insufficient or ambiguous. Date must be provided in month, day, year order if written in all numeric characters;
  - (g) The original signature of a circulator has been crossed out, and a different circulator's signature is inserted;
  - (h) Two individuals sign and date as circulator, unless the only signers and the circulators are the same people;
  - (i) White out appears on the signature or date line;
  - (j) The circulator has signed using only initials, unless the circulator's use of initials as a signature is verified by exemplar under paragraph (5) of this rule;
  - (k) The circulator has signed using a signature stamp, unless use of a signature stamp has been approved under ORS 246.025;
  - (l) Circulator's signature is photocopied, carbon-copied, or otherwise appears on the face of the document to be a replicated and not original signature except as provided for in ORS 250.043;
  - (m) Signature, printed name, and address are all illegible;
  - (n) Signature alone is illegible, unless the circulator's use of the apparently illegible signature is verified by exemplar under paragraph (5) of this rule;
  - (o) Circulator's signature is in printed script rather than cursive script, unless the circulator's use of a printed signature is verified by exemplar under paragraph (5) of this rule;
  - (p) If for any other reason, from the face of the signature sheet, the circulator's identity cannot be determined or it otherwise cannot be determined that the circulator executed the certification after witnessing the electors' signatures.
- (3) If a petition signature sheet contains elector signatures dated both on or before the date of the circulator's effective certification and after the date of the circulator's effective certification, the signature sheet will be accepted with regard to the elector signatures dated on or before the date of the certification, but elector signatures dated after the date of the certification will not be accepted.
- (4) The following defects in the circulator certification will not result in rejection of the signature sheet:
  - (a) The circulator's signature appears on the printed name line instead of on the signature line;
  - (b) Signature consists of full last name and at least the first name initial;
  - (c) The circulator has signed and dated the certification, but has not provided an address or printed name; or
  - (d) The circulator has re-signed and re-dated the certification and the circulator's original signature has not been crossed out.



## OAR 165-014-0270 Circulator Certification

- (5) If a preliminary determination is made under paragraph (2)(j), (n) or (o) of this rule that a certification is insufficient, the certification signature may be verified by exemplar in the following manner:
- (a) If the circulator is required to be registered under ORS 250.048 Section 2 the Elections Division will compare the certification signature only to the circulator's signature supplied by the circulator on the circulator's SEL 308, Circulator Registration. If the certification signature matches the signature on the SEL 308 that was in effect at the time that the signature sheet was certified, the petition signature sheet will be accepted. If the certification signature does not match the signature on the SEL 308 that was in effect at the time that the signature sheet was certified, the petition signature sheet will be rejected for insufficient certification. A certification signature may consist at a minimum of a first name initial and full last name and still be accepted even if the signature on the circulator's most recent SEL 308 contains a full first name and full last name.
  - (b) For circulators not required to be registered under ORS 250.048, the Elections Division will compare the certification signature to the circulator's current Oregon voter registration card signature, if available. If the certification signature matches the voter registration signature, the petition signature sheet will be accepted. If the certification signature does not match the voter registration signature, the petition signature sheet will be rejected for insufficient certification.
  - (c) If the circulator is not required to be registered under ORS 250.048 and an Oregon voter registration card bearing the circulator's signature is not available as an exemplar, the Elections Division will compare the certification signature to an alternative exemplar filed with the Elections Division or retained on file by the Elections Division under section (6) of this rule. If the certification signature does not match the alternative exemplar provided or retained under section (6) and (7) of this rule, the petition signature sheet will be rejected for insufficient certification.
  - (d) If the circulator is not required to be registered under ORS 250.048 and an Oregon voter registration card bearing the circulator's signature is not available as an exemplar, and an alternative exemplar has not been filed with or retained on file by the Elections Division under section (6) and (7) of this rule, the Elections Division will notify the chief petitioner or the chief petitioner's designee by telephone and electronic mail, if available, and provide the chief petitioner or designee an opportunity to submit an alternative exemplar of the circulator's signature.
    - (A) If an alternative exemplar is requested by the Elections Division not later than the 20th day after signatures are submitted for verification, the chief petitioners or the chief petitioner's designee must provide the alternative exemplar within 2 days of notification for the alternative exemplar to be considered.
    - (B) If an alternative exemplar is requested by the Elections Division after the 20th day after signatures are submitted for verification, the chief petitioners or the chief petitioner's designee must provide the alternative exemplar within 1 day of notification for the alternative exemplar to be considered.
    - (C) The alternative exemplar must be a signature on an official government-issued document such as a driver's license or passport, and must have been executed before the date of the attempted certification of the petition signature sheet. If the certification signature matches the alternative exemplar, the petition signature sheet will be accepted. If the certification signature does not match the alternative exemplar, the petition signature sheet will be rejected for insufficient certification.
    - (D) The alternative exemplar may be physically delivered to the Elections Division or may be delivered by facsimile transmission or electronic mail. If delivered by electronic mail, the document must be reproduced in .gif or .pdf format. The alternative exemplar must be received at the office of the Secretary of State not later than 5 p.m. of the day it is due.
- (6) Chief petitioners may submit alternative exemplars of petition circulators' signatures at the same time they submit petition signature sheets for signature verification. The alternative exemplar must comply with the requirements of paragraph (5)(c) (C) of this rule. When submitting alternative exemplars, chief petitioners must provide a list of circulators for whom they are submitting alternative exemplars. If no list accompanies the alternative exemplars submitted under this section, those alternative exemplars will not be accepted or used to compare the circulator's signature to the certification. If an alternative exemplar is omitted from the list, that alternative exemplar will not be accepted or used to compare the circulator's signature to the certification. Chief petitioners may still be offered the opportunity to submit alternative exemplars under paragraph (5)(c).
- (7) Alternative exemplars received and accepted by the Elections Division under paragraphs (5) and (6) of this rule, will be retained on file for two years from the date of receipt.

Stat. Auth.: ORS 246.150, 249.008, 250.105, 250.215, 250.315, 255.175

Stats. Implemented: ORS 249.008, 249.061, 249.740, 249.865, 249.875, 250.045, 250.105, 250.215, 250.315, & 255.175

# Sample Cover Sheet

# Petition for Local Initiative or Referendum Measure Signature Sheet

Petition ID \_\_\_\_\_

**ⓘ** Some circulators for this petition are being paid. It is unlawful to sign a petition more than one time. This is a local petition. Signers of this page must be active registered voters of the jurisdiction at the time of signing.

## To the County Election Filing Officer/City Recorder (Auditor), County/City District of: \_\_\_\_\_,

We, the undersigned voters, request this measure to be submitted to the residents of the county/city/district for their approval or rejection. A full and correct copy of this measure was made available for review and I have not previously signed a petition sheet for this measure.

## Insert Caption of Ballot Title or Number of Ordinance/Resolution and Date Adopted

→ Signers must initial any changes that they or the circulator makes to their printed name, residence address or date they signed the petition.

Signature	Date Signed mm/dd/yy	Print Name	Residence Address street, city, zip code
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

## Circulator Certification This certification must be signed by the circulator!

### You should not collect any additional signatures on this sheet once you have signed and dated the certification!

I hereby certify that I witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet and I believe each person is a qualified voter in the county/city/district. (ORS 250.165, 250.265, 255.135, 198.750, 221.031) I also hereby certify that compensation I received, if any, was not based on the number of signatures obtained for this petition.

Circulator Signature	Date Signed mm/dd/yy
Printed Name of Circulator	Circulator's Address street, city, zip code

## County Elections Official Certification

I hereby certify \_\_\_\_\_ signatures on this petition are those of active registered voters in \_\_\_\_\_ County/City/District of Oregon.

## Signature of County Elections Official

Date Certified mm/dd/yy

Sheet Number

# Forms

# Filing of Candidacy for Nonpartisan Nomination

## SEL 120

rev 01/10: ORS 249.031

→ *This information is a matter of public record and may be published or reproduced.*

### Filing Information

- Secretary of State of Oregon       County Elections Official of \_\_\_\_\_ County  
 City Recorder (Auditor), City of \_\_\_\_\_

### Candidate and Party Information

- Incumbent for Office of Judge

Candidate Name	Filing for Office of
----------------	----------------------

How Name Should Appear on Ballot	District or Position Number
----------------------------------	-----------------------------

Residence Address, Street/Route

City	State	Zip Code	County of Residence
------	-------	----------	---------------------

Home Phone	Work Phone	Cellular Phone
------------	------------	----------------

Fax	Email Address	Website
-----	---------------	---------

Mailing Address where all correspondence will be sent, Street/Route

City	State	Zip Code
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### Filing Type

Filing of Candidacy by Declaration, with the Required Filing Fee (ORS 249.056)

Filing Fees:	Filing of Candidacy by Declaration (ORS 249.056)	Filing Fee State Voters' Pamphlet (ORS 251.095)	Petition Signatures Required
Statewide Offices	\$100	\$3000 <b>or</b>	500
Circuit Court Judge	\$50	\$600 <b>or</b>	300
District Attorney	\$50	\$600 <b>or</b>	300
County Judge	\$50	\$600 <b>or</b>	300
MSD Executive Officer, MSD Auditor	\$100	\$600 <b>or</b>	300
MSD Councilor	\$25	\$600 <b>or</b>	300
County Office	\$50	\$600 <b>or</b>	300
City Office	set by charter or ordinance	\$600* <b>or</b>	300
Justice of the Peace	n/a	\$600 <b>or</b>	300

*\*for cities with a population of 50,000 or more (ORS 251.005)*

- Filing of candidacy by **prospective** petition, with the required proposed signature sheet (SEL 121) and the statement one or more circulators will or will not be paid (SEL 300) (ORS 249.020)

- Filing of candidacy by **completed** petition, with the required signature sheets certified by the appropriate county elections officials (ORS 249.020, 249.064)

### 2010 Filing Dates: Primary Election May 18, 2010 and General Election November 2, 2010

	Filing for Candidacy	Filing for State Voters' Pamphlet	Withdrawing Candidacy
	First Day	First Day	
Primary Election	<b>September 10, 2009</b>	<b>September 10, 2009</b>	
General Election	<b>June 2, 2010</b>	<b>June 2, 2010</b>	
	Last Day	Last Day	Last Day
Primary Election	<b>March 9, 2010</b>	<b>March 11, 2010</b>	<b>March 12, 2010</b>
General Election	<b>August 24, 2010</b>	<b>August 24, 2010</b>	<b>August 27, 2010</b>

**Required Information** (if no relevant information, list "none")

**Occupation** present employment – paid or unpaid

**Occupational Background** previous employment – paid or unpaid

**Educational Background** schools attended, use attachment if needed

**Complete Name of School** no acronyms

**Last Grade Level Completed**

**Diploma/Degree/Certificate (AA, BA, BS, MA, PhD, etc)**

**Course of Study**  
optional

**Other:**

**Prior Governmental Experience** elected or appointed

*By signing this document, I hereby state:*

- that I will accept the nomination for office indicated
- that I will qualify for said office if elected
- that all information provided by me on this form, including my occupation, educational and occupational background, and prior governmental experience, is true to the best of my knowledge

**Check the applicable box** (not applicable to candidates for federal office – US Senate and US Representative):

- By marking this box, I certify I do not have an existing candidate's committee and I do not expect to spend more than \$350 or receive more than \$350 during each calendar year. I understand I must still keep records of all campaign transactions and if total contributions or total expenditures exceed \$350 during a calendar year, I must follow the requirements detailed in the *Campaign Finance Manual*.
- By marking this box, I certify that I have already filed or will soon file a Statement of Organization for Candidate Committee (SEL 220). For detailed instructions, see the *Campaign Finance Manual*.

**Candidate's Signature**

**Date Signed**

→ ***This information is a matter of public record and may be published or reproduced.***

**Warning**

Supplying false information on this form may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years. (ORS 260.715) A person may only file for one lucrative office at the same election. Unless the person has withdrawn from the first filing, **all** filings are invalid. (ORS 249.013(3))

**For Office Use Only**

Initials

Cash or Check Number

Candidate ID Number

Receipt Number

Office Number

Candidate Committee ID Number

# Petition for Nonpartisan Nomination Signature Sheet

Petition ID \_\_\_\_\_

**One or More**     **No**    Petition circulators will be paid (mark one)

**This is a candidate nominating petition. Signers of this page must be active registered voters in the following county:** \_\_\_\_\_

Note to Candidate: Petition signatures must be verified before the petition can be filed with the filing officer. Submit the petition in ample time for the process to be completed before 5pm on the filing deadline day.

**Candidate's Name** \_\_\_\_\_

**Office** \_\_\_\_\_

**District or Position Number** if applicable \_\_\_\_\_

**To the Secretary of State of Oregon/County Elections Official/City Recorder,** We, the undersigned voters, request the candidate's name printed above, for nomination to the office indicated, be placed upon the appropriate ballot at the next \_\_\_\_\_ election following the filing of this petition.

→ Signers must initial any changes that they or the circulator makes to their printed name, residence address or date they signed the petition

**Signature** \_\_\_\_\_ **Date Signed** mm/dd/yy    **Print Name** \_\_\_\_\_ **Residence or Mailing Address** street, city, zip code    **Precinct #** optional

**1** \_\_\_\_\_

**2** \_\_\_\_\_

**3** \_\_\_\_\_

**4** \_\_\_\_\_

**5** \_\_\_\_\_

**6** \_\_\_\_\_

**7** \_\_\_\_\_

**8** \_\_\_\_\_

**9** \_\_\_\_\_

**10** \_\_\_\_\_

## **Circulator Certification** This certification **must** be signed by the circulator!

I hereby certify that I witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet, and I believe each individual is an elector qualified to sign the petition. (ORS 249.061) I also certify that compensation I received, if any, was not based on the number of signatures obtained for this petition. **Warning!** Falsely signing this statement may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years. (ORS 260.715)

**Circulator Signature** \_\_\_\_\_

**Date Signed** mm/dd/yy \_\_\_\_\_

**Printed Name of Circulator** \_\_\_\_\_

**Circulator's Address** street, city, zip code \_\_\_\_\_

## **County Elections Official Certification**

I hereby certify \_\_\_\_\_ signatures on this petition are those of active registered voters in \_\_\_\_\_ County, Oregon.

**Signature of County Elections Official** \_\_\_\_\_

**Date Certified** mm/dd/yy \_\_\_\_\_

**Sheet Number** \_\_\_\_\_

# Withdrawal of Candidacy or Nomination

**SEL 150**rev 01/10: ORS 249.170, ORS 249.180  
ORS 249.830, ORS 255.235**Filing Information**

Secretary of State of Oregon
  County Elections Official
  City Recorder (Auditor)

**Candidate and Nomination Information**

Candidacy for Nomination
  Nomination to \_\_\_\_\_ Political Party

**Candidate Name**

**Withdrawing from Nomination for Office of** \_\_\_\_\_ **District, Position or Zone Number** if applicable

**Residence Address, Street/Route**

City	State	Zip Code	County of Residence
------	-------	----------	---------------------

Home Phone	Work Phone	Cellular Phone
------------	------------	----------------

**Mailing Address** where all correspondence will be sent, **Street/Route**

City	State	Zip Code
------	-------	----------

**Withdrawal Reason**

I submit this notice of withdrawal from candidacy or nomination to the above named office. My reason for withdrawal is:

**By signing this document, I hereby state:**

- that I withdraw my candidacy or nomination for the office stated above
- that the reasons provided for withdrawal are true to the best of my knowledge.

---

**Candidate's Signature**
**Date Signed****2010 Withdrawal Deadlines**Primary Election: **March 12, 2010**General Election: **August 27, 2010**

→ **A candidate who desires to withdraw must do so by the 67th day before the date of the Primary or General Election (ORS 249.170, 249.180, 249.830 and 255.235)**

**Warning**

Supplying false information on this form may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years. (ORS 260.715)

**For Office Use Only**


---

Initials	Candidate ID Number
----------	---------------------

---

Receipt Number	Office Number	Candidate Committee ID Number
----------------	---------------	-------------------------------



**Statement of Organization for Candidate Committee****SEL 220**rev 01/10: ORS 260.037,  
ORS 260.039, ORS 260.041

**Filing a New Committee:** This form, **along with the Campaign Account Information form (SEL 223)**, must be completed and filed within 3 business days of first receiving a contribution or making an expenditure. The "Original" box should be marked on both forms. A date stamped copy of this form, which includes the committee's identification number, will be returned to the candidate or treasurer as an acknowledgment of the filing.

→ **A candidate may have only one Candidate Committee.**

**A Candidate Who Serves as the Treasurer:** A candidate may either serve as the candidate's own treasurer or may appoint a separate treasurer. A candidate who serves as their own treasurer, does not have an existing candidate's committee and does not expect to receive or spend more than \$350 for a calendar year is not required to establish a campaign account, file a Statement of Organization or file transactions. However, if at any time the candidate exceeds \$350 in either contributions or expenditures in a calendar year, the candidate must then establish a campaign account, file a Statement of Organization and file contribution and expenditure transactions.

**Amending Information on this Form:** Any change in the information on this form must be filed **within 10 days** of the change. To notify the Elections Division of a change in information, submit this form, completed in its entirety, and mark the "Amendment" box. An amended SEL 223 should not be filed unless the information on that form also changes.

Note: Prior to discontinuing a committee must file a Notice of Intent to Discontinue, either electronically using ORESTAR, or by filing form SEL 224 with the Elections Division.

**Discontinuing:** A candidate may discontinue their committee by disclosing all transactions that achieve a zero cash balance and filing a completed SEL 220 with the "Discontinuation" box marked.

→ **Please type or print legibly in black or blue ink**

**This filing is an:**

**Original**

**Amendment**

**Discontinuation**

**Committee Information**

**Name of Committee** (if changing the committee name, please include the former name)

**Committee Address** no post office box numbers

**City**

**State**

**Zip Code**

**Campaign Phone**

**Treasurer Information**

**Name of Treasurer**

**Mr.**  **Ms.**

**Mailing Address for Committee Correspondence**

**City**

**State**

**Zip Code**

**Work Phone**

**Home Phone**

**Fax**

**Email Address** (required)

**Alternate Transaction Filer Information** (optional)

**Name of Alternate Transaction Filer** (must be someone other than the candidate or treasurer)

**Mr.**  **Ms.**

**Mailing Address for Alternate Transaction Filer**

**City**

**State**

**Zip Code**

**Email Address** (required if listing an Alternate Transaction Filer)

**Information for Correspondence Recipient Designated to Receive Notices Sent Under ORS Chapters 246-260** (optional)

**Name of Correspondence Recipient** (must be someone other than the candidate or treasurer)

**Mr.**  **Ms.**

**Mailing Address for Correspondence Recipient**

**City**

**State**

**Zip Code**

**Email Address** (required if listing a Correspondence Recipient)

**Candidate Information**

**Name of Candidate**

**Mr.**  **Ms.**

**Candidate Address** no post office box numbers

**City**

**State**

**Zip Code**

**Mailing Address for Candidate Correspondence**

**City**

**State**

**Zip Code**

**Work Phone**

**Home Phone**

**Fax**

**Email Address** (required)

**Candidate Information** continued from previous side**Occupation of Candidate**

Employer's Name

City and State of Employer

 Self-Employed Not Employed

Name of Office Sought include county, position, department or zone number, if applicable

**Candidate Election Activity** Primary 20\_\_\_\_  General 20\_\_\_\_  Other Election Date: \_\_\_\_\_**Political Party Affiliation**

Choose one if filing for a partisan office:

 Constitution Democratic Independent Libertarian Pacific Green Progressive Republican Working Families Nonaffiliated Other: \_\_\_\_\_**Other Election Activity** Supports or opposes multiple candidates and measures (if this is marked there is no requirement to name the candidates or measures.) Supports specific measures or recall

Measure number(s): \_\_\_\_\_

Candidate(s) being recalled: \_\_\_\_\_

 Opposes specific measures or recall

Measure number(s): \_\_\_\_\_

Candidate(s) being recalled: \_\_\_\_\_

**Committee Director(s)**

If the committee has more than one director, attach a list of additional directors and include all the information required on the form for each director. The candidate should not be designated as a committee director. A committee director is not required.

Name of Committee Director

Address including zip code

Phone Number

Occupation

Employer's Name

City and State of Employer

 Self-Employed Not Employed

If two or more directors of this political committee are also directors of another political committee, list the names of those directors and the name and address of the other political committee. Attach a list if necessary.

**SEL 223**

Attached Is A Campaign Account Information Form (SEL 223)

 Yes No*By signing this document I acknowledge that I am personally liable for any penalties imposed under ORS Chapter 260 and attest that the information on the form is true and correct.*

Candidate's Signature

Date Signed

Treasurer's Signature if different than candidate

Date Signed

**Important**

Both the candidate and the treasurer of a candidate committee must sign the Statement of Organization.

**For Office Use Only**

Initials

Committee ID Number

Date SEL 223 Received

Date Acknowledgment Sent

# Statement of Organization for Political Action Committee

# SEL 221

rev 01/10: ORS 260.042

**Filing a New Committee:** This form, **along with the Campaign Account Information form (SEL 223)**, must be completed and filed within 3 business days of first receiving a contribution or making an expenditure. The "Original" box should be marked on both forms. A date stamped copy of this form, which includes the committee's identification number, will be returned to the treasurer as an acknowledgment of the filing.

**Committee Directors:** All political action committees must designate at least one committee director who is not the treasurer. The treasurer may be a committee director if the treasurer meets the definition of "committee director" in ORS 260.005(2), but the treasurer may not be the only committee director. If a committee has more than two directors, attach a list of additional directors and include all the information required on the form for each director.

**Amending Information on this Form:** Any change in the information on this form must be filed **within 10 days** of the change. To notify the Elections Division of a change in information, submit this form, completed in its entirety, and mark the "Amendment" box. An amended SEL 223 should not be filed unless the information on that form also changes.

Note: Prior to discontinuing a committee must file a Notice of Intent to Discontinue, either electronically using ORESTAR, or by filing form SEL 224 with the Elections Division.

**Discontinuing:** A committee may discontinue by disclosing all transactions that achieve a zero cash balance and filing a completed SEL 221 with the "Discontinuation" box marked.

→ **Please type or print legibly in black or blue ink**

This filing is an:  **Original**  **Amendment**  **Discontinuation**

### Committee Information

<b>Name of Committee</b> (if changing the committee name, please include the former name)	<b>Abbreviation or Acronym</b>
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<b>Committee Address</b> no post office box numbers	<b>City</b>	<b>State</b>	<b>Zip Code</b>
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**Campaign Phone**

### Treasurer Information

**Name of Treasurer**

Mr.  Ms.

<b>Mailing Address for Committee Correspondence</b>	<b>City</b>	<b>State</b>	<b>Zip Code</b>
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<b>Work Phone</b>	<b>Home Phone</b>	<b>Fax</b>	<b>Email Address</b> (required)
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### Alternate Transaction Filer Information (optional)

**Name of Alternate Transaction Filer** (must be someone other than the treasurer)

Mr.  Ms./Mrs.

<b>Mailing Address for Alternate Transaction Filer</b>	<b>City</b>	<b>State</b>	<b>Zip Code</b>
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**Email Address** (required if listing an Alternate Transaction Filer)

### Information for Correspondence Recipient Designated to Receive Notices Sent Under ORS Chapters 246-260 (optional)

**Name of Correspondence Recipient** (must be someone other than the treasurer)

Mr.  Ms.

<b>Mailing Address for Correspondence Recipient</b>	<b>City</b>	<b>State</b>	<b>Zip Code</b>
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**Email Address** (required if listing a Correspondence Recipient)

### Type of Political Action Committee select only one

- |   |   |  |   |  |
|---|---|--|---|--|
| <input type="radio"/> <b>Caucus Committee</b> | <input type="radio"/> <b>Recall Committee</b> | <input type="radio"/> <b>Measure</b><br>→ Exclusively support or oppose one or more measures on a ballot | <input type="radio"/> <b>Political Party</b><br>→ A major or minor party defined in ORS Chapter 248<br>→ A committee established by a major or minor party under party bylaws | <input type="radio"/> <b>Miscellaneous</b><br>Support or oppose one or more of the following:<br>→ Specific candidates<br>→ Entire ticket of a political party<br>→ Candidate in a recall election<br>→ Multiple candidates and measures |
|---|---|--|---|--|

**Election Activity**

Primary 20 \_\_\_\_  General 20 \_\_\_\_  Other Election Date: \_\_\_\_\_

**Political Party Name/Title or Number of Measure/Recall Candidate's Name**

Support  Oppose

Support  Oppose

Support  Oppose

**Nature of Political Action Committee****Committee Information**

**Is this committee a controlled committee?**  Yes  No

If yes, identify the candidate who controls the committee:

**Is this committee a slate mailer organization?**  Yes  No

**Committee Director(s)**

If the committee has more than two directors, attach a list of additional directors and include all the information required on the form for each director.

<b>1</b> Name of Committee Director	Address including zip code	
Phone Number	Occupation	
Employer's Name	City and State of Employer	<input type="radio"/> Self-Employed <input type="radio"/> Not Employed

<b>2</b> Name of Committee Director	Address including zip code	
Phone Number	Occupation	
Employer's Name	City and State of Employer	<input type="radio"/> Self-Employed <input type="radio"/> Not Employed

If two or more directors of this political committee are also directors of another political committee, list the names of those directors and the name and address of the other political committee.

**SEL 223**

**Attached Is A Campaign Account Information Form (SEL 223)**  Yes  No

*By signing this document I acknowledge that I am personally liable for any penalties imposed under ORS Chapter 260 and attest that the information on the form is true and correct.*

\_\_\_\_\_  
**Treasurer's Signature**

\_\_\_\_\_  
**Date Signed**

**For Office Use Only**

\_\_\_\_\_  
Initials

\_\_\_\_\_  
Committee ID Number

\_\_\_\_\_  
Date SEL 223 Received

\_\_\_\_\_  
Date Acknowledgment Sent

**Statement of Organization for Petition Committee****SEL 222**

rev 01/10: ORS 260.118

**Filing a New Committee:** This form, **along with the Campaign Account Information Form (SEL 223)**, must be completed and filed within 3 business days of first receiving a contribution or making an expenditure, and no later than the date the petition is approved for circulation. For a recall petition, it must be filed with the prospective petition. The "Original" box should be marked. A date stamped copy of this form, which includes the committee's identification number, will be returned to the treasurer as an acknowledgment of the filing.

**Chief Petitioners:** A petition committee must list all chief petitioners of the petition. A recall committee may only have one chief petitioner.

**Amending Information on this Form:** Any change in the information on this form must be filed **within 10 days** of the change. To notify the Elections Division of a change in information, submit this form, completed in its entirety, and mark the "Amendment" box.

Note: Prior to discontinuing a committee must file a Notice of Intent to Discontinue, either electronically using ORESTAR, or by filing form SEL 224 with the Elections Division.

**Discontinuing:** The treasurer may discontinue the committee by disclosing all transactions that achieve a zero cash balance and filing a completed SEL 222 with the "Discontinuation" box marked. Discontinuation of a state initiative or referendum chief petitioner committee prior to the deadline for submitting signatures for verification can occur only if the petition is withdrawn.

→ *Please type or print legibly in black or blue ink*

This filing is an:  **Original**  **Amendment**  **Discontinuation**

**Committee Information**

**Name of Committee** (if changing the committee name, please include the former name) | **Abbreviation or Acronym**

**Committee Address** no post office box numbers | **City** | **State** | **Zip Code**

**Campaign Phone****Treasurer Information**

**Name of Treasurer**

**Mr.**  **Ms./Mrs.**

**Mailing Address for Committee Correspondence** | **City** | **State** | **Zip Code**

**Work Phone** | **Home Phone** | **Fax** | **Email Address** (required)

**Alternate Transaction Filer Information** (optional)

**Name of Alternate Transaction Filer** (must be someone other than treasurer)

**Mr.**  **Ms./Mrs.**

**Mailing Address for Alternate Transaction Filer** | **City** | **State** | **Zip Code**

**Email Address** (required if listing an Alternate Transaction Filer)

**Type of Petition Committee** mark both type of petition **and** jurisdiction

Type of Petition:  **Initiative**  **Referendum**  **Recall**

Jurisdiction:  **State**  **County**  **City**  **Special District**

**Additional Information**

**Date Prospective Petition Filed (mm/dd/yy)** \*only required for local petitions

**Date of Election (mm/dd/yy)** \*only required for state petitions

**Subject or Ballot Title of Petition/Name (and Position/Office) of Public Official for Recall**

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**Chief Petitioner Information** (a recall committee may only have one Chief Petitioner)

<b>1</b> Name of Chief Petitioner	Phone Number		
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Address	City	State	Zip Code
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<b>2</b> Name of Chief Petitioner	Phone Number		
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Address	City	State	Zip Code
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<b>3</b> Name of Chief Petitioner	Phone Number		
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Address	City	State	Zip Code
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**SEL 223**

Attached Is A Campaign Account Information Form (SEL 223)  Yes  No

*By signing this document I acknowledge that I am personally liable for any penalties imposed under ORS Chapter 260 and attest that the information on the form is true and correct.*

Treasurer's Signature \_\_\_\_\_ Date Signed \_\_\_\_\_

Chief Petitioner's Signature (optional) \_\_\_\_\_ Date Signed \_\_\_\_\_

**For Office Use Only**

Initials \_\_\_\_\_ ID Number \_\_\_\_\_

Date Acknowledgment Sent \_\_\_\_\_

# Campaign Account Information

## SEL 223

rev 04/09:ORS 260.039, ORS 260.042

**Filing a New Committee:** This form, **along with the appropriate Statement of Organization form (SEL 220, 221 or 222)**, must be completed and filed within 3 business days of first receiving a contribution or making an expenditure. The "Original" box should be marked on both forms. A date stamped copy of the Statement of Organization form, which includes the committee's identification number, will be returned to the candidate or treasurer as an acknowledgment of the filing.

**Amending Information on this Form:** Any change in the information on this form must be filed **within 10 days** of the change. To notify the filing officer of a change in information, submit this form, completed in its entirety, and mark the "Amendment" box. An amended SEL 220, 221 or 222 should not be filed unless the information on that form also changes.

**Discontinuing:** A committee may discontinue by disclosing all transactions that achieve a zero cash balance by filing a completed SEL 200, 221 or 222 with the "Discontinuation" box marked. It is not necessary to submit this form when discontinuing a committee.

**Confidentiality:** A completed SEL 223 and any information it contains is exempt from public records disclosure and shall be kept confidential by the Elections Division.

→ **Please type or print legibly in black or blue ink**

This filing is an:

**Original**

**Amendment**

### Committee Information

**Name of Committee** (if changing the committee name, please include the former name)

**Name of Oregon Financial Institution**

**Account Number**

**Name of Account**

**Name of Account Holder**

**Names of Persons Who Have Signature Authority**

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*By signing this document I attest that the above information is true and correct.*

**Candidate's Signature** (for Candidate Committee only)

**Date Signed**

**Treasurer's Signature**

**Date Signed**



**Important**

The information on this form is exempt from public records disclosure and shall be kept confidential by the Elections Division

### For Office Use Only

Initials

Committee ID Number

# Statement One or More Petition Circulators Will be Paid

**SEL 301**

rev 01/10: ORS 250.045,  
ORS 250.165, ORS 255.135

**Prospective Petition** initial filing with filing officer

I/We hereby declare one or more petition circulators will be paid money or other valuable consideration for obtaining signatures of active registered voters on the attached petition. I/We understand the filing officer must be notified not later than the 10th day after I/we first have knowledge or should have had knowledge that no petition circulator will be compensated for obtaining signatures. By signing this document, I hereby state that no circulators will be compensated on this petition based on the number of signatures obtained by the circulator.

**Completed Petition** signatures submitted to filing officer

By signing this document, I hereby state that no circulators have been compensated on this petition based on the number of signatures obtained by the circulator.

### Identify Petition

Signed

Date Signed

Signed

Date Signed

Signed

Date Signed

→ **Statement must be signed by the candidate for nomination, the chief sponsor for certificate of nomination, chief sponsor for Minor political party formation petition or all chief petitioners for an initiative or referendum petition.**



**Warning**

Supplying false information on this form may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years.

# Statement No Petition Circulators Will be Paid

**SEL 301**

rev 01/10: ORS 250.045,  
ORS 250.165, ORS 255.165  
ORS 255.135

**Prospective Petition** Initial Filing with Filing Officer

I/We hereby declare no petition circulators will be paid money or other valuable consideration for obtaining signatures of active registered voters on the attached petition. I/We understand the filing officer must be notified not later than the 10th day after I/we first have knowledge or should have had knowledge that any petition circulator will be compensated for obtaining signatures. By signing this document, I hereby state that no circulators will be compensated on this petition.

**Completed Petition** Signatures Submitted to filing officer

By signing this document, I hereby state that no circulators were compensated for obtaining signatures on the attached petition.

### Identify Petition

Signed

Date Signed

Signed

Date Signed

Signed

Date Signed

→ **Statement must be signed by the candidate for nomination, the chief sponsor for certificate of nomination, the chief sponsor for Minor political party formation petition, or all chief petitioners for an initiative or referendum petition.**



**Warning**

Supplying false information on this form may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years.



# Prospective Petition for Local Measure

**SEL 370**

rev 01/10: ORS 250.045  
250.265, 250.265, 255.135

**To the County Elections Filing Officer/City Recorder (Auditor),**

We, the undersigned, request the  **District Attorney**  **City Attorney** (*choose one*) prepare a ballot title for the attached proposed measure to be submitted to the people of \_\_\_\_\_ (*name of county/city/district*).

**Type of Petition**

**Initiative Petition**                       **Referendum Petition**

**Designating Chief Petitioners**

Every petition must designate not more than three persons as chief petitioners, setting forth the name, residence address and title (if officer of sponsoring organization) of each. All chief petitioners for an initiative or referendum petition must sign this form. Please carefully read the instructions for circulators and signers on the back of this form.

**Chief Petitioner Information**

**1**

Name print

Signature

Residence Address, Street/Route

City

State

Zip Code

Mailing Address if different, Street/Route

City

State

Zip Code

Email Address and/or Website

Day Phone Number

Sponsoring Organization if any

Name print

Signature

**2**

Residence Address, Street/Route

City

State

Zip Code

Mailing Address if different, Street/Route

City

State

Zip Code

Email Address and/or Website

Day Phone Number

Sponsoring Organization if any

Name print

Signature

**3**

Residence Address, Street/Route

City

State

Zip Code

Mailing Address if different, Street/Route

City

State

Zip Code

Email Address and/or Website

Day Phone Number

Sponsoring Organization if any

# Petition for Local Initiative or Referendum Measure Signature Sheet

Petition ID \_\_\_\_\_

**ⓘ No circulators for this petition are being paid. It is unlawful to sign a petition more than one time. This is a local petition. Signers of this page must be active registered voters of the jurisdiction at the time of signing.**

**To the County Elections Filing Officer/City Recorder (Auditor), County/City/District of:**

We, the undersigned voters, request this measure to be submitted to the residents of the county/city/district for their approval or rejection. A full and correct copy of this measure was made available for review and I have not previously signed a petition sheet for this measure.

**Insert Caption of Ballot Title or Number of Ordinance/Resolution and Date Adopted**

→ Signers must initial any changes that they or the circulator makes to their printed name, residence address or date they signed the petition

**Signature**

**Date Signed** mm/dd/yy

**Print Name**

**Residence Address** street, city, zip code

**1**

**2**

**3**

**4**

**5**

**6**

**7**

**8**

**9**

**10**

**Circulator Certification** This certification **must** be signed by the circulator!

**You should not collect any additional signatures on this sheet once you have signed and dated the certification!**

I hereby certify that I witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet, and I believe each person is a qualified voter in the county/city/district. (ORS 250.165, 250.265, 198.750, 221.031) I also hereby certify that I have received no compensation for these signatures.

**Circulator Signature**

**Date Signed** mm/dd/yy

**Printed Name of Circulator**

**Circulator's Address** street, city, zip code

**County Elections Official Certification**

I hereby certify \_\_\_\_\_ signatures on this petition are those of active registered voters in \_\_\_\_\_ County/City/District of Oregon.

**Signature of County Elections Official**

**Date Certified** mm/dd/yy

**Sheet Number**

# Petition for Local Initiative or Referendum Measure Signature Sheet

Petition ID \_\_\_\_\_

**ⓘ** Some circulators for this petition are being paid. It is unlawful to sign a petition more than one time. This is a local petition. Signers of this page must be active registered voters of the jurisdiction at the time of signing.

## To the County Election Filing Officer/City Recorder (Auditor), County/City District of: \_\_\_\_\_,

We, the undersigned voters, request this measure to be submitted to the residents of the county/city/district for their approval or rejection. A full and correct copy of this measure was made available for review and I have not previously signed a petition sheet for this measure.

## Insert Caption of Ballot Title or Number of Ordinance/Resolution and Date Adopted

→ Signers must initial any changes that they or the circulator makes to their printed name, residence address or date they signed the petition.

Signature	Date Signed mm/dd/yy	Print Name	Residence Address street, city, zip code
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

## Circulator Certification This certification must be signed by the circulator!

### You should not collect any additional signatures on this sheet once you have signed and dated the certification!

I hereby certify that I witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet and I believe each person is a qualified voter in the county/city/district. (ORS 250.165, 250.265, 255.135, 198.750, 221.031) I also hereby certify that compensation I received, if any, was not based on the number of signatures obtained for this petition.

Circulator Signature	Date Signed mm/dd/yy
Printed Name of Circulator	Circulator's Address street, city, zip code

## County Elections Official Certification

I hereby certify \_\_\_\_\_ signatures on this petition are those of active registered voters in \_\_\_\_\_ County/City/District of Oregon.

## Signature of County Elections Official

Date Certified mm/dd/yy

Sheet Number

# Withdrawal of Initiative **or** Referendum **Petition**

**SEL 375**

rev 01/10:ORS 250.029

The chief petitioners of an initiative or referendum petition may withdraw the petition prior to the submission of the petition for signature verification.

### Type of Petition

Statewide

County, City or District of \_\_\_\_\_

### Petition Information

**Petition Title** caption of ballot title or title of act

**Date Prospective Petition Filed**

**Petition ID** if applicable

**Election ID** if applicable

### Withdrawal Reason

To the Secretary of State of Oregon/County Elections Official/City Recorder,  
I/we submit this notice of withdrawal for the petition named above. My/our reason for withdrawal is: optional

\_\_\_\_\_  
**Chief Petitioner Name** print

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date Signed**

\_\_\_\_\_  
**Chief Petitioner Name** print

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date Signed**

\_\_\_\_\_  
**Chief Petitioner Name** print

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date Signed**

### For Office Use Only

\_\_\_\_\_  
Initials

\_\_\_\_\_  
Petition ID

\_\_\_\_\_  
Receipt Number



# Campaign Finance Manual

*Published by*

Elections Division  
255 Capitol St NE  
Suite 501  
Salem OR 97310-0722

**phone** 503 986 1518  
**fax** 503 373 7414  
**tty** 1 800 735 2900  
**web** [www.oregonvotes.org](http://www.oregonvotes.org)



## 2010

**Secretary of State**  
Kate Brown

**Notice**

The 2010 Campaign Finance Manual and associated forms are adopted by Oregon Administrative Rule No. 165-012-0005.

---

**Office of the Secretary of State**

Kate Brown  
Secretary of State

**Elections Division**

255 Capitol St NE, Suite 501  
Salem, OR 97310-0722  
503 986 1518

Dear Oregonian,

It is with great pleasure that I provide you with the online 2010 Campaign Finance Manual. This manual is designated for use by political committees at the state and local levels, including candidates and their committees, as well as ballot measure, political party, miscellaneous committees and petition committees.

Because of new laws enacted in the 2009 Legislative Session it is extremely important that candidates and treasurers of political committees carefully read this manual so that you remain in compliance with Oregon election laws. Please remember that this manual, as with all other manuals provided by our office, are adopted by administrative rule and are binding on both the public and the Secretary of State.

Some of the changes enacted in the 2009 Legislative Session are as follows:

- Requires “petition committees” to establish a dedicated bank account and provide that information to the Elections Division;
- Requires the Secretary of State to confirm sufficiency of amended transactions after an initial notice of insufficiency is sent to a candidate or committee;
- Clarifies/creates a statute of limitation of two years for initially investigating an alleged violation of campaign finance laws maintains current statute of limitation of five years for fraudulent activity;
- Requires committees to retain campaign finance records for two-years from the date the transaction is filed; allows the Secretary of State to retain and dispose of records according to a retention schedule set by the State Archivist;
- Provides a “safe-harbor” for in-kind contributions reported by a candidate or committee if the candidate reports the contribution on time and accurately as presented by the donor, but then must later amend the transaction when new information is provided by the donor, changing the amount of the contribution or expenditure without being subject to a civil penalty;
- Eliminates requirement of detailed agent expenditures (for example, individual daily purchases of media) that can easily change outside the control of the candidate;
- Establishes a procedure for a candidate to file notice of intent to discontinue a committee. It requires the Secretary of State to review all transactions for sufficiency and notify the committee of potential violations within 90 days of notice, and allows a candidate to discontinue the committee without fear of future penalty being assessed;
- Changes maximum penalty from current \$10,000 per transaction to up to 10% of the amount of the transaction.

Please read this year’s manual carefully to find any other changes that will affect the process. The Elections Division of the Secretary of State is available to assist you with any questions or resolve any concerns you may have.

Best,



Kate Brown  
Secretary of State







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# Introduction

## Guide to Using this Manual

The 2010 Campaign Finance Manual includes information for all candidates, candidate committees, measure committees, political party committees, miscellaneous committees and petition committees about campaign finance reporting requirements. It is intended to provide committees with detailed information about the rules and requirements of campaign finance reporting. For instruction on how to file transactions electronically see the ORESTAR User's Manual.

The 2009 Legislature passed Senate Bill 783, which included changes to campaign finance reporting. The new requirements go into effect January 1, 2010. They include:

- Chief petitioner(s) of an initiative, referendum or recall petition are now required to establish a dedicated bank account and file account information with the Elections Division
- Exceptions to the requirement of reporting an account receivable and account payable
- Committees are no longer required to detail expenditures made by an agent for broadcast or newspaper advertising, or for payment to petition circulators
- Treasurers of petition committees may now file a Certificate of Limited Contributions and Expenditures
- All committees are subject to the requirement of providing documentation supporting up to 10 transactions twice in a calendar year (spot checks)
- The maximum penalty that may be imposed for a late or insufficient transaction is 10% of the amount of the transaction
- All committees are prohibited from converting excess campaign funds to any person's personal use
- All committees must file a Notice of Intent to Discontinue before filing their final transaction to achieve a zero balance
- When a committee files a Notice of Intent to Discontinue, the Elections Division shall examine each statement filed by a committee to determine if each statement filed is sufficient, and shall notify a committee if there are statements which are insufficient
- The Elections Division is required to issue a proposed penalty notice no later than two years after a violation has occurred
- Allowing a committee to amend an in-kind contribution transaction without being subject to civil penalty, with certain exceptions
- Recall petition committees are no longer required to file a contribution and expenditure report when filing a prospective petition

A local jurisdiction (e.g. a city or county) may adopt ordinances that require a committee to also file campaign finance transactions with the local jurisdiction.

Unless otherwise specified, the term "**political committee**" refers to all candidates/candidate committees, measure committees, political party committees and miscellaneous committees. The term "**petition committee**" refers to all initiative, referendum and recall committees. The term "**Elections Division**" refers to the Oregon Secretary of State's Office, Elections Division.

ORS Chapter 260, "Campaign Finance Regulation; Election Offenses," requires disclosure of contributions and expenditures related to any candidate, measure, or political party active in any election including initiative, referendum and recall petition drives.

A person who contemplates any of the following should first study the information in this manual:

- soliciting contributions or making expenditures in support of or opposition to a candidate, measure or political party
  - filing for candidacy
  - serving as a treasurer for a committee
- or*
- filing an initiative, referendum or recall petition.

"Person" is defined as an individual, corporation, limited liability company, labor organization, association, firm, partnership, joint stock company, club, organization or other combination of individuals having collective capacity.

This manual covers only campaign finance transaction requirements and related Oregon state election law. It should not be used to guide candidates or committees in federal laws and regulations, or other local jurisdictions that may have adopted their own campaign finance reporting requirements. A list of commonly-needed sources of information is provided on pages 8-9.

## Introduction (ctnd.)

The information contained in the remainder of the manual is as follows:

- **Filing a Statement of Organization/Discontinuation** explains how and when to file a Statement of Organization with the Elections Division. It also describes how to discontinue the committee. There are five parts in this section: one for candidates and their candidate committees; one for political action committees; one for petition committees, one for campaign account information and one for Notice of Intent to Discontinue.
- **Contributions and Expenditures** defines “Contributions” and “Expenditures” as those terms relate to campaign finance law.
- **Other Receipts and Disbursements** itemizes the types of receipts and disbursements that are not considered contributions or expenditures but must be reported because they affect the committee’s cash balance.
- **Disclosing And Filing Transactions** provides detailed instructions on what information a committee must collect and disclose when filing transactions.
- **Enforcement Procedures and Civil Penalties** details the enforcement procedures that apply to campaign finance reporting and outlines the penalties imposed for violations.
- **Definitions** is a glossary of terms used throughout the manual.
- An **Index** is provided to help locate information on specific topics in the manual.
- Other **Oregon Administrative Rules** affecting campaign finance.
- Reprints are provided of **Chapter 260, Oregon Revised Statutes**, which regulates campaign finance in Oregon.

For questions regarding Oregon’s campaign finance reporting requirements contact:

### Secretary of State Elections Division

255 Capitol Street NE Ste 501  
Salem OR 97310-0722

**phone** 503 986 1518  
866 673 8683  
**fax** 503 373 7414  
[www.oregonvotes.org](http://www.oregonvotes.org)

## Information Sources

### For questions regarding federal candidates or committees or federal election regulations contact:

Federal Election Commission  
999 E Street NW  
Washington DC 20463

**phone** 800 424 9530  
**fax** 202 219 8500  
[www.fec.gov](http://www.fec.gov)

### For questions regarding federal regulations on radio and television broadcasts contact:

Federal Communications Commission  
445 12th Street SW  
Washington DC 20554

**phone** 888 225 5322  
**fax** 866 418 0232  
[www.fcc.gov](http://www.fcc.gov)

### For questions regarding enforcement of Oregon’s government ethics and lobbyist registration laws contact:

Oregon Government Ethics Commission  
3218 Pringle Road SE, Ste. 220  
Salem OR 97301-3607

**phone** 503 378 5105  
**fax** 503 373 1456  
[www.gspc.state.or.us](http://www.gspc.state.or.us)

The ethics laws cover such matters as disclosure of conflicts of interest, use of public office for personal gain, and statements of economic interest. The lobby regulation laws provide guidelines and specify certain requirements for lobbyists.

### For information on Special Districts contact:

Special Districts Association of Oregon  
727 Center Street NE  
Salem OR 97301

**phone** 503 371 8667  
800 285 5461  
[www.sdao.com](http://www.sdao.com)

**For information about income tax credits for political contributions contact:**

Oregon Department of Revenue  
 Revenue Building  
 955 Center Street NE  
 Salem OR 97301

**phone** 800 356 4222  
 503 378 4988  
<https://secure.dor.state.or.us/piti/index.cfm?action=topic&id=0153>

**For questions regarding IRS reporting requirements for political committees contact:**

Internal Revenue Service

**phone** 800 829 1040  
<http://irs.gov/charities/political/index.html>

**For questions regarding applying for a raffle license or status as a nonprofit entity contact:**

Department of Justice  
 Charitable Activities Section  
 1515 SW 5th Ave Suite 410  
 Portland OR 97201

**phone** 971 673 1880  
**fax** 971 673 1882  
**email** [charitable.activities@doj.state.or.us](mailto:charitable.activities@doj.state.or.us)  
[www.doj.state.or.us/ChariGroup/index.shtml](http://www.doj.state.or.us/ChariGroup/index.shtml)

**For questions regarding political signs that are visible from state highways contact:**

Oregon Department of Transportation  
 355 Capitol Street NE  
 Salem OR 97301-3871

**phone** 888 275 6368  
**fax** 503 986 3432  
[http://arcweb.sos.state.or.us/rules/OARS\\_700/OAR\\_734/734\\_060.html](http://arcweb.sos.state.or.us/rules/OARS_700/OAR_734/734_060.html)

**For information about business regulations contact:**

Business Information Center  
 Public Service Building  
 255 Capitol Street NE Suite 151  
 Salem OR 97310-1327

**phone** 503 986 2200  
**email** [BusinessRegistry.sos@state.or.us](mailto:BusinessRegistry.sos@state.or.us)  
[www.filinginoregon.com](http://www.filinginoregon.com)

The Business Information Center is a central clearinghouse for information on compliance with business regulations, including payroll tax information, employer registration, workers' compensation and safety and health requirements. It publishes the Oregon Business Guide, a basic guide and checklist for new employers.

**For information about independent contractors and employer/employee responsibilities contact:**

Oregon Employment Department  
 Tax Section  
 875 Union Street NE  
 Salem OR 97311-0030

**phone** 503 947 1488  
**fax** 503 947 1487  
**email** [taxinfo@emp.state.or.us](mailto:taxinfo@emp.state.or.us)  
[www.oregon.gov/employ/tax](http://www.oregon.gov/employ/tax)

All campaign finance information filed with the Elections Division beginning January 1, 2007, is available in the ORESTAR searchable database at [www.oregonvotes.org](http://www.oregonvotes.org).

State candidate and political action committee campaign finance information, including Summary Statement (PC 1) totals and pdf images, including amendments (those filed for the 2004 General Election and 2006 Primary and General Elections) filed prior to 2007 are available in a searchable database [www.oregonvotes.org](http://www.oregonvotes.org) by selecting the campaign finance link. The database is searchable by committee name, committee identification number, type of committee, election or type of contribution and expenditure report. The public may also request and review the reports in the office or request copies. There is a charge for copying.

If you are unable to locate a specific report contact the Elections Division.

## Introduction (ctnd.)

### Schedule of Transaction Filing Deadlines for Candidates and Political Committees for 2010 Elections

<b>Election Date</b>	<b>Transaction Occurs</b>	<b>Due Date</b>
<b>March 9</b>	on or before December 26, 2009	30th day after date of transaction
	December 27, 2009–January 25	February 2
	January 26–March 9	7th day after date of transaction
<b>May 18</b>	on or before March 6	30th day after date of transaction
	March 7–April 5	April 13
	April 6–May 18	7th day after date of transaction
<b>September 14</b>	on or before July 3	30th day after date of transaction
	July 4–August 2	August 10
	August 3–September 14	7th day after date of transaction
<b>November 2</b>	on or before August 21	30th day after date of transaction
	August 22–September 20	September 28
	September 21–November 2	7th day after date of transaction

→ All dates are 2010 unless otherwise noted.

→ Generally, a transaction is due no later than 30 calendar days after the date of the transaction.

→ For committees active in an election\*, transactions that occur between the 42nd day before the election and Election Day are due no later than seven calendar days after the date of the transaction. Transactions that occur prior to the 42nd day before the election and have not been reported by the 43rd day before the election are due by the 35th day before the election.

→ The deadline for filing transactions is not later than 11:59pm of the day the transaction is due.

See pages 51 for the deadlines for reporting contributions received during legislative sessions.

\* Active in an election is defined as soliciting contributions or making an expenditure to support or oppose a candidate, measure or political party. This includes candidate committees that are active in an election where their name is not printed on the ballot. See page 37 for additional information about what constitutes “active” at an election.

## Schedule of Transaction Filing Deadlines for Candidates and Political Committees for 2011 Elections

<b>Election Date</b>	<b>Transaction Occurs</b>	<b>Due Date</b>
<b>March 8</b>	on or before December 25, 2010 December 26, 2010–January 24 January 25–March 8	30th day after date of transaction February 1 7th day after date of transaction
<b>May 17</b>	on or before March 5 March 6–April 4 April 5–May 17	30th day after date of transaction April 12 7th day after date of transaction
<b>September 13</b>	on or before July 2 July 3–August 1 August 2–September 13	30th day after date of transaction August 9 7th day after date of transaction
<b>November 8</b>	on or before August 27 August 28–September 26 September 27–November 8	30th day after date of transaction October 4 7th day after date of transaction

→ All dates are 2011 unless otherwise noted.

→ Generally, a transaction is due no later than 30 calendar days after the date of the transaction.

→ For committees active in an election\*, transactions that occur between the 42nd day before the election and Election Day are due no later than seven calendar days after the date of the transaction. Transactions that occur prior to the 42nd day before the election and have not been reported by the 43rd day before the election are due by the 35th day before the election.

→ The deadline for filing transactions is not later than 11:59pm of the day the transaction is due.

See pages 51 for the deadlines for reporting contributions received during legislative sessions.

\* Active in an election is defined as soliciting contributions or making an expenditure to support or oppose a candidate, measure or political party. This includes candidate committees that are active in an election where their name is not printed on the ballot. See page 37 for additional information about what constitutes “active” at an election.



## Introduction (ctnd.)

### Schedule of Transaction Filing Deadlines for all (State and Local) Initiative Petition Committees for Calendar Year 2010

<b>Election Date</b>	<b>Transaction Occurs</b>	<b>Due Date</b>
<b>May 18, Primary Election</b>	on or before March 6	30th day after date of transaction
	March 7-April 5	April 13
	April 6-May 18	7th day after date of transaction
<b>July 2</b>	May 19-May 20	May 28
	May 21 - July 2	7th day after date of transaction
<b>November 2, General Election</b>	July 3 - August 21	30th day after date of transaction
	August 22 - September 20	September 28
	September 21 - November 2	7th day after date of transaction
	November 3 - December 31	30th day after date of transaction

→ All dates are 2010 unless otherwise noted.

See page 38 for transaction deadline information for initiative petition committees.

### Schedule of Transaction Filing Deadlines for all (State and Local) Initiative Petition Committees for Calendar Year 2011

<b>Transaction Occurs</b>	<b>Due Date</b>
January 1, 2011 - December 31, 2011	30th day after date of transaction

→ The deadline for filing transactions is not later than 11:59pm the day the transaction is due.

See pages 38-39 for transaction deadline information for referendum and recall petition committees.

# Filing a Statement of Organization/Discontinuation

## Candidate Committees

### Registration

#### Who Must Register

Each candidate must establish a campaign account and file a Statement of Organization (SEL 220) designating a candidate committee unless the candidate meets all three of the following conditions:

- the candidate serves as the candidate's own treasurer
  - the candidate does not have an existing candidate committee
- and*
- the candidate does not expect to receive or spend more than \$350 during a calendar year

The \$350 includes personal funds spent for any campaign-related costs, such as the filing of candidacy fee and voters' pamphlet filing fee. However, if at any time during a calendar year the candidate exceeds \$350 in either contributions or expenditures, the candidate must establish a campaign account and file a Statement of Organization within **three business days**. Additionally, all contributions received and expenditures made during the calendar year must be filed electronically not later than seven calendar days after the \$350 threshold has been exceeded.

"Candidate" includes any of the following:

- an individual whose name is printed on a ballot, for whom a declaration of candidacy, nominating petition or certificate of nomination to public office has been filed, or whose name is expected to be or has been presented, with the individual's consent, for nomination or election to public office
- an individual who has solicited or received and accepted a contribution, made an expenditure, or given consent to an individual, organization, political party or political committee to solicit or receive and accept a contribution or make an expenditure on the individual's behalf to secure nomination or election to any public office at any time, whether or not the office for which the individual will seek nomination or election is known when the solicitation is made, the contribution is received and retained or the expenditure is made, and whether or not the name of the individual is printed on a ballot

*or*

- a public office holder against whom a recall petition has been completed and filed

A candidate for federal office or the office of precinct committee person does not file a Statement of Organization or file contribution and expenditure transactions with the Elections Division.

#### When to Register

Registration must occur within **three business days** of a candidate or candidate committee first receiving a contribution or making an expenditure and no later than the deadline for filing a nominating petition, declaration of candidacy or certificate of nomination.

#### How To Register

To register, a committee may file a Statement of Organization electronically using ORESTAR or complete the paper form and file it with the Elections Division either by mail, fax or hand-delivery. An original Statement of Organization consists of both of the following forms:

- Statement of Organization for Candidate Committee (SEL 220)

*and*

- Campaign Account Information (SEL 223)

Blank copies of these forms may be downloaded from the Elections Division's website at [www.oregonvotes.org](http://www.oregonvotes.org). The online forms may be completed on a computer by tabbing through the form and typing the required information. The completed forms can be printed, and must be signed and filed with the Elections Division.

#### Candidate/Treasurer Responsibilities

A candidate must establish a candidate committee and may either serve as the committee's treasurer or appoint a separate treasurer. The treasurer must be a registered voter in Oregon.

## Filing a Statement of Organization/Discontinuation (ctnd.)

### Duties

Both the candidate and treasurer are legally responsible for all of the following:

- establishing and maintaining a dedicated campaign account in an Oregon financial institution for depositing contributions and making expenditures
- signing all checks issued from the campaign account unless there are other individuals with signatory authority
- filing and amending Statements of Organization
- filing accurate and timely contribution and expenditure transactions
- signing all Statements of Organization and transaction filings

Both the candidate and designated treasurer must sign and file the Statement of Organization. Transaction filings may be signed and filed by the candidate, treasurer, or the individual designated by the candidate or treasurer as the alternate transaction filer. Signatures filed using ORESTAR are accepted electronically.

- keeping detailed financial records current to within seven days after the date of receiving a contribution or making an expenditure
- and*
- preserving records as described in “Retention of Records” on pages 41-42

The treasurer of record is legally responsible for these duties until an amended Statement of Organization is filed appointing a new treasurer.

### Liability

Both the candidate and treasurer are personally responsible for carrying out their duties and should understand those responsibilities, as well as their personal liability for failure to fulfill them. Any person designated as the alternate transaction filer is not legally responsible for any of the above duties. The candidate and treasurer are personally liable for any violations committed by the alternate transaction filer.

Oregon election law provides for civil penalties of up to 10% of the amount of each late or insufficient filing of a transaction. The candidate and treasurer are both personally liable for civil penalties imposed on a committee.

### Amending Registration Information

Whenever any of the information disclosed on the Statement of Organization (SEL 220 or 223) changes, the change must be reported within **10 calendar days** by filing amended forms with the Elections Division. It is not necessary to amend both forms unless information on both forms changes. The amendment can be filed by paper or electronically using ORESTAR.

When filing an amendment on paper, complete the entire form, not just the updated information. The amended form must be signed by both the candidate and the treasurer and supersedes all previous filings. Signatures on Statements of Organization filed using ORESTAR are accepted electronically.

An existing candidate committee must file an amended Statement of Organization no later than the date that the candidate files a nominating petition, declaration of candidacy or certificate of nomination.

### Completing the Statement of Organization

Instructions for completing each item of information on the Statement of Organization for Candidate Committee (SEL 220) appear below. Instructions for completing the Campaign Account Information form (SEL 223) begin on page 26. For instructions on filing a Statement of Organization electronically refer to the ORESTAR User’s Manual.

If any of the required information on the forms is incomplete, the Elections Division will notify the committee by phone, email or in writing of the deficiencies on the forms. The forms will not be processed or considered filed until the required information is provided.

### Type of Filing

When registering a new committee mark the Original box. When updating information on the Statement of Organization mark the Amendment box. When discontinuing the committee mark the Discontinuation box. See page 17 for campaign finance reporting requirements when discontinuing a committee.

### Name of Committee

Provide the official name of the candidate committee.

### Committee Address

Provide the street address of a residence, office, headquarters or similar location where the candidate can be located. The address must be in Oregon. **Do not use a post office box number. Do not use the home address of an individual who has obtained an exemption for their home address from disclosure as a public record.**

### Campaign Phone Number

Provide the campaign's phone number, if the campaign has one.

### Name of Treasurer

Provide the name of the designated treasurer. The treasurer must be a registered voter in Oregon. The candidate may serve as the committee's treasurer.

### Mailing Address for Committee Correspondence

Provide an address where the committee wishes to receive written correspondence from the Elections Division. This is the address the Elections Division will use until an amended Statement of Organization is filed. **Do not use the home address of an individual who has obtained an exemption for their home address from disclosure as a public record.**

### Phone and Fax Numbers

Provide work and home phone numbers for the treasurer. The work number is the number where the treasurer can be reached during normal business hours. Provide the treasurer's fax number, if the treasurer has one.

### Email Address

Provide the treasurer's email address. This is a required field.

### Name of Candidate

Provide the candidate's full name.

### Candidate Address

Provide the street address of a residence, office, headquarters or similar location where the candidate can conveniently be located. **Do not use a post office box number.**

### Mailing Address for Candidate Correspondence

Provide an address where the candidate wishes to receive written correspondence from the Elections Division. This is the address the Elections Division will use until an amended Statement of Organization is filed. **Do not use the home address of a candidate who has obtained an exemption for their home address from disclosure as a public record. This may be a PO Box.**

### Phone and Fax Numbers

Provide work and home phone numbers for the candidate. The work number is the number where the candidate can be reached during normal business hours. Provide the candidate's fax number, if the candidate has one.

### Email Address

Provide the candidate's email address. This is a required field.

### Occupation of Candidate

Provide the nature of the primary occupation of the candidate. See page 45 for requirements regarding occupation.

### Employer's Name and Address

If the candidate is employed by another person, provide the business name and address (city and state), of the employer. If the candidate is self-employed, check the "self-employed" box. If the candidate is not employed (including retired, student, etc.), check the "not employed" box.

### Designating Election Activity

Designate the specific election in which the candidate will participate. A candidate nominated at the primary election must amend the Statement of Organization to indicate participation in the general election.

### Name of Office Sought

List the office sought by the candidate. Include the county, district, position, department or zone number, if applicable.

## Filing a Statement of Organization/Discontinuation (ctnd.)

### Political Party Affiliation

Check the box that indicates the candidate's party affiliation. A candidate running for a nonpartisan office should not complete this section.

### Other Election Activity

If the candidate is active at an election in which their name **is not on the ballot** an amended statement of organization must be filed to designate the election date, and if it opposes or supports a specific measure or candidate. See page 37 for more information regarding "active at an election."

### Name of Alternate Transaction Filer

Designating an individual as the alternate transaction filer is optional.

Provide the name of the individual designated by the candidate or treasurer to file transactions. This individual may not be the candidate or treasurer.

### Mailing and Email Address for Alternate Transaction Filer

Provide the mailing and email address of the alternate transaction filer. This is required if an alternate transaction filer has been designated.

### Name of Individual Designated as Correspondence Recipient

Designating an individual as the correspondence recipient is optional.

Provide the name of the individual designated by the candidate or treasurer to receive notices and other correspondence provided by the Elections Division. This individual may not be the candidate or treasurer.

### Mailing Address of Correspondence Recipient

Provide the mailing address of the individual designated by the candidate or treasurer to receive notices and other correspondence provided by the Elections Division.

**Do not use the home address of an individual who has obtained an exemption for their home address from disclosure as a public record.**

### Email Address of Correspondence Recipient

Provide the email address of the individual designated by the candidate or treasurer to receive notices and other correspondence provided by the Elections Division. This is required if a correspondence recipient has been designated.

### Committee Directors

A candidate committee is not required to have committee directors. A committee director is, in part, any person who directly and substantially participates in decision-making on behalf of a political committee concerning the solicitation or expenditure of funds. If any individual meets the definition of director, that person must be designated as a director on the Statement of Organization for Candidate Committee. A candidate may not be designated as a director.

Provide the name, address, occupational information and phone number for each committee director. Occupational information includes both of the following:

→ the nature of the individual's primary occupation

*and*

→ the name and address (city and state) of the individual's employer.

If the individual is self-employed, check the "self-employed" box. If the individual is not employed (including retired, student, etc.), check the "not employed" box.

See page 45 for more detailed requirements regarding occupational information.

If two or more of the directors are also directors of another political committee, list the names of those directors and the name and address of the other political committee.

### Signatures of Candidate and Treasurer

The candidate must sign and date each Statement of Organization filed. In signing the Statement of Organization the candidate is attesting the candidate understands the liability assumed in being a candidate.

The treasurer, if different than the candidate, must also sign and date each Statement of Organization filed. In signing the Statement of Organization the treasurer is attesting the treasurer understands the personal liability assumed in being a committee treasurer. Signatures on Statements of Organization filed using ORESTAR are accepted electronically.

## Discontinuing

Prior to discontinuing, a committee must file a Notice of Intent to Discontinue (SEL 224) either by paper or electronically using ORESTAR. See page 27 for more information.

### Eligibility to Discontinue

A candidate committee may discontinue its registration and cease its reporting obligations if:

- the committee has filed a Notice of Intent to Discontinue and has received notice from the Elections Division it may do so
  - the committee no longer intends to receive contributions or make expenditures
- and*
- a zero balance is achieved by having no cash on hand and no outstanding debts or obligations

A committee can achieve a zero balance by disclosing all debts (loans, personal expenditures and accounts payable) as being repaid or forgiven. A balance in the committee's campaign account may be:

- used to defray any expenses incurred in connection with the candidate's duties as a public office holder
  - contributed to another committee
  - contributed to any organization described in section 170(c) of Title 26 of the Internal Revenue Code or to any charitable organization defined in ORS 128.620
- or*
- used for any other lawful purpose (except personal use)



#### Warning

Candidate committee funds may not be converted to personal use by the candidate or any other individual.

### How to Discontinue

A candidate committee may discontinue by filing both of the following:

- all remaining transactions to achieve a zero balance using ORESTAR
- and*

- filing a completed SEL 220 signed by the candidate with the Discontinuation box marked, either by paper or electronically using ORESTAR

Any committee that has filed a Certificate of Limited Contributions and Expenditures for every calendar year since its original Statement of Organization was filed is not required to file contribution and expenditure transactions to discontinue.

## Political Action Committees

### Registration

#### Who Must Register

Each political action committee must establish a campaign account and file a Statement of Organization (SEL 221).

A political action committee is any of the following:

- a combination of two or more individuals, or a person other than an individual (see definition of "person" below) that receives a contribution or makes an expenditure for the purpose of supporting or opposing a candidate, measure or political party
- A "person" is an individual, corporation, limited liability company, labor organization, association, firm, partnership, joint stock company, club, organization or other combination of individuals having collective capacity.
- an individual who solicits and receives a contribution (unless all contributions received by the individual are designated to a committee and forwarded to that committee within seven business days of receipt)

*or*

- a slate mailer organization

A group or organization (other than the chief petitioners) formed to support or oppose a petition that is not yet a measure on a ballot is not a political action committee. However, it must register when the petition qualifies for the ballot if the committee intends to support or oppose the measure. See page 40 for more information.

A person who makes a contribution to a candidate or committee that has either filed a Certificate of Limited Contributions and Expenditures or is required to disclose the contribution is not considered a political action committee.

## Filing a Statement of Organization/Discontinuation (ctnd.)

### When to Register

Registration must occur within three business days of first receiving a contribution or making an expenditure.

### How to Register

To register, a committee may file a Statement of Organization electronically using ORESTAR or complete the paper form and file it with the Elections Division by mail, fax or hand-delivery. An original Statement of Organization consists of both of the following forms:

→ Statement of Organization for Political Action Committee (SEL 221)

*and*

→ Campaign Account Information (SEL 223)

Blank copies of these forms may be downloaded from the Elections Division's website at [www.oregonvotes.org](http://www.oregonvotes.org). The online forms may be completed on a computer by tabbing through the form and typing the required information. The completed forms can then be printed, signed and filed with the Elections Division.

### Treasurer Responsibilities

A committee must designate a treasurer on the Statement of Organization. The treasurer must be a registered voter in Oregon.

### Duties

The treasurer is legally responsible for all of the following:

- establishing and maintaining a dedicated campaign account in an Oregon financial institution for depositing contributions and making expenditures
- signing all checks issued from the campaign account unless there are other individuals with signatory authority
- filing and amending Statements of Organization
- filing accurate and timely contribution and expenditure transactions
- signing all Statements of Organization and transaction filings

The treasurer must sign and file the Statement of Organization. Transaction filings may be signed and filed by the treasurer or alternate transaction filer. Signatures filed using ORESTAR are accepted electronically.

→ keeping detailed financial records current to within seven days after the date of receiving a contribution or making an expenditure

*and*

→ preserving records as described in "Retention of Records" on page 41.

The treasurer of record is responsible for these duties until an amended Statement of Organization is filed appointing a new treasurer.

### Liability

Treasurers are personally responsible for carrying out their duties and should understand those responsibilities, as well as their personal liability for failing to fulfill them. Any individual designated as the alternate transaction filer is not legally responsible for the above duties. The treasurer is liable for any violations committed by the alternate transaction filer.

Oregon election law provides for civil penalties of up to 10% of the amount of the transaction for each late or insufficient transaction. The treasurer of a committee is personally liable for civil penalties imposed on the committee.

### Directors

In order to meet the definition of political committee under ORS 260.005(18), a committee must designate at least one director, other than the treasurer, on its Statement of Organization. A committee director is any person who directly and substantially participates in decision-making on behalf of a political committee concerning the solicitation or expenditure of funds and the support of or opposition to candidates or measures. The officers of a political party shall be considered the directors of any political party committee of that part, unless otherwise provided in the party's bylaws.

Failure to provide the name and address of at least one director in addition to the treasurer will result in the rejection of a committee's Statement of Organization.

The only exception to the requirement to designate a director is in ORS 260.044(3), which requires an individual who solicits and receives a contribution to be a committee unless all contributions received by the individual are designated to a committee and forwarded to that committee within seven business days of receipt.

## Amending Registration Information

Whenever any of the information disclosed on the Statement of Organization (SEL 221 or 223) changes, the change must be reported within **10 calendar days** by filing amended forms with the Elections Division. It is not necessary to amend both forms unless information on both forms changes. The amendment can be filed either by paper or electronically using ORESTAR.

When filing an amendment on paper, complete the entire form, not just the updated information. The amended form must be signed by the treasurer. It supersedes all previous filings. Signatures on Statements of Organization filed using ORESTAR are accepted electronically.

## Completing the Statement of Organization

Instructions for completing each item of information on the Statement of Organization for Political Action Committee (SEL 221) appear below. Instructions for completing the Campaign Account Information form (SEL 223) begin on page 25. For instructions on filing a Statement of Organization electronically refer to the ORESTAR User's Manual.

If any of the required information on the forms is incomplete, the Elections Division will notify the committee by phone, email or in writing of the deficiencies. The forms will not be processed or considered filed until the required information is provided.

## Type of Filing

When registering a new committee mark the Original box. When updating information on the Statement of Organization mark the Amendment box. When discontinuing the committee mark the Discontinuation box. See page 22 for campaign finance reporting requirements when discontinuing a committee.

## Name of Committee

Provide the official name of the committee. You may also provide any abbreviated name or acronym the committee plans to use to identify itself.

## Committee Address

Provide the street address of a residence, office, headquarters or similar location where the committee or a responsible officer of the committee can be located. The address must be in Oregon. **Do not use a post office box number.**

## Campaign Phone Number

Provide the campaign's phone number, if the campaign has one.

## Name of Treasurer

Provide the name of the designated treasurer. The treasurer must be a registered voter in Oregon.

## Mailing Address for Committee Correspondence

Provide an address where the committee wishes to receive written correspondence from the Elections Division. This is the address the Elections Division will use until an amended Statement of Organization is filed.

## Phone and Fax Numbers

Provide work and home phone numbers for the treasurer. The work number is the number where the treasurer can be reached during normal business hours. Provide the treasurer's fax number if the treasurer has one.

## Email Address

Provide the treasurer's email address. This is a required field.

## Name of Alternate Transaction Filer

Designating an individual as the alternate transaction filer is optional.

Provide the name of the individual designated by the treasurer to file transactions. This individual may not be the treasurer.



## Filing a Statement of Organization/Discontinuation (ctnd.)

### Mailing and Email Address for Alternate Transaction Filer

Provide the mailing and email address of the alternate transaction filer. This is required if an alternate transaction filer has been designated.

### Name of Individual Designated as Correspondence Recipient

Designating an individual as the correspondence recipient is optional.

Provide the name of the individual designated by the treasurer to receive notices and other correspondence provided by the Elections Division. This individual may not be the treasurer.

### Mailing Address of Correspondence Recipient

Provide the mailing address of the individual designated by the treasurer to receive notices and other correspondence provided by the Elections Division.

### Email Address of Correspondence Recipient

This is required if a correspondence recipient is designated.

Provide the email address of the individual designated by the treasurer to receive notices and other correspondence provided by the Elections Division.

### Type of Political Action Committee

Identify the type of committee.

A “**miscellaneous committee**” is a committee that supports or opposes one or more of the following:

- specific candidates
- entire ticket of a political party
- or*
- multiple candidates and measures

A “**measure committee**” is a committee that exclusively supports or opposes one or more measures that are **certified to the ballot**. A measure committee spends or receives monies only to support or oppose one or more measures. A measure committee **must not** contribute money to candidates, miscellaneous committees, political parties, caucus committees, recall committees or fund independent expenditures in support of or in opposition to candidates. If a measure committee wishes to make such expenditures, it must amend its Statement of Organization to become a miscellaneous committee.

A “**political party committee**” is a major or minor political party qualified under ORS Chapter 248 or a committee established by a major or minor party under party bylaws (e.g., county central committees).

A “**caucus committee**” is a committee affiliated with either chamber of the Legislative Assembly.

A “**recall committee**” is a committee supporting or opposing a person subject to a recall election. A recall committee cannot be formed until a recall election is certified to the ballot.

### Designating Election Activity

If the committee is supporting or opposing a measure or recall, designate the specific election in which the committee will participate. Otherwise, leave blank.

### Political Party Name/Title or Number of Measure/Recall Candidate’s Name

List the name of the recall candidate (and the candidate’s office), party or measure the committee intends to support or oppose. For a recall committee, “support” means the committee supports the recall of the candidate and “oppose” means the committee opposes the recall of the candidate.

### Nature of Political Action Committee

Provide a description of the general nature of the committee. For example, “support all candidates and measures advocating health care for all.”

## Controlled Committee

A “**controlled committee**” is a political committee that, in connection with the making of contributions or expenditures:

→ is controlled directly or indirectly by a candidate or a controlled committee

*or*

→ acts jointly with a candidate or controlled committee

A candidate **controls** a political committee if:

→ the candidate, the candidate’s agent, a member of the candidate’s immediate family or any other political committee that the candidate controls has a significant influence on the actions or decisions of the political committee

*or*

→ the candidate’s committee and the political committee both have the candidate or a member of the candidate’s immediate family as a treasurer or director

Answer yes or no to the question “Is this committee a controlled committee?” and if yes, identify the federal, state or local candidate or candidates who control the committee.

All caucus committees are controlled committees.

## Slate Mailer Organization

A “**slate mailer organization**” is any person or political committee, other than a political party committee or a legislative caucus committee, involved in the production of a mass mailing that supports or opposes three or more candidates or measures and receives, or is promised, payment for doing so.

Check yes or no for the question “Is this committee a slate mailer organization?”

Certain restrictions (including disclosures) apply to slate mailings. See ORS 260.005(23), 260.735, 260.737, and OAR 165-012-0060.

## Committee Directors

A committee director is, in part, any person who directly and substantially participates in decision-making on behalf of a political committee concerning the solicitation or expenditure of funds. A committee is required to have at least one director in addition to the treasurer. A treasurer should only be reported as a director if they meet the definition of committee director.

Provide the name, address, occupational information and phone number for each committee director. Occupational information includes both of the following:

→ the nature of the individual’s primary occupation

*and*

→ the name and address (city and state) of the individual’s employer

If the individual is self-employed, check the “self-employed” box. If the individual is not employed (including retired, student, etc.), check the “not employed” box.

See page 45 for more detailed requirements regarding occupational information.

If two or more of the directors are also directors of another committee, list the names of those directors and the name and address of the other committee.

## Treasurer’s Signature

The treasurer must sign and date each Statement of Organization filed. In signing the Statement of Organization the treasurer is attesting the treasurer understands the personal liability assumed in being a committee treasurer. Signatures on Statements of Organization filed using ORESTAR are accepted electronically.

## Filing a Statement of Organization/Discontinuation (ctnd.)

### Discontinuing

Prior to discontinuing, a committee must file a Notice of Intent to Discontinue (SEL 224) either by paper or electronically using ORESTAR. See page 27 for more information.

### Eligibility to Discontinue

A committee may discontinue its registration and cease its reporting obligations if:

- the committee has filed a Notice of Intent to Discontinue and received notice from the Elections Division it may do so
  - the committee no longer intends to receive contributions or make expenditures
- and*
- a zero balance is achieved by having no cash on hand and no outstanding debts or obligations

A committee can achieve a zero balance by disclosing all debts (loans, personal expenditures and accounts payable) as being repaid or forgiven. A balance in the committee's campaign account may be:

- contributed to another committee
  - contributed to any organization described in section 170(c) of Title 26 of the Internal Revenue Code or to any charitable organization defined in ORS 128.620
- or*
- used for any other lawful purpose (except personal use).



#### Warning

Committee funds may not be converted to personal use by any individual.

### How to Discontinue

A committee may discontinue electronically using the ORESTAR system or by filing both of the following:

- all remaining transactions to achieve a zero balance
- and*
- filing a completed SEL 221 signed by the treasurer with the discontinuation box marked, either by paper or electronically using ORESTAR

Any committee that has filed a Certificate of Limited Contributions and Expenditures for every calendar year since its original Statement of Organization was filed is not required to file contribution and expenditure transactions to discontinue.

## Petition Committees

### Registration

#### Who Must Register

Chief petitioners sponsoring an initiative, referendum or recall petition must file a Statement of Organization (SEL 222) only if they are active.

A petition committee may only be designated to support one petition, even if the petition is rejected and the chief petitioners file another petition, the chief petitioners must establish a separate petition committee for that petition.

#### When to Register

For an initiative, referendum or recall petition, registration must occur within **three business days** of first receiving a contribution or making an expenditure after filing a completed prospective petition with the appropriate filing officer, but no later than the date the petition is approved for circulation.

#### How to Register

To register, the treasurer may file a Statement of Organization electronically using ORESTAR or complete the paper form and file it with the Elections Division by mail, fax or hand-delivery. An original Statement of Organization consists of both of the following forms:

- Statement of Organization for Petition Committee (SEL 222)
- and*
- Campaign Account Information (SEL 223)

Blank copies of these forms may be downloaded from the Elections Division's website at [www.oregonvotes.org](http://www.oregonvotes.org). The online forms may be completed on a computer by tabbing through the form and typing the required information. The completed forms can then be printed, signed and filed with the Elections Division.

## Treasurer Responsibilities

A chief petitioner must designate a treasurer on the Statement of Organization. The treasurer must be a registered voter in Oregon. Only the designated treasurer may sign and file the Statement of Organization.

### Duties

The treasurer is legally responsible for all of the following:

- establishing and maintaining a dedicated campaign account in an Oregon financial institution for depositing contributions and making expenditures
- signing all checks issued from the campaign account unless there are other individuals with signatory authority
- filing and amending Statements of Organization
- filing accurate and timely contribution and expenditure transactions
- signing all Statements of Organization and transaction filings

The treasurer must sign and file the Statement of Organization. Transaction filings may be signed and filed by the treasurer or alternate transaction filer. Signatures filed using ORESTAR are accepted electronically.

- keeping detailed financial records current to within seven days after the date of receiving a contribution or making an expenditure

*and*

- preserving records as described in “Retention of Records” on page 41

The treasurer of record is responsible for these duties until an amended Statement of Organization is filed appointing a new treasurer.

### Liability

Treasurers are personally responsible for carrying out their duties and should understand those responsibilities, as well as their personal liability for failing to fulfill them. Any individual designated as the alternate transaction filer is not legally responsible for the above duties. The treasurer is liable for any violations committed by the alternate transaction filer.

Oregon election law provides for civil penalties of up to 10% of the amount of each late or insufficient transaction. The treasurer of a committee is personally liable for civil penalties imposed on the committee.

## Amending Registration Information

Whenever **any** of the information disclosed on the Statement of Organization (SEL 222 or 223) changes, the change must be reported within **10 calendar days** by filing amended forms with the Elections Division. It is not necessary to amend both forms unless information on both forms changes. The amendment can be filed either by paper or electronically using ORESTAR.

When filing an amendment on paper, complete the entire form, not just the updated information. The amended form must be signed by the treasurer. It supersedes all previous filings. Signatures on Statements of Organization filed using ORESTAR are accepted electronically.

## Completing the Statement of Organization

Instructions for completing each item of information on the Statement of Organization for Petition Committee (SEL 222) appear below. Instructions for completing the Campaign Account Information form (SEL 223) begin on page 25. For instructions on filing a Statement of Organization electronically refer to the ORESTAR User’s Manual.

If any of the required information on the forms is incomplete, the Elections Division will notify the committee by phone, email or in writing of the deficiencies. The forms will not be processed or considered filed until the required information is provided.

## Filing a Statement of Organization/Discontinuation (ctnd.)

### Type of Filing

When registering a new committee mark the Original box. When updating information on the Statement of Organization mark the Amendment box. When discontinuing the committee mark the Discontinuation box. See page 25 for campaign finance reporting requirements when discontinuing a committee.

### Name of Committee

Provide the official name of the committee. You may also provide any abbreviated name or acronym the committee plans to use to identify itself.

### Committee Address

Provide the address of a residence, office, headquarters or similar location where the committee or a responsible officer of the committee can conveniently be located. The address must be in Oregon. **Do not use a post office box number.**

### Campaign Phone Number

Provide the campaign's phone number if the campaign has one.

### Name of Treasurer

Provide the name of the designated treasurer. The treasurer must be a registered voter in Oregon.

### Mailing Address for Committee Correspondence

Provide an address where the committee wishes to receive all correspondence from the Elections Division. This is the address the Elections Division will use until an amended Statement of Organization is filed.

### Phone and Fax Numbers

Provide work and home phone numbers for the treasurer. The work number is the number where the treasurer can be reached during normal business hours. Provide the treasurer's fax number, if the treasurer has one.

### Email Address

Provide the treasurer's email address. This is a required field.

### Name of Alternate Transaction Filer

Designating an individual as the alternate transaction filer is optional.

Provide the name of the individual designated by the treasurer to file transactions. This individual may not be the treasurer.

### Mailing and Email Address for Alternate Transaction Filer

Provide the mailing and email address of the alternate transaction filer. This is required if an alternate transaction filer has been designated.

### Date Prospective Petition Filed

Provide the date the completed prospective petition is filed with the filing officer.

### Type of Petition Committee

Identify the type of petition the committee is sponsoring.

### Date of Election

A committee sponsoring a state initiative or referendum petition should identify the election the petition will appear on if it is successful.

### Subject or Ballot Title of Petition/Name of Public Official for Recall

Provide information identifying the specific petition the committee is sponsoring. For a recall also include the office holder's name, office, position number if applicable and the city or county.

### Chief Petitioners

Provide the name, address and phone number for each chief petitioner. For a recall petition there may be only one designated chief petitioner.

### Treasurer's Signature

The treasurer must sign and date each Statement of Organization filed. In signing the Statement of Organization the treasurer is attesting the treasurer understands the personal liability assumed in being a committee treasurer. Signatures on Statements of Organization using ORESTAR are accepted electronically.

## Discontinuing

Prior to discontinuing, a committee must file a Notice of Intent to Discontinue (SEL 224) either by paper or electronically using ORESTAR. See pages 27 for more information.

### Eligibility to Discontinue

A committee may discontinue its registration and cease its reporting obligations if:

- the committee has filed a Notice of Intent to Discontinue and has received notice from the Elections Division it may do so
- the committee no longer intends to receive contributions or make expenditures
- and*
- a zero balance is achieved by having no cash on hand and no outstanding debts or obligations

A committee can achieve a zero balance by disclosing all debts (loans, personal expenditures and accounts payable) as being repaid or forgiven. A balance in the committee's campaign account may be:

- contributed to any organization described in section 170(c) of Title 26 of the Internal Revenue Code or to any charitable organization defined in ORS 128.620
- or*
- used for any other lawful purpose (except personal use)



#### Warning

Committee funds may not be converted to personal use by any individual.

### How to Discontinue

A petition committee may discontinue by filing both of the following:

- all remaining transactions to achieve a zero balance using ORESTAR
- and*
- filing a completed SEL 222 signed by the treasurer with the Discontinuation box marked either by paper or electronically using ORESTAR

An initiative or referendum petition committee may discontinue if the petition is withdrawn.

Any committee that has filed a Certificate of Limited Contributions and Expenditures for every calendar year since its original Statement of Organization was filed is not required to file contribution and expenditure transactions to discontinue.

## Campaign Account Information

### General Information

All committees must establish a dedicated campaign account. The information provided on the Campaign Account Information form (SEL 223) is exempt from public disclosure.

The following rules apply to setting up and maintaining the campaign account:

- the account must be established in a financial institution located in Oregon
- the account must be maintained in the name of the committee
- all expenditures made by the committee must be drawn from the campaign account and either issued on a check signed by the candidate, treasurer or any person designated as a signatory on the account of the committee, or paid using a debit card or other form of electronic transmission. **Petty cash funds are not allowed.**
- each contribution, other than in-kind, must be deposited into the campaign account not later than seven days after the date the contribution is received
- and*
- the campaign account may not include any private monies other than contributions or other receipts received by the committee

The above rules do not prohibit a person from making an expenditure from personal funds on behalf of the committee and receiving reimbursement from the campaign account. See page 57 for reporting personal expenditures for reimbursement.

## Filing a Statement of Organization/Discontinuation (ctnd.)

### Completing the Campaign Account Information Form

Instructions for completing each item of information on form SEL 223 appear below. This form is part of the Statement of Organization and must be filed with the original Statement of Organization for the filer to be a committee. For instructions on filing the Campaign Account Information form electronically refer to the ORESTAR User's Manual.

A blank copy of this form may be downloaded from the Election's Division website at [www.oregonvotes.org](http://www.oregonvotes.org). The online form may be completed on a computer by tabbing through the form and typing the required information. The completed form can then be printed, signed and filed with the Elections Division.

If the SEL 223 is filed electronically acknowledgement is sent via email after it is approved.

### Name of Committee

Provide the official name of the committee.

### Name of Oregon Financial Institution

Provide the name of the financial institution in Oregon where the account is maintained.

### Account Number

Provide the account number.

### Name of Account

This must be identical to the official name of the committee. If the committee's name changes, the name of the account must be changed with the financial institution.

### Name of Account Holder

For a candidate committee, this is either the candidate or the name of the candidate committee. For a political or petition committee, it is either the name of the committee or the name of an affiliated organization that administers the account for the political or petition committee. If the name of a political or petition committee changes, the name of the account holder must be changed with the financial institution.

### Names of Persons Who Have Signature Authority

The candidate, if applicable, and the treasurer, must be signers on the campaign account. Other signatories may also be designated.

### Signatures of Candidate and Treasurer

The candidate, if applicable, and treasurer, must sign and date each Campaign Account Information form filed, including amendments. In signing the form the candidate, if applicable, and treasurer, are attesting the information provided is true and correct. Signatures filed using ORESTAR are accepted electronically.

### Amending Registration Information

Whenever any of the information disclosed on the Campaign Account Information form changes, the change must be reported within **10 calendar days** by filing an amended SEL 223 with the Elections Division. An amended SEL 220, 221 or 222 should not be filed unless the information on that form also changes. The amendment can be filed either by paper or electronically using ORESTAR.

When filing an amendment via paper, complete the entire form, not just the updated information. The amended form must be signed by the candidate, if applicable, and treasurer. It supersedes all previous filings.

## Discontinuing

It is not necessary to file an SEL 223 form when discontinuing a committee.

### **Notice of Intent to Discontinue**

Prior to discontinuing a committee's registration and closing the committee's dedicated bank account, the treasurer or candidate, if applicable, must file the Notice of Intent to Discontinue (form SEL 224) with the Elections Division. The notice may be filed before the committee files its final transactions to achieve a zero balance.

Not later than 90 days after form SEL 224 is filed, the Elections Division will examine each transaction filed under ORS 260.044, 260.057, 260.083, 260.102, 260.112 or 260.118 and notify the committee via email of any outstanding violations of any Oregon election law. A committee may not be discontinued or close the dedicated bank account until it receives notification from the Elections Division.

The Notice of Intent to Discontinue may be filed either:

→ electronically using ORESTAR

*or*

→ via paper by filing the SEL 224

If additional transactions are filed after the Notice of Intent to Discontinue has been filed, the Elections Division has an additional 90 days to examine the transactions and send the committee notification of any pending late or insufficient transactions associated with the additional transactions. Notification is sent via email with an attached exam letter or amendment review report. If the committee has achieved a zero balance with the filing of the additional transactions, the Elections Division will include notification that the committee may discontinue.

If the committee has filed all transactions and achieves a zero balance when form SEL 224 is filed, the committee will receive an email identifying any outstanding violations of Oregon Election Law. The email will also inform the committee that it can be discontinued.



# Contributions and Expenditures

## Contributions

This section generally describes the term “contributions” under Oregon election law. Some monies received by committees are not considered “contributions.” These are “other receipts” and are discussed on pages 33-34. Both contributions and other receipts must be reported.

For more detailed discussion on the reporting requirements for contribution transactions, see pages 42-49 and the ORESTAR User’s manual.

### Definition of Contribution

A contribution includes:

→ the payment, loan, gift, forgiving of indebtedness, or furnishing without equivalent compensation or consideration, of money, services other than personal services for which no compensation is asked or given, supplies, equipment or any other thing of value:

for the purpose of influencing an election for public office or an election on a measure, or of reducing the debt of a candidate for nomination or election to public office or the debt of a political committee

*or*

to or on behalf of a candidate, political committee or measure

*or*

→ any unfulfilled pledge, subscription, agreement or promise, whether or not legally enforceable, to make a contribution

### Warning

Contributions collected by an entity other than a committee, including connected organizations such as unions, associations or online contribution services, are considered received by the committee once the contributions are in the physical custody of the committee or are deposited in the committee’s campaign account, whichever is sooner. Each contribution must be transferred to the committee within seven business days of its collection by the other entity.

## General Contribution Information

Each contribution, other than in-kind, received by a committee must be deposited into the committee’s campaign account not later than seven days after the date the contribution is received.

### Types of Contributions

The contribution types are cash, non-exempt loans received, cosigner obligation, in-kind and account receivable pledges.

#### Cash Contributions

Includes cash, checks, or any legal instrument redeemable as currency, transmitted via physical or electronic means.

#### In-Kind

A good or service, other than money, having monetary value. The value of this contribution is based on the fair market value of the good or service. An expenditure by any person from personal funds on behalf of the candidate or committee is an in-kind contribution to the candidate or committee if the person does not expect to be reimbursed. See page 57 for reporting personal expenditures for reimbursement.

The definition of a “person” is an individual, corporation, limited liability company, labor organization, association, firm, partnership, joint stock company, club, organization or other combination of individuals having collective capacity.

#### Loans Received (Non-Exempt)

Loans received from entities other than a financial institution (including personal loans from individuals) are non-exempt loans. A loan made by or to a candidate or committee must be made by a written agreement. A non-exempt loan is a contribution until the loan is repaid in full. The terms of the loan, including the interest rate and repayment schedule, must be disclosed.

#### Cosigner Obligation

Amount of a loan for which a person agreed to be liable in a written agreement, unless the endorser or guarantor is the candidate’s spouse. This amount is a contribution until the loan is repaid in full or forgiven.

#### Accounts Receivable Pledges

Unfulfilled pledges, subscriptions, agreements or promises, whether or not legally enforceable, to make contributions.

## Prohibited Contributions

### Anonymous Contributions

No committee shall accept an anonymous contribution. If a committee cannot identify a contributor, the contribution must be donated to an organization that can accept anonymous contributions. If the committee donates the anonymous contribution to an organization that can accept anonymous contributions within seven days of receipt without being deposited into the campaign account, no reporting of the transaction is necessary.

If the committee has kept the anonymous contribution for more than seven days or has deposited it in the campaign account, the committee must disclose the receipt of the anonymous contribution as a cash contribution and report the donation of the contribution as a cash expenditure.

### Contributions in a False Name

It is a criminal offense to make a contribution relating to a candidate, measure, political committee or petition committee in the name of other than the person who provides the contribution. Likewise, it is illegal to knowingly receive such a contribution or enter or cause it to be entered in a committee's account in another name than that of the person who actually provided it. A violation of contribution in a false name is a class C felony, punishable by up to 5 years imprisonment and/or a \$125,000 fine.

### Foreign Nationals

Foreign nationals are prohibited by federal law from making political contributions to influence any candidate election. Thus, committees, other than exclusive ballot measure committees, may not accept a contribution from a foreign national.

Foreign nationals include:

- individuals with foreign citizenship
- immigrants not possessing a "green card"
- foreign governments
- foreign political parties
- foreign corporations
- foreign associations
- and*
- foreign partnerships

## Oregon Income Tax Credit

Oregon law allows an Oregon Personal Income Tax credit for political contributions. The contributor's state tax credit is the amount of the cash contribution, limited to \$100 on a joint return or \$50 on a single or separate return. For more information on tax credits for political contributions, contact the:

Oregon Department of Revenue

**phone** 503 378 4988  
800 356 4222  
<https://secure.dor.state.or.us/piti/index.cfm?action=topic&id=0153>

## Use of Internet Services

The rapid increase in the use of the internet for political activities raises a number of issues regarding campaign finance reporting.

Generally, electronic transmissions have no intrinsic monetary value. Thus, email transmissions, links to websites, or the adding of a homepage to an existing website are not considered to be in-kind contributions or independent expenditures by the transmitter or website holder.

If the effort to produce a website, or to transmit an email, even to a large list of recipients, is provided by an unpaid volunteer, and no money is spent to add hardware, software or internet access, or to acquire a list in order to undertake that activity, no reportable contribution has been made to the benefiting candidate or committee.

If, on the other hand, expenditures are undertaken to provide the service, including wages or other payment to an individual or firm, those costs are reportable in-kind contributions by the provider, or direct expenditures by the candidate or committee if the candidate or committee makes the expenditures itself.

## Expenditures

This section generally describes the term "expenditures" under Oregon election law. Some payments made by committees are not considered "expenditures." These are "other disbursements" and are discussed on pages 35-36.

## Contributions and Expenditures (ctnd.)

### Definition of Expenditure

An expenditure includes:

- payment or furnishing of money or furnishing of any other thing of value
- incurring or repayment of indebtedness or obligation by or on behalf of a candidate, committee or person in consideration for any services, supplies or equipment
- any other thing of value performed or furnished for any reason, including support of or opposition to a candidate, committee or measure
- reducing the debt of a candidate for nomination or election to public office

*or*

- contributions made by a candidate or committee to or on behalf of any other candidate or committee

An expenditure does not include:

- transfers of funds between checking and savings accounts or for investment purposes

*or*

- funds held for change at a fundraiser

These transactions are not expenditures since the funds are still part of the committee's assets.

### General Expenditure Information

All expenditures made by a committee must be drawn from the campaign account and either issued on a check signed by the candidate or treasurer of the committee, or by any other individual designated as a signer on the account, or paid using a debit card or other form of electronic transmission. This does not prohibit a person from making an expenditure on behalf of the committee and receiving reimbursement from the campaign account. See page 57 for reporting personal expenditures for reimbursement.

Committee funds may not be converted to personal use by any person.



#### Warning

A committee may not maintain a petty cash fund for making incidental expenditures as cash expenditures are prohibited under ORS 260.054.

### Types of Expenditures

The expenditure types are cash expenditures, non-exempt loan payments, personal expenditures for reimbursement and accounts payable.

#### Cash Expenditures

Expenditures that are made payable in the form of check, credit card, debit card or other electronic transmission.

#### Non-Exempt Loan Payments

A committee must itemize payments on a non-exempt loan, regardless of the amount. More detailed reporting requirements on non-exempt loan payments and the forgiving of loans is on page 57.

#### Personal Expenditures

An expenditure by a person from the person's funds, made on behalf of a committee, is considered an expenditure by the committee if the person expects to be reimbursed. The detail of the expenditure made by the person is required to be reported in addition to the transaction made to reimburse a person, for their personal expenditure.

If the person making the personal expenditure does not want reimbursement, the personal expenditure is reported as an in-kind contribution.

The definition of a "person" is an individual, corporation, limited liability company, labor organization, association, firm, partnership, joint stock company, club, organization or other combination of individuals having collective capacity.

#### Accounts Payable

An account payable is an amount owed to a creditor for the purchase of goods or services, or a pledge to make a contribution, whether or not legally enforceable. A purchase is made when the obligation is first incurred, even if an invoice is not received until a later time. The date an order for goods or services is placed is the date an obligation is first incurred. The obligation for media buys is incurred when the media time is reserved.

### Independent Expenditures

An independent expenditure is an expenditure made for a communication in support of or opposition to a clearly identified candidate or measure. An independent expenditure is not made with the cooperation or prior consent of, or in consultation with, or at the request or suggestion of, a candidate, agent or authorized committee of the candidate, or any political committee or agent of a political committee supporting or opposing a measure.

A person, other than a committee, who makes expenditures of their own funds of more than \$100 aggregate for the entire calendar year to support or oppose any candidate or measure, must file a Statement of Independent Expenditures form (PC 10) with the Elections Division. For complete instructions on reporting independent expenditures see pages 56-60. This form cannot be filed electronically using ORESTAR.

### Personal Use of a Committee's Campaign Funds

All committees are prohibited from using campaign funds for any person's personal use. Personal use means any use of a committee's funds to fulfill a personal commitment, obligation or expense of any person that would exist irrespective of the campaign or duties as a public office holder, or the duties of a person involved with a political or petition committee.

A committee's funds may be:

- used to defray any expenses incurred in connection with the candidate's duties as a public office holder
  - contributed to another committee
  - contributed to any organization described in section 170(c) of the Internal Revenue Code or to any charitable organization defined in ORS 128.620
- or*
- used for any other lawful purpose

### Prohibited Personal Use of a Committee's Campaign Funds

Examples of prohibited personal use include, but are not limited to:

- purchase of household food items or supplies
- clothing, other than items of de minimis value used in the campaign, such as t-shirts or baseball caps with campaign logos on them
- mortgage, rent or utility payments for any part of a personal residence of any individual
- mortgage, rent or utility payments for real or personal property that is owned by any individual and used for campaign purposes, to the extent the payments exceed the fair market value of the property usage
- admission to a sporting event, concert, theater or other form of entertainment, unless part of a specific campaign or office holder activity
- dues, fees or gratuities at a country club, health club, recreational facility or vacation property, unless they are part of the costs of a specific fundraising event that takes place on the club's or facility's premises
- dues to professional or civic organizations in which the membership is not integrally related to the candidate's election or duties as a public office holder or an individual's duties related to a political or petition committee
- loans made to any individual for the individual's personal use
- any judgment awarded under ORS 18.005; or any civil penalty imposed by an agency as defined in ORS 183.310; or imposed by a local government as defined in ORS 174.116
- any legal expense incurred in any civil, criminal or other legal proceeding or investigation that relates to, or arises from, the course and scope of the duties of a person as a candidate, public official, treasurer, chief petitioner or director

## Contributions and Expenditures (ctnd.)

→ salary to a person, unless the person is providing bona fide services to the committee or the candidate's public office. If the person provides bona fide services to a committee or public office holder, any salary payment in excess of the fair market value of the services provided is a prohibited personal use

*or*

→ candidates may not pay themselves a salary or otherwise compensate themselves for lost income or for professional services rendered to their committees.

The committee must be reimbursed for any committee assets (e.g., computer, furniture, etc.) converted to personal use.

### Public Office Holder Expenses

A candidate who is an office holder may use campaign funds for expenses incurred as an office holder if directly related to an office holder's official duties, including:

- telephone and pager expenses
- mileage for the office holder's personal vehicle (not exceeding current federal rate)
- purchase or lease of office equipment, supplies or automobile
- service and fuel for a leased or purchased vehicle
- room rental for public meetings
- salary or expenses associated with employees performing official business
- gifts of nominal value and donations of a nominal amount made on a significant occasion such as a holiday, graduation, marriage, retirement, or death, unless made to a member of the candidate's family

*or*

→ any other expenses incurred to perform official office holder duties

When reporting expenditures relating to vehicle usage, a claim may be made for either payment of mileage or expenses related to use of the vehicle (e.g., gas, maintenance) for committee business, but not both.

If a governmental body or any other person later reimburses a campaign for a specific expenditure made from campaign funds, or for personal expenditures made by a person, the reimbursement must be deposited to the campaign account.

Contact the Elections Division if you have a question as to whether or not a particular expenditure is considered personal use.

### Legal Expenses

Committee funds may be used for legal expenses in the following circumstances:

→ legal expenses incurred by the public official (including a candidate for public office) in connection with a legal proceeding under ORS Chapter 260, except for a legal proceeding brought under ORS 260.407 and 260.409

*or*

→ to pay for any civil penalty imposed under ORS Chapter 260, except for any penalty imposed for a violation of ORS 260.407 or 260.409

## Other Receipts and Disbursements

### Reportable Other Receipts

Transactions that are reportable other receipts include exempt loan proceeds, interest earned, items sold at fair market value, refunds of deposits or overpayments, and lost or returned checks. The following is a general discussion on what defines a “reportable other receipt.” See pages 49-50 for more detailed instruction on how to report this type of transaction.

### Exempt Loans

#### Conditions

Loans received (including a line of credit) from a financial institution are exempt if the loan meets all of the following conditions:

- bears the institution’s usual and customary interest rate for the category of loan involved
  - is made on a basis that ensures repayment (see below)
  - is evidenced by a written instrument
- and*
- is subject to a due date or amortization schedule

The terms of the loan, including the interest rate and repayment schedule, must be disclosed. If a loan fails to meet any of the above conditions, it is a non-exempt loan and is a contribution from the lending institution.

#### Methods of Ensuring Repayment

A committee may use the following traditional methods of securing the loan:

- Collateral. A loan may be secured using assets of the candidate or committee, such as real estate, personal property, cash on deposit, certificates of deposit or stocks. The fair market value of the assets must, on the date of the loan, equal or exceed the amount of the loan and any senior liens. The committee must ensure that the financial institution has established. A “perfected security interest” in the collateral (that is, has taken steps to legally protect the institution’s interest in the collateral in the event that the committee defaults on the loan)
- or*
- Guarantees or Endorsements. An endorsement or guarantee of an exempt loan is considered a contribution by the endorser or guarantor. However, if the committee is a candidate committee and the guarantor is the candidate’s spouse, it is not a contribution.

The Elections Division may, on a case-by-case basis, approve methods of ensuring repayment other than those described above. A committee should contact the Elections Division before entering into a loan agreement that relies on alternative sources of repayment.

### Interest/Investment Income

Interest earned on invested funds and dividends earned on securities is a reportable other receipt.

### Items Sold at Fair Market Value

Fair market value is the dollar amount one would expect to pay for the goods or services.

When a contributor receives goods or services in return for a portion of the contribution, such as dinner or a t-shirt, only the amount in excess of the fair market value of the item or service received is considered a contribution. The fair market value of the goods or services received is a reportable other receipt. The committee must follow this standard when it determines fair market value.

Upon request from the Elections Division, the committee may be called upon to show how it determined fair market value of any item.

See Fundraising Cautions on pages 48-49.

### Refunds and Rebates

Refunds of deposits or overpayments and rebates by vendors are reportable other receipts. Rebates to campaigns must be offered in the ordinary course of business and on the same terms and conditions as those offered to nonpolitical entities.

Refunds of deposits, refunds and rebates that meet the criteria above are other receipts. Otherwise, the rebate is considered a contribution.

### Lost or Returned Checks

When a check issued by the committee remains outstanding for an extended period of time and the committee no longer expects it to be cashed, it is reported as an other receipt. This other receipt negates the original expenditure. If a check is reissued it is reported as an expenditure.

## Other Receipts and Disbursements (ctnd.)

### Investment Loss

When a committee loses money on an investment, that loss is reported as an other disbursement, using subtype miscellaneous other disbursement.

### Miscellaneous Receipts

Payments received on loans extended to another committee or organization and other miscellaneous receipts that are not contributions.

### Non-Reportable Other Receipts

There are certain types of activities that are exempt from the definition of contribution and are not required to be reported. Non-reportable other receipts include publications, television or radio commentaries, volunteer activities, corporate/labor organization communications, receptions, certain legal and accounting services, unreimbursed travel expenses, appearances at political forums and vendor discounts on food and beverages.

### Publications and Television or Radio Commentaries

News stories, commentaries and editorials distributed through the facilities of a broadcasting station, newspaper, magazine or other periodical publication are not considered contributions unless the facility is owned by a political committee. A publication must be a periodical and be published at regular intervals and with consistent circulation.

However, if a special publication is produced and the purpose of which is to support or oppose a candidate, measure, political party, political committee or petition committee, the expenditures associated to produce the publication is either an expenditure or contribution and must be reported as an in-kind contribution unless the publication qualifies as an independent expenditure.

If the expenditures are “independent” they are reported by the publisher on the Statement of Independent Expenditures form (PC 10). This includes payment to an entity for the publication that is then inserted into another publication for dissemination to the public, either for purchase or given away free of charge.

Additionally, any expenditures made by a broadcasting station, newspaper, magazine or other periodical publication, to facilitate a debate or forum where a candidate or committee representative is invited to be a participant, are not reportable expenditures.

### Volunteer Activities

Generally, volunteer activities are non-reportable other receipts. An individual may volunteer personal services to a committee without making a contribution as long as the individual is not compensated by anyone for the services. However, if an individual provides services to a committee during paid working hours, the employer thereby makes an in-kind contribution to the committee.

Non-reportable volunteer activity does not include out-of-pocket expenses incurred by the volunteer for the production or creation of an item for which the committee would normally expend funds to purchase or produce. These out-of-pocket expenses by a volunteer are reported as in-kind contributions, or if the volunteer wants reimbursement, as a personal expenditure for reimbursement. See page 57 for reporting personal expenditures for reimbursement.

### Corporate and Labor Membership Organization Communications

Corporations, labor organizations and membership organizations may communicate with members, shareholders or employees without such activity being considered a contribution, if the labor or membership organization or corporation is not organized primarily for the purpose of influencing an election.

### Receptions

Individuals may volunteer to hold a reception or coffee for a candidate or political committee. Costs incurred by an individual who is using the individual’s own personal residence, including a community room associated with the individual’s residence, for invitations, food and beverages provided at the reception are non-reportable other receipts. However, costs incurred by any other person who co-hosts or makes expenditures for the reception are reported as in-kind contributions, or, if the volunteer wants reimbursement, as a personal expenditure for reimbursement. See Fundraising Cautions on pages 48-49.

### Legal and Accounting Services

Legal and accounting services provided without charge to a candidate or political committee are non-reportable other receipts if both of the following conditions are met:

→ the services are provided solely for the purpose of helping the campaign comply with ORS Chapter 260

*and*

→ the person paying for the service is the regular employer of the individual performing the service.

If the individual personally volunteers legal or accounting services without compensation, the above restrictions do not apply. Compensated legal and accounting services provided to a candidate or political committee to comply with other laws (employment, taxation, etc.) are reported as in-kind contributions.

### **Travel Expenses**

Unreimbursed travel expenses incurred by an individual, including a candidate, made on behalf of a candidate or political committee are non-reportable other receipts. An individual working on a candidate's or political committee's campaign (including a candidate, a paid staff member or a volunteer) may voluntarily use the individual's own funds to pay for transportation expenses without making a contribution.

However, travel services provided free of charge to a candidate or political committee by an individual who does not travel with or on behalf of a candidate or political committee, or travel services provided by any other person, other than an individual, are reported as an in-kind contribution, or if the person wants reimbursement, as a personal expenditure for reimbursement.

See page 57 for reporting personal expenditures for reimbursement.

### **Vendor Discounts on Food and Beverages**

A vendor of food or beverages may sell food or beverages to a candidate's or political committee's campaign at a discount. If the amount charged is at least equal to the vendor's cost for the food or beverage, this discount is a non-reportable other receipt. If the amount charged is less than the vendor's cost, the difference must be reported as an in-kind contribution.

## **Reportable Other Disbursements**

Transactions that are reportable other disbursements include exempt loan payments, nonpartisan activities, slate cards and sample ballots, returns or refunds of contributions, reissuing lost or returned checks, and investment loss. The following is a general discussion on what defines a "Reportable Other Disbursement." See page 58 for more detailed instruction on how to report this type of transaction.

### **Exempt Loan Payments**

A payment on the principal of an exempt loan is an other disbursement. Any interest payment on an exempt loan is a reportable expenditure.

### **Non-Partisan Activity**

Committees may conduct nonpartisan activities designed to encourage individuals to vote or to register to vote, regardless of party affiliation. Expenses incurred in conducting these activities are other disbursements.

### **Slate Cards and Sample Ballots**

A state or local political party committee may prepare and distribute a slate card, sample ballot or other printed list naming candidates for any public office. The preparation and distribution costs are not reported as expenditures by the political party committee and are not reported as contributions on behalf of any candidates listed if the list meets both of the following conditions:

→ contains the names of at least three candidates running for election to any public office within the state

*and*

→ is not distributed through public advertising such as broadcast media, newspapers, magazines or billboards

However, expenses incurred are reportable other disbursements.

### **Return or Refund of Contributions**

Contributions received by the committee and not returned or refunded to the contributor within seven days of receipt or which are deposited in the campaign account are other disbursements when they are returned or refunded.



## Other Receipts and Disbursements (ctnd.)

### Miscellaneous Disbursement

When a committee issues a replacement check for one that has been lost or returned or for insufficient funds and the original check was written prior to the implementation of ORESTAR (i.e., disclosed on a paper report), the committee reports the replacement check as a miscellaneous other disbursement. To negate the original expenditure, report the lost or returned check as an other receipt.

If the committee issues a replacement check for one that has been lost or returned or for insufficient funds and the original check was disclosed using ORESTAR, the committee reports the replacement check as a cash expenditure. To negate the original expenditure, report the lost or returned check as an other receipt and associate that transaction to the original cash expenditure.

### Non-Reportable Other Disbursements

There are certain types of transactions that are exempt from the definition of expenditure and are not required to be reported. These include investments and the return or refund of contributions within seven days of receipt.

### Transfer of Funds to Earn Interest

Transfers of funds between checking and savings accounts or for investment purposes are non-reportable other disbursements, as the funds are still part of the committee's assets.

### Return or Refund of Contributions

Contributions received by the committee and returned to the contributor within seven days of receipt without being deposited in the campaign account are non-reportable other disbursements.

# Disclosing and Filing Transactions

## General Information

This chapter discusses the requirements for filing contribution and expenditure transactions. The goal of Oregon campaign finance law is to provide full and accurate disclosure to the public in a timely manner. Reporting deadlines are set by statute and penalties may be imposed for late or insufficient reporting.

## Reporting Deadlines

### When to Report

Transactions are reported on a continuous basis with each transaction having its own filing deadline. ORESTAR will automatically calculate transaction due dates. A transaction is due no later than 11:59pm on the day of the deadline to file a transaction.

Generally, a transaction is due no later than 30 calendar days after the date of the transaction.

For committees active in an election, other than petition committees, transactions that occur between the 42nd day before the election and Election Day are due no later than seven calendar days after the date of the transaction. Transactions that occur prior to the 42nd day before the election and have not been reported by the 43rd day before the election are due by the 35th day before the election.

All committees are considered active for a primary or general election unless the committee indicates it will not be active at the election.

For a special election, a committee must amend its statement of organization to indicate that it will be active at the election.

A committee is considered active if it:

- makes an expenditure to a measure committee and the measure committee's current statement of organization indicates that it is supporting or opposing a measure at a future election
  - makes an expenditure to a candidate committee and the candidate committee's current statement of organization designates a future election
  - makes an expenditure that is identified as an in-kind contribution benefiting a candidate or measure committee, and the candidate or measure committee's current statement of organization indicates activity at a future election
- or*
- makes an expenditure and identifies it as an independent expenditure supporting or opposing a candidate or measure at a future election

Additionally, if a candidate or measure committee reports the receipt of a contribution from another committee and the candidate or measure committee's current statement of organization indicates activity at a future election, the contributing committee is considered active at the election.

### How does a committee indicate that it is active at an election?

For a primary or general election it is assumed that all committees are active. If a committee is not active and does not want to be subject to seven-day reporting, the committee must access the ELECTION ACTIVITY LOG in the committee's private workshop in ORESTAR. See the ORESTAR User's Manual for instructions on opting out of an election.

A committee active at a special election must amend its statement of organization to indicate it will be active at the election. **It is extremely important that a committee take action to amend its statement of organization so due dates for transactions are correctly calculated.**

See the Transaction Schedules on pages 10 and 11 for 2010 and 2011 Elections.

## Disclosing and Filing Transactions (ctnd.)

### Contributions Received During Legislative Session

Any contribution received during a legislative session must be filed regardless of amount, from January 1 to adjournment (Sine Die) during a regular biennial session, and during any special session of the Legislative Assembly for all legislative and statewide officials, officials-elect and candidates. For the Governor, Governor-elect or candidate for Governor, the deadline is extended to 30 business days after adjournment of a regular legislative session.

All contributions received January 1 through the day before the legislative session begins are due no later than 11:59pm of the second business day after the first day of the session. Contributions received on or after the first day of session are due no later than the second business day following the date a contribution is received. See page 51 for more information.

If a contribution is returned within two business days and is not deposited, it is not required to be reported.

#### Examples

If one contribution was received on January 1, 2011, and another on January 6, 2011, and the regular biennial session began on January 10, 2011, both transactions are due no later than 11:59pm on January 12, 2011.

If the regular biennial legislative session began on January 10, 2011, and a contribution was received on January 18, 2011, the transaction is due no later than 11:59pm on January 20, 2011.

A committee subject to these reporting requirements may not file form PC 7 for the calendar year in which there is a legislative session.

### Transaction Reporting - Initiative Petition Committees

In an even-numbered year, a transaction is due not later 11:59pm seven calendar days after the transaction's occurrence during three specific time frames:

- the 42nd day before the date of the primary election and ending on the date of the primary election
- the 42nd day before the date that is four months prior to the general election and ending on the date four months before the general election
- the 42nd day before the date of the general election and ending on the date of the general election

Otherwise, a transaction is due not later than 30 calendar days after its occurrence. All transactions must be filed electronically.

A petition committee that has a cash balance or deficit at the time of filing an original statement of organization for a petition committee must start with a zero balance and file all transactions that make up the cash balance or deficit. This includes any accounts receivable and accounts payable that are still outstanding at the time the statement of organization is filed. The deadline for filing these transactions is based on the date form SEL 222 is filed.

If the filing officer determines that a sufficient number of signatures have been submitted and the initiative qualifies to the ballot, and the petition committee intends to be active at the election, a political committee must be formed by completing a Statement of Organization for Political Action Committee form (SEL 221) and Campaign Account Information form (SEL 223).

See the Schedule of Transaction Deadlines for All Initiative Petition Committees for Calendar Year 2010 and 2011 on page 12.

### Transaction Reporting - Recall Petition Committees

Following the day after a prospective recall petition is filed, a transaction is due within seven calendar days of its occurrence beginning on the date after a completed prospective recall petition is filed with the filing officer, and ending on the deadline for submitting signatures for verification.

Beginning on the day after the deadline for submitting signatures, a transaction is due not later than the 30th calendar day after its occurrence. All transactions must be filed electronically and are due no later than 11:59pm on the deadline for filing the transaction.

A petition committee that has a cash balance or deficit at the time of filing an original statement of organization for a petition committee must start with a zero balance and file all transactions that make up the cash balance or deficit. This includes any accounts receivable and accounts payable that are still outstanding at the time the statement of organization is filed. The deadline for filing these transactions is based on the date the completed prospective recall petition is filed even if the Statement of Organization for Petition Committee form (SEL 222) is filed after the date the completed prospective recall petition is filed.

If the filing officer determines that a sufficient number of signatures have been submitted and a recall election is scheduled, and the petition committee intends to be active at the election, a recall political committee must be formed by completing and filing a Statement of Organization for Political Action Committee form (SEL 221) and Campaign Account Information form (SEL 223). If a recall political committee is formed to support the recall, a transaction is due not later than the 7th calendar day after its occurrence through the date of the election.

### **Transaction Reporting - Referendum Petition Committees**

A transaction is due within seven calendar days of its occurrence beginning on the date the treasurer is appointed and the petition committee is filed with the Elections Division, and ends on the deadline for submitting signatures for verification.

Beginning on the day after the deadline for submitting signatures, a transaction is due not later than the 30th calendar day after its occurrence. All transactions must be filed electronically and are due no later than 11:59pm on the deadline for filing the transaction.

A petition committee that has a cash balance or deficit at the time of filing an original statement of organization for a petition committee must start with a zero balance and file all transactions that make up the cash balance or deficit. This includes any accounts receivable and accounts payable that are still outstanding at the time the statement of organization is filed. The deadline for filing these transactions is based on the date the statement of organization for petition committee form SEL 222 is filed.

If the referendum qualifies to the ballot and will subsequently be voted on at an election, and the petition committee intends to be active at the election, a political committee must be formed by completing and filing a Statement of Organization for Political Action Committee form (SEL 221) and Campaign Account Information form (SEL 223).

Refer to the appropriate election date in the Schedule of Transaction Deadlines for 2010 or 2011 for Candidate and Political Committees on pages 10 and 11 for transaction reporting deadlines.

### **Reporting Forms**

Forms that are not required to be filed electronically must be typed or printed in ink. The Elections Division provides forms online at [www.oregonvotes.org](http://www.oregonvotes.org) that can be completed on a computer by tabbing through the form and typing the required information. The completed forms can then be printed, signed and filed with the Elections Division. The original form may be mailed, faxed or hand-delivered. A fax copy is acceptable as long as it is legible, in which case the original does not need to be filed.

The only exceptions to filing campaign transactions electronically is the filing of:

- a Certificate of Limited Contributions and Expenditures (PC 7)
  - a Statement of Independent Expenditures (PC 10)
  - a Statement of Corporate Paid-In-Capital (PC 12)
- or*
- an Affidavit for Out-Of State Political Committee Contribution (PC 13)

### **Certificate of Limited Contributions and Expenditures (PC 7)**

This form may be filed if the committee does not expect to receive a total of more than \$2,000 or spend a total of more than \$2,000 for an entire calendar year.

### **Statement of Independent Expenditures (PC 10)**

This form is used by a person who has made an independent expenditure for a communication that supports or opposes a candidate or measure. See page 59 for more information.

### **Statement of Corporate Paid-In-Capital (PC 12)**

A corporation must file a Statement of Corporate Paid-In-Capital when the major source of revenue for the corporation is paid-in-capital, and the primary purpose of the corporation is to support or oppose any candidate, measure or political party and the corporation has made a contribution or expenditure for that purpose. See page 60 for more information.

## Disclosing and Filing Transactions (ctnd.)

### Affidavit for Out-of-State Political Committee Contribution (PC 13)

This form is used to certify that an out-of-state political committee that made a contribution to an Oregon committee will not, to the Oregon candidate's or treasurer's best knowledge, make contributions to committees in Oregon that exceed two-thirds of all of the out-of-state committee's contributions anywhere in the country. This form must be filed only if requested by the Elections Division.

### Certificate of Limited Contributions and Expenditures (PC 7)

#### Who May File a Certificate of Limited Contributions and Expenditures

If a committee does not expect to receive a total of more than \$2,000 or spend a total of more than \$2,000 in a calendar year (e.g. January 1, 2010 – December 31, 2010), the committee may file a Certificate of Limited Contributions and Expenditures (PC 7). The committee may file the paper form PC 7, or file the certificate electronically. A committee that files a certificate is encouraged to enter its transactions into the committee's private workshop in ORESTAR so the system can assist in determining if the committee exceeds the \$2,000 threshold. A certificate must be filed prior to entering any transactions in ORESTAR.

See the ORESTAR User's Manual for filing a certificate electronically.

#### When To File a Certificate of Limited Contributions and Expenditures

A certificate must be filed not later than seven calendar days after receiving the first contribution or making the first expenditure in a calendar year. If a committee has already entered or filed transactions electronically, a certificate cannot be filed for the current year.

### What Happens if a Committee Exceeds the \$2,000 Limit of the Certificate?

A committee must continuously maintain detailed records of all contributions received and expenditures made even if it files a certificate. If at any time during the calendar year either the total contributions or total expenditures exceed \$2,000, the committee must file all transactions electronically using ORESTAR within seven calendar days after exceeding the \$2,000 threshold. All transactions received or made by the committee since January 1 of that calendar year must be reported.

### When to File Detailed Contribution and Expenditure Transactions

If a committee expects to receive a total of more than \$2,000 or spend a total of more than \$2,000 for a calendar year, the committee must file all transactions electronically. See the 2010 and 2011 Transaction Schedules on pages 10 and 11.

### When to File a Report of Initial Assets

Generally, an individual, a combination of individuals, or a person other than an individual, may not receive a contribution or make an expenditure for the purpose of supporting or opposing a candidate or measure until filing as a committee. Therefore, a newly formed committee will ordinarily have no initial assets to report.

Persons supporting or opposing petition drives, or a measure that has been referred by a governing body but the notice of measure election has not been filed with the county, are not eligible to form committees. However, a group that receives contributions or makes expenditures to support or oppose a petition drive that has qualified for the ballot may subsequently be required to file a Statement of Organization and file its transactions electronically.

A committee that has a cash balance at the time of filing an original Statement of Organization must start with a zero cash balance and file all transactions that make up the cash balance. This includes any accounts receivable that are still expected to be received and accounts payable that are still outstanding and any in-kind contributions. These transactions are considered a Report of Initial Assets. The deadline for filing the transactions is based on the date the Statement of Organization is filed. See the Schedule of Reporting Deadlines on pages 10-11.

## Filing Transactions

### Who Reports

Oregon election law requires any individual who receives a contribution or makes an expenditure supporting or opposing any candidate, measure, political party or petition committee to file contribution and expenditure transactions.

Specifically, contribution and expenditure transactions must be filed by the following:

- a candidate committee
- a political action committee
- a petition committee

A candidate who serves as the candidate's own treasurer, does not have an existing committee and does not expect to receive or spend more than \$350 for the calendar year, is not required to establish a campaign account, file a Statement of Organization or file contribution and expenditure transactions. The \$350 includes the spending of personal funds for any campaign-related costs. However, if at any time the candidate exceeds \$350 in either contributions or expenditures, the candidate must establish a campaign account, file a Statement of Organization and file contribution and expenditure transactions going back to the beginning of the calendar year.

### Where to File Reports

All Statements of Organization and contribution and expenditure transactions, must be filed with the Elections Division. A local jurisdiction (e.g. a city or county) may adopt ordinances that require a committee to also file campaign finance transactions with the local jurisdiction.

## Inspection of Transactions and Retention of Records (ORS 260.055)

### Inspection of Transactions

Accounts kept by a committee may be inspected under reasonable circumstances at any time before the election to which the accounts refer or during the period of retention by any candidate or treasurer of any committee for the same electoral contest. The right of inspection may be enforced by writ of mandamus issued by any court of competent jurisdiction. The Elections Division and other elections filing officers have no role in these requests made by candidates or committees.

### Retention of Records

Committees must preserve and retain supporting documentation for each transaction filed. Documentation for a transaction must be kept for at least two years after the date the transaction is filed. Documentation consists of:

- copies of all contribution checks, money orders, credit card and electronic transfers (including the use of on-line or web-based collection of contributions), and all documentation regarding contributors
  - copies of all correspondence relating to the campaign's activity
  - currency and coin count sheets or copies of bank deposit tickets which show cash deposits
  - original receipts and invoices for all expenditures, including personal expenditures for reimbursement
  - copies of all checks issued on the committee's dedicated campaign account, including cancelled and voided checks
  - statements and records of all investments and investment accounts held by the committee
  - payroll records and tax reports
  - electronic transaction documents
- and*
- a copy of the letter or email sent to the contributor requesting occupational information

There exceptions to the two year retention requirement are:

- bank statements must be retained for at least two years after the date the statement is issued by the financial institution
- and*
- a written loan agreement must be retained until the loan is repaid

## Disclosing and Filing Transactions (ctnd.)

In addition to the records mentioned above, the chief petitioners of any state initiative or referendum petition who compensate petition circulators, either directly or indirectly (through an agent), are also required to maintain detailed accounts. The accounts must be current within seven days.

“Accounts” is defined as:

- contracts between a chief petitioner and any person for obtaining petition signatures
- employment manual or training materials provided to petitioner circulators
- payroll records for each employed petition circulator showing hours worked, number of signatures and amount paid
- payment records detailing the amount and purpose of each payment made by the chief petitioner or any contractor to any subcontractor obtaining petition signatures *and*
- copies of signature sheets circulated by compensated petition circulators

See OAR 165-014-0100 for additional information relating to the requirement of maintaining accounts as it pertains to the chief petitioner of any initiative or referendum petition who compensates petition circulators.

### Subpoena Authority (ORS 260.218)

The Elections Division, in reviewing contribution and expenditure transactions, may issue subpoenas to compel the production of records, documents, books, papers, memoranda or other information necessary to determine the sufficiency of reports filed.

If a person fails to comply with a subpoena, a judge of the circuit court of any county shall, on application of the Elections Division, compel obedience by proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from the circuit court.

## Reporting Contributions

Each cash contribution or loan received by a committee must be deposited into the committee’s campaign account not later than seven calendar days after the date the contribution is received.

Committees using ORESTAR will enter the receipt of every contribution. The system will determine if the contribution should be itemized or included in the appropriate “\$100 miscellaneous” category and will also calculate the aggregate contributions for each contributor. A committee can “opt out” of the system calculated aggregates, but if a committee chooses to “opt out,” the committee is required to enter an aggregate amount for each contributor.

### Warning

If a committee “opts out” of the system calculated aggregates for a calendar year, it may not “opt in” until the next calendar year. If a committee chooses to opt back in to the system, it must do so prior to filing any transactions in ORESTAR for the new calendar year. See the ORESTAR User’s Manual for additional information.

A committee that “opts out” of the ORESTAR system calculated aggregates or uses software other than ORESTAR to generate transactions must ensure that the data itemizes:

- any contribution over \$100
- any contribution of \$100 or less from a contributor whose aggregate contributions to the committee have exceeded \$100 for the calendar year *and*
- any non-exempt loan received, regardless of the amount

All contributions from contributors whose aggregate has not exceeded \$100 for the calendar year must be combined and listed in the appropriate miscellaneous contributions category, based on the contribution subtype. Miscellaneous contribution categories must be calculated on a daily basis. All subtypes of contributions must be aggregated together: cash, in-kind, non-exempt loans received, co-signer obligations and account receivable pledges.

Detailed contributor information is not disclosed until the aggregate contributions from a single contributor exceeds \$100 in a calendar year.

Example of calculating aggregates when a committee is active at the May 18, 2010, Primary Election:

- 1 On January 8, 2010, individual A makes a \$50 cash contribution and at the same time makes an in-kind contribution valued at \$25, making the contributor's aggregate contributions for the calendar year \$75.  
The \$50 cash contribution must be included in "miscellaneous cash contributions \$100 and under" and the \$25 in-kind contribution must be included in "miscellaneous in-kind contributions \$100 and under" and must be filed electronically no later than February 8, 2010. (The 30th calendar day is on February 7, 2010, but because it is a Sunday the deadline is the next business day.)
- 2 On February 23, 2010, individual A makes another \$50 cash contribution, making the contributor's aggregate contributions for the calendar year \$125. This \$50 contribution transaction must be itemized (because the aggregate for the individual has exceeded \$100 in the calendar year) and must be filed electronically no later than March 25, 2010.
- 3 On April 15, 2010, individual A makes a cash pledge of \$100, making the aggregate contributions for the calendar year \$225. The \$100 contribution transaction must be itemized (because the aggregate for the individual has exceeded \$100 in the calendar year) and must be filed electronically no later than April 22, 2010.

In order to determine which contributors must be itemized, treasurers of committees must keep a detailed record of every contribution received from each contributor.

### **!** Warning

A committee cannot legally accept anonymous contributions. Passing a hat or leaving out a container for cash donations is prohibited. If a committee cannot identify a contributor, the contribution must be given to an organization that can accept anonymous donations.

If an individual or organization collects funds on behalf of a candidate or committee with the understanding that the funds are a contribution for a candidate or committee, then the contributions must be reported as being made by the individual contributors, and not the collecting individual or organization. Violations may result in criminal penalties for making contributions in a false name. Any "person" engaging in this type of activity must deliver each contribution not later than seven business days after the contribution is received.

## Review of Contributions

### Cash Contribution

A cash contribution includes cash, checks or any legal instrument redeemable as currency transmitted via physical or electronic means.

### In-Kind

An in-kind contribution is a good or service, other than money, having monetary value. The value of this contribution is based on the fair market value of the good or service.

### Loans Received (Non Exempt) and Cosigner Obligations

A non-exempt loan is generally from a source other than a financial institution. All non-exempt loans received must be itemized, regardless of the amount. A committee must obtain the name and address of the lender holding the loan and the total amount of the loan. In addition, the name and address of each person who is a cosigner or guarantor on the loan and the amount of obligation undertaken by each must be listed, unless the endorser or guarantor is the candidate's spouse. The terms of the loan, including the interest rate and repayment schedule must be disclosed. A non-exempt loan must be documented by written agreement. Outstanding loans may not be transferred to another committee.

### Account Receivable Pledges

An account receivable is an unfulfilled pledge, subscription, agreement or promise, whether or not legally enforceable, to make a contribution. When a pledge is received, it is reported in the same manner as any other contribution. The amount of an account receivable pledge is included in a contributor's aggregate. Committees must itemize any pledge of loan, regardless of the amount.

There is an exception to the requirement of reporting an account receivable pledge - if the contribution pledged by the contributor is received by the committee prior to the deadline to file the pledge, the pledge is not required to be reported and filed.



## Disclosing and Filing Transactions (ctnd.)

For example, if a committee active at the 2010 Primary Election receives a pledge of cash on April 26, 2010, and the cash contribution is received on or before May 3, 2010 (the deadline to file the transaction), the committee is not required to file the pledge. However, if the pledge is not received by May 3, 2010, the committee is required to file the pledge of cash no later than 11:59 pm, May 3, 2010.

### Disclosing Contribution Transactions

#### Date Received

The date for a cash contribution or loan received is the date the contribution or loan was received in the committee's physical custody. It is not the date the check was written, the postmark date on the envelope the contribution was received in, the date the contribution was placed in the recipient's mail delivery box or the date the contribution was deposited in the committee's campaign account.

The date for an electronic transfer is the date the contribution is credited to the committee's account.

The date for an in-kind contribution is the date the committee first has knowledge of the in-kind contribution.

The date for an account receivable pledge is the date the contribution is pledged to the committee.

The date must include the month, day and year.

A committee should not enter information in the payment method or check number fields when disclosing a contribution.



#### Warning

Oregon election law requires all accounts of contributions and expenditures to be current not later than the seventh day after the contribution is received or expenditure is made. Failure to do so may subject the committee to civil penalties.

### Address Book Types

A person type must be provided when creating an address book entry in ORESTAR .

**Business Entity:** Includes for-profit and professional corporations, cooperatives, partnerships, limited liability companies, sole proprietorships, government entity, etc.

**Candidate's Immediate Family:** Includes the candidate, the candidate's spouse and any child, parent, grandparent, brother, half-brother, sister or half-sister of the candidate and the spouses of such persons, but does not include family members of the candidate's spouse

#### An Individual

#### Labor Organization

**Other:** Includes clubs, associations, nonprofit corporations, tribal organizations, trusts, etc.

**Political Committee:** Committees filed in the State of Oregon or any other jurisdiction, including candidate committees, petition committees and political committees

**Political Party Committee:** A committee established by a major or minor political party in Oregon, including county central committees

### Contribution/Pledge Subtypes

A contribution subtype must be provided.

**Cash Contribution:** cash, checks or any legal instrument redeemable as currency, transmitted via physical or electronic means

**In-Kind:** A good or service, other than money, having monetary value. The value of this contribution is based on the fair market value of the good or service

**In-Kind/Forgiven Account Payable:** A previously reported account payable forgiven by the creditor. See the ORESTAR User's Manual for instructions on associating this type of transaction

**In-Kind/Forgiven Personal Expenditures:** A previously reported personal expenditure for reimbursement that is forgiven by the person who made the personal expenditures

**Loan Received (Non-Exempt):** A loan that is considered a contribution, generally from a source other than a financial institution

**Pledge of Cash:** A pledge of a cash contribution

**Pledge of In-Kind:** A pledge of an in-kind contribution

**Pledge of Loan (Non-Exempt):** A pledge of a nonexempt loan. The terms of the loan are not required until the loan is received by the committee

A loan from a financial institution may be exempt, and, if so, is reported as an other receipt; however, any cosigner of that loan must be reported as a contributor, unless the cosigner is the candidate’s spouse. See page 33 for more information on exempt loans.

**Name of Contributor**

Provide the full name of the contributor. Do not use acronyms in place of the full name of the contributor unless the acronym is the registered name of the contributor.

It is assumed that each check represents a contribution from one individual even if there is more than one name imprinted on the check. The person signing the check is considered the contributor unless the signer is simply the trustee of a trust, or is the accountant for, or is otherwise exercising power of attorney for, the actual contributor.

If contributors specify that one check represents two or more contributions from a jointly-held checking account (e.g., in the memo bar of the check or by separate letter), a separate record must be maintained for each contributor.

**Address of Contributor**

The address includes street number and name or post office box, city, state and zip code. For individual contributors, address means the place where the individual receives personal financial correspondence - personal residence, post office box or place of employment.

**Occupational Information**

Oregon election law requires occupational information for each individual contributor. Occupational information includes both of the following:

→ the nature of the individual’s primary occupation  
*and*

→ if the individual is employed by another person, the name and address (city and state) of the individual’s employer

**Acceptable Occupational Descriptions**

Occupation is the nature of an individual’s primary job or business. Do not provide occupational information for an individual that is not employed (e.g. student, retired, volunteer, and homemaker). Some examples of acceptable occupational descriptions include:

Accountant	Engineer	Plumber
Bank Teller	Executive Director	President
Building Contractor	Executive Vice-President	Project Manager
Car Salesperson	Farmer	Realtor
CEO (Chief Executive Officer)	Firefighter	Restaurant Owner
CFO (Chief Financial Officer)	Forester	Secretary
Contractor	Lawyer	Software Developer
Counselor	Loan Officer	Teacher
Director	Nurse	Truck Driver
Educator	Office Manager	Vice President
Electrician	Personal Assistant	
	Planner	

**Unacceptable Occupational Descriptions**

Titles, industry names or other generic descriptors that do not convey the nature of the work performed are not sufficient. Some examples of unacceptable occupational descriptions include:

Administrator	Education Employee	Real Estate
Banking	Logging	Retail Sales
Business Owner	Manager	Small Business Owner
Consultant	Owner	State Employee
Developer	Public Employee	

## Disclosing and Filing Transactions (ctnd.)

### Acceptable Employer Information

Employer's name and address is the company's legal name and the physical location address by city and state. Do not use acronyms unless the registered name of the employer includes the acronym.

If the individual is not employed (including retired, student, etc.) indicate "not employed."

If the individual is employed, but not by another person, indicate "self-employed." If the individual is self-employed, the occupation must indicate the type of business or other economic activity (e.g., real estate broker, cosmetics salesperson). Employer information is not required for an individual who is not employed or self-employed.

### Obtaining Occupational Information

If a committee receives a contribution that does not identify both components of the contributor's occupational information, the committee must send a letter or email to the contributor within seven days after receiving the contribution asking the contributor to provide this information.

If a contribution transaction must be filed before the occupational information is received, documentation showing the occupational information was requested within seven days of receipt of the contribution is required. Documentation consists of both of the following:

- reporting the date the letter was mailed or emailed to the contributor
- and*
- retaining a copy of the dated letter addressed or email sent to the contributor as part of the committee's records (see "Retention of Records" on pages 41-42)

### Amount

The amount of a contribution received from a contributor.

### Calendar Year Aggregate

The aggregate is the total amount of contributions received from one contributor during a calendar year. The calendar year aggregate is entered only by a committee that has opted out of the ORESTAR system aggregation. See pages 42-43 for examples of calculating a contributor's aggregate if the committee has opted out of the system aggregation.

The calendar year aggregate includes cash contributions, non-exempt loans received, cosigner obligations (except candidate's spouse), in-kind contributions and account receivable pledges. The calendar year aggregate does not include outstanding loans or unfulfilled pledges carried over from a prior calendar year.

The amount of a non-exempt loan received or cosigner obligation is part of the contributor's calendar year aggregate until the loan is repaid in full, unless the cosigner is the candidate's spouse or a new calendar year begins.

### In-Kind Purpose

If the contribution subtype for a transaction is in-kind, a purpose description must be provided. A committee may use a purpose description from the list on pages 55-56 to identify the in-kind purpose or may provide a written description.

If a committee amends an in-kind contribution that is received from another political committee (after the due date for the transaction) the committee must include information in the transaction notes field to explain the reason for amending the transaction.

### Personal Expenditures by a Person

Personal funds spent on behalf of a committee are reported as either in-kind contributions to the committee or personal expenditures for reimbursement.

- If the person making the personal expenditure does not plan to be reimbursed, the expenditure is reported as an in-kind contribution from the person
- or*
- If the person expects to be reimbursed for a personal expenditure, the expenditure where the person spent the money is reported as subtype personal expenditure for reimbursement. The expenditure to reimburse the person is reported as subtype cash expenditure and the purpose code reimbursement of personal expenditures
- If a person is not reimbursed for personal expenditures and decides to "forgive" the amount owed for the personal expenditures, the forgiven personal expenditure is reported as subtype in-kind forgiven personal expenditure

Expenditures made for payment to a person for “mileage” are reported as subtype cash expenditure and purpose code travel. In the description field for identifying the purpose of the expenditure enter mileage. This type of transaction is not a personal expenditure for reimbursement.

A “person” is an individual, corporation, limited liability company, labor organization, association, firm, partnership, joint stock company, club, organization or other combination of individuals having collective capacity.

### **In-Kind Contributions Benefiting Multiple Committees**

If a person makes an expenditure that is in support of or in opposition to more than one candidate or committee, the fair market value of that expenditure is apportioned among the benefiting candidates or committees as in-kind contributions.

#### **Example 1**

A county central committee rents a booth at the county fair for \$120. During the fair, the committee distributes campaign materials for six candidates. The cost of the booth is reported by the central committee as subtype cash expenditure in the amount of \$120 to the county fair, with the in-kind expenditure information for each candidate, which includes the support or opposition indicator, the committee name and the amount apportioned to each candidate, in this case, one-sixth of the total cost. Each candidate reports an in-kind contribution of \$20 from the central committee.

#### **Example 2**

Jane Doe is a candidate for state senate and is holding a fundraiser for herself. Featured guests at the fundraiser are the two house candidates in her senate district from the same political party as her, Tom Jones and Fred Brown. Jane mails an invitational flyer to a district-wide list of potential supporters at a cost of \$500. Because both Tom and Fred are also on the ballot, Jane’s invitation benefits their candidacies as well. Her \$500 expenditure is reported with the in-kind expenditure information for each candidate which includes the support or opposition indicator, the committee name and amount apportioned to each candidate, in this case \$125, as each of their districts is one-half the size of Jane’s.

### **Reporting Fundraising Activities**

If a contributor attends a fundraising event and receives goods or services, such as a dinner or a t-shirt, only the amount in excess of the fair market value of the goods or services received is considered a contribution. The committee should determine the fair market value of the goods or services received by the contributor and report that amount as an other receipt. The amount in excess of the fair market value is considered a contribution and is reported as subtype cash contribution. Money received on a single day may be reported as one transaction. The committee shall inform the contributor of the amount considered a cash contribution for Oregon income tax credit purposes.

#### **Example**

If a contributor pays \$50 to attend a fundraising dinner and the value of the dinner is \$20, only \$30 of the payment for the dinner is reported as a contribution. The \$20 for the dinner is reported as an other receipt because it is not considered a contribution.

Monies received on a single day that qualify as “items sold at fair market value” may be totaled and reported as one transaction.

All expenses incurred in holding the fundraising event are reportable transaction subtypes cash expenditure, personal expenditure for reimbursement or account payable.

If a good or service is donated, an in-kind contribution is reported for the fair market value of the good or service.

General guidelines for disclosing transactions made in conjunction with several common types of fundraisers are outlined below.

#### **Auctions**

A committee may conduct an auction as a fundraising activity. Goods that are donated for the auction are reported at fair market value as in-kind contributions.

Money received for the purchase of an item, up to the fair market value of the item, is reported as an other receipt. Any amount paid for an item that exceeds the fair market value of the item is reported as a cash contribution.

If a good or service is donated, an in-kind contribution is reported for the fair market value of the good or service.

## Disclosing and Filing Transactions (ctnd.)

### Fundraiser Dinners

A committee may organize a fundraising dinner with an established cost per person.

Money received to attend the dinner (up to the fair market value) is reported as an other receipt. The amount in excess of fair market value is a cash contribution.

If the cost of the dinner is paid by the committee, the costs are reported as expenditures. If the dinner is donated to the committee at no cost, the cost of the dinner is reported as an in-kind contribution.

Vendor discounts for food or beverage are not considered in-kind contributions as long as the vendor's charge is equal to, or greater than, the vendor's cost.

### Raffles

A committee may conduct a raffle as a fundraising activity if the committee has been established for at least one year prior to applying for a raffle license.

If the committee is qualified to conduct a raffle, a license from the Oregon Department of Justice may be required. For licensing requirements and procedures, contact the Department of Justice, Charitable Activities Section. See page 9 for contact information.

Money collected from the sale of raffle tickets is reported as transaction type other receipt and subtype fair market value, assuming that raffle tickets are sold at fair market value. Any amount paid for a raffle ticket that exceeds the fair market value is reported as a cash contribution.

If the prize to be awarded in the raffle is donated at no cost to the campaign, the prize is reported as an in-kind contribution. If the prize is purchased with campaign funds, the purchase of the prize is reported as an expenditure.

### Fundraising Cautions

Two common campaign activities that involve “undue influence” and thus may violate election law (ORS 260.665) are:

→ a candidate giving something of value to a voter  
*and*

→ providing refreshments at a political gathering

### Giving Something of Value

Oregon election law, with some exceptions, prohibits giving something of value for no charge with the intent to influence how a person votes or other political activity. Campaign buttons, bumper stickers, posters, brochures, doorknob hangers and campaign literature have no use or value independent of a political campaign. These items may be given away at no charge.

Items of very nominal value may be given away for free during a political campaign if the item is customarily and readily available to the public without any charge by businesses, even to persons not making a purchase or using the services of the businesses giving away the items. These circumstances should exist in the electoral district in which the distribution is planned.

Generally, such items, which are clearly imprinted with the candidate or political committee name and campaign information, include very inexpensive types of:

balloons	flags (novelty with campaign info)	penny candy (such as that thrown at a parade)
book marks	ink pens	refrigerator magnets or “mini-magnets”
calendars (such as plastic or magnetic)	litterbags (paper or plastic)	rulers (small wood or plastic)
emery boards	matchbooks	shopping bags (paper or plastic)
fans (paper or plastic)	pencils	

These are items that are commonly given away for no charge as a form of advertisement by various businesses. Most people, upon receipt of such an item, would reasonably consider it of insufficient value to influence their voting of other political activity. Rather, such an item merely serves as a reminder about a candidate or political issue, possibly with an incidental practical use.

The distribution of these types of items is not “undue influence,” inducing the recipient to take a certain political action in violation of election law, if the committee ensures:

- only very small quantities of an item are given to any one person
- the distribution of the item is incidental to the political activity that occurs during the distribution—the distribution should not be publicized in some way (for example, do not imply, “Come and see me [and vote for me...] and I’ll give you enough pencils for your child’s next school year”)

*and*

- the item does not also contain another connected offering for something of value (for example, the back of a fan should not contain a coupon for \$3.00 off a pizza)

Items that should not be given away without charge because they are not readily available to the public free of charge include:

calculators	hats	toys
flashlights	postage stamps	t-shirts
frisbees		

Even though these items may also be available to the campaign at a relatively low cost, their usefulness for purposes other than campaign publicity goes beyond that of the items listed that are permitted to be given away.

Contact the Elections Division prior to the free distribution of an item not noted above. Upon request from the Elections Division, the committee must provide documentation from several sources in the appropriate electoral district that an item in question is of nominal value and is regularly given away for free by others.

If the item does not meet all the standards of the exception, the campaign must charge at least the cost of the item.

### **Providing Refreshments at a Political Gathering**

A common political practice is to hold a “meet the candidate” neighborhood event at which incidental refreshments such as coffee, tea and cookies may be served at no charge. Refreshments may be provided at a political gathering for no charge if they are incidental to the event. Food or refreshments, at no charge, cannot be the featured attraction to induce people to attend a political event (e.g., an advertisement that announces “Join John Doe at a free spaghetti feed”).

If more food is being served than what would be conservatively defined as incidental to the event, there must be a charge for at least the actual cost of the food or refreshments.

For more information see “Election Law Summary for Candidates, PACs and Others” memorandum at [www.oregonvotes.org](http://www.oregonvotes.org).

## **Other Receipts**

Other receipts are monies received by the committee that are not considered contributions.

### **Review of Other Receipts**

Other receipts that are reportable include:

- any exempt loan
- interest earned from bank accounts or other investment income
- proceeds from the sale of items that are purchased at fair market value
- refunds and rebates
- the receipt of money associated with a loan extended by a committee

*and*

- lost or returned checks

## **Disclosing Other Receipt Transactions**

### **Date Received**

The date refers to the date the money is received in the committee’s physical custody. Do not use the check date unless the check is dated and received the same day.

The date for an electronic transfer is the date the money is credited to the committee’s account.

The date for interest earned is the date that the committee receives the statement that reports the amount of interest earned.

The date for reporting a lost or returned check is the date that the committee either orders a stop payment on the check, the date the committee reissues a replacement check or the date the committee no longer expects the check to be cashed.

All dates must include the month, day and year.

## Disclosing and Filing Transactions (ctnd.)

### Other Receipt Subtypes

Use one of the following to specify the subtype of the other receipt:

**Interest/Investment Income:** Interest earned from bank accounts and proceeds earned from investments.

**Items Sold at Fair Market Value:** Proceeds from the sale of items that are purchased by the buyer at fair market value. Any amount in excess of the fair market value is considered a contribution.

**Loan Received (Exempt):** Any loan of money made by a financial institution, if the loan meets the following qualifications:

- bears the institution's usual and customary interest rate for the category of loan involved
- is made on a basis that assures repayment
- is evidenced by a written instrument

*and*

- is subject to a due date or amortization schedule

Each endorser or guarantor of the loan is considered to have contributed that portion of the total amount of the loan for which that person agreed to be liable in a written agreement, unless the endorser or guarantor is the candidate's spouse.

The terms of the loan, including the interest rate and repayment schedule, must be disclosed when filing the loan transaction. An exempt loan must be by written agreement.

**Lost or Returned Checks:** A check that is returned to the committee or a check that has been reported as an expenditure but is subsequently lost in the mail or never cashed.

**Miscellaneous Receipt:** Payments received on loans extended by a committee and other miscellaneous receipts that are not contributions.

**Refunds and Rebates:** Refunds of deposits and rebates from vendors.

#### Name

The name of the source of the receipt is required for other receipt subtypes loans received (exempt), miscellaneous receipts, lost or returned checks, refunds and rebates, and is optional for items sold at fair market value and interest/investment income.

#### Amount

The amount of the other receipt. For items sold at fair market value, a committee may enter the sum total received on a single day.

#### Transfer of Funds to Earn Interest

A committee should not report transfers of funds between its dedicated campaign account and savings or investment accounts, including certificates of deposit, money market accounts, stock funds or other investment instruments. The investments do not need to be sited in the state of Oregon. These transfers are not reported because the money is still an asset of the committee.

Transfers, when subsequently converted, must be deposited in the committee's dedicated campaign account. The deposit of these funds is not reported.

#### Other Account Receivable

An account receivable that is exempt from being considered a contribution. It is money that the committee expects to be returned to the committee, such as the receipt of money for a loan extended by a committee or to report the fair market value of auction/fundraising proceeds that have not been collected.

### Other Accounts Receivable Subtype

#### Miscellaneous Account Receivable

##### Date

The date for reporting a receivable associated with a loan extended or auction proceeds that have not been collected is the date the loan is made or the date of the auction.

##### Name

Provide the name associated with a miscellaneous other account receivable. Do not use an acronym unless the name is incorporated and the registered name includes the acronym.

##### Amount

The amount of the miscellaneous account receivable.

## Affidavit for Out-of-State Political Committee Contribution (PC 13)

A committee may accept a contribution from an out-of-state political committee. The contribution shall be reported in the same manner as any other contribution and no additional information is required when the transaction is submitted. However, if the contribution is more than \$100, the committee must be prepared to file additional information if it is requested by the Elections Division.

During the six months after the deadline for filing the transaction on which the out-of-state political committee contribution is reported, any person may request that the Elections Division ask for additional information on the out-of-state political committee contribution. If the Elections Division receives a request, the Elections Division will notify the committee of the request. After notification, the committee that received the out-of-state PAC contribution must provide the Elections Division, within 10 business days, either a notarized Affidavit for Out-of-State Political Committee Contribution (PC 13) or the requested additional information on the source of the out-of-state contribution.

The affidavit states that, to the best of the treasurer's knowledge, the contributing political committee will not make contributions to candidates and treasurers in this state that exceed two-thirds, in aggregate, of all contributions made by the committee in this state and anywhere else during the calendar year for which the statement is filed.

In lieu of the affidavit, the treasurer of the committee may file a written statement that includes the name, address and occupation of each individual or each political committee who contributed more than \$100 of the out-of-state political committee contribution. This statement must be certified as true by an officer of the contributing out-of-state political committee.

## Contributions Received During Legislative Session

Any contribution received during a legislative session must be reported, regardless of size, from January 1 to adjournment (Sine Die) during a regular biennial session and during any special session of the Legislative Assembly for all legislative and statewide officials, officials-elect, candidates and legislative caucus committees.

For the Governor, Governor-elect, or candidate for Governor, the deadline is extended to 30 business days after adjournment of a regular legislative session.

Reportable contributions include cash or in-kind, account receivable pledges, and non-exempt loans of any amount.

### Reporting Contributions Received During Legislative Session

#### Who must report

- the candidate committee of a legislative or statewide official, official-elect or a candidate for one of those offices, the Governor, Governor-elect or a candidate for Governor
- legislative caucus committees
- and*
- persons or political committees affiliated with a legislative or statewide official, official-elect or a candidate for one of those offices or the Governor, Governor-elect or a candidate for Governor (controlled committees)

“Statewide Official” includes Secretary of State or Secretary of State-elect, State Treasurer or State Treasurer-elect, Superintendent of Public Instruction or Superintendent-elect of Public Instruction, Attorney General or Attorney General-elect and the Commissioner of the Bureau of Labor and Industries or the Commissioner-elect of the Bureau of Labor and Industries.

Contributions that are returned or refunded to the contributor within 2 business days, without being deposited into the campaign account, are not required to be reported.

See pages 42-49 for additional information on the reporting requirements of contributions.



## Disclosing and Filing Transactions (ctnd.)

### Reporting Deadlines

All contributions received January 1 through the day before the legislative session begins are due no later than 11:59pm of the second business day after the first day of the session. Contributions received on or after the first day of session are due no later than the second business day following the date a contribution is received.

See page 38 for examples.

### Reporting Expenditures

Each account payable (with some exceptions), cash expenditure, personal expenditure for reimbursement and loan payment made by a committee must be reported. Expenditures (except personal expenditures for reimbursement) must be drawn from the campaign account by the candidate, treasurer or any person designated as a signer on the account. This does not prohibit a person from making an expenditure on behalf of the committee and receiving reimbursement from the campaign account. See reporting personal expenditures for reimbursement on pages 57.

Committees that use the ORESTAR online filing system will enter each expenditure made by the committee. The system will determine if the expenditure should be itemized or included in the appropriate "\$100 miscellaneous" category and will also calculate the aggregate expenditures for each payee. A committee can "opt out" of the system calculated aggregates, but if a committee chooses to "opt out," the committee is required to enter an aggregate amount for each expenditure.

### Warning

If a committee "opts out" of the system calculated aggregates for a calendar year, it may not "opt in" until the next calendar year. If a committee chooses to opt back in to the system, it must do so prior to filing any transactions in ORESTAR for the new calendar year. See the ORESTAR User's Manual for additional information.

A committee that "opts out" of the ORESTAR system calculated aggregates or uses software other than ORESTAR to generate transactions must ensure that the data itemizes:

- any expenditure over \$100
  - any expenditure of \$100 or less to a payee where the aggregate expenditures to the payee have exceeded \$100 for the election
- and*
- any non-exempt loan payment, regardless of the amount

All expenditures to a payee where the aggregate expenditures to the payee have not exceeded \$100 for the calendar year must be combined and listed in the appropriate miscellaneous category, based on the expenditure subtype. Miscellaneous expenditure categories must be calculated on a daily basis. All subtypes of expenditures must be aggregated together: cash, personal expenditures, accounts payable, non-exempt loan payments and expenditures made by an agent.

Detailed payee information is not disclosed until the aggregate expenditure from a single payee exceeds \$100 in a calendar year.

Example of calculating aggregates when a committee is active at the May 18, 2010, Primary Election:

- 1 On January 8, 2010, the committee makes a \$50 cash expenditure, and at the same time makes a credit card purchase for \$25 to the same payee, making the payee's aggregate expenditures for the calendar year \$75.  
The \$50 cash expenditure and \$25 credit card purchase must be included in "miscellaneous cash expenditures \$100 and under" and must be filed electronically no later than February 8, 2010. (The 30th calendar day is on February 7, 2010, but because it is a Sunday the deadline is the next business day.)
- 2 On February 23, 2010, the committee makes another \$50 cash expenditure to the same payee, making the aggregate expenditures to this payee for the calendar year \$125. This \$50 expenditure transaction must be itemized (because the aggregate for the payee has exceeded \$100 in the calendar year) and must be filed electronically no later than March 25, 2010.

In order to determine which payees must be itemized, treasurers of committees must keep a detailed record of every expenditure to each payee.

### **Warning**

A committee may not maintain a petty cash fund for making incidental expenditures, as cash expenditures are prohibited.

## **Review of Expenditures**

### **Cash Expenditures**

Expenditures that are made payable in the form of check, credit card, debit card or other electronic transmission.

### **Non-Exempt Loan Payments**

A committee must itemize payments on a non-exempt loan, regardless of the amount. More detailed reporting requirements on non-exempt loan payments and the forgiving of loans is on page 57.

### **Personal Expenditure**

An expenditure by a person from the person's funds, made on behalf of a committee, is considered an expenditure by the committee if the person expects to be reimbursed. The detail of the expenditure made by the person is required to be reported in addition to the transaction made to reimburse a person.

If the person making the personal expenditure does not want reimbursement, the personal expenditure is reported as an in-kind contribution from the person.

The definition of a "person" is an individual, corporation, limited liability company, labor organization, association, firm, partnership, joint stock company, club, organization or other combination of individuals having collective capacity.

### **Accounts Payable**

An account payable is an amount owed to a creditor for the purchase of goods or services, or a pledge to make a contribution, whether or not legally enforceable. A purchase is made when the obligation is first incurred, even if an invoice is not received until a later time. The date an order for goods or services is placed is the date an obligation is first incurred. The obligation for media buys is incurred when the media time is reserved.

## **Disclosing Expenditure Transactions**

### **Date**

The date refers to the date that is written on the check or the date a debit card is used.

The date for bank service charges is the date that the committee receives the statement that reports the amount of the service charges.

The date of a credit card transaction (if the card is issued to the committee) is the date the credit card was used, not the date of the credit card statement or the date of payment to the credit card company.

The date for reporting a payment made by electronic funds transfer, such as monthly automatic bill payment or entities authorized to withdraw funds from a committee's account for payroll, is the date that the funds are withdrawn from the account. It is not the date the committee receives the bank statement that reports the amount of the electronic funds transfer.

The date for reporting personal expenditures refers to the date that a personal expenditure for reimbursement is made by a person. The date when using a person's credit card for personal expenditures for reimbursement is the date the credit card was used. It is not the date the credit card statement is received or the date payment is made to the credit card company.

The date for an account payable refers to the date the obligation is incurred, even if an invoice is not received until a later time. The date an order for goods or services is placed is the date an obligation is incurred. The obligation for media buys is when the media time is reserved.

## Disclosing and Filing Transactions (ctnd.)

There is an exception to the requirement of reporting an account payable – if the expenditure is made by the committee prior to the deadline to file the payable, it is not required to be reported and filed.

For example, if a committee active at the 2010 Primary Election has a payable on April 26, 2010, and the payable is paid on or before May 3, 2010 (the deadline to file the transaction), the committee is not required to file the payable. However, if the payable is not paid by May 3, 2010, the committee is required to file the payable no later than 11:59 pm, May 3, 2010.

Itemized expenditures made by an agent for media buys or petition circulators are no longer required to be individually disclosed and filed in ORESTAR.

All dates must include the month, day and year.

### Warning

Oregon election law requires all accounts of contributions and expenditures to be current not later than the seventh day after the contribution is received or expenditure is made. Failure to do so may subject the committee to civil penalties. ORS 260.055(1)

### Warning

A person that receives a contribution designated to an identified candidate or committee must be delivered to the designated candidate or committee not later than seven business days after the contribution is received. Failure to deliver the contribution within the required seven business day deadline may result in the person meeting the definition of a political committee, which would require the formation of a political committee and the filing of all campaign finance transaction in ORESTAR. ORS 260.044(4).

### Address Book Types

A person type must be provided when creating an address book entry in ORESTAR.

**Business Entity:** Includes for-profit and professional corporations, cooperatives, partnerships, limited liability companies, sole proprietorships, government entity, etc.

**Candidate's Immediate Family:** Includes the candidate, the candidate's spouse and any child, parent, grandparent, brother, half-brother, sister or half-sister of the candidate and the spouses of such persons, but does not include family members of the candidate's spouse.

**An individual.**

**Labor Organization**

**Other:** Includes clubs, associations, nonprofit corporations, tribal organizations, trusts, etc.

**Political Committee:** Committees filed in the State of Oregon or any other jurisdiction, including candidate committees, petition committees and political committees.

**Political Party Committee:** A committee established by a major or minor political party in Oregon, including county central committees.

### Payment Method

A payment method must be indicated for transaction subtype cash expenditure and loan payment (non-exempt).

**Check:** A payment made by the committee issuing a committee check.

**Credit Card:** A payment made by the committee using a committee credit card.

**Debit Card:** A payment made by the committee using a committee debit card.

**Electronic Check:** A payment electronically accessed by the vendor.

**Electronic Fund Transfer:** A payment made by electronic transfer.

### Check Number

Check number is the actual number of the check issued by the committee. Do not report voided checks. Do not enter a check number unless the payment method is check and the transaction subtype is cash expenditure or loan payment (non-exempt).

## Expenditure/Payable Subtypes

**Account Payable:** An amount owed to a creditor for the purchase of goods or services, or a pledge to make a contribution. An account payable cannot be transferred to another committee. See the exception to the requirement of disclosing an account payable on page 54.

**Cash Expenditure:** An expenditure made by the committee via check, credit card, debit card or any means of electronic transmission.

**Loan Payment (Non-Exempt):** A payment made on the principal of a non-exempt loan received. Any interest payment on a non-exempt loan is reported as a cash expenditure.

### Personal Expenditures for Reimbursement:

An expenditure by a person from the person's funds (including use of a personal credit card, debit card, checks or cash) made on behalf of the candidate or committee, if the person expects reimbursement. This subtype should not be used if a person is being paid for mileage. See page 57 for more detailed reporting of personal expenditures for reimbursement.

The definition of a "person" is an individual, corporation, limited liability company, labor organization, association, firm, partnership, joint stock company, club, organization or other combination of individuals having collective capacity.

### Name of Payee

The name of the vendor or individual to whom payment was made. For an account payable, the name of the vendor or individual to whom payment is owed. Do not use acronyms in place of the full name of the payee unless the business or committee is registered with the acronym in the name.

If the committee makes a direct payment to a credit card company, the payee is where the purchase was made using the credit card. See page 57 for reporting credit card purchases.

If a committee uses a payroll processing business (e.g., Paychex) to process its payroll, the committee would report the name of the payroll company as the payee. Do not report each employee as a payee.

### Address of Payee

Payee's address is the city and state where the payee is located, or county if the payee is not located in a city.

## Transaction Purpose

Each expenditure transaction must have a transaction purpose. If one or more purposes, other than general operational expenses, public office holder expenses or travel expenses, are used to describe an expenditure, generally no other description is required.

When reporting a transaction with the subtype personal expenditure for reimbursement, the purpose selected should describe the purpose of the personal expenditure. A description may be provided in lieu of selecting one of the pre-defined purposes in the ORESTAR system.

For this type of transaction see page 57 for more information on the detailed reporting requirements of personal expenditures.

**Broadcast Advertising:** Expenditures made directly to a radio or TV station for advertising or expenditures made to an agent to purchase radio or TV station advertising.

**Cash Contributions:** Contributions made to other committees or organizations.

**Fundraising Event Expenses:** Expenditures associated with holding a fundraiser, including payments to restaurants, hotels, caterers, other food and refreshment vendors, entertainers and speakers.

**General Operational Expenses:** General campaign operating expenses, including filing fees, bank service charges, purchase or rental of office equipment and furniture for the campaign and office supplies. When general operational expenses is used, a committee is also required to provide a written description (e.g., office supplies, furniture, etc.).

**Interest Payment:** Interest paid to a financial institution or other lender for a loan made to the committee.

**Literature, Brochures, Printing:** Expenditures for the preparation and production of campaign literature and printed solicitations, including expenditures for mailing lists, design, photography, copy, layout, printing and reproduction.

**Loan Extended:** An expenditure made by a committee that is a loan to another individual, committee or organization. The terms and repayment schedule must be disclosed.

## Disclosing and Filing Transactions (ctnd.)

**Management Services:** Includes fees and commissions paid to campaign management companies, agents and campaign consultants.

**Newspaper and Other Periodical Advertising:** Expenditures made directly to a newspaper or other periodical for advertising or expenditures made to an agent to purchase newspaper or other periodical advertising.

**Other Advertising:** Expenditures associated with the production and purchase of advertising on billboards, yard signs, voters' pamphlets, websites, and campaign paraphernalia such as buttons, bumper stickers, t-shirts, etc.

**Petition Circulators:** Payments made to individuals for collection of signatures on a petition or to an agent that pays petition circulators.

**Postage:** Expenditures for stamps, postage, United Parcel Service, Federal Express and direct mail services.

**Preparation and Production of Advertising:** Payments associated with the preparation or production of broadcast, newspaper or other periodical advertising.

**Public Office Holder Expense:** Expenditures associated with allowable public office holder expenses such as gifts of nominal value, conference registration fees, membership dues, constituent services, staff wages, office rent, mileage, gas, travel and entertainment. When this purpose is used, a committee must provide a written description.

**Reimbursement for Personal Expenditures:** Payments made to a person for reimbursement of a personal expenditure (including credit card charges) made on behalf of the committee. The personal expenditure made by the person must be reported as a separate transaction, using subtype personal expenditure for reimbursement. See reporting personal expenditures on page 57.

**Surveys and Polls:** Expenditures associated with polls, reports on election trends, voter surveys, telemarketing, telephone banks, etc. See OAR 165-012-0050 for reporting the contribution of poll results.

**Travel Expenses:** Expenditures associated with travel. When this purpose is used, the committee is required to provide a written description (e.g., lodging, airfare, meals, gas, mileage, etc.).

**Utilities:** Expenditures for telephone, internet access, electricity, etc.

**Wages, Salaries, Benefits:** Expenditures associated with campaign staff (including wages, employment taxes, insurance, payments to temporary employment agencies, etc.).

An additional description is needed in the following situations (except when Agent is used):

- when general operational expenses, public office holder expenses or travel expenses is used, a written description of the type of expenses must be provided.
- when a loan is extended by a committee the terms of the loan, including the interest rate and repayment schedule, must be disclosed. If there is no interest rate attached to the loan, enter "0" (zero); if there is no repayment schedule for the loan, indicate "payable when funds available."
- campaign fees or services
- contract fees or services
- general support
- personal services  
*and*
- services rendered (must indicate type of service)

### Amount

The amount of an expenditure.

### Expenditure Aggregate

The aggregate is the total amount of expenditures made to the same payee during a calendar year. The expenditure aggregate amount is entered only by a committee that has "opted out" of the ORESTAR system aggregation.

Expenditure aggregate includes account payable, cash expenditures, personal expenditures, agent expenditures and loan payments (non-exempt).

### In-Kind or Independent Expenditure Information

An expenditure that is an in-kind contribution to another candidate or committee, or an independent expenditure supporting or opposing a candidate or measure, must:

- be identified as either an in-kind expenditure or independent expenditure
- identify the candidate(s) or committee(s) supported or opposed by the expenditure

*and*

→ include the amount apportioned to each candidate or committee

## Reporting Personal Expenditures for Reimbursement

If a person makes expenditures from their own funds or by using a personal credit card, on behalf of a committee, and that person wants reimbursement from the committee, there are two transactions that must be reported.

The first transaction discloses the detail of where the person spent their personal funds. For this transaction, the transaction type is expenditure/account payable and the transaction subtype is personal expenditure for reimbursement. The purpose of this transaction should describe the purpose of personal expenditure.

The second transaction discloses when the person is repaid by the committee. The transaction type is expenditure/account payable and the transaction subtype is cash expenditure. The purpose of this transaction must always be the pre-defined purpose “reimbursement for personal expenditure.”

Contact the Elections Division if you have any questions about how to report personal expenditures for reimbursement.

## Reporting Credit Card Transactions

If a committee uses a credit card issued to the committee for any expenditure, the committee must report the charge as subtype cash expenditure. The payee is the business paid with the credit card, not the credit card company. The date of the transaction is the date the credit card was used, not the date of the credit card statement or the date payment is made to the credit card company. The committee does not report any payments made directly to the credit card company.

Any interest paid on an outstanding credit card balance, or any late payment penalties are reportable expenditure transactions.

If a person uses a personal credit card and expects reimbursement, the expenditure is reported as subtype personal expenditure for reimbursement. The payee for this transaction is where the credit card was used. See reporting personal expenditures on page 57.

## Independent Expenditures by a Committee

A committee may make an independent expenditure in support of or in opposition to a candidate or measure. A political or petition committee must report the independent expenditures as an expenditure. See pages 59-60 for more information about providing independent expenditure information for a transaction.

Legislative caucus committees cannot make independent expenditures. For caucus committees, all expenditures are considered to be on behalf of candidates, and therefore, with their knowledge, consent and cooperation.

If an expenditure for a communication is made on behalf of a candidate or measure and it is not an independent expenditure, then it is an in-kind contribution and must be reported by the candidate or the applicable measure committee.

Contact the Elections Division if you have any questions regarding whether a particular expenditure is an independent expenditure.

## Reporting Transactions for Non-Exempt Loan Payments, Outstanding Loans and Forgiven Loans

### Loan Payments

Any expenditure made to reduce an outstanding loan balance is reported as transaction subtype non-exempt loan payment. This is an associated transaction. Refer to the ORESTAR User's Manual for instructions on associating the transaction.

Any expenditure made for interest owed on a loan is reported as transaction subtype cash expenditure and the purpose description is interest payment.

Payments on an exempt loan are reported as Other Disbursements.

### Forgiven Loans

A loan is considered “forgiven” when the committee and the lender both agree the loan need not be repaid. The transaction type is other and the subtype is loan forgiven (non-exempt). This is an associated transaction. Refer to the ORESTAR User's Manual for instructions on associating the transaction.

A forgiven loan is not an in-kind contribution.

## Disclosing and Filing Transactions (ctnd.)

### Other Disbursements

Other Disbursements are disbursements by a committee that are not considered expenditures.

### Review of Other Disbursement Types

Other disbursement transactions that are reportable include:

- payments made on exempt loans
  - nonpartisan activity designed to encourage individuals to vote or register to vote, regardless of party affiliation
  - preparation and distribution of slate cards and sample ballots by state or local political party committees
  - return or refund of contributions
- and*
- investment loss

### Disclosing Other Disbursement Transactions

#### Date

The date refers to the date the other disbursement is made. The date must include the month, day and year.

#### Payee's Name

The name of the payee is required for all other disbursement subtypes except for nonpartisan activity.

### Other Disbursement Subtypes

Use one of the following to specify the subtype of the other disbursement:

**Loan Payment (Exempt):** Any payment made on the principal of an exempt loan received. (Interest payments on exempt loans are expenditures.)

**Nonpartisan Activity:** Expenses incurred in conducting nonpartisan activities such as encouraging individuals to vote or to register to vote, regardless of party affiliation.

**Miscellaneous Disbursement:** Loss on an investment or expenses for the preparation and distribution of slate cards and sample ballots by state or local political party committees.

**Return or Refund of Contributions:** This subtype requires an associated transaction. See the ORESTAR User's Manual for instructions on associating the transaction.

#### Amount

Enter the amount of the other disbursement.

### Transfer of Funds to Earn Interest

A committee should not report transfers of funds between its dedicated campaign account and savings or investment accounts, including certificates of deposit, money market accounts, stock funds or other investment instruments. These transfers are not reportable transactions because the money is still an asset of the committee.

Transfers, when subsequently converted, must be deposited in the campaign account. The deposit of these funds is not reported.

### Investment Loss

Any loss from an investment must be reported as an other disbursement.

### Other Transactions

A committee uses transaction type "other" when a payable is no longer owed or loan (non-exempt) is forgiven; a pledge of cash, in-kind, or loan is deemed uncollectible, or if the committee's bank account balance does not match the cash balance as reported in ORESTAR. Some of these transactions may require an association. See the ORESTAR User's Manual for instructions on associating transactions.

### Disclosing Type Other Transactions

#### Date

The date for reporting an account payable rescinded or loan that is forgiven or paid by another person, is the date it is forgiven or paid.

The date for reporting a pledge (cash, in-kind, loan) that is deemed uncollectible is the date the committee determines the pledge is not collectible.

The date for reporting a cash balance adjustment is the date the committee determines that the committee's bank account balance does not match the cash balance as reported in ORESTAR.

The date must include the month, day and year.

## Other Transaction Subtypes

**Account Payable Rescinded:** A previously reported account payable transaction that is no longer owed.

**Cash Balance Adjustment:** A transaction adjusting the committee's cash balance on the account summary page.

**Loan Forgiven (Non-Exempt):** A previously reported non-exempt loan received that is forgiven by the lender.

**Uncollectible Pledge of Cash:** A pledge of cash that is determined to be uncollectible.

**Uncollectible Pledge of In-Kind:** A pledge of in-kind that is determined to be uncollectible.

**Uncollectible Pledge of Loan:** A pledge of a loan that is determined to be uncollectible.

### Amount

Enter the amount of the other transaction.

## Statement of Independent Expenditures (PC 10)

### Independent Expenditures by a Person

A person, other than a committee, who obligates or spends the person's own funds of more than \$100 aggregate in a calendar year to support or oppose any candidate or measure must file a Statement of Independent Expenditures (PC 10) with the Elections Division. This form cannot be filed electronically using ORESTAR.

An independent expenditure is an expenditure for a communication in support of or in opposition to a clearly identified candidate or measure. The expenditure must not be made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate, or any political committee or agent of a political committee supporting or opposing a measure.

Words expressing advocacy such as "vote for" or "defeat," are not required to make a communication a reportable expenditure. Instead, the standard is whether the communication:

- clearly identifies the candidate or measure
- taken in its context, clearly and unambiguously urges the election or defeat of the candidate or passage or defeat of the measure
- as a whole, seeks action rather than simply conveying information

*and*

- it is clear what action the communication advocates

Examples of independent expenditures include:

- a person independently paying for an argument in a voters' pamphlet

*or*

- a person independently purchasing a newspaper ad, poster or other political material supporting or opposing a candidate or measure

An Independent expenditure is not:

- a contribution made directly to a committee and reported by the committee
- an expenditure reported as an in-kind contribution by a committee

*or*

- a contribution to a candidate who serves as their own treasurer and who receives or spends less than \$350

The deadline to file the PC 10 is not later than seven calendar days after the total amount of the independent expenditures made exceeds \$100 in a calendar year. The accounting period begins on the date that the first independent expenditure is made.

"Person" includes an individual, corporation, limited liability company, labor organization, association, firm, partnership, joint stock company, club, organization or other combination of individuals having collective capacity.

Refer to the instructions for disclosing expenditure transactions on pages 52-57, for reporting the date, payee's name, address, and purpose of the expenditure. In the purpose box, the person must name the candidate or measure, and must indicate support or opposition. If the expenditure supports or opposes multiple candidates or measures, specify the amount attributable to each candidate or measure.



## Disclosing and Filing Transactions (ctnd.)

A person who solicits and receives a contribution is a political committee and must file a Statement of Organization and file campaign transactions unless the contribution is designated to an identified candidate or committee and the person delivers it to the candidate or committee not later than seven business days after the contribution is received. The contribution must then be reported by the recipient candidate or committee. ORS 260.044 (4)

Contact the Elections Division if you have any questions regarding whether a particular expenditure is an independent expenditure.

### Statement of Corporate Paid-In-Capital (PC 12)

A corporation must file a Statement of Corporate Paid-In-Capital when the major source of revenue for the corporation is paid-in-capital and the primary purpose of the corporation is to support or oppose a candidate, measure or political party, and the corporation has made a contribution or an expenditure for that purpose.

Depending on the type of organization and the organization's activities, the corporation may also be required to file a Statement of Organization for Political Action Committee (SEL 221) and Campaign Account Information form (SEL 223).

If the corporation makes a contribution or an expenditure for the purpose of supporting or opposing a candidate, measure or political party in an election, the corporation is required to file both of the following:

→ Statement of Corporate Paid-In-Capital (PC 12)

*and*

→ information on the nature and amount of all expenditures made by the corporation by using the Expenditures and Loan Payments form (PC 3). See pages 52-57 for the detailed requirements for reporting expenditures.

### Examination of Transactions

After the deadline for submitting a transaction or after a transaction is filed, whichever is later, the Elections Division has 10 business days to review the transaction and determine if the transaction does not include all the information required by law.

The treasurer, candidate, alternate transaction filer and the correspondence recipient are sent an exam letter via email that either indicates the transaction is sufficient or identifies any of the transaction's insufficiencies that need to be corrected. An exam letter may be completed and emailed prior to the 10 business day review deadline. The letter includes a deadline for providing amendments to correct any insufficient information. The deadline is 14 days from the date of the exam letter, or the due date for the transaction, whichever is later. A committee should check for exam letters on a regular basis.

If the requested information is filed by the amendment deadline provided in the exam letter and is deemed sufficient, the transaction is considered sufficient and there is no penalty. If the candidate or treasurer fails to provide the information requested in the exam letter by the amendment deadline, the committee may be subject to a penalty.

Exam letters are not issued for amended transactions. If an amended transaction is filed and is determined to be insufficient, that transaction may be subject to a civil penalty.

Exam letters are sent using the email addresses provided by the candidate, treasurer and alternate transaction filer on the statement of organization. If another individual is designated by the candidate or treasurer as correspondence recipient the email address used is the address provided on the committee's most recent statement of organization.

If the email is returned as undeliverable for any reason, such as the email address has not been updated in the statement of organization has not been updated, or the user has a spam blocker protecting the address which results in non-delivery of the email, or any reason outside of the Election Division's control, the committee may be found in violation for filing an insufficient transaction.

### Filing Amendments for Insufficient Transactions

#### When to Amend a Transaction

Original transactions may be amended by filing an amendment to the transaction. An amended transaction may be filed any time. An amended transaction must be filed if the candidate, treasurer or alternate transaction filer determines that some element of the previously filed transaction is insufficient.

If the committee is notified on an exam letter that a transaction is insufficient, the candidate, treasurer or alternate transaction filer must file an amended transaction to correct any identified insufficiency. If the transaction is filed by the amendment deadline, and the insufficiency has been corrected, the transaction will be considered sufficient. If the committee believes that the transaction is sufficient they should notify the Elections Division via a phone call or in writing why the transaction is sufficient.

If the committee fails to provide the requested information by the amendment deadline, the candidate and the treasurer may be subject to a civil penalty for an insufficient transaction.

### Review of Documentation for Committees (Spot Checks)

ORS 260.215 requires in part that the Elections Division ask for supporting documentation of not more than 10 transactions submitted by a candidate, treasurer of a political committee or treasurer of a petition committee twice in a calendar year.

The Elections Division will randomly select up to 10 transactions filed by a committee twice in a calendar year. This requirement applies to contribution and expenditure transactions filed in the months of January through June and July through December. The Elections Division will randomly select 10% of committees with transactions filed during the six-month period and then randomly select 1% of the transactions filed by each committee selected.

The Elections Division will send the committee a "Spot Check Review" letter identifying the transactions that have been randomly selected and provide a deadline to submit the documentation. The following types of documentation are required to be submitted if requested:

For transaction type Contribution/Pledge:

- for a cash contribution: a copy of the front of a contributor's check or money order, or record of credit card charge or electronic fund transfer
- for a loan received (even if from the candidate): written loan agreement, including terms of loan (i.e., interest rate and repayment schedule)

- for an in-kind contribution: notice from the contributor indicating the date, value of item donated or nature of expenditure made on behalf of candidate or the committee record of in-kind contribution indicating date, value of item donated or nature of expenditure
- for missing occupational information: letter or email sent to contributor requesting occupational information

For transaction type Expenditure/Account Payable:

- for a cash expenditure:
  - If payment method is Check, a copy of the front of the check
  - If payment method is Credit Card, a copy of the credit card receipt
  - If payment method is Debit Card, a copy of the debit card receipt
  - If payment method is Electronic Check or Electronic Funds Transfer, a copy of the bank statement disclosing the date the funds are debited from the committee's account and the payee's name, or a statement/invoice from the vendor disclosing the date debited from account
- for a loan extended: in addition to the applicable documentation listed above, a copy of the written loan agreement, including terms of loan (i.e., interest rate and repayment schedule)
- for an expenditure for wages: copy of committee check, electronic check stub, credit card receipt, electronic transfer record by which expenditure was made (such as a copy of the invoice issued by payroll company reporting the date the money was withdrawn, and if that is not available, a copy of the bank statement that reports the date the money was withdrawn)
- for an account payable: invoice, contract or confirmation of order
- for subtype personal expenditure for reimbursement: invoice, receipt, copy of front of personal check, or cash receipt, itemized credit/debit card receipt or bank/credit card statement indicating the payee's name, amount and date of expenditure

## Disclosing and Filing Transactions (ctnd.)

After the deadline to provide the documentation, the Elections Division will review the documentation to determine if it is sufficient. If any of the documentation is insufficient (e.g. the committee fails to provide the documentation or the documentation doesn't match the corresponding data elements of the transaction), the Elections Division will send a second spot check review letter identifying which transactions lack sufficient documentation or which transactions may need to be amended because an element of the transaction (e.g. the date, payee/contributor name or amount of the transaction) doesn't match the documentation. The second letter will provide a deadline to file sufficient documentation or amend the transaction whichever is applicable. The committee may be subject to a civil penalty for filing documentation after the deadline stated in the second review letter or for filing an amendment to the transaction. See OAR 165-013-0010 for detailed information.

See page 41 for a description of records that must be retained by a committee.

# Enforcement Procedures and Civil Penalties

## Enforcement Actions

Oregon election law requires complete, accurate and timely disclosure of contributions and expenditures by committees. The statutes designate specific deadlines for submitting transactions based on the date of an election that must be adhered to and establish the following procedures for transactions that are not submitted by the deadline or for transactions that do not comply with ORS Chapter 260.



### Warning

Criminal penalties may apply if a transaction verified as true by the treasurer or candidate is knowingly submitted with false information. ORS 260.715(1).

## Complaints Regarding Late or Insufficient Transactions (ORS 260.205)

Any elector may file with a filing officer a complaint that a transaction filed with the filing officer is insufficient or that a person has failed to file a required transaction. The complaint must be in writing, must state in detail the reasons for the complaint and must be filed no later than the 90th day after the date the transaction of which it complains is filed or should have been filed, whichever is later.

## Complaints Regarding Other Campaign Finance Violations (ORS 260.345)

Any elector may file with a filing officer a written complaint alleging that a violation of an election law or rule adopted by the Secretary of State has occurred. The complaint should state the reason for believing that the violation occurred and provide evidence relating to it. The complaint must be signed by the elector and filed within 90 days of the election at which the violation is alleged to have occurred or 90 days after the violation itself is alleged to have occurred, whichever is later.

## Spot Checks (ORS 260.215)

For statements filed during each calendar year, the Secretary of State shall review statements filed with the secretary by a candidate, political committee or petition committee. For each review, the secretary shall require a candidate, treasurer of a political committee or treasurer of a petition committee to provide documentation of not more than 10 transactions. The secretary shall review statements under this subsection twice in a calendar year.

See pages 61-62 for more information.

## Subpoena Authority (ORS 260.218)

The Secretary of State has authority to issue subpoenas to obtain records relating to compliance with ORS Chapter 260.

## Court Proceedings to Compel Filing of Correct Statements (ORS 260.225)

The Secretary of State, an elections filing officer or an elector may file a petition in the circuit court to compel committees to file contribution and expenditure transactions. The petition must be filed in the circuit court for the county in which the principal office of the appropriate elections filing officer is located.

If the court determines that the petition filed is frivolous or the court does not compel the filing of any report, the candidate, treasurer or person against whom the petition was filed is entitled to recover reasonable attorney fees for trial and appeal expenses.

## Civil Penalties for Failure to File Timely or Sufficient Transactions (ORS 260.232)

The Secretary of State may impose civil penalties for failure to file a timely or sufficient transaction, Certificate of Limited Contributions and Expenditures or Statement of Independent Expenditures.

The maximum penalty that may be imposed by statute is 10% of the amount of each late or insufficient transaction. The Secretary of State has established penalty matrices that are used to determine the penalties assessed for late and insufficient transactions. Penalties are imposed based on the amount of the transaction and how many business days the transaction was submitted late. See the penalty matrices on pages 68-71.

## Enforcement Procedures and Civil Penalties (ctnd.)

### Civil Penalties for Other Campaign Finance Violations (ORS 260.995)

The Secretary of State may impose civil penalties for certain campaign finance offenses in addition to late or insufficient reports. For example:

- failure to file a Statement of Organization within three business days of receiving a contribution or making an expenditure
- failure to file an amended Statement of Organization within 10 days of a change in information
- failure to establish a dedicated bank account within three business days of receiving a contribution or making an expenditure
- converting campaign funds to any person's personal use
- using a candidate's campaign funds to compensate a candidate for professional services performed by the candidate  
*and*
- failure to file an original or amended Statement of Organization for a slate mailer organization

The maximum penalty that may be imposed by statute for each violation of these offenses is \$250.

The penalty for personal use of campaign funds by a committee is substantially higher, with a maximum penalty of \$1,000, PLUS the amount of monies wrongfully converted. Campaign funds may not be used to pay any penalty assessed for a personal use violation.

Please refer to OAR 165-013-0010 for specific penalties and procedures. The rules are posted on the Elections Division's website at [www.oregonvotes.org](http://www.oregonvotes.org) or contact the Elections Division to get a copy of the rule.

### Ballot Vacancies for Failure to File Reports (ORS 260.241)

The name of a candidate will not be printed on the official general election ballot if the candidate fails to file the primary election transactions before the 61<sup>st</sup> day prior to the general election.

### Withholding Certificates of Nomination or Election for Failure to File Reports (ORS 260.245)

A certificate of nomination or certificate of election will not be granted to any candidate until that person has filed the required contribution and expenditure transactions.

### Legislative Assembly Not Subject to Civil Process During Session (Article IV, §9, Oregon Constitution)

Members of the Legislative Assembly do not receive notices of proposed civil penalty for late or insufficient contribution and expenditure filings during a legislative session. Notices are sent to legislators after final adjournment (Sine Die).

### Hearing Procedures

#### Late and Insufficient Penalty Cases (ORS 260.232)

If the Secretary of State determines that a committee is in violation of Oregon election law for a late or insufficient filing, the treasurer, and candidate, if applicable, of the committee is sent a notice of proposed civil penalty that informs them of the potential penalty and provides them with an opportunity to request a hearing. This notice is sent by both certified and regular mail to the committee treasurer or, in the case of a candidate committee, by certified mail to the candidate with a copy by regular mail to the treasurer, and correspondence recipient, if applicable.

Late and insufficient violations will be processed by calendar month. Each case for a given month will include late violations (transactions that are filed late in that particular month) and insufficient violations (transactions that are not sufficiently corrected by the exam response due date in that particular month.)

For example, a transaction is due on April 15, 2009. The transaction isn't filed until May 1, 2009. This violation will be part of the May case.

A transaction is identified as insufficient on an exam letter, with a response due date of May 10, 2009. The transaction isn't corrected until May 15, 2009, this violation will also be part of the May case.

### Request for Hearing

Within 20 days of receipt of the certified mail notice of a proposed penalty, the candidate or treasurer may:

→ request in writing a personal appearance hearing (public hearing)

*or*

→ submit a notarized written explanation contesting the circumstances of the violation or providing evidence of mitigating circumstances (letter hearing)

The 20-day period during which a hearing can be requested begins on the day a recipient signs for the certified mail notice of the proposed penalty. However, if the certified letter is refused or left unclaimed at the post office, the 20-day period begins on the day the post office indicates it has given first notice of a certified letter.

A public hearing will be conducted by telephone unless the candidate or treasurer requests a personal appearance hearing in Salem. If a committee requests a hearing, either personal appearance or notarized testimony, the hearing will be conducted by an administrative law judge with the Office of Administrative Hearings.

### Holding a Hearing

If a request for a public hearing is received by the deadline, the Office of Administrative Hearings will schedule a hearing. For a violation occurring prior to January 1, 2010, the hearing will be scheduled not later than 30 days after the deadline for requesting a hearing. A 15-day extension may be granted if requested in writing by the person subject to the civil penalty.

For a violation occurring on or after January 1, 2010, the hearing will be scheduled not later than 45 days after the deadline for requesting a hearing. A 15-day extension may be granted if requested in writing by the person subject to the civil penalty.

The person against whom a penalty may be assessed need not appear in person at the requested hearing. Instead, the person may submit notarized written testimony and other evidence for entry in the hearing record. The Elections Division must receive such documents no later than three business days before the day of the scheduled hearing.

### Hearing by Telephone

Not less than five business days prior to the commencement of a hearing conducted by telephone, each party, including the agency, must deliver copies of the exhibits it intends to offer into evidence at the hearing. The exhibits must be delivered to the Administrative Law Judge, all parties and the agency. Delivery may be accomplished by any of the following means, or by other means of a similar nature:

→ hand delivery

→ first class or certified mail

→ facsimile or professional delivery service

→ filed in a pdf format to elections.sos@state.or.us

Nothing precludes any party or the agency from seeking to introduce documentary evidence in addition to evidence described above during the telephone hearing. The Administrative Law Judge shall receive such evidence, subject to the applicable rules of evidence, only if inclusion of the evidence in the record is necessary to conduct a full and fair hearing.

### Mitigating Circumstances

If either a public or letter hearing is requested and testimony is provided regarding mitigating circumstances that caused the late or insufficient filing, the Administrative Law Judge and the Secretary of State may consider reducing, in whole or in part, the civil penalty, based on the facts presented by the testimony.

The only mitigating circumstances that may be considered in a late or insufficient filing case are:

→ the lateness or insufficiency of a transaction is the direct result of clearly-established fraud, embezzlement, or other criminal activity against the committee, committee treasurer or candidate, as determined in a criminal or civil action in a court of law or independently corroborated by a report of a law enforcement agency or insurer or the sworn testimony or affidavit of an accountant or bookkeeper or the person who actually engaged in the criminal activity

This mitigating circumstance is not available to the candidate or treasurer who was the perpetrator of the wrongdoing described above.

→ the criminal or civil action in a court of law results in a monetary judgment (including restitution) in favor of the candidate or committee treasurer, the civil penalty must be paid if the judgment is collected

## Enforcement Procedures and Civil Penalties (ctnd.)

→ the lateness or insufficiency of a transaction is the direct result of fire, flood, utility failure or other calamitous event, resulting in physical destruction of, or inaccessibility to, committee records

“Calamitous event” means a phenomenon of an exceptional character, the effects of which could not have been reasonably prevented or avoided by the exercise of due care or foresight.

→ the lateness or insufficiency of a transaction is the direct result of failure of a professional delivery service to deliver documents in the time guaranteed for delivery by written receipt of the service provider (this does not include delivery by fax)

*or*

→ the lateness or insufficiency of a transaction is the direct result of an error by the Elections filing officer

One additional circumstance that will only be considered in a late filing case is:

→ the lateness of a transaction is the direct result of a valid personal emergency of the candidate or treasurer. In this case, independent written verification must be provided.

A valid personal emergency is an emergency, such as a serious personal illness or death in the immediate family of the candidate or treasurer, which caused the transaction to be late. Personal emergency does not include a common cold or flu, or a long-term illness where other arrangements could have been made.

The Secretary of State has determined that only the circumstances listed above, if proven by the committee, may be considered in reducing a penalty. The penalty matrices on pages 69-71 contain the appropriate reductions of penalties for other mitigating circumstances, such as the number of business days a transaction or amendment is late and the amount of the transaction.

### Final Order

After a public or letter hearing, the Office of Administrative Hearings sends the treasurer, candidate, correspondence recipient and the Elections Division a proposed order. The Elections Division will send a letter to the treasurer, candidate and correspondence recipient, if applicable, providing a deadline to file written exceptions to the Administrative Law Judge’s proposed order. Further, if the Secretary of State chooses to amend the proposed order issued by the Administrative Law Judge, the Secretary will send an amended proposed order which will include a deadline to file written exceptions to the amended proposed order. The Secretary will review and consider all written exceptions and issue a final order.

### Default Final Order

If neither a letter hearing or public hearing is requested, a default final order is issued and the penalty is determined based on available information in the Secretary of State’s records.

The Secretary of State must issue a final order no later than 90 days after a hearing or after the deadline for requesting a hearing if no hearing is held.

After the issuance of a final order or default final order, a candidate or treasurer is entitled to judicial review of the order. Judicial review may be obtained by filing a petition for review with the Oregon Court of Appeals within 60 days from the service of the order.

For the process of filing a petition for judicial review with the Oregon Court of Appeals, please call 503 986 5555.

## Responsibility for Penalty Payment

For political or petition committees, the treasurer is personally liable for penalties imposed for late or insufficient filings of contribution and expenditure transactions. For candidate committees, the candidate and the treasurer are jointly liable for penalties imposed.

### Penalties for Late Transactions

The treasurer responsible for a late filing transaction is the treasurer of record at the time the transaction is due.

If the late transaction is filed by a different treasurer, both treasurers shall be jointly liable, along with the candidate, if applicable. The liability for the civil penalty remains with the treasurer, and the candidate, if applicable, even if the late transaction is filed by the designated alternate transaction filer.

### Penalties for Insufficient Transactions

The treasurer responsible for an insufficient filing penalty is the treasurer who filed the original transaction that was insufficient. The liability for the civil penalty remains with the treasurer, and the candidate, if applicable, even if the insufficient transaction is filed by the designated alternate transaction filer.

### Penalties for Cash Balance Adjustment Transactions

The treasurer responsible for a cash balance adjustment transaction is the treasurer who filed the cash balance adjustment transaction. The liability for the civil penalty remains with the treasurer, and the candidate, if applicable, even if the cash balance adjustment transaction is filed by the designated alternate transaction filer.

### Penalties for Late Statement of Independent Expenditures (PC 10)

The individual responsible for filing a late Statement of Independent Expenditures is the individual who signed the PC 10.

### Payment of Civil Penalties

Penalties (for all violations other than prohibited use of committee funds) may be paid from any source. A penalty may be paid from committee funds and reported as an expenditure. If the penalty is not paid using committee funds, the payment of the penalty may be reported as an in-kind contribution from the person that paid the penalty.

### Payment for Violations of Prohibited Use of Committee Funds

The penalty for personal use of committee funds (ORS 260.407) must be paid from the personal funds of the person found in violation of the wrongful conversion.

The penalty for using a candidate's committee funds in consideration for the rendering of professional services by the candidate (ORS 260.409) may be paid from any source except the candidate's committee funds.

Uncontested civil penalties may be paid at any time after receiving the notice of proposed civil penalty, but are due no later than 60 days after a final order is mailed, unless an appeal is filed. Payment should be made to the Secretary of State. Civil penalties are paid into the State Treasury and credited to the General Fund.



## Penalty Matrix

### Late Filings

Penalties may be assessed for any contribution or expenditure transaction that is filed late or any cash balance adjustment transaction. A transaction is considered late in any of the following circumstances:

- a transaction is not filed by the due date for the transaction
- a change is made to the name of the contributor or payee after the transaction due date, resulting in an entirely different contributor or payee being associated with the transaction (the transaction is considered late from the transaction due date to the date the amended transaction changing the contributor or payee is filed)
- a change is made to the date of the transaction resulting in a due date that is prior to the date the transaction was originally filed (the transaction is considered late from the date the transaction should have been filed to the date the transaction was originally filed)
- a change (increase or decrease) is made to the amount of a previously reported transaction after the transaction due date (the amount of the change is late from the transaction due date to the date the amended transaction changing the amount is filed) – no penalty will be imposed for a change in the amount of an expenditure made by an agent transaction
- a previously reported transaction is deleted after the transaction due date (the transaction is considered late from the transaction due date to the date the transaction deletion is filed)
- a cash balance adjustment transaction is filed because the committee is unable to reconcile the calculated cash balance based on transactions filed with the Secretary of State with the committee's bank balance
- a change (increase or decrease) is made to the amount of a previously reported cash balance adjustment  
*or*
- a cash balance adjustment transaction is deleted after it has been filed



#### Warning

Criminal penalties may apply if transactions verified as true by the candidate or treasurer are knowingly submitted with false information. ORS 260.715(1).

### Exceptions to What Constitutes a Late Filing

If a candidate, political committee or petition committee receives updated information that an in-kind contribution received from another candidate, political committee or petition committee reported in a transaction is inaccurate or otherwise insufficient, the candidate, political committee or petition committee that received the in-kind contribution shall, without penalty, file an amended transaction.

The amended transaction may be filed without penalty if it is filed not later than the date that the statement is required to be filed, or if the filing deadline has passed, not later than 30 calendar days after the candidate, political committee or petition committee received the updated information. This applies only to an in-kind contribution that needs to be deleted, or to a change to the date, amount or contributor name associated with the transaction. If an amendment to the in-kind contribution transaction must be filed, the committee should detail in the notes field of the transaction, the detailed reason for the changes.

This does not apply to a candidate, political committee or petition committee that knew or reasonably should have known that the information reported in the statement originally filed under ORS 260.057, 260.076 or 260.118 was inaccurate or insufficient at the time of filing. It does not apply to:

- an original in-kind contribution transaction that is filed late
- an amended in-kind contribution transaction which results in an insufficient data element of the transaction
- if the contributor is amended from a political committee to a person  
*or*
- if the contributor is amended from a person to a political committee

## Penalties

The penalty for a late transaction is  $\frac{1}{2}\%$  of the amount of the transaction multiplied by the number of business days the transaction is filed late.

The penalty for a late Certificate of Contributions and Expenditures (PC 7) is \$10 for each business day the Certificate is late.

The penalty for a late Statement of Independent Expenditures (PC 10) is  $\frac{1}{2}\%$  of the total expenditures multiplied by the number of business days the PC 10 is filed late.

The penalty for a cash balance adjustment transaction is 10% of the amount of the transaction.

## Maximum Penalties

The maximum penalty for each late transaction is 10% of the amount of the transaction.

The maximum penalty for a late Certificate of Limited Contributions and Expenditures is \$100.

The maximum penalty for each cash balance adjustment is 10% of the amount of the transaction.

The maximum penalty for a late Statement of Independent Expenditures (form PC 10) is 10% of the total amount reported on form PC 10.

## Waiver of Penalty and Violation

If a transaction is late as a direct result of an error by the Elections Division, the violation is waived and no penalty is assessed.

If the total penalty for a case is less than \$50, a proposed penalty notice will not be issued and there will be no violation found.

## Penalty Matrix

### Late Filings of Contributions Received During a Legislative Session

Penalties may be assessed for any contribution transaction that is filed late during a legislative session. A transaction is considered late in any of the following circumstances:

- a transaction is not filed by the due date for the transaction
- a change is made to the name of the contributor after the transaction due date, resulting in an entirely different contributor being associated with the transaction (the transaction is considered late from the transaction due date to the date the amended transaction changing the contributor is filed)
- a change is made to the date of the transaction resulting in a due date that is prior to the date the transaction was originally filed (the transaction is considered late from the date the transaction should have been filed to the date the transaction was originally filed)
- a change (increase or decrease) is made to the amount of a previously reported transaction after the transaction due date (the amount of the change is late from the transaction due date to the date the amended transaction changing the amount is filed)
- a previously reported transaction is deleted after the transaction due date (the transaction is considered late from the transaction due date to the date the transaction deletion is filed)



#### Warning

Criminal penalties may apply if transactions verified as true by the candidate or treasurer are knowingly submitted with false information. ORS 260.715(1).

### Penalties

The penalty for filing a late contribution during a legislative session is ½% of the amount of the late transaction multiplied by the number of business days the transaction is filed late.

### Maximum Penalties

The maximum penalty for each late contribution transaction is 10% of the amount of the transaction.

### Waiver of Penalty and Violation

If the transaction is late as a direct result of an error by the Elections Division, the violation is waived and no penalty is assessed. If a transaction is late and should have been filed during the three business day grace period for filing an original Statement of Organization, the violation is waived and no penalty is assessed if the transaction is filed within five business days from receiving the contribution.

If the total penalty for a case is less than \$50, a proposed penalty notice will not be issued and there will be no violation found.

## Penalty Matrix

### Insufficient Filings

An insufficiency results when a contribution (cash, in-kind, loan received or pledge) or expenditure (cash, loan payment, personal expenditure, account payable or expenditure made by an agent) is missing one of the following items of required information or an item of information provided is not sufficient:

- contributor's name
- contributor's address (not including zip code)
- contributor's occupational information
- name of payee
- payee's address
- purpose of expenditure

or

- terms of loan made or received

After the deadline for submitting a transaction or after a transaction is filed, whichever is later, the Elections Division has 10 business days to review the transaction and determine if the transaction does not include all of the information required by law. The treasurer, and individual designated by the treasurer or candidate as correspondence recipient, is sent an exam letter via email that either indicates the transaction is sufficient or identifies any of the transaction's insufficiencies that need to be corrected. The letter includes a deadline for providing amendments to correct any insufficient information. The deadline is 14 days from the date of the exam letter, or the due date for a transaction, whichever is later.

If the requested information is filed by the amendment deadline provided in the exam letter and is deemed sufficient, the transaction is considered sufficient and there is no penalty. If the treasurer fails to provide the information requested in the exam letter by the amendment deadline, the committee will be subject to a penalty.

Exam letters are not issued for amended transactions. If an amended transaction is filed and is determined to be insufficient, that transaction is subject to a civil penalty.

### Penalties

- for all missing or insufficient items, other than those listed below: **\$10 per item**
- failure to provide detail of personal expenditures: **5% of personal expenditures**
- failure to provide the terms of a loan: **1% of the loan**

Omitted or insufficient information submitted after the amendment deadline but prior to the deadline for a candidate or treasurer to request a hearing will result in a 50% per item reduction of the penalty, if the information is deemed sufficient. If a public hearing is requested, the omitted or insufficient information may be submitted up to the date of the hearing and if deemed sufficient will result in a 50% per item reduction of the penalty.

### Maximum Penalty

The maximum penalty for each insufficient transaction is 10% of the amount of the transaction.

### Waiver of Penalty and Violation

If an insufficiency is the direct result of an error by the Elections Division, the violation is waived and no penalty is assessed.

If the total penalty for a case is less than \$50, a proposed penalty notice will not be issued and there will be no violation found.



#### Warning

Criminal penalties may apply if transactions verified as true by the candidate or treasurer are knowingly submitted with false information. ORS 260.715(1).

## Definitions

As used in this manual, unless the context requires otherwise, the following terms mean:

### Account Payable

An amount owed to a creditor for goods or services, or a pledge to make a contribution, whether or not legally enforceable.

### Account Receivable

Unfulfilled pledges, subscriptions, agreements or promises of contributions made to a candidate or political committee.

### Address

Includes street number and name, rural route number or post office box, city, state and zip code. For individual contributors, address means that place where the individual receives personal financial correspondence: personal residence, post office box or place of employment. For payees, address is the city and state where the payee is located, or county if the payee is not located in a city.

### Agent

Any person who has:

→ actual oral or written authority, either express or implied, to make or to authorize the making of expenditures on behalf of a candidate or on behalf of a political committee supporting or opposing a measure

*or*

→ been placed in a position within the campaign organization where it would reasonably appear that in the ordinary course of campaign-related activities the person may authorize expenditures.

### Aggregate

The total amount of contributions, including loans received, in-kind and unfulfilled pledges, received from a single contributor during a calendar year.

The total amount of expenditures, including account payables, cash, personal expenditures for reimbursement, agent expenditures and non-exempt loan payments made to the same payee in a calendar year.

### Amendment

An addition, correction or deletion of information to a transaction already filed.

### Business Days

Regular work days (calendar days excluding weekends and legal holidays as provided in ORS 187.010 and 187.020).

### Calendar Year

January 1 - December 31

### Candidate

An individual whose name is printed or expected to be printed on the ballot, an individual who campaigns for write-in votes, or an individual who collects or spends money to secure nomination or election to office at any time, even if the specific office is not indicated and the candidate's name does not appear on a ballot. "Candidate" for purposes of ORS Chapter 260 does not include a candidate for precinct committee person.

### Candidate Committee

A political committee formed by an individual running for public office.

### City Offices

The elected public offices of a city which may be voted on only by the registered voters of the city. City offices typically include a Mayor, City Councilors, a municipal Judge and other officers the city council considers necessary for the conduct of business. (The offices may vary depending upon the city's charter and ordinances. Contact the city elections filing officer for any questions regarding city offices.)

### Committee

A political committee.

### Committee Director

Any person who directly and substantially participates in decision-making on behalf of a political committee concerning the solicitation or expenditure of funds and the support of or opposition to candidates or measures. The officers of a political party are considered the directors of any political party committee of that party, unless otherwise provided in the party's bylaws.

### Committee Identification Number

The number assigned to Oregon committees registered with the Elections Division.

### Contribution

A contribution includes:

→ the payment, loan, gift, forgiving of indebtedness, or furnishing without equivalent compensation or consideration, of money, services other than personal services for which no compensation is asked or given, supplies, equipment or any other thing of value:

for the purpose of influencing an election for public office or an election on a measure, or of reducing the debt of a candidate for nomination or election to public office or the debt of a political committee

*or*

to or on behalf of a candidate, political committee or measure

*and*

→ any unfulfilled pledge, subscription, agreement or promise, whether or not legally enforceable, to make a contribution.

Regarding a contribution made for compensation or consideration of less than equivalent value, only the excess value of it is a contribution.

### Controlled Committee

A political committee that, in connection with the making of contributions or expenditures:

→ is controlled directly or indirectly by a candidate or a controlled committee

*or*

→ acts jointly with a candidate or controlled committee

A candidate controls a political committee if:

→ the candidate, the candidate's agent, a member of the candidate's immediate family or any other political committee that the candidate controls has a significant influence on the actions or decisions of the political committee

*or*

→ the candidate's committee and the political committee both have the candidate or a member of the candidate's immediate family as a treasurer or director

### Corporation

Includes for-profit, nonprofit and professional corporations.

### County Offices

The elected public offices of a county which may be voted on only by the registered voters of the county. County offices typically include County Commissioners, County Assessor, County Clerk, County Sheriff and County Treasurer.

The offices may vary depending upon the county's charter and ordinances. Contact the county elections filing officer for any questions regarding county offices.

### District Offices

The elected public offices of a special district (such as a school or water district) which may be voted on only by the registered voters of the special district. District offices typically include a board of directors.

The offices may vary depending upon the district's statutory requirements. Contact the county elections filing officer for any questions about district offices.

### Electoral District

An area within the state, county, city or district that is designated to be governed or represented by a particular elected public office.

### Electors

Active registered voters in the State of Oregon.

### Exempt Loan

Any loan of money made by a financial institution, other than any overdraft made with respect to a checking or savings account, if the loan:

→ bears the institution's usual and customary interest rate for the category of loan involved

→ is made on a basis which assures repayment

→ is evidenced by a written instrument

*and*

→ is subject to a due date or amortization schedule

## Definitions (ctnd.)

### Expenditure

Includes the payment or furnishing of money or anything of value or the incurring or repayment of indebtedness or obligation by or on behalf of a candidate, political committee or person in consideration for any services, supplies, equipment or other thing of value performed or furnished for any reason, including support of or opposition to a candidate, political committee or measure, or for reducing the debt of a candidate for nomination or election to public office. Also includes contributions made by a candidate or political committee to or on behalf of any other candidate or political committee.

### Fair Market Value

Fair market value is the dollar amount one would expect to pay for the goods or services.

### Federal Offices

President, Vice President, United States Senator or United States Representative.

### Filing Officer

See “Appropriate Elections Filing Officer/Official.”

### Financial Institution

A financial institution conducting business in Oregon.

### Forgiven Loan

A loan which a lender determines need not be repaid.

### Independent Expenditure

An expenditure by a person for a communication in support of or in opposition to a clearly identified candidate or measure. The expenditure must not be made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate, or any political committee or agent of a political committee supporting or opposing a measure.

### In-Kind

A good or service, other than money, having monetary value.

### Legislative Official

Any member or member-elect of the Legislative Assembly.

### Loan Cosigner or Guarantor

A person who guarantees a loan of monetary value for a candidate or political committee.

### Local Initiative or Referendum

Any initiative or referendum filed with a county, city or special district elections office.

### Local Office or Measure

Any office or measure to be voted upon by the registered voters of a county, city or special district.

### Measure

Includes any of the following submitted to the people for their approval or rejection at an election:

- an Act or part of an Act of the Legislative Assembly
- a county, city or special district legislation
- a proposed law
- a proposition or question
- a proposed revision or amendment to the Oregon Constitution

### Measure Committee

A political committee organized exclusively to support or oppose one or more measures certified to a ballot in Oregon.

### Membership Organization

A trade association, cooperative, corporation without capital stock, or a local, national, or international labor organization that:

- is composed of members, some or all of whom are vested with the power and authority to operate or administer the organization, pursuant to the organization’s articles, bylaws, constitution or other formal organizational documents expressly states the qualifications and requirements for membership in its articles, bylaws, constitution or other formal organizational documents makes its articles, bylaws, constitution, or other formal organizational documents available to its members upon request
  - expressly solicits persons to become members
  - expressly acknowledges the acceptance of membership, such as by sending a membership card or including the member’s name on a membership newsletter list
- and*
- is not organized primarily for the purpose of influencing the nomination for election, or election, of any individual to public office

### **Nonaffiliated Candidate**

A candidate filing for a partisan office by Assembly of Electors or Individual Electors. A nonaffiliated candidate cannot have been a member of any political party during the last 180 days before the deadline for filing the certificate of nomination.

### **Nonpartisan Office**

An office for which the candidate does not run under the name of any political party. Nonpartisan offices include: Judge (Supreme Court, Court of Appeals, Tax Court, Circuit Court and County Judge who exercises judicial functions), Superintendent of Public Instruction, Commissioner of the Bureau of Labor and Industries, any elected office of a metropolitan service district under ORS Chapter 268, Justice of the Peace, County Clerk, County Assessor, County Treasurer, Sheriff, District Attorney and any office designated nonpartisan by a home rule charter. Special District offices are also nonpartisan.

### **OAR**

Oregon Administrative Rules.

### **Occupation**

The nature of an individual's primary job or business, whether paid or unpaid, and, if the individual is employed by another person, the employer's company name and address, by city and state.

### **ORESTAR**

The Elections Division web-based campaign finance reporting system.

### **ORS**

Oregon Revised Statutes.

### **Other Disbursements**

Monies disbursed by the candidate or committee that do not meet the definition of "expenditure."

### **Other Receipts**

Monies received by a candidate or committee that do not meet the definition of "contributions."

### **Partisan Office**

An office for which the candidate may be nominated by a major or minor political party or as a nonaffiliated candidate.

### **Person**

An individual, corporation, limited liability company, labor organization, association, firm, partnership, joint stock company, club, organization or other combination of individuals having collective capacity.

### **Petition Committee**

A committee formed by the chief petitioners of an initiative, referendum, or any recall petition.

A petition committee may be designated to support only one initiative, referendum, or recall petition. The treasurer shall keep accounts and file reports for that single and distinct committee separate from any other petition committee or any political committee. **A petition committee is not a political committee.**

### **Political Action Committee**

Includes miscellaneous, political party, caucus, recall and measure committees.

### **Political Committee**

A combination of two or more individuals, or a person other than an individual, that has received a contribution or made an expenditure for the purpose of supporting or opposing a candidate, measure or political party. Expenditure does not include a contribution to a candidate or political committee required to report the contribution or an independent expenditure that is required to be reported. Political committee also includes an individual that solicits and receives a contribution, unless all contributions received by the individual are designated to a committee and forwarded to that committee within seven business days of receipt. **A petition committee is not a political committee.**

### **Political Party Committee**

A political committee organized by a political party which has appropriately filed its organizational documents with the Secretary of State under ORS 248.007 or 248.009. Includes county central committees.

### **Professional Delivery Service**

Includes common carriers such as the United States Postal Service, Federal Express, UPS, etc. Other businesses that in the course of their work may be responsible for delivering documents, such as accounting or contribution and expenditure transaction preparation services, are not considered professional delivery services.



## Definitions

### Prospective Petition

- Candidate: The information and filing forms, except signatures and other identification of petition signers, required to be contained in a completed petition.
- Local (City, County, District): The information and filing forms, except signatures and other identification of petition signers, required to be contained in a completed petition.
- Statewide: A prospective initiative or referendum petition, which has been filed and accepted by the Elections Division's office, but has not received written approval to circulate, from the Elections Division.

### Public Office

Any national, state, county, city or district office or position, except a political party office, filled by electors.

### Public Office Holder Expense

Expenditures associated with allowable public office holder expenses such as gifts of nominal value, conference registration fees, membership dues, constituent services, staff wages, office rent, mileage, gas, travel and entertainment. When this purpose is used, a committee must provide a written description.

### Recall Petition

A petition by electors to place a question on a special recall election ballot regarding whether a specified public officer should be removed from office.

### Referendum Petition

A petition by electors to approve or reject legislation adopted by the Oregon Legislature or the governing body of a county, city or district.

### Registered Voter

A resident of the State of Oregon who:

- is a US citizen
- is 17 years of age or older (a ballot will not be sent until an election occurs on or after the 18th birthday)
- is registered more than 20 calendar days before the election

### Regularly Published Publication

A publication published on a recurring basis according to a time schedule that bears no relation to an election.

### Slate Mailer

A mass mailing that supports or opposes a total of three or more candidates or measures.

### Slate Mailer Organization

Any person who directly or indirectly:

- is involved in the production of one or more slate mailers and exercises control over the selection of the candidates and measures to be supported or opposed in the slate mailers

*and*

- receives, or is promised, payment for producing one or more slate mailers or for endorsing or opposing, or refraining from endorsing or opposing, a candidate or measure in one or more slate mailers.

A slate mailer organization does not include a political party or a legislative caucus committee.

### State Measure

A measure to be voted on by the registered voters of the entire state.

### State Offices

Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, Superintendent of Public Instruction, Judge (Supreme Court, Court of Appeals, Tax Court, Circuit Court and any County Judge who exercises judicial functions), State Senator, State Representative or District Attorney.

### Statewide Offices

The elected public offices of the State of Oregon which are voted on by all the registered voters of the state (Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, Superintendent of Public Instruction, Supreme Court Judge, Court of Appeals Judge and Tax Court Judge).

**Treasurer**

A person appointed by a candidate or political committee to manage and report the contributions and expenditures of the candidate or political committee. A treasurer shall perform all the duties prescribed for a candidate or political committee under ORS 260.005 and 260.035 to 260.159.

**Undue Influence**

Application of force, violence, restraint or the threat of it, inflicting injury, damage, harm, loss of employment or other loss or threat of it, or giving or promising to give money, employment or other thing of value, done with the intent to induce a person to engage or refrain from engaging in specific kinds of political activity listed in ORS 260.665(2). Depending on the conduct the person applying undue influence intends to induce, a violation of ORS 260.665 is punishable by imposition of a civil penalty or as a class C felony.



## OAR 165-102

**Notice**

This reprint of OAR 165-012-0050 through 165-012-0240 is not adopted as part of OAR 165-012-0005, the 2008 Campaign Finance Manual, but is reprinted here to assist readers of the manual. The Elections Division, in reprinting these rules, endeavors to provide the most up-to-date versions of the rules. Rules, however, may change during the period that the Campaign Finance Manual will be in effect. Before relying on any specific rule, contact the Elections Division to determine if that version is still correct.

## OAR 165-012-0050 Contribution of Polls, Allocation of Polling Expenses

- (1) The purpose of this rule is to establish procedures for reporting the contribution of poll results, the allocation of polling expenses, the valuation of poll results, and the reporting of in-kind contributions of poll results.
- (2) This rule does not apply to:
  - (a) Individuals mentioned in a poll who are not candidates; and
  - (b) Polls conducted internally by a campaign or entity that are not contributed.
- (3) For purposes of this rule and, except where otherwise defined:
  - (a) "Candidate" includes an agent of the candidate or an agent of the candidate's principal campaign committee.
  - (b) "Contributor" means a purchaser of a poll or agent who gives the poll results to one or more nonpurchaser candidates or non-purchaser political committees.
  - (c) "Date of purchase" means the date that a person pays for a poll.
  - (d) "Person" includes an agent of the person.
  - (e) "Political Committee" includes an agent of the political committee.
  - (f) "Poll:"
    - (A) Means a questioning of selected participants regarding one or more candidates or issues that comprises one or more questions, whether the questioning is commissioned or conducted by volunteers; and
    - (B) Includes a sample of participants that is a self-contained subset of all participants under paragraph (A) of this subsection.
  - (g) "Purchaser" means a person or political committee that requests or otherwise commissions and pays for a poll.
  - (h) "Receipt" means in the custody of a candidate or political committee. Examples of custody include but are not limited to physical or electronic possession or possession by means of telephonic or facsimile communication.
  - (i) "Results" means the raw data of a poll or any compiled conclusions and analysis supported by the raw data.
- (4) The purchase of the results of a poll by a candidate or a political committee is an expenditure by the candidate or political committee.
- (5) The acceptance of the results of a poll that have a value under section 9 of this rule by a candidate or political committee is an in-kind contribution by the contributor and an in-kind expenditure in the amount determined under sections 8 and 9 of this rule and must be reported by:
  - (a) The recipient candidate or political committee; and
  - (b) If the contributor is required to file statements of contributions received and expenditures made under ORS 260.058 to 260.073, the contributor.
- (6) A candidate or political committee accepts the results of a poll if the candidate or political committee:
  - (a) Requests the poll results; or
  - (b) Obtains the poll results from the contributor.
- (7) A contributor of poll results shall retain records for two years sufficient to support the valuation of poll results and any allocation of poll costs.
- (8) The contributor of a poll shall determine:
  - (a) The percentage of the poll's overall cost to be allocated to each of the candidates directly or indirectly affected by the poll (Divide the number of questions in the sample received by a candidate by the total number of questions asked in the sample); and
  - (b) The base amount of in-kind contribution to each recipient candidate (Multiply the overall cost of the poll by a particular candidate's percentage of the overall cost as calculated under subsection (a) of this section).

- (9) For purposes of valuing poll results accepted by a candidate or political committee:
- (a) A poll shall have no value to any recipient candidate or political committee if the poll is simultaneously released to each candidate who is running for nomination or election to an office covered by the poll.
    - (A) The provisions of this subsection may be used only if a poll covers more than one candidate.
    - (B) If any individual files for an office covered by a contributed poll within 90 days of the poll being valued under this subsection, the contributor must give the individual the poll results not later than the 30th day after the date the individual files for the office.
  - (b) A poll shall have no value to any recipient candidate or political committee if the poll is released (prior to or simultaneously with delivery to a candidate covered in the poll or any political committee) to:
    - (A) The newspaper of largest circulation in the district from which a candidate or candidates are running, or if the district is statewide, to at least ten of the largest daily circulation newspapers in the state; and
    - (B) At least one broadcast media outlet licensed for commercial operations by the FCC whose primary broadcast coverage encompasses the district in which a candidate or candidates are running.
  - (c) A poll that is not valued under subsections (a) or (b) of this section shall be valued according to the valuation schedule provided in this subsection. Except as provided in subsection (d) of this section, poll results received by a candidate or political committee within the following time periods after the last (closing) day that the purchaser or other entity conducting the poll accepts data from which the poll results will be compiled (for example, the day the last oral questions are asked or the day that the purchaser stops accepting mail returns) shall have the corresponding value to the recipient as an in-kind contribution:
    - (A) One to 15 days after the closing day, 100 percent of the:
      - (i) Recipient candidate's base amount of in-kind contribution for a poll calculated under section 8(b) of this rule;
      - (ii) Overall cost of a poll for a recipient political committee; or
      - (iii) Overall cost of a poll for a recipient candidate or political committee.
    - (B) 16 to 60 days after the closing day, 50 percent of the:
      - (i) Recipient candidate's base amount of in-kind contribution for a poll calculated under section 8(b) of this rule; or
      - (ii) Overall cost of a poll for a recipient candidate or political committee.
    - (C) Sixty one to 180 days after the closing day, five percent of the:
      - (i) Recipient candidate's base amount of in-kind contribution for a poll calculated under section 8(b) of this rule; or
      - (ii) Overall cost of a poll for a recipient candidate or political committee.
    - (D) More than 180 days after the closing day, no value to the recipient candidate or political committee.
  - (d) Notwithstanding subsection (c) of this section, a poll conducted and completed more than 180 days prior to the next election to be held after the poll is conducted and completed shall have no value to any recipient candidates or political committees. "Conducted and completed" means that all questions, in any format, have been asked and further replies are not being accepted by the purchaser or other entity in charge of gathering data from which the poll results will be compiled, and that the poll results have been compiled.
- (10) A candidate or political committee that has accepted the results of a poll believing that the results have no value or a particular value is liable for any fees or penalties owed as a result of having to report the acceptance as a previously unreported or underreported in-kind contribution and expenditure if the results of the poll are subsequently determined to have value or a higher value to the candidate or political committee.

## OAR 165-012-0060 Slate Mailer Organizations

- (1) Under ORS 260.737(2) and (4), the Secretary of State must adopt rules defining certain terms relating to slate mailer organizations.
- (2) As used in ORS 260.005, 260.735 and 260.737, these terms shall have the following meanings:
  - (a) “Legible size” means that the printing of the required notice will be no less than eight-point Helvetica type for any slate mailer 8-1/2 x 11 inches or less, and ten-point Helvetica type for any slate mailer larger than 8-1/2 x 11 inches. The required notice will be printed at the top or bottom of the front surface of the mailer;
  - (b) “Legible size and type” means that the notice shall be in a color of print which contrasts with the background of the mailer so as to be readily and easily legible, and in a printed (bold, italicized, or other means) or drawn box and set apart from any other printed matter. The size shall be as defined in subsection (a) of this section;
  - (c) “Payment” means the payment or furnishing of money or any thing of value or the incurring or repayment of indebtedness or obligation by or on behalf of a candidate, political committee or person for the purpose of participating in a mass mailing that supports or opposes a total of three or more candidates or measures.

Stat. Auth.: ORS 246.150 & 260.737

Stats. Implemented: ORS 260.737





## OAR 165-012-0240 Administrative Discontinuation of Political Committee

### Administrative Discontinuation of a Political Committee

- (1) The Elections Division may administratively discontinue a political committee when:
  - (a) The committee has not filed any transactions under ORS 260.057 for one calendar year; and
  - (b) The committee's ending cash balance reflected in ORESTAR is not more than \$2000.
- (2) Not later than 30 days before administratively discontinuing a committee under this section, the Elections Division shall attempt to notify the committee of the proposed discontinuation.
  - (a) For a candidate committee:
    - (A) By certified mail sent to the mailing address reported on the most recent Statement of Organization for the candidate and by first class mail to the most recent mailing address for the candidate reported in the Oregon Centralized Voter Registration System; and
    - (B) By first class mail to the mailing address reported on the most recent Statement of Organization for the treasurer, if applicable.
  - (b) For a political committee notice will be sent by certified mail sent to the mailing address reported on the most recent Statement of Organization for the treasurer and by first class mail to the most recent mailing address for the treasurer reported in the Oregon Centralized Voter Registration System.
- (3) The notice shall inform the committee that it will be discontinued by the Elections Division unless the committee informs the Elections Division of reasons why the committee does not meet the criteria of this rule for administrative discontinuation. The committee must inform the Elections Division of the reasons not later than the 20th day after the recipient signs for the certified notice. However, if the certified notice is refused or left unclaimed at the post office, the 20-day period begins on the day the post office indicates it has given first notice of the certified letter. The written notice shall also include:
  - (a) Notification that the statement of organization will be administratively discontinued 30 days from the date of the letter; and
  - (b) The applicable reasons for discontinuation listed in subsection (1) of this section.



## Forms

**Statement of Organization for Candidate Committee****SEL 220**rev 01/10: ORS 260.037,  
ORS 260.039, ORS 260.041

**Filing a New Committee:** This form, **along with the Campaign Account Information form (SEL 223)**, must be completed and filed within 3 business days of first receiving a contribution or making an expenditure. The "Original" box should be marked on both forms.

→ **A candidate may have only one Candidate Committee.**

**A Candidate Who Serves as the Treasurer:** A candidate may either serve as the candidate's own treasurer or may appoint a separate treasurer. A candidate who serves as their own treasurer, does not have an existing candidate's committee and does not expect to receive or spend more than \$350 for a calendar year is not required to establish a campaign account, file a Statement of Organization or file transactions. However, if at any time the candidate exceeds \$350 in either contributions or expenditures in a calendar year, the candidate must then establish a campaign account, file a Statement of Organization and file contribution and expenditure transactions.

**Amending Information on this Form:** Any change in the information on this form must be filed **within 10 days** of the change. To notify the Elections Division of a change in information, submit this form, completed in its entirety, and mark the "Amendment" box. An amended SEL 223 should not be filed unless the information on that form also changes.

**Discontinuing:** A candidate may discontinue their committee by disclosing all transactions that achieve a zero cash balance and filing a completed SEL 220 with the "Discontinuation" box marked.

**Note:** Prior to discontinuing a committee must file a Notice of Intent to Discontinue (form SEL 224) either electronically using ORESTAR or by filing the paper form SEL 224 with the Elections Division.

→ **Please type or print legibly in black or blue ink**

**This filing is an:**

**Original**

**Amendment**

**Discontinuation**

**Committee Information**

**Name of Committee** (if changing the committee name, please include the former name)

**Committee Address** (no post office box numbers)

**City**

**State**

**Zip Code**

**Campaign Phone**

**Treasurer Information**

**Name of Treasurer**

**Mr.**  **Ms.**

**Mailing Address for Committee Correspondence**

**City**

**State**

**Zip Code**

**Work Phone**

**Home Phone**

**Fax**

**Email Address** (required)

**Alternate Transaction Filer Information** (optional)

**Name of Alternate Transaction Filer** (must be someone other than the candidate or treasurer)

**Mr.**  **Ms.**

**Mailing Address for Alternate Transaction Filer**

**City**

**State**

**Zip Code**

**Email Address** (required if designating an Alternate Transaction Filer)

**Information for Correspondence Recipient Designated to Receive Notices Sent Under ORS Chapters 246-260** (optional)

**Name of Correspondence Recipient** (must be someone other than the candidate or treasurer)

**Mr.**  **Ms.**

**Mailing Address for Correspondence Recipient**

**City**

**State**

**Zip Code**

**Email Address** (required if designating a Correspondence Recipient)

**Candidate Information**

**Name of Candidate**

**Mr.**  **Ms.**

**Candidate Address** (no post office box numbers)

**City**

**State**

**Zip Code**

**Mailing Address for Candidate Correspondence**

**City**

**State**

**Zip Code**

**Work Phone**

**Home Phone**

**Fax**

**Email Address** (required)

**Candidate Information** continued from previous side**Occupation of Candidate**

Employer's Name

City and State of Employer

- 
- Self-Employed
- 
- 
- Not Employed

Name of Office Sought (include county, position, department or zone number, if applicable)

**Candidate Election Activity**

- 
- Primary 20\_\_\_\_
- 
- General 20\_\_\_\_
- 
- Other Election Date: \_\_\_\_\_

**Political Party Affiliation**

Choose one if filing for a partisan office:

- 
- Constitution
- 
- Democratic
- 
- Independent
- 
- Libertarian
- 
- Pacific Green
- 
- 
- Progressive
- 
- Republican
- 
- Working Families
- 
- Nonaffiliated
- 
- Other: \_\_\_\_\_

**Other Election Activity**

- 
- Supports or opposes multiple candidates and measures (if this is marked there is no requirement to name the candidates or measures.)

- 
- Supports specific measures or recall Measure number(s): \_\_\_\_\_

Candidate(s) being recalled: \_\_\_\_\_

- 
- Opposes specific measures or recall Measure number(s): \_\_\_\_\_

Candidate(s) being recalled: \_\_\_\_\_

**Committee Director(s)**

If the committee has more than one director, attach a list of additional directors and include all the information required on the form for each director. The candidate should not be designated as a committee director. A committee director is not required.

Name of Committee Director

Address including zip code

Phone Number

Occupation

Employer's Name

City and State of Employer

- 
- Self-Employed
- 
- 
- Not Employed

If two or more directors of this political committee are also directors of another political committee, list the names of those directors and the name and address of the other political committee. Attach a list if necessary.

\_\_\_\_\_

\_\_\_\_\_

**SEL 223**

- Attached is a Campaign Account Information Form (SEL 223)**
- 
- Yes
- 
- No

*By signing this document I acknowledge that I am personally liable for any penalties imposed under ORS Chapter 260 and attest that the information on the form is true and correct.*

Candidate's Signature

Date Signed

Treasurer's Signature if different than candidate

Date Signed

**Important**

Both the candidate and the treasurer of a candidate committee must sign the Statement of Organization.

**For Office Use Only**

Initials

Committee ID Number

Date SEL 223 Received

# Statement of Organization for Political Action Committee

# SEL 221

rev 01/10: ORS 260.042

**Filing a New Committee:** This form, **along with the Campaign Account Information form (SEL 223)**, must be completed and filed within 3 business days of first receiving a contribution or making an expenditure. The "Original" box should be marked on both forms. A date stamped copy of this form, which includes the committee's identification number, will be returned to the treasurer as an acknowledgment of the filing.

**Committee Directors:** All political action committees must designate at least one committee director who is not the treasurer. The treasurer may be a committee director if the treasurer meets the definition of "committee director" in ORS 260.005(2), but the treasurer may not be the only committee director. If a committee has more than two directors, attach a list of additional directors and include all the information required on the form for each director.

**Amending Information on this Form:** Any change in the information on this form must be filed **within 10 days** of the change. To notify the Elections Division of a change in information, submit this form, completed in its entirety, and mark the "Amendment" box. An amended SEL 223 should not be filed unless the information on that form also changes.

Note: Prior to discontinuing a committee must file a Notice of Intent to Discontinue, either electronically using ORESTAR, or by filing form SEL 224 with the Elections Division.

**Discontinuing:** A committee may discontinue by disclosing all transactions that achieve a zero cash balance and filing a completed SEL 221 with the "Discontinuation" box marked.

→ **Please type or print legibly in black or blue ink**

This filing is an:  **Original**  **Amendment**  **Discontinuation**

### Committee Information

<b>Name of Committee</b> (if changing the committee name, please include the former name)	<b>Abbreviation or Acronym</b>
---	--------------------------------

<b>Committee Address</b> no post office box numbers	<b>City</b>	<b>State</b>	<b>Zip Code</b>
---	-------------	--------------	-----------------

**Campaign Phone**

### Treasurer Information

**Name of Treasurer**

Mr.  Ms.

<b>Mailing Address for Committee Correspondence</b>	<b>City</b>	<b>State</b>	<b>Zip Code</b>
---	-------------	--------------	-----------------

<b>Work Phone</b>	<b>Home Phone</b>	<b>Fax</b>	<b>Email Address</b> (required)
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### Alternate Transaction Filer Information (optional)

**Name of Alternate Transaction Filer** (must be someone other than the treasurer)

Mr.  Ms./Mrs.

<b>Mailing Address for Alternate Transaction Filer</b>	<b>City</b>	<b>State</b>	<b>Zip Code</b>
--	-------------	--------------	-----------------

**Email Address** (required if listing an Alternate Transaction Filer)

### Information for Correspondence Recipient Designated to Receive Notices Sent Under ORS Chapters 246-260 (optional)

**Name of Correspondence Recipient** (must be someone other than the treasurer)

Mr.  Ms.

<b>Mailing Address for Correspondence Recipient</b>	<b>City</b>	<b>State</b>	<b>Zip Code</b>
---	-------------	--------------	-----------------

**Email Address** (required if listing a Correspondence Recipient)

### Type of Political Action Committee select only one

- |   |   |  |   |  |
|---|---|--|---|--|
| <input type="radio"/> <b>Caucus Committee</b> | <input type="radio"/> <b>Recall Committee</b> | <input type="radio"/> <b>Measure</b><br>→ Exclusively support or oppose one or more measures on a ballot | <input type="radio"/> <b>Political Party</b><br>→ A major or minor party defined in ORS Chapter 248<br>→ A committee established by a major or minor party under party bylaws | <input type="radio"/> <b>Miscellaneous</b><br>Support or oppose one or more of the following:<br>→ Specific candidates<br>→ Entire ticket of a political party<br>→ Candidate in a recall election<br>→ Multiple candidates and measures |
|---|---|--|---|--|

**Election Activity**

Primary 20 \_\_\_\_  General 20 \_\_\_\_  Other Election Date: \_\_\_\_\_

**Political Party Name/Title or Number of Measure/Recall Candidate's Name**

Support  Oppose

Support  Oppose

Support  Oppose

**Nature of Political Action Committee****Committee Information**

**Is this committee a controlled committee?**  Yes  No

If yes, identify the candidate who controls the committee:

**Is this committee a slate mailer organization?**  Yes  No

**Committee Director(s)**

If the committee has more than two directors, attach a list of additional directors and include all the information required on the form for each director.

<b>1</b> Name of Committee Director	Address including zip code	
Phone Number	Occupation	
Employer's Name	City and State of Employer	<input type="radio"/> Self-Employed <input type="radio"/> Not Employed

<b>2</b> Name of Committee Director	Address including zip code	
Phone Number	Occupation	
Employer's Name	City and State of Employer	<input type="radio"/> Self-Employed <input type="radio"/> Not Employed

If two or more directors of this political committee are also directors of another political committee, list the names of those directors and the name and address of the other political committee.

**SEL 223**

**Attached is a Campaign Account Information Form (SEL 223)**  Yes  No

*By signing this document I acknowledge that I am personally liable for any penalties imposed under ORS Chapter 260 and attest that the information on the form is true and correct.*

Treasurer's Signature

Date Signed

**For Office Use Only**

Initials

Committee ID Number

Date SEL 223 Received

**Statement of Organization for Petition Committee****SEL 222**

rev 01/10: ORS 260.118

**Filing a New Committee:** This form, **along with the Campaign Account Information Form (SEL 223)**, must be completed and filed within 3 business days of first receiving a contribution or making an expenditure, and no later than the date the petition is approved for circulation. For a recall petition, it must be filed with the prospective petition. The "Original" box should be marked. A date stamped copy of this form, which includes the committee's identification number, will be returned to the treasurer as an acknowledgment of the filing.

**Chief Petitioners:** A petition committee must list all chief petitioners of the petition. A recall committee may only have one chief petitioner.

**Amending Information on this Form:** Any change in the information on this form must be filed **within 10 days** of the change. To notify the Elections Division of a change in information, submit this form, completed in its entirety, and mark the "Amendment" box.

Note: Prior to discontinuing a committee must file a Notice of Intent to Discontinue, either electronically using ORESTAR, or by filing form SEL 224 with the Elections Division.

**Discontinuing:** The treasurer may discontinue the committee by disclosing all transactions that achieve a zero cash balance and filing a completed SEL 222 with the "Discontinuation" box marked. Discontinuation of a state initiative or referendum chief petitioner committee prior to the deadline for submitting signatures for verification can occur only if the petition is withdrawn.

→ *Please type or print legibly in black or blue ink*

This filing is an:

**Original**

**Amendment**

**Discontinuation**

**Committee Information**

**Name of Committee** (if changing the committee name, please include the former name)

**Abbreviation or Acronym**

**Committee Address** no post office box numbers

**City**

**State**

**Zip Code**

**Campaign Phone**

**Treasurer Information**

**Name of Treasurer**

**Mr.**  **Ms./Mrs.**

**Mailing Address for Committee Correspondence**

**City**

**State**

**Zip Code**

**Work Phone**

**Home Phone**

**Fax**

**Email Address** (required)

**Alternate Transaction Filer Information** (optional)

**Name of Alternate Transaction Filer** (must be someone other than treasurer)

**Mr.**  **Ms./Mrs.**

**Mailing Address for Alternate Transaction Filer**

**City**

**State**

**Zip Code**

**Email Address** (required if listing an Alternate Transaction Filer)

**Type of Petition Committee** mark both type of petition **and** jurisdiction

Type of Petition:

**Initiative**

**Referendum**

**Recall**

Jurisdiction:

**State**

**County**

**City**

**Special District**

**Additional Information**

**Date Prospective Petition Filed (mm/dd/yy)** \*only required for local petitions

**Date of Election (mm/dd/yy)** \*only required for state petitions



**Subject or Ballot Title of Petition/Name (and Position/Office) of Public Official for Recall**

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**Chief Petitioner Information** (a recall committee may only have one Chief Petitioner)

<b>1</b> Name of Chief Petitioner	Phone Number		
-----------------------------------	--------------	--	--

Address	City	State	Zip Code
---------	------	-------	----------

<b>2</b> Name of Chief Petitioner	Phone Number		
-----------------------------------	--------------	--	--

Address	City	State	Zip Code
---------	------	-------	----------

<b>3</b> Name of Chief Petitioner	Phone Number		
-----------------------------------	--------------	--	--

Address	City	State	Zip Code
---------	------	-------	----------

**SEL 223**

Attached Is A Campaign Account Information Form (SEL 223)  Yes  No

*By signing this document I acknowledge that I am personally liable for any penalties imposed under ORS Chapter 260 and attest that the information on the form is true and correct.*

Treasurer's Signature \_\_\_\_\_ Date Signed \_\_\_\_\_

Chief Petitioner's Signature (optional) \_\_\_\_\_ Date Signed \_\_\_\_\_

**For Office Use Only**

Initials \_\_\_\_\_ ID Number \_\_\_\_\_

Date Acknowledgment Sent \_\_\_\_\_

# Campaign Account Information

**SEL 223**

rev 01/10: ORS 260.039, ORS 260.042

**Filing a New Committee:** This form, **along with the appropriate Statement of Organization form (SEL 220, 221 or 222)**, must be completed and filed within 3 business days of first receiving a contribution or making an expenditure. The "Original" box should be marked on both forms.

**Amending Information on this Form:** Any change in the information on this form must be filed **within 10 days** of the change. To notify the filing officer of a change in information, submit this form, completed in its entirety, and mark the "Amendment" box. An amended SEL 220, 221 or 222 should not be filed unless the information on that form also changes.

**Discontinuing:** A committee may discontinue by disclosing all transactions that achieve a zero cash balance by filing a completed SEL 200, 221 or 222 with the "Discontinuation" box marked. It is not necessary to submit this form when discontinuing a committee.

**Confidentiality:** The SEL 223 and any information it contains is exempt from public records disclosure and shall be kept confidential by the Elections Division.

→ **Please type or print legibly in black or blue ink**

This filing is an:

**Original**

**Amendment**

**Committee Information**

**Name of Committee** (if changing the committee name, please include the former name)

**Name of Oregon Financial Institution**

**Account Number**

**Name of Account** (must be identical to name of committee)

**Name of Account Holder**

**Names of Persons Who Have Signature Authority**

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*By signing this document I attest that the above information is true and correct.*

**Candidate's Signature** (for Candidate Committee only)

**Date Signed**

**Treasurer's Signature**

**Date Signed**

 **Important**

The information on this form is exempt from public records disclosure and shall be kept confidential by the Elections Division

**For Office Use Only**

Initials

Committee ID Number

# Notice of Intent to Discontinue

# SEL 224

rev 01/10: ORS 260.118

Prior to discontinuing a committee’s registration and closing the committee’s dedicated bank account, the treasurer or candidate, if applicable, must file the Notice of Intent to Discontinue (form SEL 224) with the Elections Division. The notice may be filed before the committee files its final transactions to achieve a zero balance. Not later than 90 days after form SEL 224 is filed, the Elections Division will examine each transaction filed under ORS 260.044, 260.057, 260.083, 260.102, 260.112 or 260.118 and notify the committee via email of any outstanding violations of any Oregon Election Law.

If additional transactions are filed after filing the Notice of Intent to Discontinue, the Elections Division has an additional 90 days to examine the statements and send the committee a notification of any pending late or insufficient transactions associated with the additional transactions. Notification is sent via email with an attached exam letter or amendment review report. If the committee has achieved a zero balance with the filing of the additional transactions, the Elections Division will include notification that the committee may discontinue.

If the committee has filed all transactions and achieves a zero balance when form SEL 224 is filed, the committee will receive an email identifying any outstanding violations of Oregon Election Law. The email will also inform the committee that it can be discontinued.

## Committee Information

<b>Name of Committee</b> use full name		<b>Committee ID Number</b>	
<b>Candidate’s Name</b> if applicable		<b>Day Phone Number</b>	
<b>Treasurer’s Name</b> if different than candidate		<b>Day Phone Number</b>	
<b>Mailing Address</b> as it appears on Statement of Organization, <b>Street/Route</b>			
<b>City</b>	<b>State</b>	<b>Zip Code</b>	

I, \_\_\_\_\_,  
name of candidate or treasurer

hereby certify that I intend to discontinue the committee and close the campaign account. I understand that I may not discontinue the committee or close the campaign account until I receive notification from the Elections Division that a final review of all statements filed under ORS 260.057 has been completed.

**Signature of Candidate or Treasurer**

**Date Signed**

## For Office Use Only

Initials		Date Email Generated	
Pending Other C&E Violation Cases		Other Election Violations	
Pending Insufficient/Late		Committee Discontinued	Final Notice to Committee

**PC 7 Certificate of Limited Contributions and Expenditures**

rev 01/10

→ **Please type or print legibly in black or blue ink****Committee Information****Name of Committee** use full name**Committee ID Number****Treasurer's Name** if different than candidate**Day Phone Number****Mailing Address** as it appears on Statement of Organization, **Street/Route****City****State****Zip Code****Committee Type, Initiative or Measure Number or Office****Year****Cash Balance on January 1**I, \_\_\_\_\_,  
name of candidate or treasurer

hereby certify I expect neither the aggregate contributions received nor the aggregate expenditures made by or on behalf of my candidacy or committee for this calendar year to exceed \$2,000. I understand that this form must be filed no later than seven calendar days after receiving a contribution or making an expenditure in the calendar year. I also understand that if the committee exceeds \$2,000 in total contributions or total expenditures during the calendar year, detailed transaction information must be filed electronically using ORESTAR for the calendar year within seven calendar days after exceeding the \$2,000 threshold. By signing this document I acknowledge that I am personally liable for any penalties imposed under ORS Chapter 260 and attest that the information on this form is true and correct.

**Signature of Candidate or Treasurer****Date Signed****Notes**

- If a candidate, political committee or petition committee does not **expect** to receive a total of more than \$2,000 or spend a total of more than \$2,000 for the entire calendar year, a Certificate of Limited Contributions and Expenditures may be filed. A certificate must be filed **no later than seven** calendar days after receiving a contribution or making an expenditure in the calendar year.
- If either the total contributions or total expenditures exceed \$2,000 during the calendar year, detailed contribution and expenditure information must be electronically filed. All transactions during the calendar year to date must be filed **no later than seven calendar days** after exceeding the \$2,000 threshold. Refer to the *Campaign Finance Manual* for further information.
- Deadline dates for filing a Certificate of Limited Contributions and Expenditures or contribution and expenditure transactions **must be** strictly observed. Under ORS 260.232, the Secretary of State may impose a civil penalty against a candidate or treasurer for filing a late Certificate of Limited Contributions and Expenditures.

**For Office Use Only**

Initials

Date Entered

Notes

# PC 10 Statement of Independent Expenditures

rev 01/10

→ Please type or print legibly in black or blue ink; list only one entry per line

## General Information

Name of Individual or Organization making the Independent Expenditure (use full name)

Address, Street/Route

City	State	Zip Code	Work Phone Number
------	-------	----------	-------------------

Date	Name and Address of Payee* <small>*address includes city, or county if no city, and state</small>	Purpose & Support/Oppose Information	A/P	Amount of Expenditure	Paid to A/P
1			<input type="radio"/>	\$	<input type="radio"/>
2			<input type="radio"/>	\$	<input type="radio"/>
3			<input type="radio"/>	\$	<input type="radio"/>
4			<input type="radio"/>	\$	<input type="radio"/>
5			<input type="radio"/>	\$	<input type="radio"/>
6			<input type="radio"/>	\$	<input type="radio"/>
7			<input type="radio"/>	\$	<input type="radio"/>
8			<input type="radio"/>	\$	<input type="radio"/>
9			<input type="radio"/>	\$	<input type="radio"/>
10			<input type="radio"/>	\$	<input type="radio"/>

I hereby certify the above listed expenditures were made for the candidates or measures specified. By signing this document I acknowledge that I am personally liable for any penalties imposed under ORS Chapter 260 and attest that the information on the form is true and correct.

**for office use only**

Signature of person responsible for filing PC 10

Date Signed

# PC 10 Statement of Independent Expenditures

## Independent Expenditure Information

An independent expenditure is an expenditure or account payable that is incurred for a communication in support of or in opposition to a clearly identified candidate or measure. The expenditure must not be made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate, or any political committee or agent of a political committee supporting or opposing a measure.

A person, other than a committee, who obligates or spends the person's own funds of more than \$100 for the calendar year to support or oppose any candidate or measure must file a Statement of Independent Expenditures (PC 10) with the Elections Division.

"Person" includes an individual, corporation, limited liability company, labor organization, association, firm, partnership, joint stock company, club, organization or other combination of individuals having collective capacity.

The deadline to file the PC 10 is not later than seven calendar days after the total amount of the independent expenditure exceeds \$100 in a calendar year. The accounting period begins on the date that an independent expenditure is made. The individual responsible for filing a late PC 10 is the individual who signs the PC 10. If you need assistance contact the Elections Division at 503-986-1518.

## Form Field Instructions

**Date:** The date the expenditure was made or account payable is incurred. Date must include the month, day and year.

**Name and Address of Payee:** The name and address of the vendor or individual to whom payment was made. Address is the city, or county if the payee is not located in a city, and state where the payee is located. Do not use acronyms in place of the full name of the payee.

**Amount of Expenditure:** Amount of check, cash transaction, credit or debit card charge.

**Purpose & Support/Oppose Information:** Use a purpose code from the list below or provide a written description of the purpose of the expenditure. If one or more of the following purpose codes, other than T, are used to describe an expenditure purpose, no other description is generally required. Name the candidate or measure and indicate support or opposition. If the expenditure supports or opposes multiple candidates or measures, specify the amount attributable to each candidate or measure.

**A/P:** Mark this if the "independent expenditure" is owed as an account payable. This may be an estimated amount.

**Paid to A/P:** Mark this if payment is made to an account payable previously reported on a PC 10.

## Abbreviations

### **B Broadcast Advertising**

Expenditures for radio and television advertising. If payment is made for preparation or production of advertising, use code Z.

### **L Literature, Brochures, Printing**

Expenditures made for the preparation and production of campaign literature and printed solicitations, including expenditures for mailing lists, design, photography, copy, layout, printing and reproduction. Use code P for expenditures associated with literature mailing costs.

### **N Newspaper and Other Periodical Advertising:**

Expenditures for advertising in newspapers, periodicals and other publications.

### **O Other Advertising**

Expenditures associated with the production and purchase of advertising on billboards, yard signs, voters' pamphlets, and campaign paraphernalia such as buttons, bumper stickers, t-shirts, etc.

### **P Postage**

Expenditures for stamps, postage, United Parcel Service, Federal Express and direct mail services. Use code L for design and other production costs associated with producing campaign literature.

### **S Surveys and Polls**

Expenditures associated with polls, reports on election trends, voter surveys, telemarketing, telephone banks, etc.

### **T Travel Expenses**

Expenditures associated with travel. When code T is used, also describe the type of expenses (e.g., lodging, airfare, meals, gas, mileage, etc.)

### **Z Preparation and Production of Advertising**

Payments associated with the preparation or production of broadcast, newspaper or other periodical advertising. If payment is made to an agent for purchase of advertising, use code A.

# PC 12 Statement of Corporate Paid-in-Capital

rev 01/10

→ Please type or print legibly in black or blue ink; list only one entry per line

## Corporation and Committee Information

Name of Corporation

page \_\_\_\_\_ of \_\_\_\_\_

Corporation Address, Street/Route

City

State

Zip Code

Day Phone Number

Committee Name

Date Received	Name and Address of Shareholder	Occupation of Shareholder	Amount of Paid-in-Capital
---------------	---------------------------------	---------------------------	---------------------------

1			\$
2			\$
3			\$
4			\$
5			\$
6			\$
7			\$
8			\$
9			\$
10			\$

Page Total

Paid-in Capital

\$

Signature of Authorized Representative of Corporation

Date Signed

for office use only

# PC 12 Statement of Corporate Paid-in-Capital

→ *Please type or print legibly in black or blue ink; list only one entry per line*

## Instructions

A corporation must file a Statement of Corporate Paid-in-Capital (PC 12) when:

- the major source of revenue for the corporation is paid-in-capital
- the primary purpose of the corporation is to support or oppose any candidate, measure or political party

**and**

- the corporation has made a contribution or an expenditure for that purpose

The Statement of Corporate Paid-in-Capital and Cash Expenditures and Loan Payments form (PC 3), including information on the nature and amount of all expenditures of money and in-kind contributions made by the corporation, must be filed on the same dates and for the same reporting periods described in ORS 260.057.

## Definitions

**Amount of Paid-in-Capital:** The amount paid by the shareholder during the current reporting period.

**Date:** The date the transaction occurred. Date must include the month, day and year.

**Name and Address of Shareholder:** The name and complete address of each shareholder, including residence or mailing address, city, state and zip code.

**Occupation of Shareholder:** The job held by the shareholder, even if it is unpaid. If the shareholder is self-employed or is the business owner, the nature of the business must be provided.

**Page Total:** Add all paid-in-capital amounts on the page and enter the amount in the Page Total box.



# PC 13 Affidavit for Out-of-State Political Committee Contributions

rev 01/10

→ Please type or print legibly in black ink

I, \_\_\_\_\_ am the candidate/treasurer  
name of candidate or treasurer

for the \_\_\_\_\_  
name of committee

I hereby certify, to the best of my knowledge and belief, the out-of-state political committee named below did not make contributions to candidates and treasurers of political committees in Oregon that exceeded two-thirds, in total amount, of all the out-of-state political committee's contributions anywhere in the country during the calendar year of \_\_\_\_\_.

### Out-of-State Committee Information

Name of Out-of-State Political Committee

Address of Out-of-State Political Committee, Street/Route

City	State	Zip Code
------	-------	----------

Principal Interest of Out-of-State Political Committee

Signature (of Candidate or Treasurer of Political Committee or Petition Committee Receiving Contribution) Date Signed

State of Oregon, County of \_\_\_\_\_ subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_.

Signature of Notarial Officer Date Commission Expires

For Office Use Only

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***ORE STAR* User's Manual**

*Published by*

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# Introduction

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# 6 Introduction

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In 2005 and 2007 the Oregon Legislature adopted legislation making significant changes to the way campaign finance information is reported. The legislation requires that all political committees and chief petitioner committees file campaign finance transactions electronically. It also requires that the Secretary of State provide an electronic filing system to committees free of charge to comply with this requirement.

The system developed by the Secretary of State is called Oregon Elections System for Tracking and Reporting, or ORESTAR. It is a secure web-based application that can be accessed from any computer through the Internet.

ORESTAR enables committees to:

- file a Statement of Organization for a new committee electronically
- amend Statement of Organization information electronically
- maintain a master list of contributors and payees in an address book
- enter campaign finance transaction information
- upload transaction and address book information via an XML file
- validate transaction information prior to filing to ensure that all the required information is provided
- file campaign finance transactions electronically
- view exam letters identifying transaction insufficiencies
- edit and file amended transactions
- search for transactions or address book information
- export transaction or address book information into Excel for creating labels, letters or for other analysis
- file a Certificate of Limited Contributions and Expenditures

Each committee has an “account” in ORESTAR and only the candidate, treasurer and other authorized users designated by the candidate or treasurer have access to the account. All transactions entered into a committee’s account remain private until they are filed with the Elections Division. Once transactions are filed, the information immediately becomes available to the public in an online searchable database.

The system will calculate contributor and payee aggregates, determine when a transaction should be included in the “miscellaneous under \$100” category and file it as such, calculate the committee’s account summary totals, and calculate the due date for filing each transaction.

ORESTAR also allows a major political party or nonpartisan candidate for state office, or a candidate for US Senator or Representative in Congress, to file a Declaration of Candidacy and pay the fee electronically. Candidacy filings that are submitted electronically can also be amended and withdrawn electronically, if necessary.

This manual will walk users through the processes of managing a committee's Statement of Organization, filing campaign finance transactions, and filing a fee based Declaration of Candidacy using ORESTAR. Users may find it useful to review the manual while logged in to ORESTAR on a computer.

This User's Manual should be used in conjunction with the Campaign Finance Manual and candidate manuals that are published by the Elections Division and contain information about the legal requirements of campaign finance disclosure and candidate filing.

Users can access ORESTAR at [www.oregonvotes.org](http://www.oregonvotes.org). This site should be bookmarked for repeated use.





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# System Information

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## **System Requirements**

ORESTAR can be run on any computer with Internet access. There is no need to install software on the computer. The web pages are best viewed using Microsoft Internet Explorer 6.0, Mozilla Firefox 1.5.0.8 or Safari 1.3.2 (or higher) as the web browser. Other browsers may work as well, but if problems are experienced, switch to one of these.

ORESTAR requires that JavaScript be enabled. This is the standard setting for most browsers.

To enable JavaScript in Microsoft Internet Explorer, proceed with the following:

- 1 Open the browser.
- 2 Select Tools, then Internet Options from the browser menu.
- 3 Click on the Security tab.
- 4 Click on the Internet icon.
- 5 If the security level is set to Medium or lower, click Cancel and no further changes are needed. If the security level is Custom or High, click the Custom Level button, navigate to Scripting, Active Scripting and click the radio button next to Enable. Click OK on the Security Settings panel and then click OK on the Internet Options panel.

Cookies must be enabled to log in to ORESTAR. Again, this is the standard setting for most browsers. Cookies allow ORESTAR to recognize the user and customize the web pages for that user (e.g., only display committees associated with the user in the private workshop).

To enable Cookies in Microsoft Internet Explorer, proceed with the following:

- 1 Open the browser.
- 2 Select Tools, Internet Options from the menu.
- 3 Click on the Privacy tab.
- 4 If the security level is set to Medium or lower, click Cancel and no further changes are needed. If the security level is higher than Medium, click the Sites button and follow the directions on the Per Site Privacy Actions panel to allow cookies from portal.sos.state.or.us and secure.sos.state.or.us. Click OK on Per Site Privacy Actions panel and then click OK on the Internet Options panel.

### **note**

The Secretary of State's office is not advocating that a particular security level is appropriate for each user's Internet browsing needs. The instructions above merely explain how to make the settings that will allow the ORESTAR application to run on an Internet browser.

**Internet Connection Speed**

The Elections Division recommends a high-speed connection like DSL, Cable, High-Speed Wireless or Satellite. While ORESTAR will run over a dial-up connection, the system may not provide what some users would consider acceptable performance at that speed. If you are a user with a dial-up connection who is experiencing slow speeds, we recommend upgrading to high speed or use high speed through a local library or other establishments that offer such service.

**Security**

Security for all interactive Secretary of State web application is managed by a single Secure Access System. This is the system that will store user names and passwords. It also has functions that allow a user to receive a new password if the user's current password is forgotten, change personal information and passwords, and request additional access rights. Further information about the Secure Access System is documented in the Privacy Policy and FAQs. These documents can be accessed by clicking on the ORESTAR login link at [www.oregonvotes.org](http://www.oregonvotes.org).

ORESTAR uses industry standard Secure Socket Layer encryption to protect a user's information as it travels across the Internet. As part of this protocol, depending on how the browser is configured, a user may be prompted to accept an SSL certificate. It is necessary to accept the certificate in order to access ORESTAR.

**note**

It is standard practice for secure web applications to limit the amount of time a user can remain logged in with no activity. For the ORESTAR system, the time limit is 35 minutes. It is recommended that a user saves work frequently. If work is not saved and the ORESTAR connection closes due to inactivity, all unsaved work is lost.

**Firewalls**

Firewalls are a type of software designed to isolate a computer or a network of computers from other networks, including the Internet. Though firewalls are primarily found in offices, they are quickly making their way into the homes of DSL and cable-modem subscribers. They are a very useful tool to protect data and resources but they may interfere with some interactive applications.

We do not anticipate any problems accessing ORESTAR through a firewall. ORESTAR runs on the standard port for the HTTPS protocol (port 443). If problems occur while trying to access ORESTAR, check with the system's network administrator or with a computer support technician to find out if current firewall settings allow traffic over port 443.

**System Availability**

ORESTAR is hosted on the Secretary of State's secure application and database servers. The targeted availability for this application is 24 hours a day, seven days a week with the exception of a backup downtime period between 2am and 6am Sunday mornings. However, this is not a guarantee.

Our support staff is available from 7am to 5pm, Monday through Friday. When problems occur at night or on the weekends, they will generally not be resolved until the following business day. There will also be an

## 12 System Information

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occasional need for downtime to load system patches or release new versions. To the extent that these events require significant downtime, they will be scheduled and notification will be posted on our website.

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# Creating and Managing a User Account

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# 14 Creating and Managing a User Account

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This section of the manual walks a user through the process of creating a user account and requesting access to an existing committee, if appropriate. It also includes instructions for updating a user account, changing a password or replacing a forgotten password.

## Who Must Create a User Account

The following individuals must register by creating a user account:

- a candidate or treasurer associated with a committee in ORESTAR (including a committee that is filed using the paper forms and data entered into ORESTAR by the Elections Division)
- a candidate or treasurer preparing to register a new committee electronically in ORESTAR
- an individual designated as the Alternate Transaction Filer for a committee
- an individual who will perform data entry of campaign finance transactions for a committee
- a vendor who will upload XML files containing campaign finance transactions for a committee
- a candidate preparing to file a Declaration of Candidacy electronically in ORESTAR (only candidates for state office, US Senator and Representative in Congress may use ORESTAR to file for candidacy; see page 116 in this User's Manual for more information)

A person designated to receive notices sent under ORS chapters 246 to 260 (Correspondence Recipient) or a public user should not create a user account in ORESTAR.

## Creating a User Account

To register, proceed with the following:

- 1 Go to [www.oregonvotes.org](http://www.oregonvotes.org) in the web browser and click on **register**. The Oregon Secretary of State Secure Access System login page displays.

**Oregon Secretary of State Secure Access System**

Secretary of State  
136 State Capitol  
Salem, OR 97301

Monday, January 07, 2008

Sign Up now | Forgot Password | FAQs | Contact us | Privacy Policy

Enter your user name and password to login.

User Name

Password

Login

Welcome to the Oregon Secretary of State Secure Access System. You have been directed here because you are trying to perform functions within the Secretary of State applications that require us to identify and authenticate before allowing you to access data.

The Sign Up button on the navigation bar to the left allows new customers to register and get a user name and password. Returning customers can login by entering their user name and password above.

There is also a Frequently Asked Questions or FAQ, a Contact Us and our Privacy Policy that provides the details concerning how we will use your personal information.

- 2 Click on **Sign Up now** in the left navigation bar. The User Profile page displays.

**Oregon Secretary of State Secure Access System**

**Secretary of State**  
136 State Capitol  
Salem OR 97301

Monday, January 07, 2008

**User Profile**

[Sign Up now](#)

[Forgot Password](#)

[FAQs](#)

[Contact us](#)

[Privacy Policy](#)

First Name  \* MI

Last Name  \*

Address  \*

City, State  Oregon \*

Zip  \*

Work Phone

Work Phone Ext

Home Phone

Email Address  \*

User Name  \* Minimum of six characters from A-Z and 0-9. No spaces or special characters. Your username is your unique identifier to all Secretary of State applications. Once registered, it cannot be changed.

Password  \* Case sensitive. Minimum of eight characters with at least one numeric digit.

Confirm Password  \*

Select Question  \*

Answer  \*

Confirm Answer  \*

The following information will help us verify your identity if you call for assistance with your account. We will read the question to you and expect you to respond with the answer entered.

Required fields are marked with a red asterisk(\*)

**3 Complete the form. Required fields are marked with a red asterisk.**

The user name selected must be at least six characters and should not contain spaces or special characters. The user name cannot be changed so choose one that is easy to remember. The password must be a minimum of eight characters and include at least one numeric digit. The user name and password fields are case sensitive so be sure to type in upper and lowercase as desired.

Select a question by clicking on the down arrow and choosing the desired question from the list. Enter the answer to the selected question and confirm the answer by entering it a second time. The question and answer will help the Elections Division identify a user if assistance with the user's account is required.

**4 Click on **Create**. The Application Management page displays.**

**Welcome Jeff Jones to Oregon Secretary of State Secure Access System**

**Secretary of State**  
136 State Capitol  
Salem OR 97301

Monday, January 07, 2008

**Application Mgmt**

[FAQs](#)

[Contact us](#)

[Privacy Policy](#)

[Home](#)

[My Profile](#)

[Change Password](#)

[Application Mgmt](#)

[Sign Out](#)

Please select the applications that you would like to access.

Select application(s) from the left-hand window. Click the "Add" button to move the application(s) to the right-hand window. Select application(s) from the right-hand window. Click the "Remove" button to move the application(s) to the left-hand window. Click the "Submit" button to finalize your request.

You will receive an email for each application you requested advising you whether your request was approved.

**Available Applications**

Central Business Registry  
ORESTAR (Elections Reporting)

**Selected Application**

# 16 Creating and Managing a User Account

- 5 Select ORESTAR (Elections Reporting) in the Available Applications box and click on **Add**.

Welcome Jeff Jones to Oregon Secretary of State Secure Access System

Secretary of State  
136 State Capitol  
Salem OR 97301

Application Mgmt Monday, January 07, 2008

FAQs  
Contact us  
Privacy Policy  
Home  
My Profile  
Change Password  
Application Mgmt  
Sign Out

Please select the applications that you would like to access.

Select application(s) from the left-hand window. Click the "Add" button to move the application(s) to the right-hand window. Select application(s) from the right-hand window. Click the "Remove" button to move the application(s) to the left-hand window. Click the "Submit" button to finalize your request.

You will receive an email for each application you requested advising you whether your request was approved.

**Available Applications**  
Central Business Registry

**Selected Application**  
ORESTAR (Elections Reporting)

Add  
Remove

Submit

- 6 ORESTAR (Elections Reporting) will display in the Selected Application box. Click on **Submit**. The Application Preference page displays.

Welcome Jeff Jones to Oregon Secretary of State Secure Access System

Secretary of State  
136 State Capitol  
Salem OR 97301

Application Preference Monday, January 07, 2008

FAQs  
Contact us  
Privacy Policy  
Home  
My Profile  
Change Password  
Application Mgmt  
Sign Out

For each application selected, you will have the option to further define your data preferences. Please select the following preferences (if applicable) and then click Submit.

**ORESTAR (Elections Reporting)**

If you are filing a new committee just click submit. Committee Registration will open and will prompt for all data that is required. If you are the treasurer or candidate for an existing committee, select your committee and click submit.

004401, "Hashem" Committee, the  
005505, 13 Enviros PAC  
004577, a Life With Dignity Committee  
008046, A Rainy Day Fund for Oregon Committee  
009727, A Rainy Day Fund for Oregon Committee  
012558, Abrams for the Kids Committee  
012465, Abrams for the Kids Committee  
004796, Adam for Oregon  
002982, Adler, Judge, Re-Elect, Committee (A. Michael)  
003499, Affordable Housing Alliance  
001321, African Americans for Human Rights  
000003, Ag-PAC  
012496, Against One Sided Measures  
000004, AGC Committee for Action  
005326, Aiello for State Senate (Lynn)  
004482, Akin, David M., Friends of  
006605, Alan P. Halstead Election Committee  
012287, Albert for Oregon  
005353, Albrecht, Cheryl, Citizens to Elect Judge Pro Tem  
003906, Albrecht, Tom, Working People for

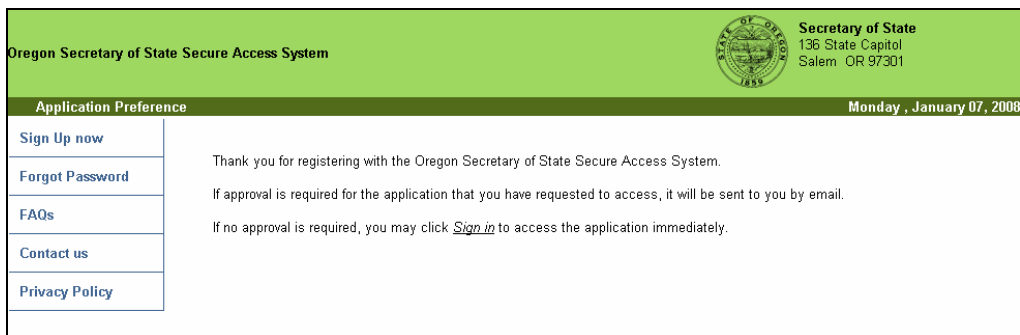
Submit

- 7 A user requesting access to an existing committee in ORESTAR or a work in progress committee should select the committee from the list by clicking on the committee name. Committees appear in alphabetical order by committee name. A candidate committee may appear in alphabetical order by the candidate's last name (e.g., Smith, John) or by the committee's official name (e.g., Friends of John Smith). To select multiple committees, hold down the control key on the keyboard while selecting each committee.

A user who is not associated with an existing or work in progress committee should not make a committee selection. This includes a user who is preparing to file a brand new committee or a candidate preparing to file a Declaration of Candidacy and does not currently have a candidate committee.



8 Click on **Submit**.



A user who requested access to a committee must receive approval before gaining access to the committee. The Elections Division must approve initial access to the candidate, treasurer or chief petitioner of a committee whose original Statement of Organization is not filed electronically using ORESTAR. The user is sent an email when access is granted. Once the candidate, treasurer or chief petitioner is granted access to a committee, the user can approve requests for access to the committee’s account by other individuals.

A user who did not make a committee selection and instead is preparing to register a new committee or file a Declaration of Candidacy can immediately login as described below to access the Private Workshop. To register a new committee, see page 36 in this User’s Manual. To file for candidacy for a state office, US Senator or Representative in Congress, see page 116 in this User’s Manual.

A user who registers a new committee using ORESTAR is automatically assigned the appropriate role and is approved, and can immediately authorize access to other users, if needed.

See Managing Access to a Committee’s Account on page 22 in this User’s Manual for information on granting access to users.

### Logging In

To login to ORESTAR go to [www.oregonvotes.org](http://www.oregonvotes.org) and click on **login** under the ORESTAR logo. Enter the user name and password and click on **Login** again.

A successful login from [www.oregonvotes.org](http://www.oregonvotes.org) takes a user to the Private Workshop page in ORESTAR. However, in certain circumstances the user may be taken to the Home page in the user management portion of the system. To access the Private Workshop, click on **ORESTAR (Elections Reporting)** in the Partner Applications section of the page.

## **Requesting Access to a Committee When Logged In to ORESTAR**

A user who has completed the registration process and either did not request access to the appropriate committee or wants to request access to an additional committee should proceed as follows:

- 1 Login to ORESTAR.
- 2 Click on **User Management** in the left navigation bar to return to the Home page in the user management portion of the system.
- 3 Click on **Application Mgmt** in the left navigation bar.
- 4 The ORESTAR (Elections Reporting) application should display in the Selected Applications box. Click on **Submit**.
- 5 Select the desired committee from the list by clicking on the committee name.
- 6 Click on **Submit**. A message box displays notifying the user that approval may be required.
- 7 Click on **OK**. The Home page redisplay.

To return to the Private Workshop page in ORESTAR, click on **ORESTAR (Elections Reporting)** in the Partner Applications section of the Home page.

## **Updating Profile Information**

When any information in the user's account profile changes, the user should update the profile information. It is important that the email address listed on the account be accurate because this is the email address that ORESTAR utilizes to communicate with the user. To update user profile information, proceed as follows:

- 1 Login to ORESTAR.
- 2 Click on **User Management** in the left navigation bar to return to the Home page in the user management portion of the system.
- 3 Click on **My Profile**.
- 4 Make the desired changes. The form will allow edits on all account information, except the user name and password.
- 5 Click on **Submit** to save the changes. A message box displays notifying the user that an email is sent.
- 6 Click on **OK**. The Home page redisplay.

To return to the Private Workshop page in ORESTAR, click on **ORESTAR (Elections Reporting)** in the Partner Applications section of the Home page.

## Changing Passwords

A user may voluntarily change the password at any time. To change the password, proceed with the following:

- 1 Login to ORESTAR.
- 2 Click on **User Management** in the left navigation bar to return to the Home page in the user management portion of the system.
- 3 Click on **Change Password**.

- 4 Enter the new password and confirm it by entering it a second time.
- 5 Click on **Submit** to save the new password. A message box displays notifying the user that an email is sent.
- 6 Click on **OK**. The Home page redisplay.

To return to the Private Workshop page in ORESTAR, click on **ORESTAR (Elections Reporting)** in the Partner Applications section of the Home page.

## Replacing a Forgotten Password

If the password is forgotten and the email address on the user's account profile is current, the user can obtain a new password as follows:

- 1 On the login page, click on **Forgot Password** in the left sidebar.

The screenshot shows the 'Oregon Secretary of State Secure Access System' login page. The header is green and contains the Oregon State Seal, the text 'Secretary of State 136 State Capitol Salem OR 97301', and the date 'Monday January 07, 2008'. On the left is a sidebar with links: 'Sign Up now', 'Forgot Password', 'FAQs', 'Contact us', and 'Privacy Policy'. The main content area is titled 'How to get a New Password' and contains the following text: 'Enter your username and click Submit. A temporary password will be sent via email.' and 'If you changed your email address or cannot remember your username (remember it's case sensitive) you must contact the appropriate division using the 'Contact Us' link.' Below this text is a text input field labeled 'User name' and two buttons: 'Submit' and 'Cancel'.

- 2 Enter the User Name.
- 3 Click on **Submit**. A message box displays notifying the user that an email is sent.
- 4 Click on **OK**. The Home page redisplay.

An email is sent to the user with a system-generated password that may be used for logging in to the system. After logging in with the system-generated password it is recommended that the password be changed to one of the user's choice. See Changing Passwords on page 19 in this User's Manual.

If the password is forgotten and the email address on the user's account profile is not current, the user should contact the Elections Division for assistance.

## Locked Account

After an unspecified number of unsuccessful login attempts, the user's account is locked. If the user name is known, click on **Forgot Password** in the left sidebar on the login page. Follow the instructions above for Replacing a Forgotten Password. The account will be unlocked and a new password will be sent to the user. If the user name is forgotten, the user should contact the Elections Division for assistance.

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# Managing Access to a Committee's Account

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## 22 Managing Access to a Committee's Account

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This section of the manual discusses the roles assigned to users in ORESTAR and walks a candidate, treasurer or chief petitioner through the process of granting additional users access to a committee's account, denying a request for access, changing a user's role, and expiring a user's role.

### User Roles

Each user in the system is assigned one of the following roles for each committee the user has access to. A single user can have access to multiple committees and be assigned a different role with each committee. The user's role determines the actions the user is allowed or is required to perform for the committee. The available roles are:

- **Candidate:** This is the role assigned to a candidate associated with a candidate committee, if the candidate is not also serving as the committee's treasurer.
- **Treasurer:** This is the role assigned to the treasurer of a political action committee, chief petitioner committee or candidate committee, if the candidate is not also serving as the committee's treasurer.
- **Candidate/Treasurer:** This is the role assigned to a candidate associated with a candidate committee when the candidate is also serving as the committee's treasurer.
- **Alternate Transaction Filer:** This is the role assigned to an individual authorized to file campaign finance transactions for the committee, in addition to the candidate and treasurer. A user with this role is not allowed to file a Certificate of Limited Contributions and Expenditures or change system preferences.
- **Data Entry:** This is the role assigned to an individual authorized to data enter campaign finance transaction information. A user with this role is not allowed to file transactions.
- **Vendor:** This is the role assigned to an individual authorized to upload an XML file containing campaign finance transaction information. A user with this role is not allowed to add, edit, delete or file transactions.
- **Chief Petitioner:** This is the role assigned to an individual who is the chief petitioner of the initiative, referendum or recall petition sponsored by the chief petitioner committee. A chief petitioner is authorized to file a Statement of Organization for Chief Petitioner Committee but is not allowed to access the committee's campaign finance information.
- **Former Treasurer:** This is the role assigned to a treasurer when an amended Statement of Organization designating a new treasurer is filed with and approved by the Elections Division. The assignment of this role is performed by ORESTAR. A former treasurer is authorized to add, edit, delete and file transactions with a transaction date that is prior to the date the amended Statement of Organization designating a new treasurer is approved by the Elections Division. A former treasurer's access to campaign finance ends the day after the last exam letter response date for transactions the user filed.

A chief petitioner who is also the treasurer is assigned the treasurer role. A chief petitioner who is also the alternate transaction filer should be assigned the alternate transaction filer role.

## **Granting Access to a Committee's Account**

An individual with the candidate, treasurer, candidate/treasurer or chief petitioner role for a committee may authorize access to the committee's account by other individuals. It is recommended that access to a committee's account be limited. Access must be granted in the following situations:

- the filing of a new candidate committee with a separate candidate and treasurer (either the candidate or treasurer begins the filing of the committee and the other user must be granted access to the committee to complete the filing)
- the filing of a new chief petitioner committee that is started by a chief petitioner (the chief petitioner must grant the treasurer access to the committee to complete the filing)
- a change in committee treasurers (the candidate, chief petitioner or current treasurer must grant access to the new treasurer)
- a committee wishes to have an alternate transaction filer
- a committee wishes to have a data entry person who can add, edit and delete campaign finance transaction information in the committee's account
- a committee needs a vendor who can upload an XML file containing transaction information into the committee's account

The individual to be granted access must first create a user account, if the user does not already have one, and request access to the committee. See *Creating a User Account* on page 14 in this User's Manual. If the user already has a user account but has not requested access to the committee, see *Requesting Access to a Committee When Logged In to ORESTAR* on page 18 in this User's Manual.

# 24 Managing Access to a Committee's Account

To grant access to another individual, the candidate, treasurer, candidate/treasurer or chief petitioner should proceed as follows:

- 1 Login to ORESTAR.
- 2 Click on **User Management** in the left navigation bar to return to the Home page in the user management portion of the system. The individual requesting access displays in the User Workflow portion of the Home page.

Welcome John Smith to Oregon Secretary of State Secure Access System

Secretary of State  
136 State Capitol  
Salem OR 97301

Home Tuesday January 08, 2008

FAQs  
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**PARTNER APPLICATIONS**  
ORESTAR (Elections Reporting)

**USER WORKFLOW**  
1) Click on the unchecked box in the "Assign Roles" column next to a user name to assign a role to this user. Please note; after a role is assigned, the box is checked.  
2) After assigning a role, click on the unchecked box in the "Approve" column next to a user name to approve this role for use. Once approved this user will be automatically moved to the User Admin list at the bottom of the page.  
3) If you wish to deny a user access to this application, click on the unchecked box in the "Deny" column. After you deny a user they will no longer show in this list.

**User Workflow for ORESTAR (Elections Reporting)**

Name	Filter	Role	Approve	Deny	Assign Roles
Jones, Kathy	ORESTAR User's Manual Com ...			<input type="checkbox"/>	<input type="checkbox"/>

**USER ADMIN**  
Click on the unchecked box in the "Expire Role" column if you wish to expire a user's access to an application.  
Click on a name to see the user profile.  
Search is confined to users you have authority to see.  
Use full or part of first or last name to search. Leave blank to see all names.

User Search based on Name:  Go

Name	User Name	Appl	Filter	Role	Expire Role	Effective Date	Expire Date	Status
Jones, Kathy	KATHYSMITH	ORESTAR (Elections Reporting)	ORESTAR User's Manual Com...		No Role	01/08/2008		Pending
Smith, John	orestar2	ORESTAR (Elections Reporting)	ORESTAR User's Manual Com...	Treasurer	<input checked="" type="checkbox"/>	01/08/2008		Approved

Total records displayed = 2

- 3 Click in the checkbox in the Assign Roles column. A pop-up window displays with the available roles.

Welcome John Smith to Oregon Secretary of State Secure Access System

Secretary of State  
136 State Capitol  
Salem OR 97301

Home Tuesday January 08, 2008

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**ORESTAR (Elections Reporting)**  
Select a role and Submit

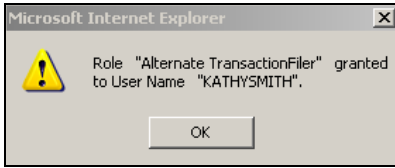
**Available Roles**

- Treasurer
- Candidate
- Vendor
- Data Entry
- Alternate TransactionFiler
- Chief Petitioner

Submit Show Role



- Select the role to be assigned to the individual and click on **Submit**. A message displays confirming the role assignment.



- Click on **OK**. The Home page redisplay.

Welcome John Smith to Oregon Secretary of State Secure Access System

**Secretary of State**  
 136 State Capitol  
 Salem OR 97301

Home
Tuesday January 08, 2008

<a href="#">FAQs</a>  <a href="#">Contact us</a>  <a href="#">Privacy Policy</a>  <a href="#">Home</a>  <a href="#">My Profile</a>  <a href="#">Change Password</a>  <a href="#">Application Mgmt</a>  <a href="#">Sign Out</a>	<p><b>PARTNER APPLICATIONS</b> ORESTAR (Elections Reporting)</p> <hr/> <p><b>USER WORKFLOW</b>                      1) Click on the unchecked box in the "Assign Roles" column next to a user name to assign a role to this user. Please note; after a role is assigned, the box is checked.                      2) After assigning a role, click on the unchecked box in the "Approve" column next to a user name to approve this role for use. Once approved this user will be automatically moved to the User Admin list at the bottom of the page.                      3) If you wish to deny a user access to this application, click on the unchecked box in the "Deny" column. After you deny a user they will no longer show in this list.</p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"> <thead> <tr style="background-color: #92d050; color: white;"> <th colspan="6">User Workflow for ORESTAR (Elections Reporting)</th> </tr> <tr style="background-color: #92d050; color: white;"> <th>Name</th> <th>Filter</th> <th>Role</th> <th>Approve</th> <th>Deny</th> <th>Assign Roles</th> </tr> </thead> <tbody> <tr> <td>Jones, Kathy</td> <td>ORESTAR User's Manual Com ....</td> <td>Alternate TransactionFile ....</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </tbody> </table>	User Workflow for ORESTAR (Elections Reporting)						Name	Filter	Role	Approve	Deny	Assign Roles	Jones, Kathy	ORESTAR User's Manual Com ....	Alternate TransactionFile ....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
User Workflow for ORESTAR (Elections Reporting)																			
Name	Filter	Role	Approve	Deny	Assign Roles														
Jones, Kathy	ORESTAR User's Manual Com ....	Alternate TransactionFile ....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>														

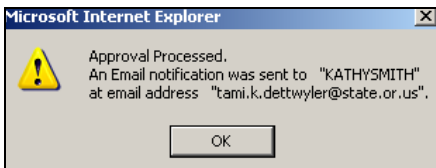
**USER ADMIN**  
 Click on the unchecked box in the "Expire Role" column if you wish to expire a user's access to an application.  
 Click on a name to see the user profile.  
 Search is confined to users you have authority to see.  
 Use full or part of first or last name to search. Leave blank to see all names.

User Search based on Name:

Name	User Name	Appl	Filter	Role	Expire Role	Effective Date	Expire Date	Status
Jones, Kathy	KATHYSMITH	ORESTAR (Elections Reporting)	ORESTAR User's Manual Com...	Alternate TransactionFile...	<input type="checkbox"/>	01/08/2008		Pending
Smith, John	orestar2	ORESTAR (Elections Reporting)	ORESTAR User's Manual Com...	Treasurer	<input type="checkbox"/>	01/08/2008		Approved

Total records displayed = 2

- The Assign Roles checkbox is checked and the role assigned to the individual displays in the Role column. Click in the checkbox in the Approve column if the information is correct. A message displays confirming that the approval has been processed.



- Click on **OK**. The Home page redisplay and the user's name displays in the User Admin portion of the page as an approved user.

### Denying a Request for Access to a Committee's Account

To deny a user's request for access, click in the checkbox in the Deny column for the user.

### Changing a User's Role

A candidate, treasurer, candidate/treasurer or chief petitioner can change the role of an approved user associated with the committee. The following are some scenarios in which a user's role should be changed:

- an individual with the Data Entry or Vendor role who becomes the committee's Alternate Transaction Filer should be assigned the Alternate Transaction Filer role
- an individual with the Candidate/Treasurer role who appoints a separate treasurer should be assigned the Candidate role (this role change must be done by the newly appointed treasurer)
- an individual with the Candidate role who becomes the committee's treasurer should be assigned the Candidate/Treasurer role (this role change must be facilitated by the Elections Division)

To change a user's role, proceed with the following:

- 1 Login to ORESTAR.
- 2 Click on **User Management** in the left navigation bar to return to the Home page in the user management portion of the system. Users with access to the committee's account appear in the User Admin portion of the page.
- 3 Click on the down arrow in the Status column associated with the user and choose Pending from the list. The user's name moves to the User Workflow portion of the page.
- 4 Click in the checkbox that contains a checkmark in the Assign Roles column for the user. A pop-up window displays with the available roles.
- 5 Select the new role to be assigned to the user and click on **Submit**.
- 6 Click **OK** on the pop-up message confirming that a role has been assigned.
- 7 Click in the checkbox in the Approve column.
- 8 Click **OK** on the pop-up message confirming that the approval has been processed.

## **Expiring a User's Role**

The role of a user who should no longer have access to a committee's account should be expired. To expire an approved user's role, proceed with the following:

- 1 Login to ORESTAR.
- 2 Click on **User Management** in the left navigation bar to return to the Home page in the user management portion of the system. Users with access to a committee's account appear in the User Admin portion of the page.
- 3 Click in the checkbox in the Expire Role column for the user to be expired.

## **Returning to the Private Workshop**

To return to the Private Workshop page in ORESTAR, click on **ORESTAR (Elections Reporting)** in the Partner Applications section of the Home page.



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# Private Workshop

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The Private Workshop is a user's home page in ORESTAR. The Private Workshop is unique to the user.

Electons Division  
255 Capitol St NE, Ste 501  
Salem, OR 97310  
(503) 986-1518  
January 14, 2008

Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.6)

Private Workshop **Private Workshop (2 committees)**

Search Committees Committees Candidacy Filings

Search Transactions

Search Candidate Filings

Committees

Committee Name	ID			
▶ ORESTAR System PAC (Treasurer)	5707	Continue With Filing	Delete	Campaign Finance
▶ ORESTAR User's Manual Committee (Treasurer)	5706	Amend	Discontinue	Campaign Finance

Legend

▶ Active   ▶ Pending Approval   ▶ Pending Insufficient   ▶ Discontinued   ▶ Rejected   ▶ Work In Progress

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### Navigation Menu

On the left side of all ORESTAR pages is a navigation menu. The following is a description of each menu item:

- **Private Workshop:** Displays a user's personal home page in ORESTAR. The Private Workshop defaults to the Committees tab which contains a list of committees the user has access to.
- **Search Committees:** Displays the public Statement of Organization Search by Name page that allows a user to search for committees registered with the Secretary of State. Searches can be performed by name information, election information or by measure or petition information.
- **Search Transactions:** Displays the public Search Transactions page that allows a user to search for campaign finance transactions filed with the Secretary of State by all registered committees.
- **Search Candidacy Filings:** Displays the public Search Candidacy Filings page that allows a user to search for filings of candidacy for federal or state office that are filed with the Secretary of State.
- **Add New Committee:** Displays the Select Type of Committee page, which is the first page when filing a Statement of Organization for a new committee.
- **File Candidacy (State Office):** Displays the Candidate Information page, which is the first page when filing a Declaration of Candidacy. Only candidates for state office, US Senator and Representative in Congress may use ORESTAR to file for candidacy; see page 116 in this User's Manual for more information.
- **User Management:** Accesses the user management portion of the system where a user can request access to a committee, update profile information or change passwords. Authorized users can also approve an individual's request for access to a committee's account or change a user's role.
- **Sign out:** Logs the user out of the system. The user should close the browser after logging out.

**Tab Menu**

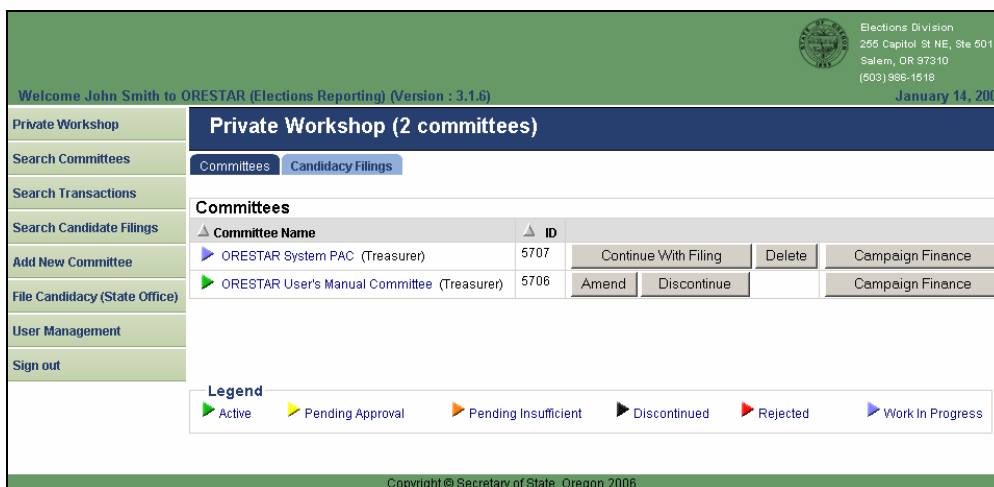
The Private Workshop has a tab menu across the top that allows a user to navigate to Private Workshop pages for different areas of ORESTAR. The tabs and a brief description of each follow:

- **Committees:** This page displays a list of committees associated with the logged in user. The user’s role with each committee determines the function buttons that display.
- **Candidacy Filings:** This page is used by candidates and it displays a list of candidacy filings the logged in user has filed.

**Committees Tab**

Each committee the user has access to appears in the list and the appropriate function buttons display based on the user’s role. The user’s role with the committee displays in parentheses after the committee name.

The committees display in ascending order by committee name or by candidate’s last name, in the case of a candidate committee. Clicking once on the red arrow will reverse the sort order. Committees can also be sorted in committee ID number order by clicking on the arrow in the ID column.



To view the committee’s most recent Statement of Organization filed with the Elections Division, click on the committee name.

**Function Buttons**

For each committee listed in a user’s private workshop up to three function buttons display. A brief description of the action performed by each button follows:

- **Amend:** This button displays for candidates, treasurers and chief petitioners and allows the user to amend Statement of Organization information. For a newly filed committee, the Amend button does not display until the committee’s original Statement of Organization is approved by the Elections Division.

- **Continue with Filing:** This button displays for candidates, treasurers and chief petitioners and allows the user to continue with a work in progress Statement of Organization filing. The Continue with Filing button replaces the Amend button when there is a work in progress Statement of Organization.
- **Discontinue:** This button displays for candidates, treasurers and chief petitioners and allows the user to discontinue a committee. For a newly filed committee, the Discontinue button does not display until the committee's original Statement of Organization is approved by the Elections Division.
- **Delete:** This button displays for candidates, treasurers and chief petitioners and allows the user to delete a work in progress Statement of Organization. The Delete button replaces the Discontinue button when there is a work in progress Statement of Organization.
- **Campaign Finance:** This button displays for candidates, treasurers, alternate transaction filers, data entry persons and vendors. It takes the user to the campaign finance portion of the system where transactions are managed. For a newly filed committee, the Campaign Finance button does not display until the committee's original Statement of Organization is approved by the Elections Division. For a newly appointed treasurer or alternate transaction filer, the Campaign Finance button does not display until an amended Statement of Organization appointing the treasurer or alternate transaction filer is filed with and approved by the Elections Division.

### Legend

Each committee has an arrow to the left of the committee name identifying the committee's status or the status of the committee's most recent Statement of Organization filing. The statuses are:

- **Active (green):** Indicates that the committee is open (not discontinued) and does not have a pending or work in progress Statement of Organization.
- **Pending Approval (yellow):** Indicates that the committee has filed a new or amended Statement of Organization that is pending approval by the Elections Division.
- **Pending Insufficient (orange):** Indicates that the committee has filed a new or amended Statement of Organization that is missing an item of required information or an item of information on the filing is not adequate.
- **Discontinued (black):** Indicates that the committee is discontinued.
- **Rejected (red):** Indicates that the Elections Division has rejected the committee's Statement of Organization, generally because the committee did not qualify as a political committee under ORS chapter 260. An original Statement of Organization that is rejected cannot be modified. An amended Statement of Organization that is rejected may be subsequently amended.
- **Work in Progress (blue):** Indicates that the committee has started a Statement of Organization filing that has not yet been filed with the Elections Division.



### Candidacy Filings Tab

This Private Workshop page is used exclusively by candidates. Each candidacy filing the user has filed appears on the list and the appropriate function buttons display.

The function buttons display only if the action can be performed. For example, a candidate filing can be amended until 5pm on the candidate filing deadline. After the filing deadline, the Amend button will no longer be available. See the applicable candidate manual for deadlines for filing for candidacy, including amending the filing, or withdrawing a candidate filing.



### Function Buttons

For each candidacy filing listed in a user's private workshop up to three function buttons display. A brief description of the action performed by each button follows:

- **Amend:** This button allows the candidate to amend a candidacy filing.
- **Continue with Filing:** This button allows the candidate to continue with a work in progress candidacy filing. The Continue with Filing button replaces the Amend button when there is a work in progress candidacy filing.
- **Withdraw:** This button allows the candidate to withdraw a candidacy filing.
- **Delete:** This button allows the candidate to delete a work in progress candidacy filing. The Delete button replaces the Withdraw button when there is a work in progress candidacy filing.

### Legend

Each candidacy filing has an arrow to the left of the election/office information identifying the status of the filing. The statuses are:

- **Pending (yellow):** Indicates that the candidate has filed a Filing of Candidacy with the Elections Division but a determination has not been made as to whether the candidate is qualified for the office designated on the filing.
- **Qualified (green):** Indicates that the candidate has filed a Filing of Candidacy and is qualified for the office designated on the filing.

- **Not Qualified (red):** Indicates that the candidate has filed a Filing of Candidacy and the Elections Division determined that the candidate is not qualified for the office designated on the filing.
- **Work in Progress (blue):** Indicates that the candidate has started a Filing of Candidacy that has not yet been filed with the Elections Division.

---

# Managing Statement of Organization Information

---

This section of the manual walks a user through the process of registering a new committee by filing a Statement of Organization, amending a committee’s Statement of Organization and discontinuing a committee using ORESTAR.

Candidates, treasurers and chief petitioners may file Statements of Organization. Signatures on Statements of Organization filed using ORESTAR are executed electronically. For a candidate committee with a treasurer who is not the candidate, both the candidate and treasurer must electronically sign all Statement of Organization filings. See page 52 in this User’s Manual for information about filing a Statement of Organization for Candidate Committee that requires multiple signatures. For a chief petitioner committee, a chief petitioner may complete the Statement of Organization and submit the filing but the treasurer must also attest to complete the filing. See page 76 in this User’s Manual for information about filing a Statement of Organization for Chief Petitioner Committee that requires multiple signatures.

All Statement of Organization filings are reviewed by the Elections Division. The treasurer and candidate, if applicable, will receive notice via email when a filing is approved.

All information on a filed Statement of Organization is public record and viewable by the public on the Internet, except campaign account information and personal information (residence address, home phone number and personal email address) of an individual who has been granted a public disclosure exemption under ORS 192.445.

### Registering a New Committee

Registration of a new committee must be done by the candidate, treasurer or chief petitioner. Only one user associated with a committee starts the registration process for a committee.

To register a new committee, proceed with the following:

- 1 Click on **Add New Committee** in the left navigation bar.



- 2 Select the type of committee to be created. If Candidate Committee or Chief Petitioner Committee is selected, identify the appropriate role.

For a Candidate Committee, select:

- Candidate, if the user registering the committee is the candidate and is appointing a treasurer.
- Treasurer, if the user registering the committee is the appointed treasurer for the committee.
- Both Candidate & Treasurer, if the user registering the committee is the candidate and is also serving as the committee's treasurer.

For a Chief Petitioner Committee, select:

- Chief Petitioner, if the user registering the committee is a chief petitioner and is appointing a treasurer.
- Treasurer, if the user registering the committee is the appointed treasurer for the committee.
- Both Chief Petitioner & Treasurer, if the user registering the committee is a chief petitioner and is also serving as the committee's treasurer.

- 3 Click on **Next**. For candidate committees, continue on page 38 in this User's Manual. For political action committees, continue on page 54. For chief petitioner committees, continue on page 70.

## Statement of Organization for Candidate Committee

The Committee Information page is the first of the Statement of Organization entry pages for a candidate committee. Use the tab key on the keyboard to move between fields on a single page or click in the field with the mouse pointer. Use the **Back** and **Next** buttons or click on the tabs in the tab bar to navigate between pages.

Two additional function buttons display on all Statement of Organization entry pages:

- **Save as work in progress** allows a user to save an incomplete filing at any time and immediately continue with the filing or return at a later time to complete the filing. A work in progress filing can be accessed at a later time from a user's Private Workshop by clicking on the **Continue with Filing** button for the committee. A work in progress Statement of Organization does not become public record until it is filed with and approved by the Elections Division.
- **Submit Filing** performs validation on the Statement of Organization and notifies the user of any errors. If no errors are found, the user is presented with the attestation page where the user electronically signs the Statement of Organization and files it with the Elections Division.

The screenshot shows the ORESTAR web application interface. At the top right, it displays the Elections Division contact information: 255 Capitol St NE, Ste 501, Salem, OR 97310, (503) 988-1518, and the date December 31, 2007. The main header reads 'Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.50A17)'. Below this is a navigation menu with options like 'Private Workshop', 'Search Committees', 'Search Transactions', 'Search Candidate Filings', 'Add New Committee', 'File Candidacy (State Office)', 'User Management', and 'Sign out'. The main content area is titled 'Statement of Organization for Candidate Committee' and has tabs for 'Committee', 'Persons', 'Election', 'Campaign Account', 'Multiple Directors', and 'Other Election Activity'. The 'Committee Information' tab is selected, showing a form with the following fields: 'Name of Committee', 'Committee Address and Campaign Phone' (with sub-fields for 'Street Address', 'City, State, Zip Code', and 'Campaign Phone'), and buttons for 'Next', 'Save as work in progress', and 'Submit Filing'. The 'File Candidacy' section has radio buttons for 'Original', 'Amendment', and 'Discontinuation'. The footer of the page reads 'Copyright © Secretary of State, Oregon 2006'.

- 1 Enter the following information about the committee:
  - **Name of Committee:** The official name of the committee. Acronyms other than "PAC" may not be used unless the committee is incorporated and the registered name includes the acronym. Abbreviations are allowed.
  - **Committee Address:** The address of a residence, office, headquarters or similar location in Oregon where the committee or a responsible officer of the committee can conveniently be found. Do not use a post office box number.
  - **Campaign Phone:** The campaign's phone number, if the campaign has one.

- 2 Click on **Next**. The Persons Associated with Committee page displays. This page displays information about all persons that are associated with the committee, including the treasurer, candidate, committee directors, alternate transaction filer and correspondence recipient.

Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.5.22) Elections Division  
255 Capitol St NE, Ste 501  
Salem, OR 97310  
(503) 986-1518  
January 7, 2008

Private Workshop **Statement of Organization for Candidate Committee**

Search Committees [Committee](#) [Persons](#) [Election](#) [Campaign Account](#) [Multiple Directors](#) [Other Election Activity](#)

Search Transactions

Search Candidate Filings

Search Candidate Filings **Persons Associated with Committee** ⌵

[Back](#) [Next](#) [Save as work in progress](#) [Submit Filing](#)

**Treasurer**  
Name: John Smith [Edit](#)  
Address:  
Contacts:

**Candidate**  
[Add Candidate](#)

**Committee Director**  
[Add Committee Director](#)

**Alternate Transaction Filer**  
[Add Alternate Transaction Filer](#)

**Correspondence Recipient**  
[Add Correspondence Recipient](#)

Copyright © Secretary of State, Oregon 2006

- 3 If the treasurer or candidate/treasurer is entering the Statement of Organization, click on the **Edit** button associated with the treasurer. If the candidate is entering the Statement of Organization and is appointing a separate treasurer, click on **Add Treasurer**. The Add/Edit Treasurer Information page displays.

The screenshot shows a web application interface for managing candidate committee information. The main heading is "Statement of Organization for Candidate Committee" with a sub-heading "Add/Edit Treasurer Information". The form is divided into several sections: "Name" with fields for Prefix, First, MI, Last, Suffix, and Title; "Mailing Address" with fields for Street Address / PO Box, City, State (a dropdown menu currently showing "Oregon"), and Zip Code; and "Contact Information" with fields for Work Phone, Home Phone, Fax, and Email. Below the contact information, there are two checkboxes: "Committee Director" and "Campaign Account Signer". The page also features a navigation menu on the left with options like "Private Workshop", "Search Committees", and "Sign out". The top right corner displays the user's name "John Smith" and the date "January 7, 2008".

4 Enter the following information about the treasurer. Name and mailing address are required.

- **Name:** The treasurer’s name (first, middle and last) is automatically populated from the user’s profile if the treasurer or candidate/treasurer is completing the Statement of Organization. Prefix (Mr. or Ms.), suffix (Jr., Sr., III, etc.) and title (MD, CPA, etc.) can be added if desired. If the candidate is completing the Statement of Organization and is appointing a separate treasurer, enter the treasurer’s name.
- **Mailing Address:** The address, including street or PO Box, city, state and zip code, where the treasurer wishes to receive committee correspondence from the Elections Division.

**note**

Most correspondence is sent via email unless the correspondence is specifically required to be sent via the US Postal Service. Email correspondence is sent to the email address on the user’s account profile.

- **Contact Information:** The work phone, home phone, fax and email address for the treasurer. The work number is the number where the treasurer can be reached during normal business hours.
- **This individual is also:** Identify any additional roles the treasurer has with the committee by clicking in the appropriate checkboxes. A treasurer must be a campaign account signer. Click in the Campaign Account Signer checkbox to confirm that the treasurer is a signer on the committee’s campaign account.

5 Click on **Save** to save the information entered and return to the Persons Associated with Committee page.

To make further edits on an original filing or to update the treasurer’s information on an amended Statement of Organization, click on the **Edit** button associated with the treasurer.

6 If the candidate or candidate/treasurer is entering the Statement of Organization, click on the **Edit** button associated with the candidate. If the treasurer is entering the Statement of Organization, click on **Add Candidate**. The Add/Edit Candidate Information page displays.



The screenshot displays the 'Statement of Organization for Candidate Committee' form within the ORESTAR web application. The interface includes a sidebar with navigation options such as 'Private Workshop', 'Search Committees', 'Search Transactions', 'Search Candidate Filings', 'Add New Committee', 'File Candidacy (State Office)', 'User Management', and 'Sign out'. The main content area is titled 'Add/Edit Candidate Information' and contains several sections:
 

- Name:** Fields for Prefix, First, MI, Last, Suffix, and Title.
- Candidate Address:** Fields for Street Address and City, State, Zip Code (with a dropdown for Oregon).
- Mailing Address:** A checkbox for 'Use Candidate Address', followed by fields for Street Address / PO Box and City, State, Zip Code.
- Occupational Information:** Checkboxes for 'Not Employed' and 'Self-Employed', followed by fields for Occupation, Employer's Name, and Employer's City / State.
- Contact Information:** Fields for Work Phone, Home Phone, Fax, and Email.

 At the bottom of the form, there is a checkbox for 'Campaign Account Signer'. The top right of the page shows the user's name 'John Smith' and the date 'January 7, 2008'. The footer of the page reads 'Copyright © Secretary of State, Oregon 2006'.

7 Enter the following information about the candidate. Name, candidate address, mailing address and occupational information are required.

→ **Name:** The candidate’s name (first, middle and last) is automatically populated from the user profile if the candidate or candidate/treasurer is completing the Statement of Organization. Prefix (Mr. or Ms.), suffix (Jr., Sr., III, etc.) and title (MD, CPA, etc.) fields can be added if desired. If the treasurer is completing the Statement of Organization, enter the candidate’s name.

→ **Candidate Address:** The address of a residence, office, headquarters or similar location in Oregon where the candidate can conveniently be found. Do not use a post office box number.

→ **Mailing Address:** The address, including street or PO Box, city, state and zip code, where the candidate wishes to receive committee correspondence from the Elections Division. Click in the checkbox to use the candidate address as the mailing address for candidate correspondence.

**note**

Most correspondence is sent via email unless the correspondence is specifically required to be sent via the US Postal Service. Email correspondence is sent to the email address on the user’s account profile.

## 42 Managing Statement of Organization Information

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→ **Occupational Information:**

If the candidate is not employed (including retired, student, etc.), select Not Employed by clicking in the box.

If the candidate is self-employed, select Self-Employed by clicking in the box, and provide the nature of the candidate's occupation.

If the candidate is employed by another person, provide the candidate's occupation and employer's name and address (city and state).

→ **Contact Information:** The work phone, home phone, fax and email address for the candidate. The work number is the number where the candidate can be reached during normal business hours.

→ **This individual is also:** A candidate must be a campaign account signer. Click in the Campaign Account Signer checkbox to confirm that the candidate is a signer on the committee's campaign account.

8 Click on **Save** to save the information entered and return to the Persons Associated with Committee page.

To make further edits on an original filing or to update the candidate's information on an amended Statement of Organization, click on the **Edit** button associated with the candidate.

9 If the committee has committee directors, click on **Add Committee Director** and the Add/Edit Committee Director Information page displays.

A committee director is, in part, any person who directly and substantially participates in decision-making on behalf of a political committee concerning the solicitation or expenditure of funds. If any individual meets the definition of director, that person must be designated as a director. A candidate committee is not required to have committee directors and the candidate should not be listed as a committee director.

If the treasurer is designated as a committee director (i.e., the Committee Director checkbox on the Add/Edit Treasurer Information page is checked), the treasurer's name, mailing address and contact information are automatically populated in the Committee Director section. Click on the **Edit** button associated with the individual in the Committee Director section to add the required occupational information.

10 Enter the following information about each committee director. Name, mailing address and occupational information are required.

→ **Name:** The individual’s first and last name must be entered. Prefix (Mr. or Ms.), suffix (Jr., Sr., III, etc.) and title (MD, CPA, etc.) can be entered if desired.

→ **Mailing Address:** The individual’s street address or PO Box, city, state and zip code.

→ **Occupational Information:**

If the individual is not employed (including retired, student, etc.), select Not Employed by clicking in the box.

If the individual is self-employed, select Self-Employed by clicking in the box, and provide the nature of the individual’s occupation.

If the individual is employed by another person, provide the individual’s occupation and employer’s name and address (city and state).

→ **Contact Information:** The work phone for the individual. The work number is the number where the individual can be reached during normal business hours.

→ **This individual is also:** Identify any additional roles the individual has with the committee by clicking in the appropriate checkboxes.

11 Click on **Save** to save the information entered and return to the Persons Associated with Committee page.

If the committee has another director, click on **Add Committee Director**.

To make further edits on an original filing or to update a committee director’s information on an amended Statement of Organization, click on the **Edit** button associated with the appropriate committee director.

To remove a committee director on an amended Statement of Organization, click on the **Remove** button associated with the appropriate committee director.

- 12 If the committee wishes to designate an alternate transaction filer, click on **Add Alternate Transaction Filer** and the Add/Edit Alternate Transaction Filer Information page displays.

The alternate transaction filer is a person, in addition to the candidate and treasurer, who is authorized to file campaign finance transactions on behalf of the committee. A committee may have only one alternate transaction filer. Do not designate the candidate or treasurer as the alternate transaction filer.

If a committee director is designated as the alternate transaction filer (i.e., the Alternate Transaction Filer checkbox on the Add/Edit Committee Director Information page is checked), the individual’s name, mailing address and contact information are automatically populated in the Alternate Transaction Filer section.

- 13 Enter the following information about the alternate transaction filer. Name is required.

→ **Name:** The individual’s first and last name must be entered. Prefix (Mr. or Ms.), suffix (Jr., Sr., III, etc.) and title (MD, CPA, etc.) can be entered if desired.

→ **Mailing Address:** The individual’s street address or PO Box, city, state and zip code.

→ **Contact Information:** The email address for the individual.

→ **This individual is also:** Identify any additional roles the individual has with the committee by clicking in the appropriate checkboxes.

- 14 Click on **Save** to save the information entered and return to the Persons Associated with Committee page.

To make further edits on an original filing or to update the alternate transaction filer’s information on an amended Statement of Organization, click on the **Edit** button associated with the alternate transaction filer.

To remove an alternate transaction filer on an amended Statement of Organization, click on the **Remove** button associated with the alternate transaction filer.

- 15 If the committee wishes to designate a correspondence recipient, click on **Add Correspondence Recipient** and the Add/Edit Correspondence Recipient Information page displays.

The correspondence recipient is a person, in addition to the candidate or treasurer, designated to receive all notices sent by the Elections Division under ORS chapters 246 to 260. A committee may have only one correspondence recipient. Do not designate the candidate or treasurer as the correspondence recipient.

If a committee director or the alternate transaction filer is designated as the correspondence recipient (i.e., the Correspondence Recipient checkbox on the Add/Edit Committee Director Information page or the Add/Edit Alternate Transaction Filer Information page is checked), the individual’s name, mailing address and contact information are automatically populated in the Correspondence Recipient section. Click on the **Edit** button to add the required email address, if necessary.

The screenshot shows a web interface for 'Statement of Organization for Candidate Committee'. The main heading is 'Add/Edit Correspondence Recipient Information'. On the left is a navigation menu with options like 'Private Workshop', 'Search Committees', and 'Sign out'. The form fields are:
 

- Name:** Fields for Prefix (dropdown), First, MI, Last, Suffix, and Title.
- Mailing Address:** Fields for Street Address / PO Box, City, State (dropdown set to Oregon), and Zip Code.
- Contact Information:** Field for Email.
- This individual is also:** A checkbox for 'Campaign Account Signer'.

 Buttons for 'Cancel' and 'Save' are at the top right of the form area. The footer of the page reads 'Copyright © Secretary of State, Oregon 2006'.

- 16 Enter the following information about the correspondence recipient. Name, mailing address and email address are required.

- **Name:** The individual’s first and last name must be entered. Prefix (Mr. or Ms.), suffix (Jr., Sr., III, etc.) and title (MD, CPA, etc.) can be entered if desired.
- **Mailing Address:** The address, including street or PO Box, city, state and zip code, where the individual wishes to receive committee correspondence from the Elections Division.

**note**

Most correspondence is sent via email unless the correspondence is specifically required to be sent via the US Postal Service. Email correspondence is sent to the email address provided on the Statement of Organization.

# 46 Managing Statement of Organization Information

- **Contact Information:** The email address where the individual wishes to receive committee correspondence from the Elections Division.
  - **This individual is also:** Identify any additional roles the individual has with the committee by clicking in the appropriate checkboxes.
- 17 Click on **Save** to save the information entered and return to the Persons Associated with Committee page.

To make further edits on an original filing or to update the correspondence recipient's information on an amended Statement of Organization, click on the **Edit** button associated with the correspondence recipient.

To remove the correspondence recipient on an amended Statement of Organization, click on the **Remove** button associated with the correspondence recipient.

- 18 Click on **Next**. The Election Information page displays.

The screenshot shows a web interface for the Oregon Secretary of State's ORESTAR system. The main heading is "Statement of Organization for Candidate Committee". Below this, there are navigation tabs: "Committee", "Persons", "Election", "Campaign Account", "Multiple Directors", and "Other Election Activity". The "Election" tab is selected, leading to the "Election Information" section. This section includes a "Back" and "Next" button pair, and "Save as work in progress" and "Submit Filing" buttons. The primary form area is titled "Office Sought by Candidate" and contains five dropdown menus: "Year", "Type of Election", "Office", "District, Position, County or City", and "Party Affiliation". A text input field below these menus is labeled "If the office you wish to select cannot be found, enter the office and electoral district below." The left sidebar contains various navigation options like "Private Workshop", "Search Committees", and "Add New Committee". The top right corner displays the user's name "John Smith" and the date "December 31, 2007".

- 19 Enter the following information about the next election in which the candidate's name is expected to appear on the ballot. The fields are completed using drop-down menus. To complete each field, click on the down arrow and choose the appropriate value from the list.
- **Year:** Select the year the candidate intends to run for office.
  - **Type of Election:** Select the election the candidate intends to run for office.
  - **Office:** Select the office the candidate intends to run for. If the office cannot be found on the list, enter the complete name of the office, including district, position, county or city, and party affiliation for a partisan office, in the field directly following party affiliation. If the specific office the candidate will run for is not known at the time of filing the Statement of Organization, enter "Office Unknown."
  - **District, Position, County or City:** Select the district, position, county or city of the office the candidate intends to run for.
  - **Party Affiliation:** Select the candidate's party affiliation if the candidate is running for a partisan office. Nonpartisan will automatically populate if the office selected is nonpartisan.

20 Click on **Next**. The Campaign Account Information page displays.

21 Enter the following information about the committee’s campaign account:

- **Name of Oregon Financial Institution:** The name of the Oregon financial institution where the account is maintained.
- **Account Number:** The number of the account.

To edit the account number on an amended Statement of Organization, click on the **Edit Account Number** button that displays to the right of the Account Number field.

- **Name of Account:** The name of the account. It must be identical to the official name of the committee. Acronyms other than “PAC” may not be used unless the committee is incorporated and the registered name includes the acronym. Abbreviations are allowed.
- **Name of Account Holder:** The name of the account holder. For a candidate committee, this must be either the candidate or the candidate committee.
- **Names of Persons with Signature Authority:** The names of persons who have signature authority on the campaign account. First and last name must be entered. Prefix (Mr. or Ms.), suffix (Jr., Sr., III, etc.) and title (MD, CPA, etc.) can be entered if desired. The candidate and treasurer must be signers on the campaign account. The names of individuals identified as campaign account signers on the Persons tab will automatically be populated.

To add more rows, click on the **Additional persons with signature authority** button.

To remove a person with signature authority on an amended Statement of Organization, click on the appropriate **Remove** button.

22 Click on **Next**. The Multiple Director Information page displays.

If a candidate committee does not have committee directors or has only one committee director, skip this page. If two or more committee directors are also directors of another political committee, identify the other committee and the directors serving on both committees.

23 To identify the other committee, enter the committee’s identification number in the By Committee ID field or enter any portion of the committee’s name in the By Committee Name field and click on the corresponding **Find** button.

24 Select the committee by clicking on the down arrow and choosing the appropriate value from the Found Committee Names list. The committee’s name and address display in the Committee Selected section of the page.

25 Select the committee directors who are also directors of the committee selected by clicking in the appropriate checkboxes.

If there are more than three sets of multiple director information, click on the **Additional Multiple Directors** button and more fields become available.

To remove a set of multiple director information on an amended Statement of Organization, click in the appropriate Remove this set of Director/Committee Information checkbox.

26 Click on **Next**. The Other Election Activity page displays.



Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.50A17)

Elections Division  
255 Capitol St NE, Ste 601  
Salem, OR 97310  
(503) 986-1518  
December 31, 2007

**Statement of Organization for Candidate Committee**

Private Workshop

Search Committees

Search Transactions

Search Candidate Filings

Add New Committee

File Candidacy (State Office)

User Management

Sign out

Committee
Persons
Election
Campaign Account
Multiple Directors
Other Election Activity

**Other Election Activity** ⌵

Back
Save as work in progress
Submit Filing

Committee : test

**Election**

Year ⌵  Election Type ⌵

The committee supports or opposes multiple candidates and measures

The committee supports or opposes specific measures or recalls, identify the measures or recalls

Remove all election participation information.

**Measure**

Select Measure by Number ⌵

Support or Oppose ⌵

**Measure**

Select Measure by Number ⌵

Support or Oppose ⌵

**Measure**

Select Measure by Number ⌵

Support or Oppose ⌵

Additional Measures

**Recall**

Candidate ⌵ First Name :  Last Name :

Office of Recall Candidate ⌵ :

District/Position/County ⌵ :

Support or Oppose ⌵ :

**Recall**

Candidate ⌵ First Name :  Last Name :

Office of Recall Candidate ⌵ :

District/Position/County ⌵ :

Support or Oppose ⌵ :

**Recall**

Candidate ⌵ First Name :  Last Name :

Office of Recall Candidate ⌵ :

District/Position/County ⌵ :

Support or Oppose ⌵ :

Additional Recall Candidates

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The Other Election Activity page is used to identify an election that a candidate committee will participate in, other than an election where the candidate’s name appears on the ballot.

27 Identify the election in which the committee will participate.

→ **Year:** Select the year of the election by clicking on the down arrow and choosing the appropriate value from the list.

→ **Election Type:** Select the election by clicking on the down arrow and choosing the appropriate value from the list.

→ **Nature of Activity:** Identify the nature of the committee's participation. Select either "The committee supports or opposes multiple candidates and measures" or "The committee supports or opposes specific measures or recalls" by clicking in the appropriate checkbox.

28 If the committee supports or opposes specific measures, identify the measures.

→ **Measure by Number:** Select the number assigned to the measure supported or opposed by clicking on the down arrow and choosing the appropriate value from the list.

→ **Support or Oppose:** Indicate the committee's position on the measure by clicking on the down arrow and selecting Support or Oppose from the list.

29 If the committee supports or opposes specific recalls, identify the recalls.

→ **Candidate First and Last Name:** Enter the recall candidate's first and last name.

→ **Office of Recall Candidate:** Select the office currently held by the candidate subject to the recall by clicking on the down arrow and choosing the appropriate value from the list.

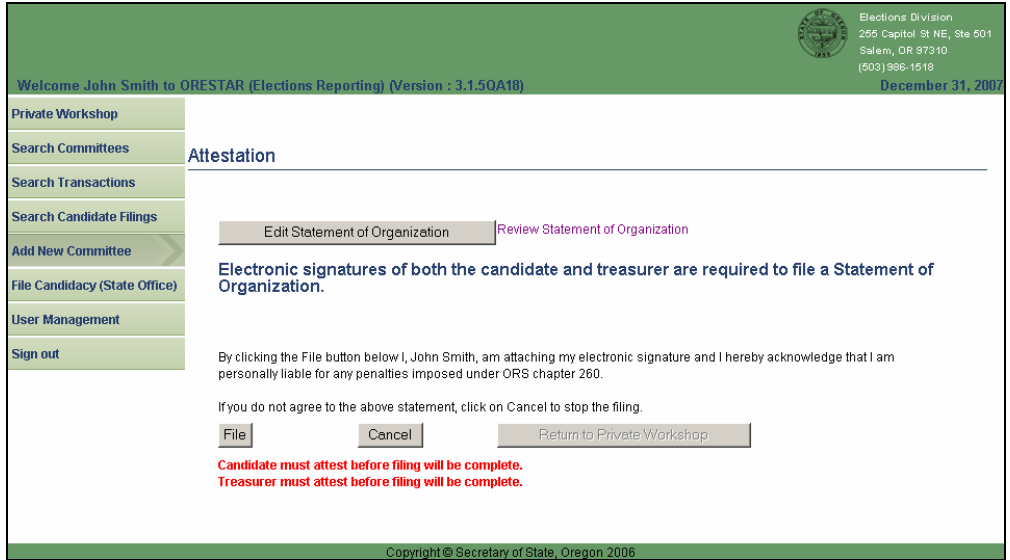
→ **District/Position/County:** Select the district, position, county or city of the office the candidate currently holds by clicking on the down arrow and choosing the appropriate value from the list.

→ **Support or Oppose:** Indicate the committee's position on the recall by clicking on the down arrow and selecting Support or Oppose from the list. Support means the committee supports recalling the candidate and Oppose means the committee opposes recalling the candidate.

To remove other election activity on an amended Statement of Organization, click in the Remove all election participation information checkbox.

30 When the Statement of Organization has been completed, click on **Submit Filing**. The Statement of Organization is validated and if no errors are found, the Attestation page displays.

If errors are found during the validation process, the user is returned to the data entry screen where the first error exists. A message identifying the number of errors found displays at the top of the page. Messages identifying specific errors display above the fields in error. A user should fix any errors found and click on **Submit Filing** again.



31 Read the attestation and if agreed, click on the **File** button to attest and file the Statement of Organization with the Elections Division.

To review the Statement of Organization prior to filing, click on the Review Statement of Organization link. To make changes to the Statement of Organization prior to filing, click on **Edit Statement of Organization**.

If the committee has a separate candidate and treasurer, both individuals must electronically sign the Statement of Organization. See Filing a Statement of Organization that Requires Multiple Signatures on page 52 in this User’s Manual.

**note**

A Statement of Organization for a new committee must be approved by the Elections Division prior to the committee having access to the campaign finance portion of the system.

### **Filing a Statement of Organization that Requires Multiple Signatures**

The following describes the process for filing a Statement of Organization for a new committee when multiple signatures are required.

- 1 Person A completes the Statement of Organization for the committee, including attesting to the filing. The Statement of Organization is assigned the work in progress status. Person A can be either the candidate or treasurer.
- 2 Person B creates a user account, if one does not already exist, and requests access to the committee. See [Creating a User Account](#) on page 14 in this User's Manual. If Person B already has a user account but has not requested access to the work in progress committee started by Person A, see [Requesting Access to a Committee When Logged In to ORESTAR](#) on page 18 in this User's Manual.
- 3 Person A assigns the appropriate role to Person B and approves the user's access to the committee. See [Granting Access to a Committee's Account](#) on page 23 in this User's Manual.
- 4 Person B accesses the Private Workshop page and clicks on the **Continue with Filing** button associated with the committee and then clicks on the **File** button to attest to the Statement of Organization filing.

### **Changing Treasurers**

To change treasurers, proceed with the following:

- 1 The new treasurer creates a user account, if one does not already exist, and requests access to the committee. See [Creating a User Account](#) on page 14 in this User's Manual. If the new treasurer already has a user account but has not requested access to the committee, see [Requesting Access to a Committee When Logged In to ORESTAR](#) on page 18 in this User's Manual.
- 2 The candidate or current treasurer assigns the new treasurer the treasurer role and approves the user's access to the committee. See [Granting Access to a Committee's Account](#) on page 23 in this User's Manual. If the new treasurer already has access to the committee with a role other than treasurer, see [Changing a User's Role](#) on page 26 in this User's Manual. The new treasurer's initial access to the committee is limited to amending the committee's Statement of Organization.
- 3 The new treasurer, along with the candidate, files an amended Statement of Organization to make the treasurer change official.

When the amended Statement of Organization is approved by the Elections Division, the new treasurer is given full access to the committee, including campaign finance, and the old treasurer's role is automatically updated to the former treasurer role. A former treasurer is authorized to add, edit, delete and file transactions with a transaction date that is prior to the date the amended Statement of Organization designating a new treasurer is approved by the Elections Division. A former treasurer's access to campaign finance ends the day after the last exam letter response date for transactions the user filed.

An amended Statement of Organization to change treasurers must be filed using the paper form if the candidate or current treasurer is not registered in ORESTAR and cannot approve the new treasurer's access to the committee. After the paper Statement of Organization is processed, the new treasurer's access to the committee is approved by the Elections Division if the user has requested access.

## **Amending a Committee's Statement of Organization**

To amend a committee's Statement of Organization, proceed with the following:

- 1 Click on the **Amend** button associated with the committee on the Private Workshop. The Statement of Organization data entry screens display with the data from the committee's most recent Statement of Organization filing.
- 2 Make the appropriate changes and click on **Submit Filing**. The attestation page displays.
- 3 Read the attestation and click on the **File** button to attest and file the amended Statement of Organization with the Elections Division.

If the committee has a separate candidate and treasurer, both persons must attest. The second person attests by clicking on the **Continue with Filing** button on the Private Workshop and then clicking on the **File** button on the attestation page.

If the amended Statement of Organization designates a new treasurer or alternate transaction filer, the filing must be approved by the Elections Division before the Campaign Finance button on the Private Workshop will display for the new treasurer or alternate transaction filer.

## **Discontinuing a Committee**

To discontinue a committee, proceed with the following:

- 1 Click on the **Discontinue** button associated with the committee on the Private Workshop. The system will ensure that the committee has a zero balance on the committee's Account Summary page prior to continuing. If the committee has a zero balance, the Statement of Organization data entry screens display with the data from the committee's most recent Statement of Organization filing.
- 2 Make any necessary changes and click on **Submit Filing**.
- 3 Read the attestation and click on the **File** button to attest and file the discontinuing Statement of Organization with the Elections Division.

If the committee has a separate candidate and treasurer, both persons must attest. The second person attests by clicking on the **Continue with Filing** button on the Private Workshop and then clicking on the **File** button on the attestation page.

## Statement of Organization for Political Action Committee

The Committee Information page is the first of the Statement of Organization entry pages for a political action committee. Use the tab key on the keyboard to move between fields on a single page or click in the field with the mouse pointer. Use the **Back** and **Next** buttons or click on the tabs in the tab bar to navigate between pages.

Two additional function buttons display on all Statement of Organization entry pages:

- **Save as work in progress** allows a user to save an incomplete filing at any time and immediately continue with the filing or return at a later time to complete the filing. A work in progress filing can be accessed at a later time from a user's Private Workshop by clicking on the **Continue with Filing** button for the committee. A work in progress Statement of Organization does not become public record until it is filed with and approved by the Elections Division.
- **Submit Filing** performs validation on the Statement of Organization and notifies the user of any errors. If no errors are found, the user is presented with the attestation page where the user electronically signs the Statement of Organization and files it with the Elections Division.

The screenshot displays the ORESTAR web application interface. At the top, it says "Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.50A18)" and "January 1, 2008". The main title is "Statement of Organization for Political Action Committee". Below the title is a navigation bar with tabs: "Committee", "Persons", "PAC Type", "Measures", "Recall", "Campaign Account", and "Multiple Directors". The "Committee Information" section is active, showing a "Next" button, "Save as work in progress" button, and "Submit Filing" button. The form fields include:
 

- Name of Committee: [Text Input]
- Acronym: [Text Input]
- Committee Address and Campaign Phone:
  - Street Address: [Text Input]
  - City, State, Zip Code: [Text Input] Oregon [Text Input] [Text Input]
  - Extension: [Text Input]
  - Campaign Phone: [Text Input]

 The left sidebar contains navigation options: Private Workshop, Search Committees, Search Transactions, Search Candidate Filings, Add New Committee, File Candidacy (State Office), User Management, and Sign out. The footer indicates "Copyright © Secretary of State, Oregon 2006".

- 1 Enter the following information about the committee:
  - **Name of Committee:** The official name of the committee. Acronyms other than "PAC" may not be used unless the committee is incorporated and the registered name includes the acronym. Abbreviations are allowed.
  - **Acronym:** Any abbreviated name or acronym the committee uses to identify itself.
  - **Committee Address:** The address of a residence, office, headquarters or similar location in Oregon where the committee or a responsible officer of the committee can conveniently be found. Do not use a post office box number.
  - **Campaign Phone:** The campaign's phone number, if the campaign has one.

- Click on **Next**. The Persons Associated with Committee page displays. This page displays information about all persons that are associated with the committee, including the treasurer, committee directors, alternate transaction filer and correspondence recipient.

Elections Division  
255 Capitol St NE, Ste 501  
Salem, OR 97310  
(503) 986-1518  
January 1, 2009

Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.50A18)

**Statement of Organization for Political Action Committee**

Committee   **Persons**   PAC Type   Measures   Recall   Campaign Account   Multiple Directors

Persons Associated with Committee

Back   Next   Save as work in progress   Submit Filing

**Treasurer**  
Name: John Smith   Edit  
Address:  
Contacts:

**Committee Director**  
Add Committee Director

**Alternate Transaction Filer**  
Add Alternate Transaction Filer

**Correspondence Recipient**  
Add Correspondence Recipient

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- Click on the **Edit** button association with the treasurer and the Add/Edit Treasurer Information page displays.

Elections Division  
255 Capitol St NE, Ste 501  
Salem, OR 97310  
(503) 986-1518  
January 1, 2009

Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.50A18)

**Statement of Organization for Political Action Committee**

Add/Edit Treasurer Information

Cancel   Save

Name   Prefix   First   MI   Last   Suffix   Title  
John   Smith

**Mailing Address**  
Street Address / PO Box :  
City, State, Zip Code :   Oregon   .

**Contact Information**  
Work Phone :   Ext :  
Home Phone :  
Fax :  
Email :

This individual is also:  
 Committee Director  
 Campaign Account Signer

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- 4 Enter the following information about the treasurer. Name and mailing address are required.
- **Name:** The treasurer's name (first, middle and last) is automatically populated from the user's profile. Prefix (Mr. or Ms.), suffix (Jr., Sr., III, etc.) and title (MD, CPA, etc.) can be added if desired.
  - **Mailing Address:** The address, including street or PO Box, city, state and zip code, where the treasurer wishes to receive committee correspondence from the Elections Division.

**note**

Most correspondence is sent via email unless the correspondence is specifically required to be sent via the US Postal Service. Email correspondence is sent to the email address on the user's account profile.

- **Contact Information:** The work phone, home phone, fax and email address for the treasurer. The work number is the number where the treasurer can be reached during normal business hours.
  - **This individual is also:** Identify any additional roles the treasurer has with the committee by clicking in the appropriate checkboxes. A treasurer must be a campaign account signer. Click in the Campaign Account Signer checkbox to confirm that the treasurer is a signer on the committee's campaign account.
- 5 Click on **Save** to save the information entered and return to the Persons Associated with Committee page.

To make further edits on an original filing or to update the treasurer's information on an amended Statement of Organization, click on the **Edit** button associated with the treasurer.

- 6 Click on **Add Committee Director** and the Add/Edit Committee Director Information page displays.

A committee director is, in part, any person who directly and substantially participates in decision-making on behalf of a political committee concerning the solicitation or expenditure of funds. If any individual meets the definition of director, that person must be designated as a director. A political action committee must have at least one committee director who is someone other than the treasurer.



7 Enter the following information about each committee director. Name, mailing address and occupational information are required.

→ **Name:** The individual’s first and last name must be entered. Prefix (Mr. or Ms.), suffix (Jr., Sr., III, etc.) and title (MD, CPA, etc.) can be entered if desired.

→ **Mailing Address:** The individual’s street address or PO Box, city, state and zip code.

→ **Occupational Information:**

If the individual is not employed (including retired, student, etc.), select Not Employed by clicking in the box.

If the individual is self-employed, select Self-Employed by clicking in the box, and provide the nature of the individual’s occupation.

If the individual is employed by another person, provide the individual’s occupation and employer’s name and address (city and state).

→ **Contact Information:** The work phone for the individual. The work number is the number where the individual can be reached during normal business hours.

→ **This individual is also:** Identify any additional roles the individual has with the committee by clicking in the appropriate checkboxes.

8 Click on **Save** to save the information entered and return to the Persons Associated with Committee page.

If the committee has another director, click on **Add Committee Director**.

To make further edits on an original filing or to update a committee director’s information on an amended Statement of Organization, click on the **Edit** button associated with the appropriate committee director.

To remove a committee director on an amended Statement of Organization, click on the **Remove** button associated with the appropriate committee director.

9 If the committee wishes to designate an Alternate Transaction Filer, click on **Add Alternate Transaction Filer** and the Add/Edit Alternate Transaction Filer Information page displays.

The alternate transaction filer is a person, in addition to the treasurer, who is authorized to file campaign finance transactions on behalf of the committee. A committee may have only one alternate transaction filer. Do not designate the treasurer as the alternate transaction filer.

If a committee director is designated as the alternate transaction filer (i.e., the Alternate Transaction Filer checkbox on the Add/Edit Committee Director Information page is checked), the individual’s name, mailing address and contact information are automatically populated in the Alternate Transaction Filer section.

10 Enter the following information about the alternate transaction filer. Name is required.

→ **Name:** The individual’s first and last name must be entered. Prefix (Mr. or Ms.), suffix (Jr., Sr., III, etc.) and title (MD, CPA, etc.) can be entered if desired.

→ **Mailing Address:** The individual’s street address or PO Box, city, state and zip code.

→ **Contact Information:** The email address for the individual.

→ **This individual is also:** Identify any additional roles the individual has with the committee by clicking in the appropriate checkboxes.

11 Click on **Save** to save the information entered and return to the Persons Associated with Committee page.

To make further edits on an original filing or to update the alternate transaction filer’s information on an amended Statement of Organization, click on the **Edit** button associated with the alternate transaction filer.

To remove an alternate transaction filer on an amended Statement of Organization, click on the **Remove** button associated with the alternate transaction filer.

12 Click on **Add Correspondence Recipient** and the Add/Edit Correspondence Recipient Information page displays.

The correspondence recipient is a person, in addition to the treasurer, designated to receive all notices sent by the Elections Division under ORS chapters 246 to 260. A political action committee must have a correspondence recipient. Do not designate the treasurer as the correspondence recipient.

If a committee director or the alternate transaction filer is designated as the correspondence recipient (i.e., the Correspondence Recipient checkbox on the Add/Edit Committee Director Information page or the Add/Edit Alternate Transaction Filer Information page is checked), the individual’s name, mailing address and contact information are automatically populated in the Correspondence Recipient section. Click on the **Edit** button to add the required email address, if necessary.

The screenshot shows the ORESTAR web application interface. At the top right, it says 'Elections Division, 255 Capitol St NE, Ste 501, Salem, OR 97310, (503) 986-1518, January 7, 2009'. The main title is 'Statement of Organization for Political Action Committee'. Below that is the sub-header 'Add/Edit Correspondence Recipient Information'. The form has several sections: 'Name' with fields for Prefix, First, MI, Last, Suffix, and Title; 'Mailing Address' with fields for Street Address / PO Box, City, State (a dropdown menu showing 'Oregon'), and Zip Code; and 'Contact Information' with an Email field. There is also a checkbox labeled 'Campaign Account Signer'. On the left side, there is a sidebar with navigation links: Private Workshop, Search Committees, Search Transactions, Search Candidate Filings, Add New Committee, File Candidacy (State Office), User Management, and Sign out. At the bottom of the page, it says 'Copyright © Secretary of State, Oregon, 2006'.

13 Enter the following information about the correspondence recipient. Name, mailing address and email address are required.

→ **Name:** The individual’s first and last name must be entered. Prefix (Mr. or Ms.), suffix (Jr., Sr., III, etc.) and title (MD, CPA, etc.) can be entered if desired.

→ **Mailing Address:** The address, including street or PO Box, city, state and zip code, where the individual wishes to receive committee correspondence from the Elections Division.

**note**

Most correspondence is sent via email unless the correspondence is specifically required to be sent via the US Postal Service. Email correspondence is sent to the email address provided on the Statement of Organization.

→ **Contact Information:** The email address where the individual wishes to receive committee correspondence from the Elections Division.

→ **This individual is also:** Identify any additional roles the individual has with the committee by clicking in the appropriate checkboxes.

14 Click on **Save** to save the information entered and return to the Persons Associated with Committee page.

To make further edits on an original filing or to update the correspondence recipient’s information on an amended Statement of Organization, click on the **Edit** button associated with the correspondence recipient.

To remove the correspondence recipient on an amended Statement of Organization and designate a different person, click on the **Remove** button associated with the alternate transaction filer.

15 Click on **Next**. The PAC Type Information page displays.

Welcome John Smith to ORESTAR (Elections Reporting) (Version : 1.2.4 )  
 Private Workshop  
 Search Committees  
 by Name  
 by Election  
 by Measure/Petition  
 Add New Committee  
 Search Transactions  
 User Management  
 Sign out

Elections Division  
 141 State Capitol  
 Salem, OR 97310-0722  
 (503) 986-1518  
 January 7, 2007

**Statement of Organization for Political Action Committee**  
 Committee Treasurer PAC Type Measures Recall Campaign Account Committee Directors Multiple Directors

**PAC Type Information**  
 Back Next Save as work in progress Submit Filing

Type of Political Action Committee  
 Party Affiliation  
 Nature of Political Action Committee

Is this committee a controlled committee? Select One

Controlling Candidate(s)  
 Remove  
 Remove  
 Remove

If the name of the candidate you wish to select cannot be found, enter the candidate's name below.  
 First Name Last Name  
 Remove  
 Remove  
 Remove

Additional Controlling Candidates

Is this committee a slate mailer organization? Select One

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16 Enter the following information about the type and nature of the committee.

→ **Type of Political Action Committee:** Select the type of committee by clicking on the down arrow and choosing the appropriate value from the list. The choices are:

**Caucus:** A committee affiliated with either chamber of the Legislative Assembly.

**Measure:** A committee that exclusively supports or opposes one or more measures on the ballot.

**Miscellaneous:** A committee that supports or opposes specific candidates or a combination of candidates and measures.

**Political Party:** A committee established by a major or minor political party qualified under ORS chapter 248 or a committee established under the party's bylaws (e.g., county central committees).

**Recall:** A committee supporting or opposing the recall of a public official subject to a recall election.

→ **Party Affiliation:** For a political party committee, select the party affiliation by clicking on the down arrow and choosing the appropriate value from the list.

→ **Nature of Political Action Committee:** A description of the general nature of the committee (e.g., to support all candidates and measures advocating health care for all).

→ **Is this committee a controlled committee?:** Answer Yes or No to the question by clicking on the down arrow and select the appropriate value from the list.

A controlled committee is a political committee that, in connection with the making of contributions or expenditures:

is controlled directly or indirectly by a candidate or a controlled committee

or

acts jointly with a candidate or controlled committee.

A candidate controls a political committee if:

the candidate, the candidate's agent, a member of the candidate's immediate family or any other political committee that the candidate controls has a significant influence on the actions or decisions of the political committee

or

the candidate's committee and the political committee both have the candidate or a member of the candidate's immediate family as a treasurer or director.

All caucus committees are controlled committees.

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- **Controlling Candidate(s):** If the committee is a controlled committee, identify the candidate(s) controlling the committee. Begin typing any part of the candidate's name in the field and the list will populate with possible matches. If the candidate displays on the list, select the name by clicking on it. If the candidate is not found on the list, type the candidate's first and last names in the fields below.

If more than three candidates control the committee, click on the **Additional Controlling Candidates** button and more fields become available.

To remove a controlling candidate on an amended Statement of Organization, click in the appropriate Remove checkbox.

- **Is this committee a slate mailer organization?:** Answer Yes or No to the question by clicking on the down arrow and select the appropriate value from the list.

A slate mailer organization is any person or political committee, other than a political party committee or caucus committee, involved in the production of a mass mailing that supports or opposes three or more candidates or measures and receives, or is promised, payment for doing so.

- 17 Click on **Next**. The Measures the Committee Supports or Opposes page displays.

Elections Division  
 255 Capitol St NE, Ste 501  
 Salem, OR 97310  
 (503) 986-1518  
 January 1, 2006

Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.50A18)

Private Workshop
Statement of Organization for Political Action Committee

Search Committees
Committee   Persons   PAC Type   Measures   Recall   Campaign Account   Multiple Directors

Search Transactions
Measures the Committee Supports or Opposes

Search Candidate Filings

Add New Committee

File Candidacy (State Office)

User Management

Sign out

Committee test

Remove all existing measures.

**Measure**

Select Year:

Select Election:

Select Measure by Number:  or Select Measure by Title

Measure Title:

Support or Oppose:   Remove this measure

**Measure**

Select Year:

Select Election:

Select Measure by Number:  or Select Measure by Title

Measure Title:

Support or Oppose:   Remove this measure

**Measure**

Select Year:

Select Election:

Select Measure by Number:  or Select Measure by Title

Measure Title:

Support or Oppose:   Remove this measure

**If the local measure could not be found enter the information below**

**Measure**

Select Year:

Select Election:

Local Measure Number:  and Caption:

County:

Support or Oppose:   Remove this measure

**Measure**

Select Year:

Select Election:

Local Measure Number:  and Caption:

County:

Support or Oppose:   Remove this measure

**Measure**

Select Year:

Select Election:

Local Measure Number:  and Caption:

County:

Support or Oppose:   Remove this measure

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18 Enter the following information for each measure the committee supports or opposes. A measure committee must always have at least one measure designated.

To complete each field, click on the down arrow and choose the appropriate value from the list.

## 64 Managing Statement of Organization Information

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- **Year:** Select the year in which the measure appears on the ballot.
- **Election:** Select the election in which the measure appears on the ballot.
- **Measure by Number:** Select the number of the measure supported or opposed or click on the Select Measure by Title link to select the measure by its ballot title. A measure that has not yet been assigned a measure number should be selected by its ballot title.
- **Support or Oppose:** Indicate the committee's position on the measure by selecting Support or Oppose from the list.

If a committee supports or opposes more than three measures, click on the **Additional Measures** button and more fields become available.

To remove a measure on an amended Statement of Organization, click in the appropriate Remove this measure checkbox. To remove all measures, click in the Remove all existing measures checkbox.

If the local measure the committee is supporting or opposing cannot be found on the list, enter the measure information in the lower portion of the page. Use the following rules to complete the County field:

For a county measure, select the county.

For a city measure, select the county in which the city hall of the city is located.

For a special district measure, select the county in which the administrative office of the district is located.

- 19 Click on **Next**. The Recall Elections the Committee Supports or Opposes page displays.



The screenshot shows the ORESTAR web application interface. At the top right, it says "Elections Division, 255 Capitol St NE, Ste 501, Salem, OR 97310, (503) 986-1518, January 1, 2008". The main header is "Statement of Organization for Political Action Committee". Below this are tabs for "Committee", "Persons", "PAC Type", "Measures", "Recall", "Campaign Account", and "Multiple Directors". The "Recall" tab is selected, showing the heading "Recall Elections the Committee Supports or Opposes". There are buttons for "Back", "Next", "Save as work in progress", and "Submit Filing". A sidebar on the left contains links like "Private Workshop", "Search Committees", "Search Transactions", "Search Candidate Filings", "Add New Committee", "File Candidacy (State Office)", "User Management", and "Sign out". The main form area has a checkbox "Remove all existing measures" and three identical "Recall" form sections. Each section has fields for "Select Year", "Select Election", "Candidate First Name", "Last Name", "Office of Candidate", "District/Position/County", and "Support or Oppose". There is also a "Remove this Recall Candidate" checkbox for each entry. At the bottom of the form is a button labeled "Additional Recall Candidates". The footer of the page reads "Copyright © Secretary of State, Oregon 2006".

20 Enter the following information about each recall the committee supports or opposes. A recall committee must always have at least one recall designated.

→ **Year:** Select the year in which the recall appears on the ballot by clicking on the down arrow and choosing the appropriate value from the list.

→ **Election:** Select the election in which the recall appears on the ballot by clicking on the down arrow and choosing the appropriate value from the list.

→ **Candidate First and Last Name:** Enter the recall candidate’s first and last name.

→ **Office of Candidate:** Select the office currently held by the candidate subject to the recall by clicking on the down arrow and choosing the appropriate value from the list.

→ **District/Position/County:** Select the district, position, county or city of the office the candidate currently holds by clicking on the down arrow and choosing the appropriate value from the list.

→ **Support or Oppose:** Indicate the committee’s position on the recall by clicking on the down arrow and selecting Support or Oppose from the list. Support means the committee supports recalling the candidate and Oppose means the committee opposes recalling the candidate.

21 Click on **Next**. The Campaign Account Information page displays.

22 Enter the following information about the committee’s campaign account:

→ **Name of Oregon Financial Institution:** The name of the Oregon financial institution where the account is maintained.

→ **Account Number:** The number of the account.

To edit the account number on an amended Statement of Organization, click on the **Edit Account Number** button that displays to the right of the Account Number field.

→ **Name of Account:** The name of the account. It must be identical to the official name of the committee. Acronyms other than “PAC” may not be used unless the committee is incorporated and the registered name includes the acronym. Abbreviations are allowed.

→ **Name of Account Holder:** The name of the account holder. For a political action committee, it is either the name of the committee or the name of an affiliated organization that administers the account for the committee.

→ **Names of Persons with Signature Authority:** The names of persons who have signature authority on the campaign account. The treasurer must be signers on the campaign account. The names of individuals identified as campaign account signers on the Committee Contact tab will automatically be populated.

To add more rows, click on the **Additional persons with signature authority** button.

To remove a person with signature authority on an amended Statement of Organization, click on the appropriate **Remove** button.

23 Click on **Next**. The Multiple Director Information page displays.

The screenshot shows the ORESTAR web application interface. At the top right, it displays the Elections Division contact information: 255 Capitol St. NE, Ste 601, Salem, OR 97310, (503) 966-1518, dated January 1, 2008. A welcome message reads: 'Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.5QA18)'. The main title is 'Statement of Organization for Political Action Committee'. Below the title are navigation tabs: Committee, Persons, PAC Type, Measures, Recall, Campaign Account, and Multiple Directors. A sidebar on the left contains menu items: Private Workshop, Search Committees, Search Transactions, Search Candidate Filings, Add New Committee, File Candidacy (State Office), User Management, and Sign out. The main content area is titled 'Multiple Director Information' and includes a 'Back' button, 'Save as work in progress', and 'Submit Filing' buttons. It contains a section for identifying another committee with fields for 'By Committee ID', 'By Committee Name', and 'Found Committee Names', each with a 'Find' button. Below this is a 'Committee Selected' section with fields for 'Name', 'Street Address', and 'City, State, Zip Code'. At the bottom, there is a checkbox to 'Select directors who are also directors of the committee identified above.' and a 'Remove this set of Director/Committee Information' checkbox.

If the committee has only one committee director, skip this page. If two or more committee directors are also directors of another political committee, identify the other committee and the directors serving on both committees.

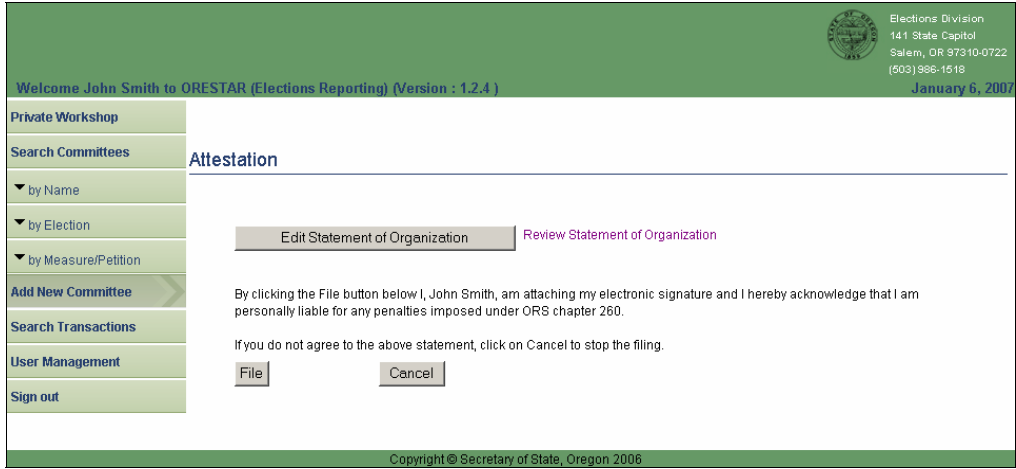
- 24 To identify the other committee, enter the committee’s identification number in the By Committee ID field or enter any portion of the committee’s name in the By Committee Name field and click on the corresponding **Find** button.
- 25 Select the committee by clicking on the down arrow and choosing the appropriate value from the Found Committee Names list. The committee’s name and address display in the Committee Selected section of the page.
- 26 Select the committee directors who are also directors of the committee selected by clicking in the appropriate checkboxes.

If there are more than three sets of multiple director information, click on the **Additional Multiple Directors** button and more fields become available.

To remove a set of multiple director information on an amended Statement of Organization, click in the appropriate Remove this set of Director/Committee Information checkbox.

- 27 When the Statement of Organization has been completed, click on **Submit Filing**. The Statement of Organization is validated and if no errors are found, the Attestation page displays.

If errors are found during the validation process, the user is returned to the data entry screen where the first error exists. A message identifying the number of errors found displays at the top of the page. Messages identifying specific errors display above the fields in error. A user should fix any errors found and click on **Submit Filing** again.



28 Read the attestation and if agreed, click on the **File** button to attest and file the Statement of Organization with the Elections Division.

To review the Statement of Organization prior to filing, click on the Review Statement of Organization link. To make changes to the Statement of Organization prior to filing, click on **Edit Statement of Organization**.

**note**

A Statement of Organization for a new committee must be approved by the Elections Division prior to the committee having access to the campaign finance portion of the system.

**Changing Treasurers**

To change treasurers, proceed with the following:

- 1 The new treasurer creates a user account, if one does not already exist, and requests access to the committee. See Creating a User Account on page 14 in this User’s Manual. If the new treasurer already has a user account but has not requested access to the committee, see Requesting Access to a Committee When Logged In to ORESTAR on page 18 in this User’s Manual.
- 2 The current treasurer assigns the new treasurer the treasurer role and approves the user’s access to the committee. See Granting Access to a Committee’s Account on page 23 in this User’s Manual. If the new treasurer already has access to the committee with a role other than treasurer, see Changing a User’s Role on page 26 in this User’s Manual. The new treasurer’s initial access to the committee is limited to amending the committee’s Statement of Organization.
- 3 The new treasurer files an amended Statement of Organization to make the treasurer change official.

When the amended Statement of Organization is approved by the Elections Division, the new treasurer is given full access to the committee, including campaign finance, and the old treasurer’s role is automatically updated to the former treasurer role. A former treasurer is authorized to add, edit, delete and file transactions with a transaction date that is prior to the date the amended Statement of Organization designating a new treasurer is approved by the Elections Division. A former treasurer’s access to campaign finance ends the day after the last exam letter response date for transactions the user filed.

An amended Statement of Organization to change treasurers must be filed using the paper form if the current treasurer is not registered in ORESTAR and cannot approve the new treasurer's access to the committee. After the paper Statement of Organization is processed, the new treasurer's access to the committee is approved by the Elections Division if the user has requested access.

### **Amending a Committee's Statement of Organization**

To amend a committee's Statement of Organization, proceed with the following:

- 1 Click on the **Amend** button associated with the committee on the Private Workshop. The Statement of Organization data entry screens display with the data from the committee's most recent Statement of Organization filing.
- 2 Make the appropriate changes and click on **Submit Filing**. The attestation page displays.
- 3 Read the attestation and click on the **File** button to attest and file the amended Statement of Organization with the Elections Division.

If the amended Statement of Organization designates a new treasurer or alternate transaction filer, the filing must be approved by the Elections Division before the Campaign Finance button on the Private Workshop will display for the new treasurer or alternate transaction filer.

### **Discontinuing a Committee**

To discontinue a committee, proceed with the following:

- 1 Click on the **Discontinue** button associated with the committee on the Private Workshop. The system will ensure that the committee has a zero balance on the committee's Account Summary page prior to continuing. If the committee has a zero balance, the Statement of Organization data entry screens display with the data from the committee's most recent Statement of Organization filing.
- 2 Make any necessary changes and click on **Submit Filing**.
- 3 Read the attestation and click on the **File** button to attest and file the discontinuing Statement of Organization with the Elections Division.

## Statement of Organization for Chief Petitioner Committee

The Committee Information page is the first of the Statement of Organization entry pages for a chief petitioner committee. Use the tab key on the keyboard to move between fields on a single page or click in the field with the mouse pointer. Use the **Back** and **Next** buttons or click on the tabs in the tab bar to navigate between pages.

Two additional function buttons display on all Statement of Organization entry pages:

- **Save as work in progress** allows a user to save an incomplete filing at any time and immediately continue with the filing or return at a later time to complete the filing. A work in progress filing can be accessed at a later time from a user's Private Workshop by clicking on the **Continue with Filing** button for the committee. A work in progress Statement of Organization does not become public record until it is filed with and approved by the Elections Division.
- **Submit Filing** performs validation on the Statement of Organization and notifies the user of any errors. If no errors are found, the user is presented with the attestation page where the user electronically signs the Statement of Organization and files it with the Elections Division.

The screenshot displays the 'Statement of Organization for Chief Petitioner Committee' form within the ORESTAR web application. The interface includes a top navigation bar with 'Private Workshop', 'Search Committees', 'Search Transactions', 'Search Candidate Filings', 'Add New Committee', 'File Candidacy (State Office)', 'User Management', and 'Sign out'. The main content area features a 'Committee Information' section with tabs for 'Committee', 'Persons', and 'Petition'. Below the tabs are buttons for 'Next', 'Save as work in progress', and 'Submit Filing'. The form fields include:
 

- Name of Committee (text input)
- Acronym (text input)
- Committee Address and Campaign Phone (text input)
- Street Address (text input)
- City, State, Zip Code (text input with a dropdown for 'Oregon')
- Campaign Phone (text input)
- Extension (text input)

 Radio buttons are present for 'Original', 'Amendment', and 'Discontinuation'. The page footer indicates 'Copyright © Secretary of State, Oregon 2006'.

- 1 Enter the following information about the committee:
  - **Name of Committee:** The official name of the committee. Acronyms may not be used unless the committee is incorporated and the registered name includes the acronym. Abbreviations are allowed.
  - **Acronym:** Any abbreviated name or acronym the committee uses to identify itself.
  - **Committee Address:** The address of a residence, office, headquarters or similar location in Oregon where the committee or a responsible officer of the committee can conveniently be found. Do not use a post office box number.
  - **Campaign Phone:** The campaign's phone number, if the campaign has one.

- Click on **Next**. The Persons Associated with Committee page displays. This page displays information about all persons that are associated with the committee, including the treasurer, chief petitioners and alternate transaction filer.

- If the treasurer or chief petitioner/treasurer is entering the Statement of Organization, click on the **Edit** button associated with the treasurer. If the chief petitioner is entering the Statement of Organization and is appointing a separate treasurer, click on **Add Treasurer**. The Add/Edit Treasurer Information page displays.

- 4 Enter the following information about the treasurer. Name and mailing address are required.
  - **Name:** The treasurer’s name (first, middle and last) is automatically populated from the user’s profile if the treasurer or chief petitioner/treasurer is completing the Statement of Organization. Prefix (Mr. or Ms.), suffix (Jr., Sr., III, etc.) and title (MD, CPA, etc.) can be added if desired. If the chief petitioner is completing the Statement of Organization and is appointing a separate treasurer, enter the treasurer’s name.
  - **Mailing Address:** The address, including street or PO Box, city, state and zip code, where the treasurer wishes to receive committee correspondence from the Elections Division.

**note**

Most correspondence is sent via email unless the correspondence is specifically required to be sent via the US Postal Service. Email correspondence is sent to the email address on the user’s account profile.

- **Contact Information:** The work phone, home phone, fax and email address for the treasurer. The work number is the number where the treasurer can be reached during normal business hours.
  - **This individual is also:** Identify any additional roles the treasurer has with the committee by clicking in the appropriate checkboxes.
- 5 Click on **Save** to save the information entered and return to the Persons Associated with Committee page.

To make further edits on an original filing or to update the treasurer’s information on an amended Statement of Organization, click on the **Edit** button associated with the treasurer.

- 6 If the chief petitioner or chief petitioner/treasurer is entering the Statement of Organization, click on the **Edit** button associated with the chief petitioner. If the treasurer is entering the Statement of Organization, click on **Add Chief Petitioner**. The Add/Edit Chief Petitioner Information page displays.

The screenshot displays the 'Add/Edit Chief Petitioner Information' form within the ORESTAR web application. The form is titled 'Statement of Organization for Chief Petitioner Committee' and 'Add/Edit Chief Petitioner Information'. It features several input fields: a 'Name' field with sub-fields for Prefix, First, MI, Last, Suffix, and Title; a 'Mailing Address' section with fields for Street Address / PO Box, City, State (a dropdown menu currently showing 'Oregon'), and Zip Code; and a 'Contact Information' section with fields for Work Phone, Ext, and Fax. Below these fields is a section labeled 'This individual is also:' with a horizontal line for input. The form includes 'Cancel' and 'Save' buttons. The left sidebar contains navigation links such as 'Private Workshop', 'Search Committees', 'Search Transactions', 'Search Candidate Filings', 'Add New Committee', 'File Candidacy (State Office)', 'User Management', and 'Sign out'. The top right corner of the page displays the 'Elections Division' contact information and the date 'January 7, 2008'. A copyright notice 'Copyright © Secretary of State, Oregon 2006' is visible at the bottom of the page.

A recall petition has only one chief petitioner and an initiative or referendum petition may have up to three chief petitioners.



- 7 Enter the following information about each chief petitioner. Name and mailing address are required.
- **Name:** The chief petitioner’s name (first, middle and last) is automatically populated from the user profile if the chief petitioner or chief petitioner/treasurer is completing the Statement of Organization. Prefix (Mr. or Ms.), suffix (Jr., Sr., III, etc.) and title (MD, CPA, etc.) fields can be added if desired. If the treasurer is completing the Statement of Organization, enter the chief petitioner’s name.
  - **Mailing Address:** The individual’s street address or PO Box, city, state and zip code.
  - **Contact Information:** The work phone for the individual. The work number is the number where the individual can be reached during normal business hours.

If the initiative or referendum petition sponsored by the committee has another chief petitioner, click on **Add Chief Petitioner**.

To make further edits on an original filing or to update a chief petitioner’s information on an amended Statement of Organization, click on the **Edit** button associated with the appropriate chief petitioner.

To remove a chief petitioner on an amended Statement of Organization, click on the **Remove** button associated with the appropriate chief petitioner.

- 8 If the committee wishes to designate an alternate transaction filer, click on **Add Alternate Transaction Filer** and the Add/Edit Alternate Transaction Filer Information page displays.

The alternate transaction filer is a person, in addition to the treasurer, who is authorized to file campaign finance transactions on behalf of the committee. A committee may have only one alternate transaction filer. Do not designate the treasurer as the alternate transaction filer.

If a chief petitioner is designated as the alternate transaction filer (i.e., the Alternate Transaction Filer checkbox on the Add/Edit Chief Petitioner Information page is checked), the individual’s name, mailing address and contact information are automatically populated in the Alternate Transaction Filer section.

The screenshot displays the ORESTAR web interface. At the top right, it identifies the user as 'John Smith' and the date as 'January 7, 2009'. The main title is 'Statement of Organization for Chief Petitioner Committee'. The current page is 'Add/Edit Alternate Transaction Filer Information'. The form contains the following sections:

- Name:** Fields for Prefix (dropdown), First, MI, Last, Suffix, and Title.
- Mailing Address:** A text field for 'Street Address / PO Box', a dropdown for 'City, State, Zip Code' (currently showing 'Oregon'), and a field for the zip code.
- Contact Information:** A text field for 'Email'.

Buttons for 'Cancel' and 'Save' are located at the top right of the form area. A footer note states 'Copyright © Secretary of State, Oregon 2006'.

# 74 Managing Statement of Organization Information

- 9 Enter the following information about the alternate transaction filer. Name is required.
  - **Name:** The individual's first and last name must be entered. Prefix (Mr. or Ms.), suffix (Jr., Sr., III, etc.) and title (MD, CPA, etc.) can be entered if desired.
  - **Mailing Address:** The individual's street address or PO Box, city, state and zip code.
  - **Contact Information:** The email address for the individual.
  - **This individual is also:** Identify any additional roles the individual has with the committee by clicking in the appropriate checkboxes.

10 Click on **Save** to save the information entered and return to the Persons Associated with Committee page.

To make further edits on an original filing or to update the alternate transaction filer's information on an amended Statement of Organization, click on the **Edit** button associated with the alternate transaction filer.

To remove an alternate transaction filer on an amended Statement of Organization, click on the **Remove** button associated with the alternate transaction filer.

11 Click on **Next**. The Petition Information page displays.

The screenshot shows the ORESTAR web application interface. At the top right, it says 'Elections Division, 255 Capitol St NE, Ste 501, Salem, OR 97310, (503) 986-1518, January 7, 2008'. The main header reads 'Statement of Organization for Chief Petitioner Committee'. Below this are tabs for 'Committee', 'Persons', and 'Petition'. The 'Petition' tab is active, showing the 'Petition Information' section. This section has a 'Back' button, a 'Save as work in progress' button, and a 'Submit Filing' button. The form includes a dropdown for 'Type of Chief Petitioner Committee', a 'Petition' section with radio buttons for 'State Petition' and 'Local Petition', and a 'Recall' section with a prompt to identify a public official to recall, with fields for 'First Name' and 'Last Name'. A copyright notice at the bottom reads 'Copyright © Secretary of State, Oregon 2006'.

12 Enter the following information about the petition the committee sponsors.

→ **Type of Chief Petitioner Committee:** Select the type of chief petitioner committee by clicking on the down arrow and choosing the appropriate value from the list. The choices are:

Initiative

Recall

Referendum

→ **State/Local Petition:** For a chief petitioner committee sponsoring an initiative or referendum petition, select either State Petition or Local Petition by clicking in the appropriate checkbox. If State Petition is selected, continue with step 13. If Local Petition is selected, continue with step 14.

13 Enter the following information if the committee is sponsoring a state initiative or referendum petition.

→ **Year:** Select the year the petition will appear on the ballot, if the petition effort is successful, by clicking on the down arrow and choosing the appropriate value from the list.

→ **Petition by Number:** Select the number assigned to the petition by clicking on the down arrow and choosing the appropriate value from the list or click on the Select Petition by Title link to select the petition by its subject or ballot title.

14 Enter the following information if the committee is sponsoring a local initiative or referendum petition.

→ **Petition #:** The petition number assigned by the filing officer for the petition.

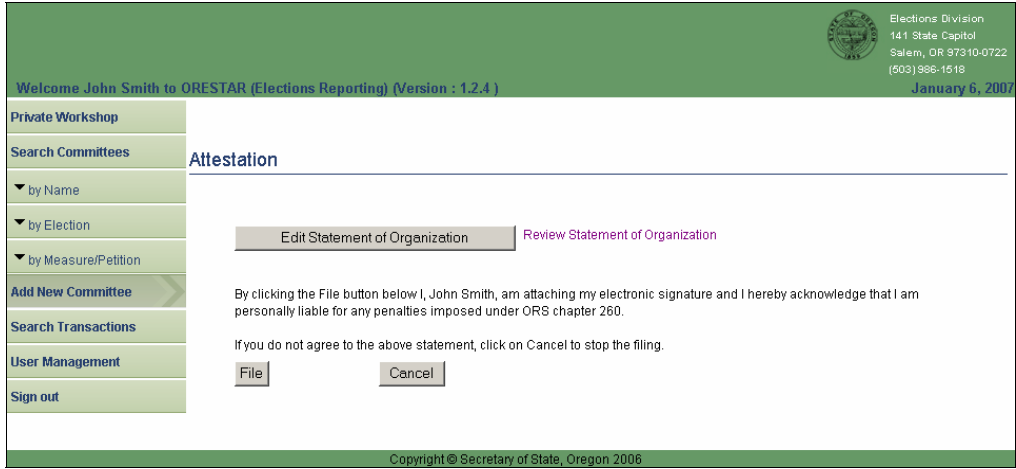
→ **Title:** The ballot title, or subject if no ballot title, for the petition.

15 Enter the following information if the committee is sponsoring a recall petition.

→ **Recall Candidate's Name:** The first and last name of the public official the committee intends to recall.

16 When the Statement of Organization has been completed, click on **Submit Filing**. The Statement of Organization is validated and if no errors are found, the Attestation page displays.

If errors are found during the validation process, the user is returned to the data entry screen where the first error exists. A message identifying the number of errors found displays at the top of the page. Messages identifying specific errors display above the fields in error. A user should fix any errors found and click on **Submit Filing** again.



17 Read the attestation and if agreed, click on the **File** button to attest and file the Statement of Organization with the Elections Division.

To review the Statement of Organization prior to filing, click on the Review Statement of Organization link. To make changes to the Statement of Organization prior to filing, click on **Edit Statement of Organization**.

A Statement of Organization that is completed by the chief petitioner also requires the signature of the treasurer. See below for instructions on filing a Statement of Organization that requires multiple signatures.

**note**

A Statement of Organization for a new committee must be approved by the Elections Division prior to the committee having access to the campaign finance portion of the system.

**Filing a Statement of Organization that Requires Multiple Signatures**

The following describes the process for filing a Statement of Organization for a new committee when multiple signatures are required. Multiple signatures are required only if the chief petitioner completes the Statement of Organization. A Statement of Organization completed by the treasurer can be filed without the signature of a chief petitioner.

- 1 The chief petitioner completes the Statement of Organization for the committee, including attesting to the filing. The Statement of Organization is assigned the work in progress status.
- 2 The treasurer creates a user account, if one does not already exist, and requests access to the committee. See Creating a User Account on page 14 in this User’s Manual. If the treasurer already has a user account but has not requested access to the work in progress committee started by the chief petitioner, see Requesting Access to a Committee When Logged In to ORESTAR on page 18 in this User’s Manual.
- 3 The chief petitioner assigns the treasurer role to the treasurer and approves the user’s access to the committee. See Granting Access to a Committee’s Account on page 23 in this User’s Manual.
- 4 The treasurer accesses the Private Workshop page and clicks on the **Continue with Filing** button associated with the committee and then clicks on the **File** button to attest to the Statement of Organization filing.

## Changing Treasurers

To change treasurers, proceed with the following:

- 1 The new treasurer creates a user account, if one does not already exist, and requests access to the committee. See *Creating a User Account* on page 14 in this User's Manual. If the new treasurer already has a user account but has not requested access to the committee, see *Requesting Access to a Committee When Logged In to ORESTAR* on page 18 in this User's Manual.
- 2 The current treasurer (or chief petitioner, if the chief petitioner has a user account) assigns the new treasurer the treasurer role and approves the user's access to the committee. See *Granting Access to a Committee's Account* on page 23 in this User's Manual. If the new treasurer already has access to the committee with a role other than treasurer, see *Changing a User's Role* on page 26 in this User's Manual. The new treasurer's initial access to the committee is limited to amending the committee's Statement of Organization.
- 3 The new treasurer files an amended Statement of Organization to make the treasurer change official.

When the amended Statement of Organization is approved by the Elections Division, the new treasurer is given full access to the committee, including campaign finance, and the old treasurer's role is automatically updated to the former treasurer role. A former treasurer is authorized to add, edit, delete and file transactions with a transaction date that is prior to the date the amended Statement of Organization designating a new treasurer is approved by the Elections Division. A former treasurer's access to campaign finance ends the day after the last exam letter response date for transactions the user filed.

An amended Statement of Organization to change treasurers must be filed using the paper form if the chief petitioner or current treasurer is not registered in ORESTAR and cannot approve the new treasurer's access to the committee. After the paper Statement of Organization is processed, the new treasurer's access to the committee is approved by the Elections Division if the user has requested access.

## Amending a Committee's Statement of Organization

To amend a committee's Statement of Organization, proceed with the following:

- 1 Click on the **Amend** button associated with the committee on the Private Workshop. The Statement of Organization data entry screens display with the data from the committee's most recent Statement of Organization filing.
- 2 Make the appropriate changes and click on **Submit Filing**. The attestation page displays.
- 3 Read the attestation and click on the **File** button to attest and file the amended Statement of Organization with the Elections Division.

If the chief petitioner files the amended Statement of Organization, the treasurer must also attest to complete the filing. The treasurer attests by clicking on the **Continue with Filing** button on the Private Workshop and then clicking on the **File** button on the attestation page.

If the amended Statement of Organization designates a new treasurer or alternate transaction filer, the filing must be approved by the Elections Division before the Campaign Finance button on the Private Workshop will display for the new treasurer or alternate transaction filer.

## **Discontinuing a Committee**

To discontinue a committee, proceed with the following:

- 1 Click on the **Discontinue** button associated with the committee on the Private Workshop. The system will ensure that the committee has a zero balance on the committee's Account Summary page prior to continuing. If the committee has a zero balance the Statement of Organization data entry screens display with the data from the committee's most recent Statement of Organization filing.
- 2 Make any necessary changes and click on **Submit Filing**.
- 3 Read the attestation and click on the **File** button to attest and file the discontinuing Statement of Organization with the Elections Division.

If the chief petitioner files the discontinuation Statement of Organization, the treasurer must also attest to complete the filing. The treasurer attests by clicking on the **Continue with Filing** button on the Private Workshop and then clicking on the **File** button on the attestation page.

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# Managing Campaign Finance Transactions

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This section of the manual walks a user through the campaign finance portion of ORESTAR, including entering and filing transactions, filing a Certificate of Limited Contributions and Expenditures, setting system preferences, and uploading an XML file containing transaction information.

All users associated with a committee, other than a chief petitioner, have access to the campaign finance portion of ORESTAR. However, the tabs and function buttons that are displayed vary based on the user's role with the committee.

Candidates, treasurers and alternate transaction filers are the only users that can file transactions. Signatures on transactions filed using ORESTAR are executed electronically. Only one signature is required to file transactions.

Transactions entered in a committee's account do not become public record until they are filed with the Elections Division.

## Account Summary Tab

The Account Summary page is accessed by clicking on **Campaign Finance** for a committee on the Private Workshop page. Use the **Prev** and **Next** buttons to move between calendar years, if the committee has been active in ORESTAR for more than one year.

Elections Division  
 255 Capitol St NE, Ste 501  
 Salem, OR 97310  
 (503) 986-1518

Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.50A18) January 1, 2008

Private Workshop

Search Committees

Search Transactions

Search Candidate Filings

Add New Committee

File Candidacy (State Office)

User Management

Sign out

Account Summary
ORESTAR User's Manual Committee ( 5706 )

Account Summary | Transaction | Address Book | Upload Xml | Documents | Preferences | Certificates

Account Summary Information for the year 2008

Contributions	Amount
Cash Contributions	\$0.00
Loans Received (non-exempt)	\$0.00
In-Kind	\$0.00
<b>Total Contributions</b>	<b>\$0.00</b>
<b>Expenditures</b>	
Cash Expenditures	\$0.00
Loan Payments (non-exempt)	\$0.00
In-Kind	\$0.00
<b>Total Expenditures</b>	<b>\$0.00</b>
<b>Cash Balance</b>	
Beginning Balance (Previous Year)	\$0.00
Total Contributions	\$0.00
Other Receipts	\$0.00
Loans Received (exempt)	\$0.00
<b>subtotal :</b>	<b>\$0.00</b>
Total Expenditures	\$0.00
Other Disbursements	\$0.00
Loan Payments (exempt)	\$0.00
<b>subtotal :</b>	<b>\$0.00</b>
Balance Adjustments	\$0.00
<b>Ending Cash Balance</b>	<b>\$0.00</b>
<b>Financial Status</b>	
Cash Balance	\$0.00
Accounts Receivable	\$0.00
<b>subtotal :</b>	<b>\$0.00</b>
Total Outstanding Loans	\$0.00
Outstanding Personal Expenditures	\$0.00
Accounts Payable	\$0.00
<b>subtotal :</b>	<b>\$0.00</b>
<b>Balance Deficit</b>	<b>\$0.00</b>

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### Tab Menu

All the pages associated with campaign finance have a tab menu across the top that allows a user to navigate within the campaign finance portion of the system. The tabs and a brief description of each follows:

- **Account Summary:** This page displays the system calculated totals for transactions that occurred in the current calendar year. The totals are continuously updated each time a transaction is filed. The Account Summary does not include transactions that have been entered but are not yet filed or are scheduled to be filed when due.
- **Transaction:** This is a private space for a committee to manage its campaign finance transactions.
- **Address Book:** This is an area for the committee to manage its contributors and payees. The address book feature allows a committee to enter a name once and reuse it for multiple transactions.
- **Upload Xml:** This is a function that can be used by committees that choose to use separate campaign management software for entering transactions. It allows the committee to upload transaction information in an XML file format into the committee's account in ORESTAR, where the transactions can then be filed with the Elections Division.
- **Documents:** This page displays a list of correspondence sent to a committee via email, such as transaction filing reports, xml validation reports and exam letters.
- **Preferences:** This allows a committee to set system level preferences.
- **Certificates:** This allows a committee to file a Certificate of Limited Contributions and Expenditures for the current calendar year.

### Start Interview

ORESTAR's Interview feature was created to help new users become accustomed to the system. It asks users a series of questions in sequential screens to assist in filing new campaign finance transactions. It is modeled after interview features common to software packages such as TurboTax and MacIntax.

Some users may continue to use the ORESTAR Interview for all of their filings. Other users, once familiar with the system, may find it faster to use ORESTAR's main data entry screen to enter transactions.

Click on **Start Interview** and the user is asked what kind of transaction they wish to enter. Once that decision is made ORESTAR will ask a series of questions in sequential screens to help the user enter all the information required to successfully file that transaction with the Elections Division. The user can click on any of the yellow question marks to the right of the options to display a brief explanation of the option or field. Click **Cancel** at any time to return to the Account Summary page.

## Transaction Tab

The Transaction Queue is accessed by clicking on the Transaction tab. A committee can add, edit, delete, validate, file and export transactions from this page. Transactions entered in a committee's account do not become public record until they are filed with the Elections Division.

When the page is first accessed it displays original, amended or deleted transactions that have not been filed with the Elections Division. The page displays up to 50 transactions at a time. Use the **Prev** and **Next** buttons to move between pages if more than 50 transactions exist in the queue.

The transactions on the page are displayed in ascending order by transaction date. A red arrow to the left of the field name indicates the current sort order. If the arrow is pointing up, the results are sorted by that field in ascending order. If the arrow is pointing down, the results are sorted by that field in descending order. Clicking once on the red arrow will reverse the sort order. A user can change the sort order of the page at any time by clicking on the arrow in the column the user wishes to sort by.

ORESTAR User's Manual Committee ( 5706 )

Account Summary | Transaction | Address Book | Upload Xml | Documents | Preferences | Certificates

Add | Amend | Delete | File | File/Due | Validate | Export | Search | Clear | Prev | Next

<input type="checkbox"/>	ID #	Date	Due Date	Status	Process Status	Contributor/Payee	Tran Subtype	Amount
<input type="checkbox"/>	47433	12/12/2007	01/12/2008 12:00 AM	Original	New	Alex Monroe	Cash Contribution	\$100.00
<input type="checkbox"/>	47435	12/20/2007	01/22/2008 12:00 AM	Original	New	System Training PAC	Pledge of Cash	\$50.00
<input type="checkbox"/>	47437	12/21/2007	01/22/2008 12:00 AM	Original	New	US Post Office	Personal Expenditure for Reimbursement	\$41.00
<input type="checkbox"/>	47438	12/31/2007	01/31/2008 12:00 AM	Original	New		Interest/Investment Income	\$1.23
<input type="checkbox"/>	47434	01/02/2008	02/02/2008 12:00 AM	Original	Validated	Smith Insurance Co.	Cash Contribution	\$500.00

\*Only 50 transactions are displayed at one time. Please search or click the Next or Previous buttons.

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To view detailed transaction information, click on the ID # of the desired transaction. To view address book information for a transaction, click on the Contributor/Payee name of the desired transaction.

## Function Buttons

A list of the function buttons on the Transaction Queue page and a brief description of the action performed by each button follows:

- **Add:** Displays the Transaction Add/Edit page ready for entry of a new transaction.
- **Amend:** Displays the Transaction Add/Edit page with the information for the selected transaction.
- **Delete:** Creates a deletion transaction for the selected transaction. The deletion transaction must then be filed with the Elections Division.
- **Validate:** Performs validation on the selected transactions and displays the validation results. Transactions must be validated prior to filing.

- **File:** Displays the attestation page where the candidate, treasurer or alternate transaction filer can attach their electronic signature and file the selected transactions immediately.
- **File/Due:** Displays the attestation page where the candidate, treasurer or alternate transaction filer can attach their electronic signature and designate each selected transaction to be filed on its due date. If this filing option is chosen, the system automatically files each transaction approximately one hour before the transaction is due.
- **Export:** Exports all transactions on the Transaction Queue page to an Excel spreadsheet. A maximum 5,000 transactions can be exported at a time.
- **Search:** Displays the Transaction Search page where a user can search for transactions associated with the committee. Search results display on the Transaction Queue page.
- **Clear:** Clears transaction search results and returns the Transaction Queue page to its initial display.
- **Prev:** Displays the previous page of transactions, if more than 50 transactions exist in the Transaction Queue.
- **Next:** Displays the next page of transactions, if more than 50 transactions exist in the Transaction Queue.

A user must select one or more transactions before clicking **Amend, Delete, File, File/Due** or **Validate**. To select a transaction, click in the box to the left of the transaction ID. To select all transactions displayed on the page, click in the box at the top that appears in the gray-shaded row with the column labels.

## Transaction Information

When the Transaction Queue page is first accessed it displays original, amended or deleted transactions that have not been filed. The page is also used to display search results for transactions associated with the committee.

The following is a brief explanation of the information that displays on the Transaction Queue page for each transaction:

- **ID #:** This is the unique identification number that is automatically assigned to a transaction by the system. Each original, amended or deleted transaction is assigned a unique identification number.
- **Date:** This is the date of the transaction.
- **Due Date:** This is the system calculated due date for the transaction. Transactions are due by midnight on the due date. A transaction that is due on 1/15/2008 will have a due date of 1/16/2008 12:00 AM. See the current Campaign Finance Manual for detailed information about transaction due dates.
- **Status:** This is the category of the transaction. Each transaction is assigned one of the following statuses:

**Original:** A newly entered or filed transaction.

**Amended:** A transaction that is changed after it has been filed with the Elections Division.

**Deleted:** A transaction that is deleted after it has been filed with the Elections Division.

→ **Process Status:** This is the current status of the transaction. The status of a transaction changes depending on where it is in the process.

**New:** A new transaction that is ready to be validated and filed with the Elections Division.

After validating a transaction, it will have one of the following process statuses:

**Validated/Warnings:** A transaction that has warnings or informational messages associated with it.

**Validated/Error:** A transaction that has error messages associated with it. The error must be fixed prior to filing the transaction.

**Validated:** A transaction that does not have any messages associated with it.

After filing a transaction, it will have one of the following process statuses:

**File When Due:** A transaction that will be automatically filed with the Elections Division approximately one hour before the transaction is due. A transaction with this status is not public record until it is processed on its due date.

**Filing in Progress:** A transaction that is being processed by the system.

**Filed:** A transaction that has been filed with the Elections Division and is public record.

Additional process statuses that apply to transactions filed by committees that are using the system aggregate calculation function are:

**Aggregated:** A transaction that has been filed and is determined to be exempt from public record because the aggregate of the contributor or payee has not exceeded \$100 for the calendar year. The transaction amount is included in the appropriate 'miscellaneous under \$100' category based on the transaction type.

**Complete (System):** A 'miscellaneous under \$100' transaction that is automatically generated by the system when a committee that is using the system aggregate calculation function files a contribution or expenditure transaction and the calendar year aggregate for the contributor or payee is \$100 or under. This transaction is the public version of a transaction with the Aggregated process status. Transactions with this status are managed by the system.

After a filed transaction is examined for sufficiency by the Elections Division, it will have one of the following process statuses. Transactions with a process status of Aggregated or Complete (System) are not examined.

**Insufficient/General:** A transaction that is missing information that is required by administrative rule. Failure to satisfy the insufficiency by the amendment deadline provided in the exam letter may result in a civil penalty.

**Insufficient/Statutory:** A transaction that is missing information that is required by statute. Failure to satisfy the insufficiency by the amendment deadline provided in the exam letter will result in a civil penalty.

**Complete:** A transaction that is sufficient.

There is one additional process status for transactions entered by a committee that filed a Certificate of Limited Contributions and Expenditures.

**Certificate Filed:** A transaction entered into ORESTAR by a committee that filed a Certificate of Limited Contributions and Expenditures but the transaction is not filed because the committee did not exceed \$2,000 in contributions or \$2,000 in expenditures during the calendar year. This process status is assigned on January 1 to transactions in the prior year.

**note**

The process status of a filed transaction generally relates to the sufficiency of the information provided with the transaction. The process status is not an indication of whether or not a transaction is filed timely. For example, a transaction with the Complete process status may still be subject to a civil penalty if the transaction is filed late.

- **Contributor/Payee:** This is the name associated with the transaction.
- **Tran Subtype:** This is the subtype associated with the transaction.
- **Amount:** This is the amount of the transaction.

**Adding Transactions**

The Transaction Add/Edit page is accessed by clicking **Add** on the Transaction Queue or Transaction Validation page. All types of transactions are entered using this page.

Fields that are not appropriate for the transaction being entered are grayed out and not enterable.

### Function Buttons

A list of the function buttons on the Transaction Add/Edit page and a brief description of the action performed by each button follows:

- **Validate:** Saves the transaction and displays the Transaction Validation page with the validation results for the transaction.
- **Save/Exit:** Saves the transaction without validating it and returns the user to the Transaction Queue.
- **Save/Add:** Saves the transaction without validating it and redisplay the page ready for entry of another transaction.
- **Cancel:** Returns the user to the Transaction Queue without saving any changes on the page.
- **Reset:** Clears all unsaved changes on the page.

### Completing the Form

Use the tab key on the keyboard to move between fields on the page or click in the field with the mouse pointer.

- **Transaction Date:** Provide the date of the transaction. Enter the date in the field or click on the gray box to the right of the date field to select the date from the calendar. For the following situations, use the specified dates:

**Cash Contribution, Loan Received or Other Receipt:** The date the money was received in the committee's physical custody.

**Contribution by Electronic Transfer:** The date the money is credited to the committee's account.

**In-Kind Contribution:** The date the committee first has knowledge of the in-kind contribution.

**Pledge:** The date the contribution is promised to the committee.

**Cash Expenditure, Loan Payment or Other Disbursement:** The date written on the check or the date the committee's credit or debit card is used.

**Personal Expenditure for Reimbursement:** The date the personal expenditure is made by the person.

**Account Payable:** The date the obligation is first incurred, such as the date an order for goods or services is placed or the date media time is reserved.

- **Transaction Type:** Select the appropriate transaction type from the list. The choices are:

**Contribution/Pledge**

**Expenditure/Account Payable**

**Other**

## **Other Account Receivable**

## **Other Disbursement**

## **Other Receipt**

→ **Subtype:** Select the appropriate subtype from the list. The choices in the list are limited based on the transaction type selected.

For the Contribution/Pledge transaction type, the subtype choices are:

**Cash Contribution:** Includes cash, checks, or any legal instrument redeemable as currency, transmitted via physical or electronic means.

**In-Kind Contribution:** A good or service, other than money, having monetary value.

**In-Kind/Forgiven Account Payable:** A previously reported account payable that is forgiven by the creditor.

**In-Kind/Forgiven Personal Expenditures:** Previously reported personal expenditures for reimbursement that are forgiven by the person who made the personal expenditures.

**Loan Received (Non-Exempt):** A loan that is considered a contribution, generally from a source other than a financial institution.

**Pledge of Cash:** A pledge of a cash contribution.

**Pledge of In-Kind:** A pledge of an in-kind contribution.

**Pledge of Loan (Non-Exempt):** A pledge of a non-exempt loan.

For the Expenditure/Account Payable transaction type, the subtype choices are:

**Account Payable:** An amount owed to a creditor for the purchase of goods or services, or a pledge to make a contribution.

**Cash Expenditure:** An expenditure made by the committee via check, credit card, debit card, or other electronic transmission.

**Expenditure Made by an Agent:** An expenditure made by an agent for the purchase of broadcast or newspaper advertising or for payment of petition circulators.

**Loan Payment (Non-Exempt):** A payment made on the principal of a non-exempt loan.

**Personal Expenditure for Reimbursement:** An expenditure by a person from the person's funds, made on behalf of the candidate or committee, if the person expects reimbursement.

For the Other transaction type, the subtype choices are:

**Account Payable Rescinded:** A previously reported account payable transaction that is no longer owed.

**Cash Balance Adjustment:** A transaction adjusting the committee's cash balance on the account summary page.

**Loan Forgiven (Non-Exempt):** A previously reported non-exempt loan received that is forgiven by the lender.

**Uncollectible Pledge of Cash:** A pledge of cash that is determined to be uncollectible.

**Uncollectible Pledge of In-Kind:** A pledge of in-kind that is determined to be uncollectible.

**Uncollectible Pledge of Loan:** A pledge of a non-exempt loan that is determined to be uncollectible.

For the Other Account Receivable transaction type, the subtype choices are:

**Miscellaneous Account Receivable:** An account receivable that is exempt from being considered a contribution.

***note***

Unexpended Agent Balance is also a type of Other Account Receivable. This subtype does not appear on the selection list because it is managed by the system for all committees, including those using the XML upload process.

For the Other Disbursement transaction type, the subtype choices are:

**Loan Payment (Exempt):** A payment made on the principal of an exempt loan.

**Miscellaneous Disbursement:** Reissuing a lost or returned check or loss on an investment.

**Nonpartisan Activity:** Expenses incurred in conducting nonpartisan activities.

**Return or Refund of Contribution**

For the Other Receipt transaction type, the subtype choices are:

**Interest/Investment Income:** Interest earned from bank accounts and proceeds earned from investments.

**Items Sold at Fair Market Value:** Proceeds from the sale of items that are purchased by the buyer at fair market value.

**Loan Received (Exempt):** A loan from a financial institution.

**Lost or Returned Check:** A check that is returned to the committee or a check that has been reported as an expenditure but is subsequently lost in the mail or never cashed.

**Miscellaneous Receipt:** Payments received on loans extended to another committee or organization and other miscellaneous receipts that are not contributions.

**Refunds and Rebates:** Refunds of deposits and rebates from vendors.



- **Agent:** Select the name of the agent that made the expenditure on behalf of the committee. Begin typing any part of the agent's name and a list will display possible matches. Select the appropriate name from the list by clicking on it. This field is enterable only for an Expenditure Made by an Agent transaction.
- **Contributor/Payee:** Select the contributor, payee or other person associated with the transaction. This field is not required for Interest/Investment Income, Items Sold at Fair Market Value and Nonpartisan Activity transactions.

To select the contributor/payee begin typing any part of the name and a list will display with possible matches. If the name appears on the list, select the name by clicking on it. If the name does not appear on the list, click on the **Add** button to the right of the Contributor/Payee name field to create a new address book entry. See Adding Address Book Entries on page 103 in this User's Manual.

There are several system address book entries that automatically appear in the contributor/payee pick list for all committees. The address book entries that are available to all committees are:

Petition Circulators

Payroll Taxes

Anonymous Contribution

Additionally, the following system address book entries are available to committees that have opted out of using the system to calculate contributor and payee aggregates:

Miscellaneous Cash Contributions \$100 and under

Miscellaneous In-Kind Contributions \$100 and under

Miscellaneous Cash Expenditures \$100 and under

Miscellaneous Accounts Payable \$100 and under

Miscellaneous Agent Expenditures \$100 and under

Miscellaneous Personal Expenditures \$100 and under

Miscellaneous Pledges of Cash \$100 and under

Miscellaneous Pledges of In-Kind \$100 and under

After selecting or adding the name associated with the transaction, address and occupational information from the address book will display in the box to the right of the Contributor/Payee name field, allowing the user to verify that the information is correct. If the information needs to be updated, click on the **Edit** button to the right of the Contributor/Payee name field. Make the necessary changes to the address book entry and click on **Save**. The user is returned to the Transaction Add/Edit page and the updated information displays.

If a contributor's aggregate contributions during the calendar year exceed \$100, address, occupation and employer information are required. If aggregate expenditures to a payee exceed \$100 during a calendar year, address (city and state) is required.

→ **Payment Method:** Select the payment instrument used for a cash expenditure or other disbursement transaction by clicking on the down arrow and choosing the appropriate value from the list. The choices are:

**Cash:** A payment made by a chief petitioner committee using cash.

**note**

The payment type of Cash is available to chief petitioner committees only. Candidate committees and political action committees are prohibited from making expenditures using cash.

**Check:** A payment made by the committee using a committee check.

**Credit Card:** A payment made by the committee using a committee credit card.

**Debit Card:** A payment made by the committee using a committee debit card.

**Electronic Check:** A payment electronically accessed by the vendor.

**Electronic Funds Transfer:** A payment made by electronic transfer.

→ **Check #:** Enter the actual number of the check issued by the committee. This field is enterable only for a cash expenditure or other disbursement transaction with a payment method of check.

→ **Amount:** Enter the amount of the transaction.

→ **Calendar Year Aggregate:** Enter the calendar year aggregate for the contributor or payee. The Calendar Year Aggregate field displays for a committee that has chosen to track contributor and payee aggregates themselves instead of relying on the system to calculate the aggregates. A calendar year aggregate must be entered for each contribution or expenditure transaction, other than 'miscellaneous under \$100' entries.

→ **Interest Rate:** Enter the interest rate associated with a loan received by the committee or a loan made to another entity by the committee. If there is no interest rate attached to the loan, enter 0 (zero).

→ **Repayment Schedule:** Enter the repayment schedule associated with a loan received by the committee or a loan made to another entity by the committee.

→ **Description:** A written description of the purpose of an expenditure or in-kind contribution may be provided in lieu of selecting a purpose from the list of purpose descriptions. Additionally, the following transactions require that a description be provided:

Expenditures or in-kind contributions using the General Operational Expenses, Public Office Holder Expenses or Travel Expenses purpose.

Miscellaneous Other Receipt

Miscellaneous Other Disbursement

Cash Balance Adjustment

- **Occupation Letter Date:** If occupation and employer information are not obtained when a contribution is received and the committee sends a letter requesting the information, provide the date the letter is sent to the contributor. Enter the date in the field or click on the gray box to the right of the field to select the date from the calendar.
- **Notes:** Use the Notes field to provide additional information to the Elections Division and the public about a transaction. Do not use the Notes field for information that is required to be in the Description field.
- **Purpose:** For an expenditure or in-kind contribution, select one or more purpose descriptions that best describe the purpose of the transaction. To select a purpose description, click on the down arrow and choose the desired purpose from the list.

To add a row for an additional purpose, click on the box containing a plus (+) symbol to the right of the first row. To delete a row, click on the box with an X to the right of the row to be deleted.

Transaction Purpose(s)	
	+
	X
	X
	X
	X

An explanation of each purpose description follows:

**Agent:** A payee who is an individual or firm, such as an advertising agency or a public relations firm, authorized by a committee to make expenditures for broadcast or newspaper advertising or for payment of petition circulators and makes such expenditures. For expenditures made by an agent, a committee must detail the expenditures made by the agent.

**Broadcast Advertising:** Expenditures for radio and television advertising. This is a sufficient purpose only if payment is made directly to a specific radio or TV station.

**Cash Contribution:** Contributions made to other committees or organizations.

**Fundraising Event Expenses:** Expenditures associated with holding a fundraiser, including payments to restaurants, hotels, caterers, other food and refreshment vendors, entertainers and speakers.

**General Operational Expenses:** General campaign operating expenses, including filing fees, bank service charges, purchase or rental of office equipment and furniture for the campaign and office supplies. When this purpose is used, a committee must provide a written description (e.g., office supplies, furniture, etc.)

**Interest Payment:** Interest paid to a financial institution or other lender for a loan made to the committee.

**Literature, Brochures, Printing:** Expenditures for the preparation and production of campaign literature and printed solicitations, including expenditures for mailing lists, design, photography, copy, layout, printing and reproduction.

**Loan Extended:** An expenditure made by a committee that is a loan to another individual, committee or organization.

**Management Services:** Includes fees and commissions paid to campaign management companies, agents and campaign consultants.

**Newspaper and Other Periodical Advertising:** Expenditures for advertising in newspapers, periodicals and other publications. This is a sufficient purpose only if payment is made to a specific publication.

**Other Advertising:** Expenditures associated with the production and purchase of advertising on billboards, yard signs, voters' pamphlets, websites, and campaign paraphernalia such as buttons, bumper stickers, t-shirts, etc.

**Petition Circulators:** Payments made to individuals for collection of signatures on a petition.

**Postage:** Expenditures for stamps, postage, United Parcel Service, Federal Express and direct mail services.

**Preparation and Production of Advertising:** Payments associated with the preparation or production of broadcast, newspaper or other periodical advertising.

**Public Office Holder Expenses:** Expenditures associated with allowable public office holder expenses such as gifts of nominal value, conference registration fees, membership dues, constituent services, staff wages, office rent, mileage, gas, travel and entertainment. When this purpose is used, a committee must provide a written description.

**Reimbursement for Personal Expenditures:** Payments to reimburse a person for personal expenditures (including credit card charges) made on behalf of the committee. The personal expenditures made by the person must separately be reported as transactions using transaction type Expenditure/Account Payable and subtype Personal Expenditures for Reimbursement.

***note***

When using the reimbursement of personal expenditures purpose description, the entire amount of the transaction is subtracted from the committee's outstanding personal expenditure balance on the account summary page. If a check represents more than just reimbursement for personal expenditures, enter two separate transactions.

**Surveys and Polls:** Expenditures associated with polls, reports on election trends, voter surveys, telemarketing, telephone banks, etc.

**Travel Expenses:** Expenditures associated with travel. When this purpose is used, a committee must provide a written description (e.g., lodging, airfare, meals, gas, mileage, etc.)

**Utilities:** Expenditures for telephone, Internet access, electricity, etc.

**Wages, Salaries, Benefits:** Expenditures associated with campaign staff (including wages, employment taxes, insurance, payments to temporary employment agencies, etc.)

→ **Associated Transactions:** An associated transaction is a transaction that is connected to or dependent upon another transaction that has previously been entered in ORESTAR. For example, a cash expenditure that is a partial or full payment of a previously entered account payable transaction must be associated to reduce the outstanding account payable balance on the committee’s account summary.

The following are examples of associated transactions:

Associated Transaction	Previously Entered Transaction
Account Payable Rescinded*	Account Payable
Cash Contribution	Pledge of Cash
Cash Expenditure	Account Payable
In-Kind Contribution	Pledge of In-Kind
In-Kind/Forgiven Account Payable*	Account Payable
Loan Forgiven (Non-Exempt)*	Loan Received (Non-Exempt)
Loan Payment (Exempt)*	Loan Received (Exempt)
Loan Payment (Non-Exempt)*	Loan Received (Non-Exempt)
Loan Received (Non-Exempt)	Pledge of Loan
Refunds and Rebates	Other Account Receivable
Return or Refund of Contribution*	Cash Contribution
Uncollectible Pledge of Cash*	Pledge of Cash
Uncollectible Pledge of In-Kind*	Pledge of In-Kind
Uncollectible Pledge of Loan*	Pledge of Loan

\* Transaction requires an association.

The system attempts to identify all possible associations and displays them in the Transaction Association section of the page which can be accessed by clicking on the Transaction Association bar.

Transaction Association					
Unassociate:	Associate:	Complete:	Associated Transactions:	<input type="button" value="Search"/>	Balance
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Pledge of Cash for \$50.00 from System Training PAC on 12/20/2007 (47435)		\$50.00

The default selection for each transaction is Unassociate. If the current transaction is a partial receipt or payment for a previously entered transaction in the list, click on the Associate button for that transaction. If the current transaction is full receipt or payment for a previously entered transaction in the list, click on the Complete button for that transaction.

If a previously entered transaction that should be associated with the current transaction does not appear in the transaction association list, click on **Search**. The Transaction Search page displays. Enter appropriate search criteria for the desired transaction and click on **Search**. The search results display in the associated transaction list allowing the user to associate or complete the transaction.

- **In-Kind or Independent Expenditure Information:** An expenditure that is an in-kind contribution to another candidate or committee, or an independent expenditure supporting or opposing a candidate or measure, must be identified as an in-kind or independent expenditure and must identify the candidates or committees supported or opposed by the expenditure. Click on the In-Kind or Independent Expenditure Information bar and the following displays:

Indicator *	CommitteeName *	Amount *
▼		
▼		
▼		
▼		
▼		

Enter the following information for each candidate or measure supported or opposed by the expenditure:

**Indicator:** Click on the down arrow and select In-Kind or Independent from the list.

**Committee Name:** For an in-kind expenditure benefiting a candidate or committee, begin typing any portion of the name of the candidate or committee supported or opposed by the expenditure. A list will display with possible matches. Select the appropriate candidate or committee by clicking on the name in the list.

For an independent expenditure supporting or opposing a candidate or measure do not select from the list, but instead enter support or oppose followed by the candidate’s name or measure information (e.g., support John Smith or oppose measure 99).

**Amount:** Enter the amount of the expenditure that supported or opposed the candidate, committee or measure.

To add an additional row, click on the box containing a plus (+) symbol to the right of the Amount field in the first row. To delete a row, click on box containing an X to the right of the Amount field of the row to be deleted.

- **Co-Signer Obligation:** Each endorser or guarantor of an exempt loan received is considered a contributor and must be reported, unless the endorser or guarantor is the candidate’s spouse. Click on the Co-Signer Obligation bar and the following displays:

Name *	Amount *

Enter the name of the endorser or guarantor and the amount for which the person agreed to be liable in a written agreement.

To add an additional row, click on the box containing a plus (+) symbol to the right of the Amount field in the first row. To delete a row, click on box containing an X to the right of the Amount field of the row to be deleted.

## Saving Transactions

A transaction can be saved from the Transaction Add/Edit page by clicking **Validate**, **Save/Exit** or **Save/Add**.

To save a transaction, the transaction date, transaction type/subtype, contributor/payee (if required) and amount must be provided.

## Validating Transactions

Transactions must be validated prior to filing. Transactions can be validated from the Transaction Add/Edit page as they are entered or they can be validated individually or as a batch from the Transaction Queue.

To validate transactions as they are entered click on **Validate** after data entry of the transaction is completed. The transaction is saved and the Transaction Validation page displays.

To validate transactions from the Transaction Queue select one or more transactions from the list and click on **Validate**. The Transaction Validation page displays.

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(503) 968-1518  
January 1, 2008

Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.50A18)

Private Workshop **Transaction Validation** ORESTAR User's Manual Committee (5706)

Search Committees Account Summary Transaction Address Book Upload Xml Documents Preferences Certificates

Search Transactions

Search Candidate Filings Add Return to Transaction Queue File File/Due

Tran ID	Vendor TranID	Error/Warning Message	Status
47438		Address is missing or insufficient.	Warning
47438		Occupation is missing and the committee did not document that the information was requested within seven days of receipt of the contribution.	Warning
47438		Employer information is missing or insufficient. Indicate that the individual is not employed, self-employed, or provide employer's name, city and state.	Warning

\* Only 50 transactions are displayed at one time. Please search or click the Next or Previous buttons.

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The Transaction Validation page displays error messages associated with the transaction or transactions selected for validation. There are three types of messages:

**Error:** An error message stops the transaction from being filed. The insufficiency must be fixed before the transaction can be filed.

**Warning:** A warning message identifies missing information that is required by statute and must be supplied for the transaction to be considered sufficient. A warning message does not prevent the transaction from being filed.

**Informational:** An informational message identifies missing information that is required by administrative rule. An informational message does not prevent the transaction from being filed.

From the validation message page the user may click on:

- The transaction ID number to return to the Transaction Add/Edit page and make changes to the transaction.
- **Add** to add another transaction.
- **Return to Transaction Queue** to go back to the Transaction Queue page.
- **File** to file the transaction immediately. This option is available only to an individual with the candidate, treasurer, candidate/treasurer or alternate transaction filer role.
- **File/Due** to file the transaction on its due date. This option is available only to an individual with the candidate, treasurer, candidate/treasurer or alternate transaction filer role.

**note**

If any part of a transaction, including the address book entry associated with it, is edited after validation and prior to filing, the transaction must be re-validated prior to filing.

### **Editing Transactions Prior to Filing**

Transactions that have not been filed appear on the Transaction Queue page. A transaction can be edited prior to filing as follows:

- 1 Access the Transaction Queue by clicking on the Transaction tab.
- 2 Select the transaction to be edited from the list and click on **Amend**.
- 3 Make the desired changes. If information associated with the address book entry needs amending, click on the **Edit** button to the right of the Contributor/Payee name field.
- 4 Save the changes by clicking **Validate**, **Save/Exit** or **Save/Add**.

**Warning!**

Committees using the XML upload process are advised not to edit uploaded transactions directly in ORESTAR. Editing uploaded transactions will cause the original data to be out of sync with the data in ORESTAR. This could cause problems with any subsequent amendments, if necessary.

### **Deleting Transactions Prior to Filing**

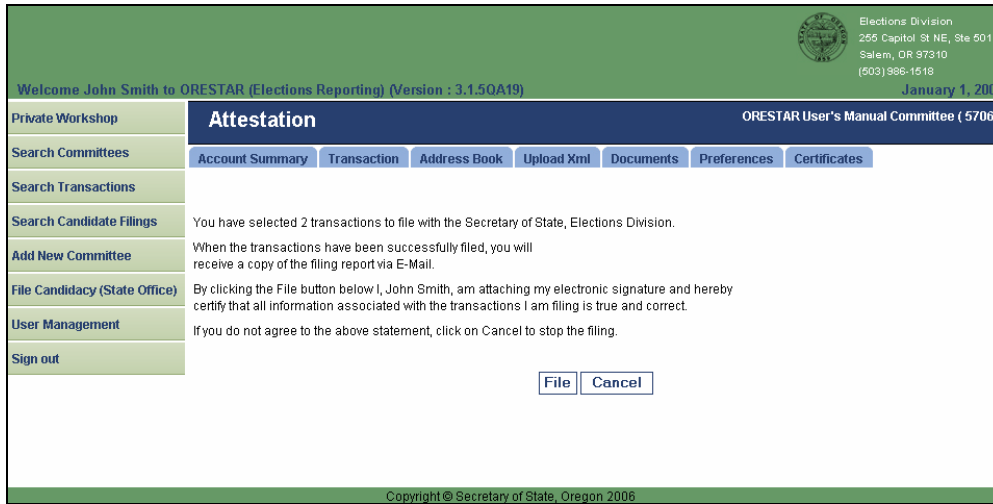
Transactions deleted prior to filing are true deletions. No history of the transaction is maintained. To delete a transaction that has not yet been filed, proceed with the following:

- 1 Access the Transaction Queue by clicking on the Transaction tab.
- 2 Select the transaction to be deleted from the list and click on **Delete**.



## Filing Transactions

The Attestation page is accessed by clicking **File** or **File/Due** on the Transaction Queue or Transaction Validation page. Only candidates, treasurers and alternate transaction filers can file transactions.



Read the attestation and if agreed, click on the **File** button. After filing transactions the user is returned to the Transaction Queue page and the filed transactions no longer display in the list.

The filed transactions are processed and an email with "Filing Complete" in the subject line is sent to the candidate, treasurer, alternate transaction filer and correspondence recipient, if applicable. Attached to the email is a PDF file of the Transaction Filing Report. The report contains a list of the filed transactions and includes the validation errors, if any, associated with each transaction. Users associated with a committee, including a data entry person or vendor, can also access this report by clicking on the Documents tab.

## Editing Transactions with the Filed When Due Process Status

A transaction with a process status of Filed When Due (i.e., the transaction has been filed when due and the due date has not passed) may be edited. When the transaction is edited it reverts back to the New process status and must be validated and filed again. To edit a transaction with a process status of Filed When Due, proceed as follows:

- 1 Access the Transaction Queue page by clicking on the Transaction tab.
- 2 Click on **Search**.
- 3 Enter the transaction ID or enter other search criteria (such as process status = Filed When Due).
- 4 Click on **Search**. The search results display on the Transaction Queue page.
- 5 Select the transaction to be edited and click on **Amend**.
- 6 Make the desired changes. If information associated with the address book entry needs amending, click on the **Edit** button to the right of the Contributor/Payee name field.
- 7 Save, validate and file the original transaction.

## **Amending Filed Transactions**

To amend a filed transaction, proceed with the following:

- 1 Access the Transaction Queue page by clicking on the Transaction tab.
- 2 Click on **Search**.
- 3 Enter the transaction ID or enter other search criteria (such as a portion of the name associated with the transaction).
- 4 Click on **Search**. The search results display on the Transaction Queue page.
- 5 Select the transaction to be amended and click on **Amend**.
- 6 Make the desired changes. If information associated with the address book entry needs amending, click on the **Edit** button to the right of the Contributor/Payee name field.
- 7 Save, validate and file the amended transaction in the same manner as an original transaction.

### ***Warning!***

Committees using the XML upload process are advised not to amend filed transactions directly in ORESTAR. Amending uploaded transactions will cause the original data to be out of sync with the data in ORESTAR. This could cause problems with any subsequent amendments, if necessary.

## **Deleting Filed Transactions**

To delete a filed transaction, proceed with the following:

- 1 Access the Transaction Queue page by clicking on the Transaction tab.
- 2 Click on **Search**.
- 3 Enter the transaction ID or enter other search criteria (such as a portion of the name associated with the transaction).
- 4 Click on **Search**. The search results display on the Transaction Queue page.
- 5 Select the transaction to be deleted and click on **Delete**. A new transaction with the Deleted status and the Validated process status is created. The transaction displays on the Transaction Queue page.
- 6 File the deleted transaction in the same manner as an original or amended transaction.

## Searching for Transactions

The Transaction Search page is accessed by clicking **Search** on the Transaction Queue page. It allows a user to search for transactions associated with the committee.

Enter the desired search criteria and click on **Search**. The results of the search display as shown on the Transaction Queue page.

ID #	Date	Due Date	Status	Process Status	Contributor/Payee	Tran Subtype	Amount
<input type="checkbox"/> 687	01/01/2007	01/31/2007 05:00 PM	Deleted	Filed	Alex Monroe	Cash Contribution	\$200.00
<input type="checkbox"/> 47433	12/12/2007	01/12/2008 12:00 AM	Original	Validated	Alex Monroe	Cash Contribution	\$100.00

To view detailed transaction information, click on the ID # of the desired transaction. To view address book information for a transaction, click on the Contributor/Payee name of the desired transaction.

From the search results page, the user may edit or delete a transaction as previously discussed, export the search results to an Excel spreadsheet, or search for another transaction. If more than 50 transactions match the search criteria, click the **Prev** or **Next** buttons to move between pages.

## 100 Managing Campaign Finance Transactions

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If the transaction being searched for is not in the list, the user may click on **Add** to add a new transaction.

Click on **Clear** to remove the search results from the Transaction Queue and restore the page to its initial display, showing only transactions that have not yet been filed with the Elections Division.

## Address Book Tab

The Address Book List page is accessed by clicking on the Address Book tab. The address book stores basic information about each individual or entity that is involved with a committee. Each name is entered only once even if a name serves in multiple capacities, such as a contributor and a payee.

When the Address Book List is first accessed it displays all current address book entries associated with the committee. The page displays up to 25 address book entries at a time. Use the **Prev** and **Next** buttons to move between pages if more than 25 address book entries exist in the list.

Address book entries on the page are displayed in ascending order by name. A red arrow to the left of the field name indicates the current sort order. If the arrow is pointing up, the results are sorted by that field in ascending order. If the arrow is pointing down, the results are sorted by that field in descending order. Clicking once on the red arrow will reverse the sort order. A user can change the sort order of the page at any time by clicking on the arrow in the column the user wishes to sort by.

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January 7, 2008

Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.5.22)

ORESTAR User's Manual Committee ( 5706 )

Address Book List

Account Summary Transaction **Address Book** Upload Xml Documents Preferences Certificates

Add Edit Delete Export Search Clear Prev Next

ID#	Name	Address Information	Prev ID #
365	ABC Printing	Stayton , OR	
364	Alex Monroe	5392 NW Wayside , Boise , ID	
23116	Alexander Insurance Co.	Bend , OR	
369	Julie Jones		
368	Media 101	Portland , OR	
363	Smith Insurance Co.	101 SW 1st , Portland , OR	
366	System Training PAC	1209 Azalea St , Salem , OR	
367	US Post Office	Salem , OR	

\*Only 25 contacts are displayed at one time. Please search or click the Next or Previous buttons.

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To view address book information, click on the Name of the desired address book entry.

## Function Buttons

A list of the function buttons on the Address Book List page and a brief description of the action performed by each button follows:

- **Add:** Displays the Address Book Add/Edit page ready for entry of a new person.
- **Edit:** Displays the Address Book Add/Edit page with the information for the selected address book entry.
- **Delete:** Deletes the selected address book entry if the person is not associated with any transactions.
- **Export:** Exports the most recent version of each of the committee's address book entries to an Excel spreadsheet. Expired address book entries are not included in the export.

- **Search:** Displays the Address Book Search page where a user can search for address book entries associated with the committee. Search results display on the Address Book List page.
- **Clear:** Clears address book search results and returns the Address Book List to its initial display.
- **Prev:** Displays the previous page of address book entries, if more than 25 address book entries exist in the list.
- **Next:** Displays the next page of address book entries, if more than 25 address book entries exist in the list.

An address book entry must be selected before clicking **Edit** or **Delete**. To select an address book entry, click in the circle to the left of the ID #.

### **Address Book Information**

When the Address Book List is first accessed it displays all current address book entries associated with the committee. The page is also used to display search results for address book entries associated with the committee.

The following is a brief explanation of the information that displays on the Address Book List page for each address book entry:

- **ID #:** This is the unique identification number that is automatically assigned to an address entry by the system. If the address book entry is uploaded via an XML file, the ID number in the XML file will follow the ID number assigned by ORESTAR.
- **Name:** This is the name of the individual, business/organization or political committee associated with the address book entry.
- **Address Information:** This is the address information associated with the address book entry.
- **Prev ID #:** This is the previous ID number associated with the current address book entry. Each time an address book entry that is associated with a filed transaction is edited, a new address book entry is automatically created by the system and the previous address book entry is expired.

## Adding Address Book Entries

The Address Book Add/Edit page is accessed by clicking **Add** on the Address Book List page or by clicking **Add** to the right of the Contributor/Payee name field on the Transaction Add/Edit page.

Fields that are not appropriate for the address book entry are grayed out and not enterable.

## Function Buttons

A list of the function buttons on the Address Book Add/Edit page and a brief description of the action performed by each button follows:

- **Save:** Saves the address book entry and returns the user to the Address Book List.
- **Reset:** Clears all unsaved changes on the page.
- **Cancel:** Returns the user to the Address Book List without saving any changes on the page.

## Completing the Form

Use the tab key on the keyboard to move between fields on the page or click in the field with the mouse pointer.

→ **Designation:** Identify the person as a contributor, payee or other by clicking in the appropriate box. The Other category is used for individuals or entities that are not contributors or payees, such as a financial institution from which the committee receives interest earned or an exempt loan, or an individual purchasing an item at fair market value from the committee. More than one selection can be made.

→ **Type:** Select the type of person from the list. The choices are:

**Business Entity:** Includes for-profit and professional corporations, cooperatives, governmental entities, partnerships, limited liability companies, sole proprietorships, etc.

**Candidate's Immediate Family:** Includes the candidate, the candidate's spouse and any child, parent, grandparent, brother, half-brother, sister or half-sister of the candidate and the spouses of such persons, but does not include family members of the candidate's spouse.

### Individual

#### Labor Organization

**Other:** Includes clubs, associations, nonprofit corporations, tribal organizations, etc.

**Political Committee:** Committees filed in the State of Oregon or any other jurisdiction, including candidate committees, chief petitioner committees and political action committees established by business entities and labor organizations.

**Political Party Committee:** A committee established by a major or minor political party in Oregon, including county central committees.

The remainder of the form is broken out into four sections:

→ **Name Information:** The Type selected will determine the name fields that are available for entry:

**Candidate's Immediate Family or Individual:** Enter the individual's first and last name. Prefix (Mr. or Ms.), suffix (Jr., Sr., III, etc.) and title (MD, CPA, etc.) can be entered if desired.

**Business Entity, Labor Organization or Other:** Enter the name of the business or organization.

**Political Committee or Political Party Committee:** Begin typing any part of the committee's name in the Committee Name field and a list will display with possible matches. Select the appropriate committee from the list. If the committee does not appear on the list because it is not registered with the Secretary of State, enter the committee's full name.

→ **Filer Book ID:** This field displays the unique identification number assigned to an address book entry that is uploaded via an XML file.



→ **Address Information:** For a contributor, enter a street address or PO Box, city, state and zip code. For a payee, enter the city, or county if no city, and state where the payee is located. For a political committee or political party committee registered with the Secretary of State, the address is automatically populated from the committee's most recent Statement of Organization.

For a contributor with a foreign address, enter a street address, city/province/region, country and postal code.

→ **Contact Information:** Enter work phone, home phone, fax and email address if desired. All contact information is optional and is not made public record.

→ **Occupational Information:** The occupation and employer fields are enterable only for an individual contributor (candidate's immediate family or individual person types).

If the individual is not employed (including retired, student, etc.), select Not Employed by clicking in the box.

If the individual is self-employed, select Self-Employed by clicking in the box, and provide the nature of the individual's occupation.

If the individual is employed by another person, provide the individual's occupation and employer's name and address (city and state).

## **Saving Address Book Entries**

To save an address book entry, click on **Save** after entering at least the designation, type and name.

## **Editing Address Book Entries**

An address book entry can be edited from the Address Book List or the Transaction Add/Edit page.

To edit an address book entry from the Address Book List, select the entry to be edited by clicking in the circle to the left of the ID # and click on **Edit**.

To edit an address book entry from the Transaction Add/Edit page, click on the **Edit** button to the right of the Contributor/Payee name field.

The Address Book Add/Edit page displays with the information for the address book entry selected or the address book entry associated with the transaction. Make the appropriate changes and click on **Save**.

Editing an address book entry updates all transactions associated with that address book entry that have not yet been filed, but does not amend a filed transaction.

Editing an address book entry that is associated with previously filed transactions automatically creates a new address book entry and expires the previous address book entry.

## Deleting Address Book Entries

An address book entry can be deleted only if it is not associated with a transaction. To delete an address book entry, select the entry to be deleted by clicking in the circle to the left of the ID # and click on **Delete**.

## Expiring Address Book Entries

An address book entry can be expired. An expired address book entry will no longer display on the Address Book List and will not appear in the contributor/payee list on the Transaction Add/Edit page. To expire an address book entry, edit the address book entry and click in the **Expire Entry** checkbox.

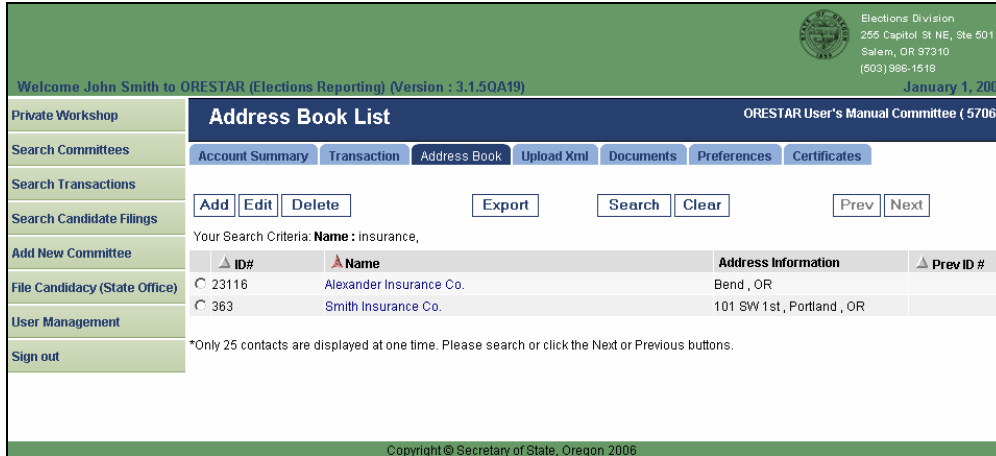
## Unexpiring Address Book Entries

An address book entry that is expired can be reversed, if necessary. To unexpire an address book entry, search for the address book entry and be sure to click in the Show Expired Entries checkbox. Edit the address book entry and click in the **Expire Entry** checkbox to deselect it.

## Searching the Address Book

The Address Book Search page is accessed by clicking **Search** on the Address Book List page. It allows a user to search for address book entries associated with the committee.

Enter a portion of the address book name or address, or enter the Filer Book ID for an address book entry uploaded via an XML file and click on **Search**. The results of the search display as shown on the Address Book List.



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Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.50A19) January 1, 2008

Private Workshop **Address Book List** ORESTAR User's Manual Committee ( 5706 )

Search Committees [Account Summary](#) [Transaction](#) [Address Book](#) [Upload Xml](#) [Documents](#) [Preferences](#) [Certificates](#)

Search Transactions

Search Candidate Filings

Add New Committee

Your Search Criteria: **Name** : Insurance,

ID#	Name	Address Information	Prev ID #
<input type="radio"/> 23116	Alexander Insurance Co.	Bend , OR	
<input type="radio"/> 363	Smith Insurance Co.	101 SW 1st , Portland , OR	

\*Only 25 contacts are displayed at one time. Please search or click the Next or Previous buttons.

File Candidacy (State Office)

User Management

Sign out

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Click on the desired address book name to view address, contact and occupational information.

From the search results page, the user may edit or delete an address book entry as previously discussed, or search for another entry. If more than 25 address book entries match the search criteria, click the **Prev** or **Next** buttons to move between pages.

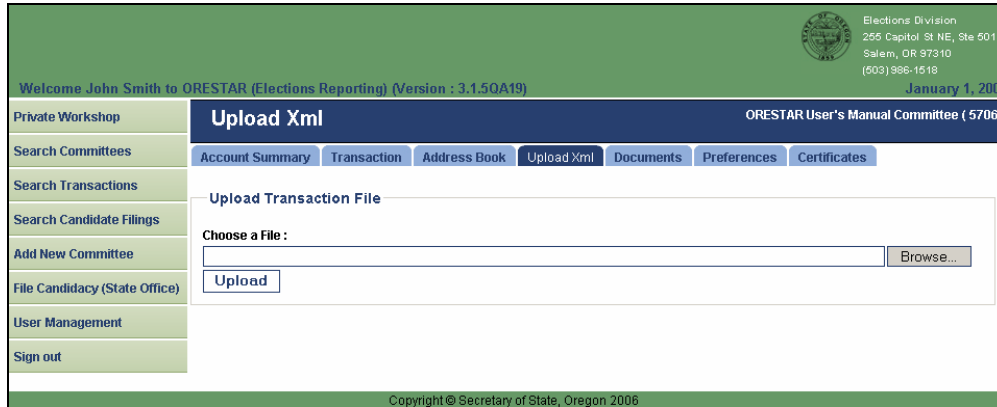
If the address book entry being searched for is not in the committee's address book, the user may click on **Add** to create a new entry.

Click on **Clear** to remove the search results from the Address Book List and restore the page to its initial display.

## Upload Xml Tab

This function allows committees to upload transaction information into ORESTAR in an XML file format specified by the Elections Division. Committees that choose to enter transaction information into a system other than ORESTAR will use this function to upload the transaction information into the committee's ORESTAR account for filing with the Elections Division.

The Upload Xml page is accessed by clicking on the Upload Xml tab.



- 1 Click on the **Browse** button. A window will open and allow the user to search for the document within the computer currently being used.
- 2 Select the .xml file to upload and click **Open**. The dialog box will close and the file name will display on the Upload Xml page.
- 3 Click **Upload**.
- 4 The uploaded file is validated to ensure it meets the XML file format specifications. An error message stating "Invalid XML File" will be displayed if the file was not uploaded because it did not comply with the format specifications.
- 5 If the file passes the XML file validation, the transactions are uploaded into ORESTAR and a second level of validation is performed on the data contained in the file.
- 6 An email with "XML Validation" in the subject line is sent to the candidate, treasurer, alternate transaction filer, correspondence recipient and vendor, if applicable. The report contains a list of transactions in the XML file and identifies validation errors, if any, associated with each transaction. The report also informs the user if transactions were successfully saved to the database. The report can also be accessed by clicking on the Documents tab in the committee's account.
- 7 The uploaded transactions display in the committee's Transaction Queue ready for filing with the Elections Division by the candidate, treasurer or alternate transaction filer of the committee. See Filing Transactions on page 97 in this User's Manual.

### **Warning!**

Uploaded transactions should not be amended directly in ORESTAR. Editing data after it is uploaded will cause the original data to be out of sync with the data in ORESTAR. This could cause problems with any subsequent amendments, if necessary.

## Documents Tab

The Document List is accessed by clicking on the Documents tab. It contains a list of correspondence sent to the committee via email, such as transaction filing reports, XML validation reports and exam letters.

The page displays up to 50 documents at a time. Use the **Prev** and **Next** buttons to move between pages if more than 50 documents exist.

The documents on the page are displayed in descending order by document date. A red arrow to the left of the field name indicates the current sort order. If the arrow is pointing up, the results are sorted by that field in ascending order. If the arrow is pointing down, the results are sorted by that field in descending order. Clicking once on the red arrow will reverse the sort order. A user can change the sort order of the page at any time by clicking on the arrow in the column the user wishes to sort by.

All documents are PDF files and can be opened using the free Adobe Acrobat Reader.

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**Documents** ORESTAR User's Manual Committee ( 5706 )

Account Summary Transaction Address Book Upload Xml Documents Preferences Certificates

Documents List Prev Next

Name	Description	Date
5706_EXAM_01012008_0503PM.pdf	Exam Letter PDF	01/01/2008 17:03
5706_FILE_01012008_0502PM.pdf	Transaction Filing Report PDF	01/01/2008 17:02

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## Preferences Tab

The Preferences page is accessed by clicking on the Preferences tab. This page allows a user to set certain preferences within the system that are specific to the committee.



## Automatically Calculate Contributor/Payee Aggregates and Miscellaneous Transactions

A committee may choose to allow ORESTAR to track and calculate calendar year aggregate totals for contributors and payees or may choose to separately track all contributor and payee aggregates manually or in another system. The Elections Division recommends that most committees allow ORESTAR to calculate contributor and payee aggregates to assist the committee in complying with Oregon's campaign finance laws.

A committee that allows ORESTAR to calculate contributor and payee aggregates will enter each transaction, regardless of the amount, and the system determines if a transaction should be disclosed to the public or should be included in the appropriate 'miscellaneous under \$100' category. For each transaction where the contributor's or payee's aggregate is \$100 or under the system will automatically create the appropriate 'miscellaneous under \$100' transaction for each day these transactions occur.

A committee that chooses to separately track and calculate contributor and payee aggregates will enter only those transactions where the contributor's or payee's aggregate is over \$100. For transactions where the contributor's or payee's aggregate is \$100 or under, the committee will enter a 'miscellaneous under \$100' transaction for each day these transactions occur (ranges of dates are not allowed). In addition, the committee must enter a calendar year aggregate amount for each contribution or expenditure transaction entered, other than 'miscellaneous under \$100' transactions.

A committee may change its preference at the beginning of each calendar year, prior to entering any transactions in ORESTAR for the calendar year. After transactions are entered for a calendar year, the preference choice cannot be changed.

### **note**

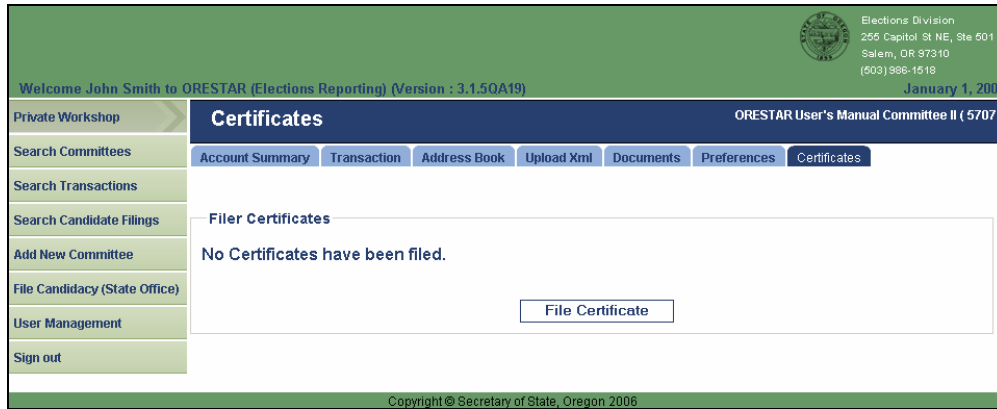
A new committee is automatically opted in to using the system aggregate calculation function. The choice to opt out of using the system aggregate calculation function must be made before any transactions are entered into ORESTAR.

To opt out of using the system aggregate calculation function for the current calendar year, uncheck the box and click on **Update**. A pop-up window displays with a warning message about the effects of opting out of the system aggregate function. Click **OK** on the pop-up screen and click on **Update** again to confirm the change.

To opt back in to the system aggregate calculation function for the current calendar year, check the box and click on **Update**.

## Certificate Tab

The Certificates page is accessed by clicking on the Certificates tab. This page allows a committee to file a Certificate of Limited Contributions and Expenditures or view Certificates filed by the committee.



A committee may file a Certificate of Limited Contributions and Expenditures for the current calendar year if the committee does not expect to receive a total of more than \$2,000 or spend a total of more than \$2,000 during the calendar year. A certificate cannot be filed when transactions have been entered or filed for the current year.

## Filing a Certificate

To file a Certificate of Limited Contributions and Expenditures for the current calendar year, proceed with the following:

- 1 Click on **File Certificate**. The Certificate Attestation page displays.



- 2 Enter the committee's cash balance as of January 1 of the current calendar year.



- 3 Read the attestation printed on the screen and if agreed, click on the **File** button to attest and file the Certificate of Limited Contributions and Expenditures with the Elections Division.

## Transaction Entry

A committee that files a Certificate for a calendar year is encouraged to enter transaction information into the committee's account in ORESTAR so the system can assist the committee in determining if the \$2,000 threshold in aggregate contributions or aggregate expenditures is exceeded during the calendar year.

Transactions entered into the committee's account do not have due dates associated with them and cannot be filed unless the committee has entered total contributions or total expenditures exceeding the \$2,000 threshold during the calendar year.

Access the Certificates page to view the total contributions or total expenditures entered into ORESTAR during a year in which the committee filed a Certificate.

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 January 1, 2008

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Private Workshop | **Certificates** | ORESTAR User's Manual Committee II ( 5707 )

[Account Summary](#) | [Transaction](#) | [Address Book](#) | [Upload Xml](#) | [Documents](#) | [Preferences](#) | [Certificates](#)

[Search Committees](#)  
[Search Transactions](#)  
[Search Candidate Filings](#)  
[Add New Committee](#)  
[File Candidacy \(State Office\)](#)  
[User Management](#)  
[Sign out](#)

Filer Certificates

Certificate Year	Contribution Amount	Expenditure Amount	Expiration Date	Submitted By
2008	0	0		John Smith

[File Certificate](#)

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## Exceeding the Certificate Threshold

If a committee filed a Certificate for a calendar year and is entering transactions into the committee's account, the system will notify the committee if the \$2,000 contribution or expenditure threshold is exceeded by expiring the Certificate and calculating a due date for all transactions in the committee's Transaction Queue.

If a committee is not entering transactions into the committee's account it must separately track the committee's activity to ensure the \$2,000 threshold in contributions or expenditures is not exceeded during the calendar year. If the committee's total contributions or total expenditures during the calendar year exceed \$2,000, the committee must use ORESTAR to enter and file all transactions during the calendar year.

If a committee that filed a Certificate exceeds the \$2,000 threshold, the deadline for filing all transactions during the calendar year is seven calendar days after the date of the transaction that exceeds the threshold.

### **End of Calendar Year**

At the end of each calendar year, any transactions that are entered by a committee that filed a Certificate of Limited Contributions and Expenditures but were not filed because the committee did not exceed \$2,000 in total contributions or total expenditures during the calendar year are assigned the "Certificate Filed" process status. Transactions with this process status do not display on the committee's Transaction Queue but can be access through the search page.

---

# Filing of Candidacy

---

This section of the manual walks a user through the process of filing a fee based Declaration of Candidacy. The filing of candidacy must be done by the candidate and the candidate must be a registered user in ORESTAR. If the candidate is not already registered, see Creating a User Account on page 14 in this User's Manual.

A major political party or nonpartisan candidate for state office, United States Senator or Representative in Congress may file a fee based Declaration of Candidacy for a Primary Election electronically in ORESTAR. The filing fee must be paid online by credit card. Both VISA and MasterCard are accepted. Candidate filings that are submitted electronically can also be amended or withdrawn electronically, if necessary.

State office includes: Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, Superintendent of Public Instruction, State Senator, State Representative, Judge of the Supreme Court, Judge of the Court of Appeals, Judge of the Oregon Tax Court, Judge of the Circuit Court, District Attorney, County Judge positions where the office holder exercises judicial functions.

All information on a filed Declaration of Candidacy is public record and viewable by the public on the Internet, except personal information (residence address, home phone number and personal email address) of a candidate who has been granted a public disclosure exemption under ORS 192.445.

**note**

Major political party or nonpartisan candidates using the petition process to gain ballot access, candidates filing a Declaration of Candidacy to fill a vacancy in nomination for the General Election, and minor political party or independent candidates must continue to file using the paper forms.

### **Filing a Declaration of Candidacy**

To file candidacy, login to ORESTAR to access the Private Workshop page and proceed with the following:

- 1 Click on **File Candidacy** in the left navigation bar.

The Candidate Information page is the first of the Candidacy Filing entry pages. Use the tab key on the keyboard to move between fields on a single page or click in the field with the mouse pointer. Use the **Back** and **Next** buttons or click on the tabs in the tab bar to navigate between pages.

Two additional function buttons display on all Candidacy Filing entry pages:

- **Save as work in progress** allows a user to save an incomplete filing at any time and immediately continue with the filing or return at a later time to complete the filing. A work in progress filing can be accessed at a later time from a user's Private Workshop by clicking on the **Continue with Filing** button. A work in progress candidacy filing does not become public record until it is filed with and approved by the Elections Division.
- **Submit Filing** performs validation on the candidacy filing and notifies the user of any errors. If no errors are found, the candidate is presented with the attestation page where the candidate electronically signs the candidacy filing and files it with the Elections Division.

This is the ORESTAR Test System.

Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.50A4)

Elections Division  
265 Capitol St. NE, Ste 601  
Salem, OR 97310-0722  
(503) 966-1518  
December 12, 2007

Private Workshop  
Search Committees  
Search Transactions  
Search Candidate Filings  
Add New Committee  
File Candidacy (State Office)  
User Management  
Sign out

**Candidacy Filing**

Candidate Office Occupation Education Experience

**Candidate Information**

Next Save as work in progress Submit Filing

Name of Candidate: Prefix First MI Last Suffix Title  
John Smith

How name should appear on ballot:

**Candidate Residence Address**  
Street Address:  
City, State, Zip Code: Oregon  
County of Residence:

**Mailing Address for Candidate Correspondence**  
 Use residence address as mailing address  
Street Address or PO Box:  
City, State, Zip Code: Oregon

**Contact Information**  
Work Phone: (xxx)xxx-xxxx Extension  
Home Phone:  
Fax:  
Email Address:  
Web Site:

2 Enter the following information about the candidate:

- **Name of Candidate:** The candidate’s name (first, middle and last) is automatically populated from the user profile and cannot be modified. Prefix (Mr. or Ms.), suffix (Jr., Sr., III, etc.) and title (MD, CPA, etc.) fields can be added if desired.
- **How name should appear on ballot:** The name of the candidate as it should appear on the ballot. If a nickname is used in connection with the candidate’s full name, the nickname should be in parentheses. Titles and designations (e.g., Dr., CPA, etc.) should not be included as they cannot appear on the ballot.
- **Candidate Residence Address:** The address of the residence of the candidate, including the county.
- **Mailing Address for Candidate Correspondence:** The address where the candidate wishes to receive correspondence from the Elections Division. Click in the checkbox to use the residence address as the mailing address for candidate correspondence.

**note**

Most correspondence is sent via email unless the correspondence is specifically required to be sent via the US Postal Service. Email correspondence is sent to the email address on the user’s account profile.

- **Contact Information:** Enter work phone, home phone, fax, email address and website, if applicable.

3 Click on **Next**. The Office Information page displays.

This is the ORESTAR Test System.

Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.50A4)

Elections Division  
255 Capitol St. NE, Ste 501  
Salem, OR 97310-0722  
(503) 986-1518  
December 12, 2007

Private Workshop

## Candidacy Filing

Candidate Office Occupation Education Experience

### Office Information

Back Next Save as work in progress Submit Filing

Filing for Office of: [dropdown]  
 District, Position or County: [dropdown]  
 Party Affiliation: [dropdown]  
 Incumbent Judge:  Yes  No

- 4 Enter the following information about the office the candidate is filing for. The fields are completed using drop-down menus. To complete each field, click on the down arrow and choose the appropriate value from the list.
  - **Office:** Select the office the candidate is filing for.
  - **District, Position or County:** Select the district, position or county of the office the candidate is filing for.
  - **Party Affiliation:** Select the candidate's party affiliation. Nonpartisan will automatically populate if the office selected is nonpartisan.
  - **Incumbent Judge:** If filing for a state judge position, indicate if the candidate is the incumbent judge by selecting Yes or No.
- 5 Click on **Next**. The Occupation Information page displays.

This is the ORESTAR Test System.

Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.50A4)

Elections Division  
255 Capitol St. NE, Ste 501  
Salem, OR 97310-0722  
(503) 986-1518  
December 12, 2007

Private Workshop

## Candidacy Filing

Candidate Office Occupation Education Experience

### Occupation Information

Back Next Save as work in progress Submit Filing

Occupation (present employment - paid or unpaid)

Occupational Background (previous employment - paid or unpaid)

- 6 Enter the following information about the candidate’s occupational experience:
  - **Occupation:** The current full or part-time employment or other line of work, business, craft or professional information (not required to indicate whether paid or not paid).
  - **Occupational Background:** Previous full or part-time employment or other line of work, business, craft or professional information (not required to indicate whether paid or not paid).
- 7 Click on **Next**. The Education Information page displays.

This is the ORESTAR Test System. Elections Division  
255 Capitol St. NE, Ste 501  
Salem, OR 97310-0722  
(503) 986-1518  
December 12, 2007

Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.50A4)

**Candidacy Filing**

Candidate Office Occupation **Education** Experience

Education Information

Back Next Save as work in progress Submit Filing

Educational Background (schools attended)

Complete name of School (no acronyms)	Last grade level completed	Diploma/Degree/Certificate	Course of Study

Educational Background (other)

- 8 Enter the following information about the candidate’s education:
  - **Educational Background (schools attended):** The schools attended by the candidate, including the last grade level completed, whether a diploma, degree or certificate was received, and the course of study. It is not required that every educational experience be listed, but what is listed must be accurate.
  - **Educational Background (other):** Other educational experiences of the candidate.
- 9 Click on **Next**. The Experience page displays.

This is the ORESTAR Test System.

Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.50A4)

Elections Division  
255 Capitol St. NE, Ste 601  
Salem, OR 97310-0722  
(503) 986-1618  
December 12, 2007

Private Workshop

Search Committees

Search Transactions

Search Candidate Filings

Add New Committee

File Candidacy (State Office)

User Management

Sign out

**Candidacy Filing**

Candidate Office Occupation Education Experience

Experience

Back Save as work in progress Submit Filing

Prior Governmental Experience (elected or appointed)

10 Enter the following information about the candidate's prior governmental experience:

→ **Prior Governmental Experience:** The current or previous governmental experience, which refers to a person's involvement in governmental activities, such as appointed boards and commissions, elected boards and other elected or appointed public offices. Full or part-time, paid or unpaid or volunteer experience may be included (not required to indicate whether paid or not paid).

11 When the candidacy filing has been completed, click on **Submit Filing**. The filing is validated and if no errors are found, the Attestation page displays.

If errors are found during the validation process, the user is returned to the data entry screen where the first error exists. A message identifying the number of errors found displays at the top of the page. Messages identifying specific errors display above the fields in error. A user should fix any errors found and click on **Submit Filing** again.



Elections Division  
 255 Capitol St NE, Ste 501  
 Salem, OR 97310  
 (503) 986-1518  
 January 8, 2008

Welcome John Smith to ORESTAR (Elections Reporting) (Version : 3.1.5.22)

Private Workshop  
 Search Committees  
 Search Transactions  
 Search Candidate Filings  
 Add New Committee  
 File Candidacy (State Office)  
 User Management  
 Sign out

### Attestation

#### Filing of Candidacy for Major Political Party

I certify I do **not** have an existing candidate committee and I do **not** expect to spend more than \$300 or receive more than \$300 during each calendar year. I understand I must still keep records of all campaign transactions **and** if total contributions **or** total expenditures exceed \$300 during a calendar year, I must follow the requirements detailed in the 2008 Campaign Finance Manual.

I certify I have already filed or will soon file a Statement of Organization for Candidate Committee (SEL 220). For detailed instructions, see the 2008 Campaign Finance Manual.

By clicking **Continue** below I, John Smith, am attaching my electronic signature and hereby state:

THAT I will accept the nomination for the office I designated;  
 THAT I will qualify for said office if elected;  
 THAT, if not nominated, I will not accept the nomination or endorsement of any political party other than the one I designated;  
 THAT I have been a member of said political party, subject to the exceptions stated in ORS 249.046, for at least 180 days before the deadline for filing a nominating petition or declaration of candidacy (ORS 249.031);  
 THAT all information provided by me on this filing, including my occupation, educational and occupational background, and prior governmental experience, is true to the best of my knowledge; and  
 THAT the required fee accompanies my declaration of candidacy.

If I do not agree to the above I should click **Cancel** to discontinue my filing.

**Warning:** Supplying false information on a candidate filing may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to five years (ORS 260.715). A person may only file for one lucrative office at the same election. Unless the person has withdrawn from the first filing, **all** filings are invalid (ORS 249.013(3)).

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12 If filing for a state office, certify whether or not the candidate has a candidate committee by clicking in the circle next to the appropriate statement.

13 Read the attestation and if agreed, click on the **Continue** button to attest and proceed to the Oregon Securepay system where the online payment is processed.

Contact us  
State of Oregon privacy policy

### Your Selection:

Item	Total
Major Political Party Candidate - State Representative	\$25.00

14 Confirm your selection and click on the **next** button. The first page of the Checkout displays.

**Oregon Secretary of State**  
Department of Administrative Services

**Oregon Secretary of State**  
e-commerce services

Contact us  
State of Oregon privacy policy

### Checkout

1. Cardholder Name and Address Step 1 of 2

\* = required fields

First name:

Middle name:

\* Last name:

\* Street address:

\* City:

\* State:

\* Zip code:

Phone number: (xxx-xxx-xxxx):

Email address:

\* Country/Region:

15 Confirm your name and address and click on the **next** button. The second Checkout page displays.

**Oregon Secretary of State**  
Department of Administrative Services

**Oregon Secretary of State**  
e-commerce services

Contact us  
State of Oregon privacy policy

### Checkout

2. Credit Card Information Step 2 of 2



\* = required fields

Item	Total
Major Political Party Candidate - State Representative	\$25.00

**Cardholder Name and Address**

John Smith  
255  
Salem OR 97310  
US

**Credit Card information**

\* Card number:

\* Expiration month:

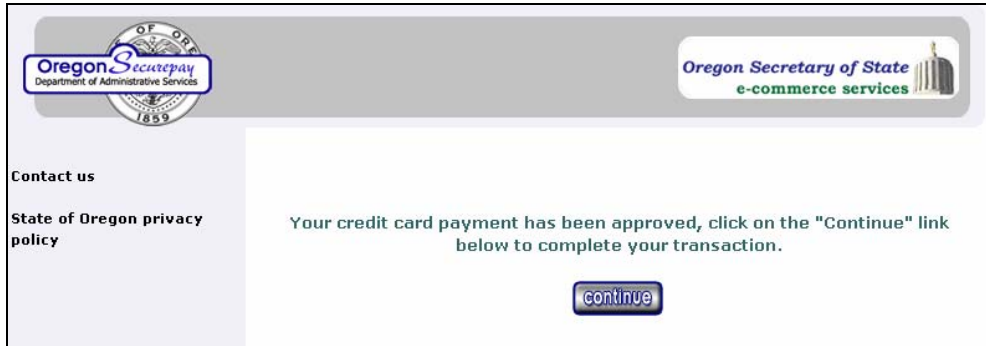
\* Expiration year:

**Safe payment at the State of Oregon**

At the State of Oregon we use the industry standard Secure Sockets Layer technology to encrypt your order information. As a result, any information you enter online is protected, and will not be used by anyone other than staff at the State of Oregon responsible for implementing this policy. For more information, see the [State of Oregon privacy policy](#).

Press the "Submit" button only once, otherwise you may get charged multiple times.

- 16 Enter your credit card number, select the expiration month and expiration year and click on the **submit** button. A page displays confirming that your credit card payment has been approved.



- 17 Click on the **continue** button. The user returns to ORESTAR and a payment confirmation page displays. The information on the page is also emailed to the user.



- 18 Click on the **Continue** button to return to the Private Workshop.

### Amending a Candidacy Filing

To amend a candidacy filing, proceed with the following:

- 1 Click on the **Amend** button associated with the candidacy filing on the Private Workshop. The candidacy filing data entry screens display with the data from the most recent candidacy filing.
- 2 Make the appropriate changes and click on **Submit Filing**. The attestation page displays.
- 3 Read the attestation and click on the **File** button to attest and file the amended candidacy filing with the Elections Division.

#### **note**

The office designated on a candidacy filing cannot be amended. To change offices, the candidate must withdraw the candidacy filing and submit a new Filing of Candidacy.

## Withdrawing a Candidacy Filing

To withdraw a candidacy filing, proceed with the following:

- 1 Click on the **Withdraw** button associated with the candidacy filing on the Private Workshop. The Withdrawal of Candidacy page displays.

The screenshot shows the ORESTAR (Elections Reporting) interface. The header includes the Elections Division contact information and the date January 8, 2008. The user is identified as John Smith. The main content area is titled "Withdrawal of Candidacy or Nomination" and contains the following text:

I, John Smith, submit this notice of withdrawal from candidacy or nomination to the office of: State Representative, 1st District

**My reason for withdrawal is:**

[Text box for reason for withdrawal]

By clicking **Continue** below I, John Smith, am attaching my electronic signature and hereby state:  
THAT I withdraw my candidacy or nomination for the office stated above,  
THAT the reasons provided for withdrawal are true to the best of my knowledge.

If I do not agree to the above I should click **Cancel** to discontinue my filing.

[Continue] [Cancel]

**Warning:** Supplying false information on a candidate withdrawal may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to five years (ORS 260.715).

- 2 Enter the reason for the withdrawal.
- 3 Read the attestation and click on the **Continue** button to attest and file the withdrawal of candidacy with the Elections Division.





revised 1/14/08

## COUNTY VOTERS' PAMPHLET CANDIDATES

The Lincoln County Clerk's Office publishes a voters' pamphlet for all elections.

For Primary and General Elections, this pamphlet will be included with the State Voters' Pamphlet.

For Special Elections, this pamphlet will be included in each voter's vote by mail ballot packet.

If you would like to be included in the County Voters' Pamphlet for the upcoming election, return the completed forms, the photographs, and the filing fee to the **Lincoln County Clerk's Office at 225 W. Olive Street, Room 201 in Newport** by 5:00 p.m. on or before the deadline date indicated below.

The filing fees shall be:

For paid offices-\$100; for unpaid offices-\$25.

For city and county candidates at the primary or general election the following fees apply:

<b>Number of Voters in District</b>	<b>Less Than 1,000</b>	<b>1,000 to 9,999</b>	<b>10,000 to 49,999</b>	<b>50,000 and Over</b>
<b>Filing Fee</b>	\$25	\$50	\$100	\$300

Two identical black and white photographs are required. Minimum size is 3" x 5" and the maximum size is 8" x 10". The preferred photograph size is 5" X 7" because it will reproduce the best. Photographs must be less than four (4) years old from the date of submission.

If you have any questions or comments about the County Voters' Pamphlet, please contact:

Dana W. Jenkins  
Lincoln County Clerk  
225 W. Olive Street - Room 201  
Newport, OR 97365  
(541) 265-4131

<b>ELECTION</b>	<b>March 9, 2010 Special</b>	<b>May 18, 2010 Primary</b>	<b>Sept. 21, 2010 Special</b>	<b>Nov. 2, 2010 General</b>
Deadline for candidates that filed candidacy with County Elections Office:	Monday, Jan. 11, 2010	Thursday, March 11, 2010	Monday, July 26, 2010	Thursday, Aug. 26, 2010
Deadline for candidates that filed candidacy with a City, Dept. of Agriculture, or Other:	Monday, Jan. 11, 2010	Monday, March 22, 2010	Monday, July 26, 2010	Tuesday, Sept. 7, 2010

## CANDIDATE STATEMENT INSTRUCTIONS

1. The CANDIDATE'S STATEMENT may be typed or legibly printed in black ink.
2. Use semicolons (;) to separate items such as jobs, organizations, dates, etc.
3. The word "None" must be used in any section which does not contain any information. The word "None" shall count as part of the word/number count.
4. The combined word count total for PART ONE and PART TWO shall not exceed 325 words/numbers, including the eight words in the heading of PART ONE (Occupation, Occupational Background, etc.). If the CANDIDATE'S STATEMENT exceeds the 325 word/number limit, the County Election Official shall edit the statement.
5. PAGE ONE shall be signed by either the candidate or the person responsible for the content of the statement.
6. All information cited or quoted from previously published material SHALL INCLUDE the source and date of publication. (Example: *The Oregonian*, June 1, 1995.)
7. Any endorsement by an individual or any organization, which was not previously made public, shall be accompanied by a STATEMENT OF ENDORSEMENT.
8. The County Election Official shall reject any statement (ORS 251.415) which:
  - a. Contains any obscene, profane or defamatory language;
  - b. Incites or advocates hatred, abuse or violence toward any person or group; or
  - c. Contains any language which may not legally be circulated through the mails.
9. The CANDIDATE'S STATEMENT will not accepted without the filing fee.
10. You may choose to submit two (2) identical photographs (black and white glossy finish) with the CANDIDATE'S STATEMENT.

### PHOTOGRAPHS

#### **MUST:**

- a. Be less than four (4) years old from the date of submission;
- b. Be reproducible to a finished black and white picture which is 3 inches high and 2 inches wide;
- c. Have a plain background (Note: A grey background reproduces the best); and
- d. Show the face, neck and shoulder only.

#### **MUST NOT:**

- a. Include the hands or anything held in the hands;
- b. Show the wearing of a judicial robe, a hat or a military, police or fraternal uniform;
- c. Show the uniform or insignia of any organization.

(see INSTRUCTIONS CONTINUED)



## INSTRUCTIONS CONTINUED

11. Any cost incurred for retouching the photograph(s) to meet the requirements will be billed to the candidate.
12. The CANDIDATE'S STATEMENT will not be returned to candidates for proofreading.
13. The CANDIDATE'S STATEMENT, photograph(s) and filing fee SHALL BE FILED NO LATER THAN 5:00 p.m. on the deadline specified below:

ELECTION	March 9, 2010 Special	May 18, 2010 Primary	Sept. 21, 2010 Special	Nov. 2, 2010 General
Deadline for candidates that filed candidacy with County Elections Office:	Monday, Jan. 11, 2010	Thursday, March 11, 2010	Monday, July 26, 2010	Thursday, Aug. 26, 2010
Deadline for candidates that filed candidacy with a City, Dept. of Agriculture, or Other:	Monday, Jan. 11, 2010	Monday, March 22, 2010	Monday, July 26, 2010	Tuesday, Sept. 7, 2010

14. The required and optional information may be submitted on a separate piece of paper with the PART ONE form completed, signed and dated. Indicate on the form in the area designated for required information "SEE ATTACHED."
15. A refund may be requested by the person who paid the filing fee no later than the last day for filing the CANDIDATE'S STATEMENT. When a refund is made, the CANDIDATE'S STATEMENT will not be printed in the voters' pamphlet.
16. CANDIDATE'S STATEMENT shall become public record on the 4<sup>th</sup> business day after the filing deadline (ORS 251.430).
17. Voters' pamphlets are prepared county by county. If your name will appear on the ballot in more than one county, and you wish to have your statement and photograph in more than one county's voters' pamphlet, you must contact each individual county for information on the appropriate forms.

### County Elections Office:

**Dana W. Jenkins**  
**Lincoln County Clerk**  
**225 W. Olive - Room 201**  
**Newport, Oregon 97365**  
**(541) 265-4131**

## **INSTRUCTIONS FOR SUBMITTING STATEMENT OF ENDORSEMENT**

If the name of a person or an organization is used in your Candidate's Statement as endorsing the candidate,

### **YOU MUST EITHER:**

- File a Statement of Endorsement signed by the person, stating that the person consents to the use of the name of the person in your Candidate's Statement;

### **OR**

- File a Statement of Endorsement signed by an authorized person on behalf of the organization, stating the organization consents to the use of the name of the organization in your Candidate's Statement;

### **AND**

- This Statement of Endorsement should be filed with the Candidate's Statement it relates to, and must be filed no later than the filing deadline for the Candidate's Statement.
- Faxed copies of the Statement of Endorsement are acceptable, but must be signed.

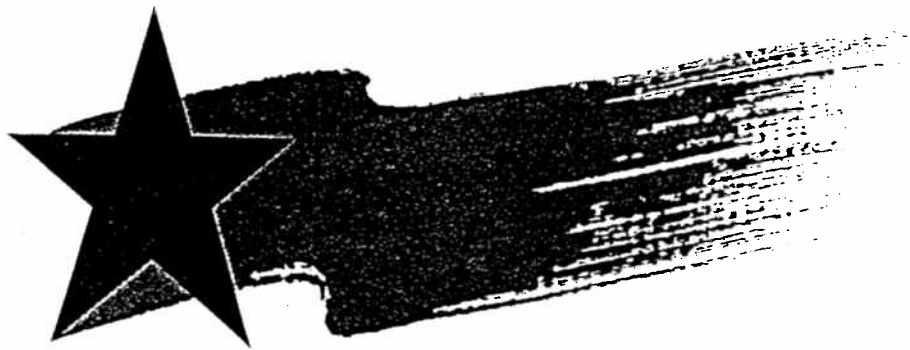
### **NOTE:**

- If a Statement of Endorsement is required and not received, the endorsement information will be removed from the Candidate's Statement.
- Lincoln County Elections will accept the Secretary of State's SEL 400 form in lieu of our County form.

If you have any questions, call the Lincoln County Clerk at 541-265-4131.

Dana W. Jenkins  
Lincoln County Clerk  
225 W. Olive Street, Room 201  
Newport, OR 97365  
[www.co.lincoln.or.us/clerk/](http://www.co.lincoln.or.us/clerk/)

**CANDIDATE STATEMENT  
INSTRUCTIONS AND  
FILING FORMS**



**FOR  
LINCOLN COUNTY  
VOTERS' PAMPHLET**

# CANDIDATE'S STATEMENT FOR COUNTY VOTERS' PAMPHLET

Name of Candidate \_\_\_\_\_

Office \_\_\_\_\_

District \_\_\_\_\_

Position/Zone No. \_\_\_\_\_

---

## PART ONE: REQUIRED INFORMATION

---

**OCCUPATION** (Present Employment — Paid or Unpaid)

**OCCUPATIONAL BACKGROUND** (Previous Employment — Paid or Unpaid)

**EDUCATIONAL BACKGROUND** (Schools Attended, Last Grade Completed; Degree(s), if any)

**PRIOR GOVERNMENTAL EXPERIENCE** (Elected or Appointed)

---

By signing this form I HEREBY CERTIFY THAT all information supplied by me about my occupation, occupational and educational background, and prior governmental experience is true to the best of my knowledge.

Any person who supplies any information in this part, knowing it to be false, is subject upon conviction to imprisonment in the penitentiary for up to five years or a fine of \$100,000, or both.

**X** \_\_\_\_\_  
Candidate's Signature

\_\_\_\_\_  
Date

# CANDIDATE'S STATEMENT FOR COUNTY VOTERS' PAMPHLET

---

## PART TWO: OPTIONAL INFORMATION

---

---

X

**Signature — Candidate or Person responsible for the content of PART TWO (OPTIONAL INFORMATION) of the Candidate's Statement.**

Word Count: Part One Total: \_\_\_\_\_

Part Two Total: \_\_\_\_\_

Grand Total: \_\_\_\_\_ (325 Maximum)

# STATEMENT OF ENDORSEMENT

I, \_\_\_\_\_ consent to the  
(PRINTED NAME OF INDIVIDUAL OR ORGANIZATION BEING USED)

use of my name or the name of the organization I am authorized to represent in  
the \_\_\_\_\_ county voters' pamphlet statement submitted by the following:

\_\_\_\_\_  
(PRINTED NAME OF CANDIDATE OR BALLOT MEASURE STATEMENT USING ENDORSEMENT)

In Support Of  In Opposition To

Ballot Measure Number: \_\_\_\_\_

At the \_\_\_\_\_ Election, 20\_\_ .  
(INDICATE APPLICABLE ELECTION)

Dated on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by

X

\_\_\_\_\_  
**Signature of Individual\***

\_\_\_\_\_  
Name of the Organization person represents, if any

\* Oregon law specifies that a person shall not submit a false signature (ORS 251.405).

# **NEWPORT SIGN CODE**

**TITLE X      SIGNS**

**CHAPTER 10.10    SIGNS**

- 10.10.005    Short Title
- 10.10.010    Purpose
- 10.10.015    Scope
- 10.10.020    Prohibited Signs
- 10.10.025    Conflicting Provisions
- 10.10.030    Definitions
- 10.10.035    Application, Permits, and Compliance
- 10.10.040    Signs in Public Rights-of-Way
- 10.10.045    Prohibited Signs
- 10.10.050    Height and Dimensional Requirements
- 10.10.055    Projection and Clearance
- 10.10.060    Number and Area of Signs
- 10.10.065    Exempt Signs
- 10.10.070    Partially Exempt Signs
- 10.10.075    Roof Signs
- 10.10.080    Signs at Subdivision Entrances
- 10.10.085    Vehicle Signs
- 10.10.090    R-1, R-2, and R-3 Residential Districts
- 10.10.095    R-4 Residential District
- 10.10.100    Commercial, Industrial, and Marine Districts
- 10.10.105    Signs in Shopping Centers
- 10.10.110    Construction and Safety Requirements
- 10.10.115    Dangerous and Abandoned Signs
- 10.10.120    Removal of Signs in Rights-of-Way
- 10.10.125    Remedies
- 10.10.130    Non-Conforming Signs
- 10.10.135    Content and Interpretation
- 10.10.140    Variance Requirements
- 10.10.145    Violations

**CHAPTER 10.15    AGATE BEACH SIGNS**

- 10.15.005    Purpose and Applicability
- 10.15.010    Definitions
- 10.15.015    Permit Required
- 10.15.020    Exempt Signs
- 10.15.025    General Sign Regulations
- 10.15.030    Signs in Residential Zones
- 10.15.035    Signs in Commercial and Industrial Zones
- 10.15.040    Nuisance Signs
- 10.15.045    Nonconforming Signs



## CHAPTER 10.10 SIGNS

### 10.10.005 Short Title

This chapter may be referred to as the Newport Sign Code.

### 10.10.010 Purpose

The purposes of the Newport Sign Code are:

- A. To protect and promote the health, safety, property, and welfare of the public, including but not limited to promotion and improvement of traffic and pedestrian safety.
- B. To improve the neat, clean, and orderly appearance of the city for aesthetic purposes.
- C. To allow the erection and maintenance of signs consistent with the restrictions of the Newport Sign Code.
- D. To prevent distraction of motorists, bicyclists and pedestrians.
- E. To allow clear visibility of traffic signs and signal devices, pedestrians, driveways, intersections, and other necessary clear vision areas.
- F. To provide for safety to the general public and especially for firemen who must have clear and unobstructed access near and on roof areas of buildings.
- G. To preserve and protect the unique scenic beauty and the recreational and tourist character of Newport.
- H. To regulate the construction, erection, maintenance, electrification, illumination, type, size, number, and location of signs.

### 10.10.015 Scope

All signs shall comply with this chapter. Provided however, that any signs in the Agate Beach area annexed in 1998 shall comply also comply with Chapter 10.15, and in the event of an inconsistency between the two chapters, Chapter 10.15 shall prevail as to any property within the Agate Beach area.

#### 10.10.020 Prohibited Signs

No sign may be erected, maintained, or displayed except as expressly authorized by this chapter.

#### 10.10.025 Conflicting Provisions

If any provisions of this chapter conflict with any law or regulation requiring a sign or notice, the law or regulation requiring the sign or notice shall prevail.

#### 10.10.030 Definitions

The definitions in this section apply in this chapter.

- A. **Adjacent** means immediately next to and on the same side of the street.
- B. **Awning** includes any structure made of cloth, metal, or similar material with a frame attached to a building that may project outwards but can be adjusted to be flat against the building when not in use.
- C. **Building** shall include all structures other than sign structures.
- D. **Bulletin Boards**. A bulletin board is a surface for posting posters, cards, or notices, usually of paper, and not illuminated or electrical.
- E. **Business** means the premises where a duly licensed business is conducted. Multiple businesses conducted within the same premises shall be subject to the same limits as would a single business on the same premises.
- F. **Canopy** includes any structure made of cloth, metal, or similar material projecting out from a building that is fixed and not retractable.
- G. **Clearance** is the distance between the highest point of the street, sidewalk, or other grade below the sign to the lowest point of the sign. (See Exhibit A.)
- H. **Display Area** means the area of a regular geometric figure that encloses all parts of the display surface of the sign. Structural supports that do not include a display or message are not part of the display area.

- I. **Erect** means to build, attach, hang, place, suspend, paint, affix, or otherwise bring into being.
- J. **Externally Illuminated Sign** is a sign illuminated by an exterior light source that is primarily designed to illuminate the sign.
- K. **Face** means any part of a sign arranged as a display surface substantially in a single plane.
- L. **Grade** means the surface of the ground at the point of measurement. Height shall be measured from the lowest point of the grade immediately below the sign or any sidewalk or street within 5 feet of the sign and the top of the sign.
- M. **Internally Illuminated Sign** shall mean a sign illuminated by an interior light source, which is primarily designed to illuminate only the sign.
- N. **Multiple Business Property** means a property used for business or commercial purposes under a single ownership or control and containing less than 40,000 square feet of land area and on which three or more separate businesses or commercial enterprises are located.
- O. **Painted** includes the application of colors directly on a wall surface by any means.
- P. **Person** means individuals, corporations, firms, partnerships, associations, and joint stock companies.
- Q. **Premise** means a lot, parcel, or tract of land.
- R. **Reader Board** is a sign designed so that the contents of the sign may be changed.
- S. **Shopping Center** means any property used for business or commercial purposes under a single ownership or control having at least 40,000 square feet of land area and on which are located business or commercial improvements containing at least 20,000 square feet of floor space.
- T. **Sign** means any medium, including structure and

component parts, which is used or intended to be used to display a message or to attract attention to a message or to the property upon which such sign is located.

1. **Freestanding Sign** means any sign not attached to any structure other than the sign structure.
  - a. **Pole Sign** means a freestanding sign that is mounted on a pole or other support that is not as wide as the sign.
  - b. **Monument Sign** means a freestanding sign in which the sign structure is at least as wide as the sign.
2. **Mural Sign** means a sign that is painted directly on the wall of a building or retaining wall, without any sign structure or additional surface.
3. **Portable Sign** means a sign that is not attached to the ground or any structure and is movable from place to place. "Portable sign" does not include any sign carried or held by an individual.
4. **Projecting Sign** means a sign attached to the wall or roof of a building with a sign face that is not parallel to the wall or roof.
5. **Roof Sign** means a sign attached to a roof of a building, or a sign attached to a wall of a building but extending above the top edge of the wall where the sign is located.
6. **Temporary Sign** means any sign, regardless of construction materials, that is not permanently mounted and is intended to be displayed on an irregular basis for a limited period of time
7. **Wall Sign** means any sign attached to a wall of a building that does not extend above the wall of the building and is parallel to and within one foot of the wall.
8. **Window Sign** shall mean any sign placed inside or upon a window facing the outside and which is visible from the exterior.

- U. Sign Business means the business of constructing, erecting, operating, maintaining, leasing, or selling signs.
- V. Sign Structure means the supports, upright braces, and framework of the sign.

#### 10.10.035 Application, Permits, and Compliance

- A. Except as exempted by this chapter, no person shall erect, replace, reconstruct, move, or remove any permanent sign without a sign permit, or place a temporary or portable sign without a sign permit. All signs shall comply with this chapter and any other applicable law. Any sign permit may be withdrawn for violation of this chapter or any other applicable law.
- B. Written applications on city forms are required. The applicant shall provide the following information:
  - 1. Name, address, and telephone number of the applicant.
  - 2. Proposed sign location, identifying the property and any building to which the sign will be attached.
  - 3. A sketch, plan, or design showing the method of attachment, structure, design, and such other information necessary to allow a determination of compliance. Nothing in this section requires the applicant to provide any information regarding the content of any message displayed on the sign.
  - 4. Grade, height, dimensions, construction materials, and specifications.
  - 5. Underwriter Laboratories certification in the case of an electrical sign.
  - 6. Name and address of the person, firm, corporation, or other business association erecting the structure.
- C. The city shall issue a sign permit based on a determination that the proposed sign complies with this chapter and other applicable law. Construction of the sign must be completed within 90 days after issuance of the sign permit. An extension of the 90-day period may be granted. If a sign was partially constructed and not

completed within the 90-day period or any extension, the partially completed work shall be removed. Permits shall specify the location, size, and type of sign, and any conditions applicable to the sign. Permits for temporary signs and portable signs in rights of way shall specify the duration of the permit and/or the times when the signs may be in place.

- D. When electrical permits are required, they shall be obtained and the installation approved prior to making connection to the electrical power source.
- E. Permit fees shall be paid with submission of the sign permit application, as follows:
  - 1. For the erection, placement, replacement, reconstruction, or relocation of a sign, a fee of \$100. A supplemental fee of \$100.00 shall be charged for the initial permit for a mural sign that exceeds the maximum permissible size for a wall sign in the same location. Non-profit organizations are exempt from the requirement to pay the supplemental fee for a mural sign.
  - 2. For the repair, demolition, or removal of an existing sign and/or its supporting structure, no fee.
  - 3. For temporary signs placed in the right of way, a fee of \$25.00 per sign for the first sign and \$10.00 per sign for each additional sign. Non-profit organizations are exempt from the requirement to pay this fee.
  - 4. For portable signs placed in the right of way, a fee of \$25.00 per sign per application for the first sign and a fee of \$10.00 per sign for each additional sign. A fee for use of the right of way of \$25.00 per month per sign with a maximum of \$100.00 per year shall also be charged for use of the public right-of-way. Non-profit organizations are exempt from the requirement to pay either fee required by this section.

#### 10.10.040 Signs in Public Rights-of-Way

- A. Except as provided in this section, permanent signs wholly located within rights-of-way are prohibited. A sign permit does not allow a sign to project into any part of any public right-of-way unless expressly stated in the permit.

Each applicant shall determine the location of the public right-of-way and whether any proposed permanent sign will project into any public right-of-way. Any sign permit that allows a sign projecting into any public right-of-way shall be revocable at any time by the city with or without cause.

- B. Permits are required for temporary or portable signs within rights-of-way and may be issued only if authorized in this section.
1. Permits for temporary and/or portable signs in rights-of-way may be granted if the sign is to be in place for no more than five consecutive days and no more than 10 total days in a calendar year.
  2. Permits for portable signs within rights-of-way for more than five consecutive days and more than 10 total calendar days in a year may be granted if the portable sign is placed adjacent to a business location operated by the permittee, the sign is removed at all times when the business is not open, and the sign is within the following areas:
    - a. On SW Coast Highway between SW Angle Street and SW Fall Street.
    - b. On SW Bay Boulevard between SW Naterlin Drive and SW Bay Boulevard. On Bay Boulevard between SW Bay Street and SE Moore Drive.
    - c. On Hurbert Street between SW 7<sup>th</sup> Street and SW 9<sup>th</sup> Street.
    - d. In the area bounded by Olive Street on the south, NW 6<sup>th</sup> Street on the north, SW High Street and NW Coast Street on the east and the Pacific Ocean on the west, including both sides of each named street. For purposes of this section, "Olive Street" means both Olive Street and the area that Olive Street would occupy if it continued straight to the Pacific Ocean west of SW Coast Street.
    - e. On SE Marine Science Drive/SE OSU Drive between SE Pacific Way and Yaquina Bay.
    - f. In that portion of the South Beach area of Newport,

east of Highway 101, west of Kings Slough, south of the intersection of Highway 101 and 40<sup>th</sup> Street and north of the intersection of Highway 101 and 50<sup>th</sup> Street.

*(Chapter 10.10.040(B.)2.) (f.) was added by the adoption of Ordinance No. 2001, adopted on March 16, 2010; effective April 15, 2010.)*

3. Permits may be granted under Subsections B.1 and B.2 of this section only if:
  - a. The sign is not within any vehicle travel lane;
  - b. The sign does not restrict clear vision areas at intersections and driveway access points; and
  - c. The sign does not prohibit pedestrian movement on a sidewalk.
- C. The following signs are exempt from the prohibitions and requirements of this section:
  1. Sign placed by the city or other governmental entity with responsibility for the right-of-way.
  2. Permanent signs placed in a location where allowed by a license or easement from the city to an adjacent property owner to occupy the right-of-way. Signs allowed by this exemption must comply with all other requirements of this chapter, and the display area of the signs will be included in the calculation of the maximum display area of the adjacent property.
  3. Signs not exceeding one square foot on a pole in the right-of-way placed on the pole by its owner.
- D. Signs placed in ODOT right-of-way may also require approval from ODOT.
- E. No permit may be issued for a sign in the right-of-way unless the applicant provides proof of liability insurance in an amount determined to be sufficient by the city manager.

*(Section 10.10.045 amended by Ordinance No. 1986, adopted on September 8, 2009; effective October 8, 2009.)*



#### 10.10.045 Prohibited Signs

No sign shall be constructed, erected, or maintained:

- A. That uses lights unless effectively screened, shielded, or utilized so as not to direct light directly into the eyes of motorists traveling on any street or highway.
- B. That includes any single light bulb that creates more light than a 60 watt incandescent bulb.
- C. That uses neon tubing on the exterior surface of a sign for sign illumination where the capacity of such tubing exceeds 300 milliamperes rating for white tubing or 100 milliamperes rating for any other color of tubing.
- D. That uses flashing or intermittent light.
- E. That uses any type of rotating beacon light, zip light, or strobe light, or any light not directed to or part of the illumination of the sign.
- F. That uses wind-activated devices or devices which flutter in the wind, such as propellers, but excluding flags, banners, and pennants.
- G. That is flashing, blinking, fluctuating, or animated, that has parts that are flashing, blinking, fluctuating, or animated; or that includes similar effects.
- H. That uses a guy wire for support of a sign, except where there exists no other means of support for a sign otherwise conforming to the requirements of this chapter.
- I. That has any visible moving parts, visible revolving parts, visible mechanical movement of any description, or any other apparent visible movement achieved by electrical, electronic, or kinetic means, including intermittent electrical pulsations or movement or action by wind currents.
- J. That is erected at the intersection of any street that substantially obstructs free and clear vision of motorists, pedestrians and cyclists, or at any location where it may interfere with, obstruct, or be confused with any authorized traffic sign.

#### **10.10.050 Height and Dimensional Requirements**

- A. The maximum height of all signs other than mural signs shall be no greater than 30 feet above grade.
- B. The maximum horizontal or vertical dimension of the display surface of any sign other than mural signs shall not exceed:
  - 1. Thirty feet for freestanding and roof signs on properties adjacent to Highways 101 or 20 that are located at least 125 feet from the center line of the highway and at least 76 feet from the center line of any other street.
  - 2. Fifty feet or the width of the wall for wall sign horizontal dimension.
  - 3. Except as otherwise provided by the chapter, the maximum horizontal or vertical dimension of any display surface shall not exceed 20 feet.

#### **10.10.055 Projection and Clearance**

- A. Signs shall not project more than 3 feet over any public right-of-way, and in no case shall be within 2 feet of a traveled roadway.
- B. The minimum clearance of any sign over driveways, parking lots, or public right-of-ways is 16 feet, excepting that the minimum clearance of any sign over a sidewalk is 8 feet, unless the sidewalk is used as a driveway.

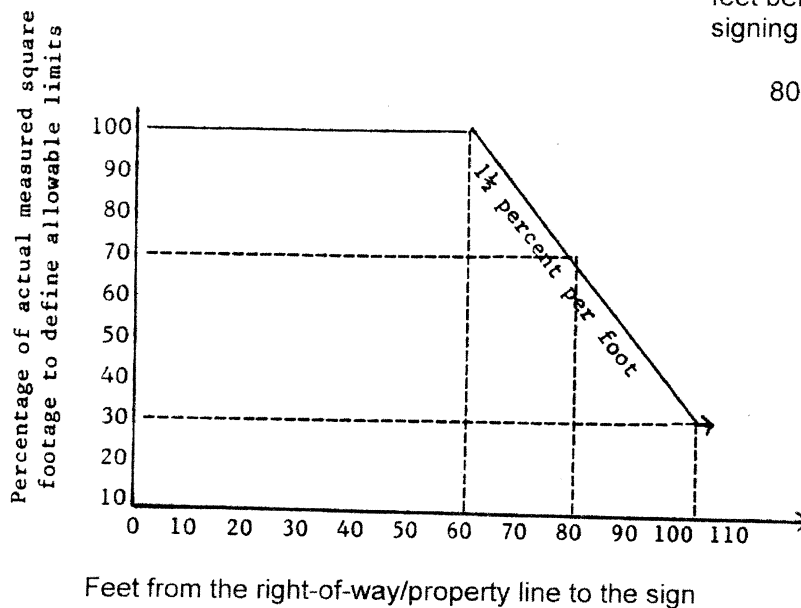
#### **10.10.060 Number and Area of Signs**

- A. Each right-of-way frontage of a business shall be limited to only one projecting or freestanding sign unless the frontage exceeds 200 lineal feet, in which case one additional freestanding or projected sign is permitted. Other signs are not limited in number unless specifically limited or restricted elsewhere in this chapter.
- B. Each street frontage of a business shall be limited to no more than 200 square feet of display area for all non-exempt signs other than mural signs. Freestanding and projecting signs having two sides facing in opposite directions shall be counted as having only one face, which

shall be the larger of the two faces if not of equal size. Only the larger face of back-to-back signs within two feet of each other and signs on opposite parallel ends of awnings shall be counted towards total maximum size.

1. The maximum total area of wall signs is two square feet of sign area for each lineal foot of street frontage.
  2. The maximum total area for freestanding and projecting signs is one square foot of display area for each lineal foot of street frontage.
- C. Notwithstanding any limitation on total sign area, each separate business is allowed at least 50 square feet of display area.
- D. The maximum display area allowed shall be adjusted based on distance from the nearest property line, using the graph below:

E.g., 60 foot setback of a measured 100 square foot sign results in 100 square feet being charged to the allowable signing area.



80 foot setback of a measured 100 square foot sign results in 70 square feet being charged to the allowable signing area.

105 foot setback of a measured 100 square foot sign results in 32.5 square feet being charged to the allowable signing area.

e.g., 60-foot setback of a measured 100 square foot sign results in 100 square feet being charged to the allowable sign area.

80 foot setback of a measured 100 square foot sign results in

70 square feet being charged to the allowable sign area.

105 foot setback of a measured 100 square foot sign results in 32.5 square feet being charged to the allowable sign area.

#### **10.10.065 Exempt Signs**

The following signs are exempt from regulation under this chapter:

- A. Signs erected or maintained by or on behalf of a federal, state, or local governmental body. This exemption shall not apply to signs that are otherwise prohibited under Section 10.10.045 except when the sign is placed in a public right-of-way by the entity responsible for managing the public right right-of-way as allowed under Section 10.10.040 (C)(1).
- B. Signs not visible from a public right-of-way or from property other than the property where the sign is located. For purposes of this section, "property where the sign is located" includes all property under common ownership," and "visible" means that the sign face is visible.

#### **10.10.070 Partially Exempt Signs**

- A. The following signs are exempt from the permit requirement and, except as expressly provided to the contrary, do not count towards maximum display area:
  1. One sign not exceeding two square feet on each property with a separate street address, placed flat against the building.
  2. In a residential zone on a property where a home occupation is legally conducted, a non-illuminated sign not exceeding two square feet in area, placed flat against the building.
  3. Signs placed on post boxes.
  4. Non-illuminated signs on private property oriented towards internal driveways and parking areas, not to exceed 3 square feet in area.
  5. Signs that are an integral part a building, including those cut into any masonry surface, as well as signs

integrated into the structure of a building constructed of bronze or other non-combustible materials.

6. Signs placed within a public right-of-way placed by the public entity with responsibility for administering the right of way.
  7. Flags.
- B. Each religious institution is allowed to have, in addition to signage otherwise allowed, additional signage not to exceed 48 square feet in area, including each face of any multiple faced sign. No single sign face may exceed 24 square feet, except reader boards, which may not exceed 32 square feet and bulletin boards, which may not exceed 16 square feet. The sign(s) allowed by this subsection are exempt from the maximum total display area standard.
  - C. Each community center and educational institution is allowed one reader board not exceeding 32 square feet in area in addition to other allowed signs. The sign allowed by this subsection is exempt from the maximum total display area standard.
  - D. Temporary signs complying with all of the following are permitted in all zones without a permit, in addition to any other permitted signs:
    1. The signs must be entirely on private property and outside of any vision clearance areas.
    2. The signs do not exceed 20 square feet of display area or any horizontal or vertical dimension of 8 feet.
    3. The signs are not erected more than 90 days prior to the date of an election and they are removed within 30 days after the election.
    4. They are erected or maintained with the consent of the person or entity lawfully in possession of the premises and any structure to which they are attached.
  - E. One temporary portable sign per business placed on private property is permitted. Temporary portable signs shall be made of permanent, durable materials and shall be maintained in a good condition. Temporary signs (portable and attached) in the aggregate may not exceed

24 square feet for all display area surfaces on a single property. Temporary signs shall not be included in the calculation of total maximum display area. All portable signs shall be weighted, anchored, or constructed so that they will not move or collapse in the event of wind, or otherwise create a hazard.

*(Chapter 10.10.070(E.) was added by the adoption of Ordinance No. 2001 on March 16, 2010; effective April 15, 2010.)*

#### **10.10.075 Roof Signs**

One roof sign per business property is permitted.

#### **10.10.080 Signs at Subdivision Entrances**

One permanent sign per subdivision entrance not to exceed 16 square feet in area is permitted. Signs at subdivision entrances may be illuminated but which shall not obstruct any required vision clearance area.

#### **10.10.085 Vehicle Signs**

Any sign attached to or imprinted upon a validly licensed motor vehicle operating legally upon the streets and highways of the State of Oregon is exempt from this chapter while the vehicle is traveling upon any street or highway, or while such vehicle is parked to carry out an activity incidental to interstate commerce, but is otherwise not exempt unless:

- A. The sign is painted or otherwise imprinted upon, or solidly affixed to, the surface of the vehicle, with no projection at any point in excess of 6 inches from the surface of the vehicle.
- B. The vehicle, with the sign attached, complies with all applicable requirements of the Motor Vehicle Code required for the lawful operation thereof.

#### **10.10.090 R-1, R-2, and R-3 Residential Districts**

In all R-1, R-2, and R-3 residential districts, the following signs are allowed:

- A. One non-illuminated sign not exceeding 2 square feet.
- B. One non-illuminated temporary sign not exceeding 8 square feet in area.

- C. One non-internally illuminated sign not exceeding 20 square feet in area placed flat against the building for each apartment complex.

#### **10.10.095 R-4 Residential District**

In an R-4 residential district, the following signs are allowed:

- A. For residential uses, signs allowed in the R-1, R-2 and R-3 districts.
- B. For hotels, motels, recreational vehicle parks, and movie theaters, no more than two illuminated signs that do not exceed 100 square feet in total area. The signs may be internally or externally illuminated.
- C. For all other uses, a maximum of 20 square feet of sign area per street frontage. The maximum area shall be a combination of wall and freestanding signs. Freestanding signs shall be set back a minimum of 10 feet from all property lines and shall not exceed 8 feet in height. No sign may be internally illuminated.

#### **10.10.100 Commercial, Industrial, and Marine Districts**

In commercial, industrial, and marine zoning districts, the following signs are allowed:

- A. The total area for wall signs shall not exceed two square feet of display area for each lineal foot of street frontage of the street.
- B. The total area for projecting and freestanding signs shall not exceed one square foot of display area for each lineal foot of street frontage. One projecting or freestanding sign is allowed for each 100 feet of street frontage.
- C. Each frontage of a business shall be limited to not more than 2 signs, only one of which may be other than a wall sign unless there is more than 100 lineal feet of street frontage.
- D. Window signs shall not exceed 16 square feet in area. Window signs are not included in the calculation of total display area.

E. Mural signs are permitted.

#### **10.10.105 Signs in Shopping Centers**

For shopping centers and multiple business properties, the number and size of signs are governed by this section, notwithstanding the provisions of the underlying zone.

- A. The maximum number of freestanding signs on shopping center properties is two and the maximum number of freestanding signs on multiple business properties is one.
- B. The maximum number of wall signs for shopping centers and multiple business properties is one per street frontage.
- C. For both shopping centers and multiple business properties, the maximum total area display area of all freestanding and wall signs and is one square foot for each lineal foot of street frontage, with a maximum of 200 square feet per sign. Only one side of a double-faced freestanding sign shall be including in the calculation of display area, provided that the sign faces are 180 degrees opposed and separated by two feet or less.
- D. In addition to the signs allowed by subsections A through C, each individual business may erect wall signs on the premises controlled by the individual business of up to two square feet of display area for each lineal foot of frontage. For the purposes of this subsection, the term frontage means the distance, measured in a straight line, along any one wall of the business premises facing and providing public access to the separate premises of the business. Where a business has entrances allowing public access on more than one frontage, wall signs may be erected for each frontage, but the display area maximum shall be calculated separately for each frontage.
- E. The permit, size, area, and number restrictions do not apply to any signs in shopping centers and multiple business properties that are not visible from the public right of way or adjacent property.

#### **10.10.110 Construction and Safety Requirements**

All signs shall be well constructed in accordance with all



applicable codes and requirements of law and shall be maintained in a safe, neat, and clean condition. Signs that are not in good repair or condition through deterioration or other reasons are prohibited and shall be either repaired or removed. If not repaired or removed by the owner, signs that are not in good repair or condition may be abated as authorized by this code.

#### **10.10.115 Dangerous and Abandoned Signs**

- A. Any sign or structure that is a nuisance or a dangerous structure may be abated as provided by city ordinances governing nuisances and dangerous structures. If the city manager or building official determines that any sign or sign structure constitutes an immediate threat, danger, or hazard to life, health, or property, the city manager or building official take any action necessary to immediately abate the risk, pursuant to the police power of the City of Newport and without prior notice.
- B. Any sign that has been abandoned or reasonably appears to be abandoned constitutes a hazard and may be abated as provided in Subsection A.

#### **10.10.120 Removal of Signs in Rights-of-Way**

Any unauthorized sign in a public right-of-way may be removed immediately without notice by the city and removed to a place of storage. A notice of removal shall be sent to any owner of the sign known to the city, notifying the owner that the sign will be destroyed unless the owner claims the sign within 20 days of the notice. If the owner is unknown to the city, no notice is required and the sign may be destroyed if unclaimed after 20 days from the date of removal. No sign removed from the right-of-way shall be returned to the owner unless the owner pays a removal fee to the city in an amount set by Council resolution. If the city reasonably estimates the value of the sign materials to be less than \$10.00, the city may immediately dispose of any sign left in the right-of-way without notice.

#### **10.10.125 Remedies**

A sign erected or maintained in violation of this chapter is a nuisance and a civil infraction. The city may pursue any one or more of the legal, equitable administrative and self-help remedies legally available to it. All remedies of the city, both

as a governmental body and otherwise are cumulative.

#### **10.10.130 Nonconforming Signs**

- A. The purpose of this section is to discourage nonconforming signs and to work toward eliminating or removing nonconforming signs or bringing them into conformity with this chapter. Nonconforming signs shall not be enlarged, expanded or extended, nor used as grounds for adding other structures or signs otherwise prohibited.
- B. A nonconforming sign may not be altered as to size, message, or construction, except that common and ordinary maintenance to maintain the sign in a good and safe condition is allowed, including incidental structural repair or replacement.
- C. If a nonconforming sign is damaged or destroyed by any cause including normal deterioration to the extent that the cost of repair shall exceed 50% of the replacement value of the sign, the sign may not be repaired or restored, and may be replaced only by a sign conforming to the provisions of this chapter.

#### **10.10.135 Content and Interpretation**

This chapter and Chapter 10.15 do not regulate the content of signs and shall be interpreted as not regulating content. These chapters shall be interpreted if at all possible to be consistent with constitutional protection of expression, and any provision that unconstitutionally restricts expression shall not be enforced, and the remainder of the provisions shall continue to be applicable and shall be applied constitutionally.

#### **10.10.140 Variance Requirements**

Any person may seek a variance to the numerical provisions of this chapter or of Chapter 10.15 by filing a written application. The procedure and process applicable to zoning variances (including but not limited to the notification process, public hearing process, conditions of approval, time limitations, and revocation of permits as applicable for the type of variance requested) shall be followed. The fee for a variance shall be the same as for a zoning variance. The criteria for the sign variance shall be as specified below. In

addition to the requirements for submitting a zoning variance, a sign inventory including the location, type, and size of each sign on the property shall be submitted with the variance application.

- A. All sign variance applications that propose to increase the number or size of signs or propose a variance from any other numerical standard shall be determined by the Planning Commission using the zoning Type I Variance procedure, based on a determination that the proposed variance is the minimum necessary to alleviate special hardships or practical difficulties faced by the applicant and that are beyond the control of the applicant.
- B. All sign variance applications based on a change in a sign or signs that decreases but does not eliminate an existing nonconformity shall be determined by the community development (planning) director using a Type II Variance procedure, based on a determination that the proposed variance will result in a reduction of the nonconformity without increasing any aspect of nonconformity.

#### **10.10.145 Violations**

A violation of this chapter or of Chapter 10.15 is a civil infraction, with a civil penalty not to exceed \$500. The penalty for a second or subsequent violation within two years may be up to \$1,000. A violation occurs on the date of the occurrence of the act constituting the violation. Each violation is a separate infraction, and each day in which a violation occurs or continues is a separate infraction.

## CHAPTER 10.15 AGATE BEACH SIGN REGULATIONS

### 10.15.005 Purpose and Applicability

- A. This chapter has the same purposes as Chapter 10.10 as well as the following:
1. To maintain and enhance the aesthetic environment and the neighborhood's ability to attract sources of economic development and growth;
  2. To minimize the possible adverse effect of signs on nearby public and private property; and
  3. To enable the fair and consistent enforcement of these sign restrictions.
- B. This chapter applies within the Agate Beach Neighborhood as defined in the Agate Beach Neighborhood Plan adopted on July 6, 1998, by Ordinance No. 1792 to include that area within the area bounded by the Pacific Ocean on the west, the Urban Growth Boundary (UGB) on the north and east and the Agate Beach Golf Course and N.W. 43<sup>rd</sup> Street on the south.

### 10.15.010 Definitions

The definitions in this section apply to this chapter. Any term not defined in this chapter but defined in Chapter 10.10 shall have the meaning defined in Chapter 10.10.

- A. **Business frontage**. The lineal footage of a building or portion thereof devoted to a specific business.
- B. **Frontage, primary**. The side(s) of the building facing a street.
- C. **Frontage, secondary**. Any side of a building not facing a street.
- D. **Indirect illumination**. A source of illumination directed toward a sign so that the beam of light falls upon the exterior surface of the sign.
- E. **Shopping center or business complex**. A group of five or

more commercial establishments having common parking facilities.

- F. **Sign, abandoned.** Any sign which is located on property that becomes vacant and unoccupied for a period of 90 days or more, or, a sign that pertains to a time, event, or purpose which no longer applies.
- G. **Sign, alteration.** Any change in the size, shape, method of illumination, position, location, material, construction, or supporting structure of a sign.
- H. **Sign, flashing.** A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the illusion of flashing, or which changes colors or intensity of illumination.
- I. **Sign, freestanding.** A sign erected on a frame, mast, pole, or other structure and not attached to any building. See Figure 1.
- J. **Sign, height.** The distance measured from the average elevation of the ground adjacent to the structure that the sign is mounted on or nearest public sidewalk or street curb, when such are adjoining the site, to the maximum height of the face of the sign.
- K. **Sign, nonconforming.** A sign that was lawfully erected but that could no longer be legally erected because of a change in regulations.
- L. **Sign, portable.** Any sign not permanently attached to the ground, a structure, or a building.
- M. **Sign, projecting.** A sign that is wholly or partly dependent upon a building for support and which projects more than 18 inches from such building. See Figure 1.
- N. **Sign, roof.** A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof. See Figure 1.
- O. **Sign, structure.** The supports, uprights, braces, framework, and other structural components of the sign

which does not contain any part of the sign message.

- P. **Sign, temporary.** A sign constructed of cloth, canvas, fabric, plywood, or other light material and designed or intended to be displayed on a temporary basis. See Figure 1.
- Q. **Sign, wall.** A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and which does not project more than 18 inches from the building or structure. See Figure 1.
- R. **Sign, window.** A sign that is applied or attached to the exterior or interior of an exterior window or located in such a manner within a building. See Figure 1.

#### **10.15.015 Permit Required**

Except as otherwise provided in this chapter, it shall be unlawful for any person to erect, alter, or relocate a sign without first obtaining a permit for each separate sign from the planning department as required by this chapter.

#### **10.15.020 Exempt Signs**

The following signs and devices shall not be subject to the provisions of this chapter.

- A. Signs erected or maintained by the City of Newport in any location or by the State of Oregon or the United States of America in the public right-of-way.
- B. Flags.
- C. In a residential zone, a permanent non-illuminated sign not exceeding two square feet.
- D. Temporary signs not exceeding four square feet of display area per side per sign provided the signs are erected no more than 90 days prior to the date of an election and are removed within 10 days after the election.
- E. Temporary signs not exceeding six square feet in residential zones and 32 square feet in area in commercial and industrial zones.

- F. Non-illuminated window signs.
- G. Non-illuminated signs on private property directed to interior driveways and parking areas. Such signs shall be limited to four square feet.
- H. Any sign which is not visible from a public right-of-way or from any property other than the property on which the sign is located.

#### 10.15.025 General Sign Regulations

The following general provisions shall govern all signs in addition to all other applicable provisions of this chapter.

- A. **Obstruction by Signs.** No sign or portion thereof shall be placed so that it obstructs any fire escape, stairway, or standpipe; interferes with human exit through any window of any room located above the first floor of any building; obstructs any door or required exit from the first floor of any building; or obstructs any required light or ventilation.
- B. **Vision Clearance Areas.** No signs in excess of two and one-half feet in height shall be placed in the vision clearance areas required by any applicable ordinance, plan or regulation.
- C. **Bulletin or Reader Boards.** Twenty percent of permitted sign area may be allowed as a bulletin board or reader board.

#### 10.15.030 Signs in Residential Zones

Signs in residential zones shall conform to the following regulations:

- A. R-1, R-2, and R-3 zoning districts.
  - 1. No portion of a sign may extend beyond any property line of the premises on which the sign is located.
  - 2. Internally illuminated signs are prohibited.
  - 3. One freestanding or wall sign not exceeding 32 square feet and not exceeding five feet in height is allowed for an apartment complex of more than four units, a religious institution, or a school. Any illumination of the

sign shall not project onto adjacent properties.

B. R-4 zoning districts.

1. The same provisions as the R-1, R-2, and R-3 zone contained in Subsection A apply.
2. One freestanding sign and one wall sign per frontage are permitted for conditional uses as part of the conditional use approval. The freestanding sign shall not exceed a height of five feet and one square foot of area per foot of frontage not to exceed 50 square feet. The wall sign shall not exceed one square foot of sign area per foot of frontage not to exceed 50 square feet. For properties with frontage on Highway 101, the height of a freestanding sign may increase one foot for every foot from the center line of the highway to a maximum height of 20 feet, and the area may increase by one square foot for every foot from the center line of Highway 101 to a maximum size of 100 square feet.

**10.15.035 Signs in Commercial and Industrial Zones**

This section applies to signs in commercial and industrial zones.

- A. The number, type, and size of signs allowed on the basis of business frontage shall be placed only on that business frontage, and no building shall be credited with more than two business frontages.
- B. Two signs per primary frontage are permitted.
- C. Except for mural signs, the total display area of all signs on a single street frontage shall not exceed one square foot for each lineal foot of street frontage, not to exceed 60 square feet. For property that has frontage on Highway 101, the total square footage may increase one square foot for every foot from the center line of the highway, with a maximum total area of 100 square feet.
- D. Portable signs are prohibited.
- E. Illuminated signs shall be shielded so as not to significantly shine onto residential properties.
- F. The following types of signs are permitted:



## 1. Wall Signs

- a. Number. Two signs per building primary or secondary frontage shall be permitted for each business, or one sign per frontage per business for a shopping center or business complex.
- b. Area. Total sign area shall not be more than one square foot of sign area for each lineal foot of primary frontage. In no case shall a wall sign exceed 60 square feet.
- c. Projection. Except for marquee or awning signs, a projecting sign may project a maximum of eighteen inches from the face of the building to which they are attached, provided the lowest portion of the sign is at least eight feet above grade.
- d. Extension above roof line. Signs may not project above the roof or eave line of a building.

## 2. Freestanding Signs.

- a. Number. One sign shall be permitted per property.
- b. Area. Signs shall not exceed an area of one square foot for each two lineal feet of street frontage, with a maximum area of 60 square feet per sign. For property that has frontage on Highway 101, the total square footage may increase one square foot for every foot from the center line of said highway, the total area not to exceed 100 square feet.
- c. Placement. Signs shall be placed so that no sign or portion thereof shall extend beyond any property line of the premises on which the sign is located.
- d. Height. No freestanding sign shall exceed five feet above grade. For property that fronts Highway 101, the height of the sign may increase by one foot for every foot from the center line of said highway, but in no case shall the height exceed 20 feet.

## 3. Awning Signs.

- a. Number. Two signs shall be permitted for each business frontage in addition to the allowed wall

signs. Such signs may be attached to, painted on or suspended from the awning.

- b. Area. Awning signs shall be counted toward the permitted aggregate sign area for wall signs. Signs on the ends of awnings shall be counted as one sign as long as the faces are parallel and opposed to each other.
  - c. Projection. Signs may not project beyond the face of the awning.
  - d. Clearance above grade. The lowest portion of a sign attached to an awning shall not be less than seven feet, six inches above grade.
4. Illuminated window signs, such as neon signs, are limited to two per primary building frontage. The sign must be placed inside the building and shall not be directed to residentially zoned property. The total area of such signs is limited to ten square feet per primary business frontage.
5. Mural signs.

#### **10.15.040 Nuisance Signs**

The following signs are public nuisances:

- A. Flashing signs visible from a public street or highway right-of-way.
- B. Illegal signs.
- C. Temporary signs that have remained in place beyond a temporary basis.
- D. Signs in a dangerous state of repair.
- E. Abandoned signs.

#### **10.15.045 Nonconforming Signs**

The alteration of the size, shape, or location of any existing nonconforming sign is prohibited unless the alteration brings the sign into conformance with this chapter. Damage to or replacement of nonconforming signs may be repaired or

replaced if the cost of the repair or replacement is less than 50% of the value of the cost of replacing the sign with a conforming sign.

*(Chapter 10.10 and 10.15 adopted January 7, 2008, by Ordinance No. 1943; effective February 7, 2008)*

### 10.10.020 Prohibited Signs

No sign may be erected, maintained, or displayed except as expressly authorized by this chapter.

### 10.10.025 Conflicting Provisions

If any provisions of this chapter conflict with any law or regulation requiring a sign or notice, the law or regulation requiring the sign or notice shall prevail.

### 10.10.030 Definitions

The definitions in this section apply in this chapter.

- A. "**Adjacent**" means immediately next to and on the same side of the street.
- B. "**Awning**" includes any structure made of cloth, metal, or similar material with a frame attached to a building that may project outwards but can be adjusted to be flat against the building when not in use.
- C. "**Building**" shall include all structures other than sign structures.
- D. "**Bulletin Boards.**" A bulletin board is a surface for posting posters, cards, or notices, usually of paper, and not illuminated or electrical.
- E. "**Business**" means the premises where a duly licensed business is conducted. Multiple businesses conducted within the same premises shall be subject to the same limits as would a single business on the same premises.
- F. "**Canopy**" includes any structure made of cloth, metal, or similar material projecting out from a building that is fixed and not retractable.
- G. "**Clearance**" is the distance between the highest point of the street, sidewalk or other grade below the sign to the lowest point of the sign. (See Exhibit A.)
- H. "**Display Area**" means the area of a regular geometric figure that encloses all parts of the display surface of the sign. Structural supports that do not include a display or message are not part of the display area.
- I. "**Erect**" means to build, attach, hang, place, suspend,

1. "**Freestanding Sign**" means any sign not attached to any structure other than the sign structure.
  - a. "**Pole Sign**" means a freestanding sign that is mounted on a pole or other support that is not as wide as the sign.
  - b. "**Monument Sign**" means a freestanding sign in which the sign structure is at least as wide as the sign.
2. "**Mural Sign**" means a sign that is painted directly on the wall of a building or retaining wall, without any sign structure or additional surface.
3. "**Portable Sign**" means a sign that is not attached to the ground or any structure and is movable from place to place. "Portable sign" does not include any sign carried or held by an individual.
4. "**Projecting Sign**" means a sign attached to the wall or roof of a building with a sign face that is not parallel to the wall or roof.
5. "**Roof Sign**" means a sign attached to a roof of a building, or a sign attached to a wall of a building but extending above the top edge of the wall where the sign is located.
6. "**Temporary Sign**" means any sign, regardless of construction materials, that is not permanently mounted and is intended to be displayed on an irregular basis for a limited period of time
7. "**Wall Sign**" means any sign attached to a wall of a building that does not extend above the wall of the building and is parallel to and within one foot of the wall.
8. "**Window Sign**" shall mean any sign placed inside or upon a window facing the outside and which is visible from the exterior.
- U. "**Sign Business**" means the business of constructing, erecting, operating, maintaining, leasing, or selling signs.
- V. "**Sign Structure**" means the supports, upright braces, and framework of the sign.

- D. When electrical permits are required, they shall be obtained and the installation approved prior to making connection to the electrical power source.
- E. Permit fees shall be paid with submission of the sign permit application, as follows:
  - 1. For the erection, placement, replacement, reconstruction, or relocation of a sign, a fee of \$100. A supplemental fee of \$100 shall be charged for the initial permit for a mural sign that exceeds the maximum permissible size for a wall sign in the same location. Non-profit organizations are exempt from the requirement to pay the supplemental fee for a mural sign.
  - 2. For the repair, demolition, or removal of an existing sign and/or its supporting structure, no fee.
  - 3. For temporary signs placed in the right of way, a fee of \$25 per sign for the first sign and \$10 per sign for each additional sign. Non-profit organizations are exempt from the requirement to pay this fee.
  - 4. For portable signs placed in the right of way, a fee of \$25 per sign per application for the first sign and a fee of \$10 per sign for each additional sign. A fee for use of the right of way of \$25 per month per sign with a maximum of \$100 per year shall also be charged for use of the public right-of-way. Non-profit organizations are exempt from the requirement to pay either fee required by this section.

**10.10.040 Signs in Public Rights-of-Way**

- A. Except as provided in this section, permanent signs wholly located within rights of way are prohibited. A sign permit does not allow a sign to project into any part of any public right-of-way unless expressly stated in the permit. Each applicant shall determine the location of the public right-of-way and whether any proposed permanent sign will project into any public right-of-way. Any sign permit that allows a sign projecting into any public right-of-way shall be revocable at any time by the city with or without cause.
- B. Permits are required for temporary or portable signs within rights of way and may be issued only if authorized in this section.

2. Permanent signs placed in a location where allowed by a license or easement from the city to an adjacent property owner to occupy the right of way. Signs allowed by this exemption must comply with all other requirements of this chapter, and the display area of the signs will be included in the calculation of the maximum display area of the adjacent property.
  3. Signs not exceeding one square foot on a pole in the right of way placed on the pole by its owner.
- D. Signs placed in ODOT right of way may also require approval from ODOT.
- E. No permit may be issued for a sign in the right-of-way unless the applicant provides proof of liability insurance in an amount determined to be sufficient by the city manager.

#### **10.10.045 Prohibited Signs**

No sign shall be constructed, erected, or maintained:

- A. That uses lights unless effectively screened, shielded, or utilized so as not to direct light directly into the eyes of motorists traveling on any street or highway.
- B. That includes any single light bulb that creates more light than a 60 watt incandescent bulb.
- C. That uses neon tubing on the exterior surface of a sign for sign illumination where the capacity of such tubing exceeds 300 milliamperes rating for white tubing or 100 milliamperes rating for any other color of tubing.
- D. That uses flashing or intermittent light.
- E. That uses any type of rotating beacon light, zip light, or strobe light, or any light not directed to or part of the illumination of the sign.
- F. That uses wind-activated devices or devices which flutter in the wind, such as propellers, but excluding flags, banners, and pennants.
- G. That is flashing, blinking, fluctuating, or animated, that has parts that are flashing, blinking, fluctuating, or animated; or that includes similar effects.

is 8 feet, unless the sidewalk is used as a driveway.

#### **10.10.060 Number and Area of Signs**

- A. Each right-of-way frontage of a business shall be limited to only one projecting or freestanding sign unless the frontage exceeds 200 lineal feet, in which case one additional freestanding or projected sign is permitted. Other signs are not limited in number unless specifically limited or restricted elsewhere in this Chapter.
  
- B. Each street frontage of a business shall be limited to no more than 200 square feet of display area for all non-exempt signs other than mural signs. Freestanding and projecting signs having two sides facing in opposite directions shall be counted as having only one face, which shall be the larger of the two faces if not of equal size. Only the larger face of back-to-back signs within two feet of each other and signs on opposite parallel ends of awnings shall be counted towards total maximum size.
  - 1. The maximum total area of wall signs is two square feet of sign area for each lineal foot of street frontage.
  
  - 2. The maximum total area for freestanding and projecting signs is one square foot of display area for each lineal foot of street frontage.
  
- C. Notwithstanding any limitation on total sign area, each separate business is allowed at least 50 square feet of display area.
  
- D. The maximum display area allowed shall be adjusted based on distance from the nearest property line, using the graph below:



located. For purposes of this section, "property where the sign is located" includes all property under common ownership," and "visible" means that the sign face is visible.

#### **10.10.070 Partially Exempt Signs**

- A. The following signs are exempt from the permit requirement and, except as expressly provided to the contrary, do not count towards maximum display area:
1. One sign not exceeding two square feet on each property with a separate street address, placed flat against the building.
  2. In a residential zone on a property where a home occupation is legally conducted, a non-illuminated sign not exceeding two square feet in area, placed flat against the building.
  3. Signs placed on post boxes.
  4. Non-illuminated signs on private property oriented towards internal driveways and parking areas, not to exceed 3 square feet in area.
  5. Signs that are an integral part a building, including those cut into any masonry surface, as well as signs integrated into the structure of a building constructed of bronze or other non-combustible materials.
  6. Signs placed within a public right of way place by the public entity with responsibility for administering the right of way.
  7. Flags.
- B. Each religious institution is allowed to have, in addition to signage otherwise allowed, additional signage not to exceed 48 square feet in area, including each face of any multiple faced sign. No single sign face may exceed 24 square feet, except reader boards, which may not exceed 32 square feet and bulletin boards, which may not exceed 16 square feet. The sign(s) allowed by this subsection are exempt from the maximum total display area standard.
- C. Each community center and educational institution is allowed one reader board not exceeding 32 square feet

ways of the State of Oregon is exempt from this Chapter while the vehicle is traveling upon any street or highway, or while such vehicle is parked to carry out an activity incidental to interstate commerce, but is otherwise not exempt unless:

- A. The sign is painted or otherwise imprinted upon, or solidly affixed to, the surface of the vehicle, with no projection at any point in excess of 6 inches from the surface of the vehicle.
- B. The vehicle, with the sign attached, complies with all applicable requirements of the Motor Vehicle Code required for the lawful operation thereof.

**10.10.090 R-1, R-2, and R-3 Residential Districts**

In all R-1, R-2, and R-3 residential districts, the following signs are allowed:

- A. One non-illuminated sign not exceeding 2 square feet.
- B. One non-illuminated temporary sign not exceeding 8 square feet in area.
- C. One non-internally illuminated sign not exceeding 20 square feet in area placed flat against the building for each apartment complex.

**10.10.095 R-4 Residential District**

In an R-4 residential district, the following signs are allowed:

- A. For residential uses, signs allowed in the R-1, R-2 and R-3 districts.
- B. For hotels, motels, recreational vehicle parks, and movie theaters, no more than two illuminated signs that do not exceed 100 square feet in total area. The signs may be internally or externally illuminated.
- C. For all other uses, a maximum of 20 square feet of sign area per street frontage. The maximum area shall be a combination of wall and freestanding signs. Freestanding signs shall be set back a minimum of 10 feet from all property lines and shall not exceed 8 feet in height. No sign may be internally illuminated.

less.

- D. In addition to the signs allowed by subsections A through C, each individual business may erect wall signs on the premises controlled by the individual business of up to two square feet of display area for each lineal foot of frontage. For the purposes of this subsection, the term frontage means the distance, measured in a straight line, along any one wall of the business premises facing and providing public access to the separate premises of the business. Where a business has entrances allowing public access on more than one frontage, wall signs may be erected for each frontage, but the display area maximum shall be calculated separately for each frontage.
- E. The permit, size, area and number restrictions do not apply to any signs in shopping centers and multiple business properties that are not visible from the public right of way or adjacent property.

#### **10.10.110 Construction and Safety Requirements**

All signs shall be well constructed in accordance with all applicable codes and requirements of law and shall be maintained in a safe, neat, and clean condition. Signs that are not in good repair or condition through deterioration or other reasons are prohibited and shall be either repaired or removed. If not repaired or removed by the owner, signs that are not in good repair or condition may be abated as authorized by this code.

#### **10.10.115 Dangerous and Abandoned Signs**

- A. Any sign or structure that is a nuisance or a dangerous structure may be abated as provided by City ordinances governing nuisances and dangerous structures. If the city manager or building official determines that any sign or sign structure constitutes an immediate threat, danger, or hazard to life, health, or property, the city manager or building official take any action necessary to immediately abate the risk, pursuant to the police power of the City of Newport and without prior notice.
- B. Any sign that has been abandoned or reasonably appears to be abandoned constitutes a hazard and may be abated as provided in Subsection A.

### **10.10.135 Content and Interpretation**

This chapter and Chapter 10.15 do not regulate the content of signs and shall be interpreted as not regulating content. These chapters shall be interpreted if at all possible to be consistent with constitutional protection of expression, and any provision that unconstitutionally restricts expression shall not be enforced, and the remainder of the provisions shall continue to be applicable and shall be applied constitutionally.

### **10.10.140 Variance Requirements**

Any person may seek a variance to the numerical provisions of this chapter or of Chapter 10.15 by filing a written application. The procedure and process applicable to zoning variances (including but not limited to the notification process, public hearing process, conditions of approval, time limitations, and revocation of permits as applicable for the type of variance requested) shall be followed. The fee for a variance shall be the same as for a zoning variance. The criteria for the sign variance shall be as specified below. In addition to the requirements for submitting a zoning variance, a sign inventory including the location, type, and size of each sign on the property shall be submitted with the variance application.

- A. All sign variance applications that propose to increase the number or size of signs or propose a variance from any other numerical standard shall be determined by the Planning Commission using the zoning Type I Variance procedure, based on a determination that the proposed variance is the minimum necessary to alleviate special hardships or practical difficulties faced by the applicant and that are beyond the control of the applicant.
- B. All sign variance applications based on a change in a sign or signs that decreases but does not eliminate an existing nonconformity shall be determined by the Community Development (Planning) Director using a Type II Variance procedure, based on a determination that the proposed variance will result in a reduction of the nonconformity without increasing any aspect of nonconformity.

### **10.10.145 Violations**

A violation of this chapter or of Chapter 10.15 is a civil infraction, with a civil penalty not to exceed \$500. The

toward a sign so that the beam of light falls upon the exterior surface of the sign.

- E. Shopping center or business complex. A group of five or more commercial establishments having common parking facilities.
- F. Sign, abandoned. Any sign which is located on property that becomes vacant and unoccupied for a period of 90 days or more, or, a sign which pertains to a time, event, or purpose which no longer applies.
- G. Sign, alteration. Any change in the size, shape, method of illumination, position, location, material, construction, or supporting structure of a sign.
- H. Sign, flashing. A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the illusion of flashing, or which changes colors or intensity of illumination.
- I. Sign, freestanding. A sign erected on a frame, mast, pole, or other structure and not attached to any building. See Figure 1.
- J. Sign, height. The distance measured from the average elevation of the ground adjacent to the structure that the sign is mounted on or nearest public sidewalk or street curb, when such are adjoining the site, to the maximum height of the face of the sign.
- K. Sign, nonconforming. A sign that was lawfully erected but that could no longer be legally erected because of a change in regulations.
- L. Sign, portable. Any sign not permanently attached to the ground, a structure, or a building.
- M. Sign, projecting. A sign that is wholly or partly dependent upon a building for support and which projects more than 18 inches from such building. See Figure 1.
- N. Sign, roof. A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof. See Figure 1.

commercial and industrial zones.

- F. Non-illuminated window signs.
- G. Non-illuminated signs on private property directed to interior driveways and parking areas. Such signs shall be limited to four square feet.
- H. Any sign which is not visible from a public right-of-way or from any property other than the property on which the sign is located.

#### **10.15.025 General Sign Regulations**

The following general provisions shall govern all signs in addition to all other applicable provisions of this chapter.

- A. Obstruction by Signs. No sign or portion thereof shall be placed so that it obstructs any fire escape, stairway, or standpipe; interferes with human exit through any window of any room located above the first floor of any building; obstructs any door or required exit from the first floor of any building; or obstructs any required light or ventilation.
- B. Vision Clearance Areas. No signs in excess of two and one-half feet in height shall be placed in the vision clearance areas required by any applicable ordinance, plan or regulation.
- C. Bulletin or Reader Boards. Twenty percent of permitted sign area may be allowed as a bulletin board or reader board.

#### **10.15.030 Signs in Residential Zones**

Signs in residential zones shall conform to the following regulations:

- A. R-1, R-2, and R-3 zoning districts.

No portion of a sign may extend beyond any property line of the premises on which the sign is located.

- 2. Internally illuminated signs are prohibited.
- 3. One freestanding or wall sign not exceeding 32 square feet and not exceeding five feet in height is allowed for an apartment complex of more than four units, a

## 1. Wall Signs

- a. Number. Two signs per building primary or secondary frontage shall be permitted for each business, or one sign per frontage per business for a shopping center or business complex.
- b. Area. Total sign area shall not be more than one square foot of sign area for each lineal foot of primary frontage. In no case shall a wall sign exceed 60 square feet.
- c. Projection. Except for marquee or awning signs, a projecting sign may project a maximum of eighteen inches from the face of the building to which they are attached, provided the lowest portion of the sign is at least eight feet above grade.
- d. Extension above roof line. Signs may not project above the roof or eave line of a building.

## 2. Freestanding Signs.

- a. Number. One sign shall be permitted per property.
- b. Area. Signs shall not exceed an area of one square foot for each two lineal feet of street frontage, with a maximum area of 60 square feet per sign. For property that has frontage on Highway 101, the total square footage may increase one square foot for every foot from the center line of said highway, the total area not to exceed 100 square feet.
- c. Placement. Signs shall be placed so that no sign or portion thereof shall extend beyond any property line of the premises on which the sign is located.
- d. Height. No freestanding sign shall exceed five feet above grade. For property that fronts Highway 101, the height of the sign may increase by one foot for every foot from the center line of said highway, but in no case

The alteration of the size, shape, or location of any existing nonconforming sign is prohibited unless the alteration brings the sign into conformance with this chapter. Damage to or replacement of nonconforming signs may be repaired or replaced if the cost of the repair or replacement is less than 50% of the value of the cost of replacing the sign with a conforming sign.



**So you want to run for  
local office ...**



**What every  
mayor or councilor  
should know about  
legal roles and responsibilities,  
about representing the community,  
and about Oregon city government**

# Acknowledgment

This publication was initiated by a group of past presidents of the League of Oregon Cities who recognized a need. They volunteered their time and expertise in an effort to build leadership capacity and strengthen city government in Oregon.

Special thanks are extended to the following past presidents for their personal and professional expertise and the collective effort that created this document.

Eugene Bauer  
Ron Bryant  
Ruth Burleigh  
Elvern Hall  
Gerald "Lou" Hannum  
Edward Harms  
Di Lyn Larsen-Hill  
Shirley Huffman  
Mike Lindberg  
Loren McKinley  
Jack Nelson  
Emily Schue  
Charles Vars  
William Young

**This publication is addressed primarily to candidates for city council. It serves as a reference and deals with a variety of important topics in a condensed manner. The publication is intended to provide an orientation to individuals who wish to assume a leadership role in municipal government.**

**Elected city officials and candidates are encouraged to contact the League of Oregon Cities (LOC) for further information regarding any topic presented in this publication. After you have been elected, you may wish to gain a deeper understanding about the issues facing Oregon city government by participating in the LOC-sponsored training sessions, the Elected Officials Workshop, and the Annual Conference.**

## Message to Candidates

Congratulations on your decision to run for local office! You have taken an important step on the path to public service in your home community—one step for which you must be proud. It's probably the most challenging job you'll ever have (and most likely the lowest paying). It will probably be among the most interesting and rewarding as well.

Often times, citizens are motivated to pursue elective office because they feel strongly about a single issue which demands change. They feel that they must take personal action to remedy this situation. When elected, you will find that others maintain sincere personal concerns for completely different issues. You will become involved in broader—and sometimes more mundane—issues like budgeting, personnel, growth and service delivery priorities. You will find a need to gain the opinion of local citizens outside your normal social or work circle and vie with other elected officials for a public forum by which to express your view.

This booklet is designed to increase your familiarity with an elected official's responsibilities, as well as the processes, procedures and rules that govern the conduct of an elected official. You can obtain more information from your city recorder, city manager or administrator, the League of Oregon Cities (LOC), and state agencies.

We wish you the best of luck in the upcoming election and your subsequent service.

Sincerely,

Past Presidents Council of the  
League of Oregon Cities

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# Filing for Elective Office

Qualifications for various city offices differ. Before filing, review the city charter and statutory requirements of the office for which you plan to declare your candidacy. Requirements for filing for city offices are found under Oregon Revised Statutes (ORS) Chapters 221 and 249. The forms that you'll need are available from your city's elections official or the Secretary of State's Office, Elections Division.

## Contribution and Expenditure Reporting

Every candidate and prospective candidate is required to establish a principal campaign committee within three business days of receiving or spending any money to support the candidacy. This includes expenditures of personal funds by the candidate or treasurer. It also includes payment of the filing fee if the candidate files by declaration, any costs related to circulating a nominating petition, or any voters' pamphlet costs.

*For more detailed information about the filing process, contact your city's elections official or the Elections Division in the Secretary of State's office (503/986-1518).*

## What to Expect

Not only will the job of elective office ask you to be a model of civility and cooperation, an educator and interpreter of public opinion, and a leader bringing people together and building trust, it will also provide you with the opportunity to shape policy governing the future of your city. In the course of doing so, you will learn all facets of local government including municipal law and finance. In addition . . .

- ❖ You'll rarely eat at the local diner or stop by the hardware store without someone complaining about roads, taxes, etc. You might be cornered anywhere, at any time, on anything. Unlike elected officials at the state and federal level, you are in direct contact on a daily basis with the people who elected you.
- ❖ You'll spend a lot of time attending meetings; not only municipal meetings but regional and statewide ones as well. You'll also spend a lot of time preparing for them, reading the material that needs to be read in order to make an informed decision in the course of the meeting.

If you are elected, you will draw upon skills you already have, skills you never knew you had, or skills you wished you had. The job might require you to:

- ❖ Facilitate meetings, speak to the press, respond to angry and sometimes hostile citizens, testify before legislative committees, negotiate with contractors, bankers and engineers.
- ❖ Make decisions on everything from who to hire as the next city manager, to which bid to accept for paving the roads, to how to pay for solid waste disposal, to joining with neighboring cities in a regional approach to providing dispatch services.

*Are you up to the challenge?!*

## Basic City Services

*Services provided by municipalities vary from community to community. However, some typical services include:*

**Public Safety** — police, fire, and sometimes ambulance service

**Utilities** — water and sewer, and sometimes trash collection, electric power, and natural gas

**Land Use** — planning, zoning, code enforcement, and other regulatory activities

**Transportation** — street construction and maintenance, traffic safety, and sometimes public transit

**Recreation/Cultural** — parks, recreation, libraries, and sometimes cultural facilities

**Legal** — Ordinances protecting the public health, safety and welfare of the community

## Roles and Responsibilities

Elected city officials have many official responsibilities. Essential ingredients for proper job performance of a mayor and city councilors are a thorough knowledge of the community, its people, and its problems, as well as knowing individual roles and those of the council as a whole. The information below provides city official candidates a basic understanding of the roles of the mayor and council, and the issues they will confront.

**Most elected city officials consider the formulation of city policy to be their primary responsibility.**

Most elected city officials consider the formulation of city policy to be their primary responsibility. They are also concerned with the way in which policy is administered, although the extent of their involvement in administration depends on the size of the city and its form of government.

The traditional distinction between “policy” and “administration” has been that policy is the process of deciding what is to be done, while administration is implementing it. However, it is not always easy to distinguish between the two.

### Policy Role

The council is the highest authority within city government in deciding issues of policy. For a council to effectively assume a positive and active role in bringing issues forward for discussion in setting policy, councilors need a clear understanding of the policy process and the stages at which council intervention is most effective. Typically, the policy process follows the steps listed below:

1. Identification of problems and needs
2. Establishment of community goals
3. Determination of objectives
4. Development/analysis of alternative solutions (including short-term and long-term implications)
5. Establishment of priorities
6. Development of programs or strategies
7. Implementation of programs or strategies
8. Monitoring and evaluation of programs or strategies
9. Feedback
10. Program or strategy improvement and modification.

## Administrative Role

The council, as a "collective" body, is responsible for the oversight of administration in every city, but the roles that the mayor and individual city councilors play in city administration vary considerably, depending on city size and form of government. Below are some basic forms of government.

**Mayor-Council Form.** In the mayor-council form of city government, the elected council is the legislative and policy-making body of the city. Council committees such as parks, public works, public safety, etc., may be responsible for day-to-day oversight of city activities, and may appoint or recommend the appointment of some or all administrative personnel of the city. The mayor, who in some instances is popularly elected and in others is appointed by the council from its own members, is the ceremonial head of the city and presiding officer of the council. Often, the mayor does not appoint administrative personnel, has no special administrative responsibility, and has no power to veto ordinances adopted by the council.

Oregon cities that operate under charters closely patterned on the mayor-council version of the Model Charter for Oregon Cities (1988 ed.) have this form of government. Most small cities in Oregon have this form. In some mayor-council cities, the mayor is the chief executive of the city. In addition to being ceremonial head of the city and presiding at council meetings, the mayor has the power to appoint all or most administrative personnel of the city and has general responsibility for proper administration of city affairs. In a few Oregon cities, the mayor has the power to veto ordinances adopted by the council.

**Council-Manager Form.** All Oregon cities over 2,500 population have the council-manager or council-administrator form of government except for Portland, Beaverton and Lakeview. The chief characteristic of this form is that the council appoints a qualified professional person as city manager or administrator to take charge of the daily supervision of city affairs. The manager or administrator serves at the pleasure of the council; the council sets policy and the manager carries it out.

An absolute separation between policy and administration does not really exist in city government or in other local governments. However, the council-manager plan works best when the council exercises its responsibility for policy leadership and respects the manager's leadership role and responsibility for administration.

Council-manager charters commonly include specific provisions that prohibit individual councilors from giving orders to city employees or from attempting to influence or coerce the manager with respect to appointments, purchasing or other matters. However, the charters do not prohibit, and may affirmatively provide for, the council discussing administrative matters with the manager in open meetings.

Many small cities in Oregon have established a city administrator position instead of a city manager position. This is usually accomplished by ordinance rather than by charter. Occasionally a city sets up such a position merely by budgeting for it.

The duties and responsibilities of city administrators vary. In some cities they are indistinguishable from those of a city manager; in others the administrator may share administrative duties with the council or its committees, including hiring and firing department heads.

## Council Functions

The council is the city governing body and is elected to steward the public trust and to serve as financier, employer, legislator and policy maker. The council monitors city service levels that benefit the whole community.

The city must maintain a balanced budget, which requires determining what city services and operations will be provided and at what cost and level of service. The council is also responsible for policies governing bidding procedures, spending limitations and purchasing methods related to equipment, land, services and facilities.

**Citizen Involvement.** The council's leadership role requires staying connected to the community and connecting the citizens to their local government. Elected officials at all levels work to engage citizens actively. There are four basic roles for local elected officials in connecting citizens and their government:

1. **As a model.** By maintaining a spirit of civility and cooperation both within the municipal government and among local governments, local officials can help set the tone for civil discourse and productive problem-solving. The council can set an example for the public and the staff, and is responsible for creating a positive, constructive climate and a model democracy in action.
2. **As an educator.** The council can provide public information and serve as interpreter of public opinion within the community. In addition, local officials can encourage citizens, business, community organizations and others to play an active role in community-building initiatives.
3. **As a listener.** The council can solicit input from the public and city employees and it can provide opportunities for participation and involvement. It can respond to the public in an open, honest and respectful manner that shows that the council values questions, comments, and criticism from the public.
4. **As a leader.** The council communicates city goals, policies and information that can enhance the public's understanding of city issues. It can facilitate the airing and sharing of diverse points of view. It can foster a sense of community and it can use techniques for resolving conflict. Energizing and engaging citizens is a job that calls for an array of skills.

## The Mayor

The mayor's role varies from city to city, depending on charter requirements. In many cities the mayor presides over council meetings and participates in discussions, but votes only to break ties. Depending on charter provisions, the mayor may appoint committees and department heads with council approval, and veto ordinances. Most mayors also sign all ordinances and other records of proceedings approved by the council, and in some cities they may sign all orders to disburse funds.

In addition to the mayor, most cities also have a council president or mayor pro tem. The councilor in this position presides over the council in the mayor's absence.



## Council as “One Voice”

Councilors are elected to a city council, not to an independent seat. Local citizens, despite their diversity of opinions and level of civic engagement, expect the council to function effectively as one body, one voice. There is sometimes a perception by council members that they need to be independent to the point of being contrary on every issue. There is also a fear of being perceived as a “rubber stamp” council. A councilor can and should feel comfortable in expressing diverse opinions, and in debating issues. It is important to show respect for fellow council members, to be willing to move ahead once the issue is thoroughly discussed, to support the government process, and to live with the results of the vote. Effective councils are those in which councilors maintain their individuality and yet work effectively as a “collective” body.

A councilor should never attempt to speak for the entire council, particularly outside of council meetings. It is inappropriate to promise that the council will do something until the council, as a group, has a chance to discuss it and determine a course of action.

## Balance

The single most difficult job of a city council is to balance diverse interests and search for common interests. A councilor may react to groups in isolation without considering the larger consequence of his or her actions. It is important to recognize and consider citizen input, but it is equally important to develop perspective. If ten people call on an issue in a city of 19,000, is it indicative of a landslide of public concern, or a well-organized phone campaign? When someone tells a councilor that “everyone in town feels this way”, the councilor should trust his or her own judgment and seek a few more opinions. A council can seldom do everything that everyone wants.

## Intergovernmental Relations

Beyond the myriad of issues that are specific to city government, city officials will quickly find that they play a pivotal role in the intergovernmental arena with other local governments—county government, special districts and public schools—as well as regional, state and federal governments. Understanding these relationships and their impact on city government’s ability to provide responsible, efficient and effective governance and delivery of services is important, particularly when funding and staffing resources are limited. Exploring new and innovative ways of funding and providing public services is one of the challenging issues facing elected officials.



The key to success is  
cooperation and  
collaboration.

It is important to recognize that the reasons you are running for office will become part of a “full plate” of issues (many with which you are not yet familiar). Because of the urgency and the complexity of these issues, government *must work together* to address them. Cities no longer do their government business in isolation. The key to success is cooperation and collaboration.

# Sources of Law

Local government, for many purposes, is a political subdivision of the state. The main sources of law governing local government are the state constitution, state law (statutes), decisions of state courts, and city charters and ordinances. Cities are also subject to federal laws and the United States Constitution.

Local elected officials should be familiar with their city's charter and ordinances, as well as the state laws regarding open meetings, public records, budgeting, public contracting and prevailing wage, ethics, and conflict of interest, some of which are described below.

## Home Rule

The term "home rule" refers to the authority of a city to set policy and manage its own affairs. Without charter home rule, state law controls the existence, form of organization, functions, powers and finances of local government. This form of home rule is referred to as "statutory" home rule. Most home rule authority is conferred on a city by its charter. A charter can be thought of as the city's constitution and may also be amended by a vote of the citizens of that community. Most cities in Oregon have home rule charters.

## Ethics and Conflicts of Interest

Public official ethics are governed by various constitutional provisions, the common law, state statutes and, occasionally, charter or ordinance provisions. State law may require officials in your city to file a statement of economic interest each year with the Oregon Government Standards and Practices Commission.

State law also requires that public officials not use their official position or office to obtain financial gain other than official salary, honorariums or reimbursement of expenses. The law limits the value of gifts that officials, candidates or members of their families may solicit or receive, or which any person may offer, and prohibits public officials from soliciting or receiving offers of future employment in return for their influence. The law also prohibits public officials from furthering their personal gain by use of official information.

A conflict of interest relates to taking official action that may result in financial benefit or detriment to the public official, the public official's relative, or a business with which the public official or his/her relative is associated.

The conflict of interest may be an actual or potential conflict of interest. A potential conflict of interest exists when an official takes action that might have a financial impact on that official, a relative, or a business with which the official or official's relative is associated. The public official must declare the potential conflict and describe the nature of the conflict prior to any discussion or vote. After the declaration, the public official may participate in the discussion and vote on the issue, unless the charter or an ordinance provides otherwise.

An actual conflict of interest occurs when the action will result in a financial benefit or detriment. The public official must declare the conflict and describe its nature. The official may not participate in the discussion of the subject and may not take action on it.

## **Budget and Finance**

Budgeting is an annual process by which cities identify the types and levels of services that can be provided within the constraints of available resources. The general budgeting process is prescribed by the Oregon Local Budget Law (ORS 294.305 to 294.565). The Department of Revenue's Local Government Finance and Taxation section administers the law and provides advice and assistance to cities regarding budget matters. It publishes a budget manual that is the basic reference document for local budget procedures.

In its most basic form, the budget identifies city programs, services and activities. City budgets are organized and expenditures are accounted for by "funds" (e.g., general fund, street fund, sewer fund) or "activities" (such as law enforcement), in order to permit identification and handling of revenue earmarked for special purposes.

## **Public Meetings Law**

The Oregon public meetings law that applies to public bodies is found in ORS 192.610 to 192.710. Under the public meetings law, a governing body's meetings are open to the public with certain exceptions. Meetings of other city bodies (e.g., planning commission, budget committee, library board, etc.) are also open to the public. Except in emergencies, there must be reasonable notice of regular meetings and at least a 24-hour notice for special meetings. Written minutes of all meetings are required, but executive sessions may be taped instead. Executive, or private, meetings may be held for certain prescribed reasons, but the media must be allowed to attend these meetings and final decisions must be made in the public meeting.

## **Public Records Law**

The public records law (ORS 192.410 to 192.505) applies to all public bodies including governing bodies, officers, departments, commissions, etc. The term "public records" is defined as writing containing information that pertains to the conduct of the public's business, and includes handwriting, typewriting, photographs, maps, discs, audio tapes, video tapes and electronic mail. ORS 192.500 lists several kinds of records all exempt from disclosure "unless the public interest requires disclosure." Other than excepted records, all records of a public body are available for public inspection.

## **Limitations of Power**

The local government is subject to statutory, constitutional, judicial and charter limitations. Under Oregon constitutional home rule provisions, the voters of the state have taken from the state legislature, and reserved to the voters of cities, the power to adopt and amend their own city charters. Initiative and referendum powers are also reserved to the voters of the city (Oregon Constitution Article VI, section 10, and Article XI, section 2).

Article I, Oregon's Bill of Rights, also applies to local governments. Other constitutional limits and restrictions include property tax limitations, prohibitions against lending the credit of a city, and regulation of city elections. Several chapters of state law apply to city government (ORS chapters 221 to 227).

## Liabilities

In general, Oregon governments are liable to the same extent as private individuals or entities and for all types of torts (wrongs to private parties)—e.g., personal injury, property damage, wrongful entry, false arrest and detention, malicious prosecution, abuse of process, invasion of privacy, interference with contractual relations, and defamation.

The personal liability of public officials is governed primarily by the provisions of the Oregon Tort Claims Act (OTCA). Federal civil rights law, the common law of torts, and specific Oregon statutes also may impose personal liability. Some examples of personal liability are budget law violations, conflicts of interests, actions outside the scope of official duty, malfeasance in office (willful and wanton neglect of duty), public contracting violations, and public meetings law and public records law violations.

The council should routinely consult the city attorney in making decisions on city affairs. In addition to providing professional and technical services such as preparation of formal opinions and drafting of legal documents, the city attorney can supply informal advice regarding many other matters.

Some types of insurance are required by state law, and cities purchase other types for their own protection. Insurance policies are complex documents, and the advice of competent insurance advisors and the city's legal counsel should be sought to make certain that coverages are adequate for the exposures involved.

### City Government Facts

- ❖ Oregon has 240 incorporated cities.
- ❖ Approximately 67 percent of the state's population reside within city limits.
- ❖ The smallest incorporated city is Granite – population 25; the largest is Portland – population 512,395.
- ❖ There are approximately 1,490 mayors and councilors in the state.
- ❖ Pay for elected officials is determined locally. Compensation varies from no compensation to modest compensation levels for part-time officials. There are a few full-time paid positions, i.e., Beaverton mayor and Portland mayor and commissioners.
- ❖ The oldest city is Oregon City, incorporated in 1844. The youngest is Keizer, incorporated in 1982.

## How to Minimize the Likelihood of Litigation and Conflict

- ❖ Inform yourself about the organization you serve.
- ❖ Study and be knowledgeable about the city's charter and existing policy.
- ❖ Remember that your authority derives from the council itself. Alone you have no authority.
- ❖ Your first duty is to the public you serve, not to any colleague, chief administrative officer or friend.
- ❖ Understand that the council's basic function is policy making and *not* administrative.
- ❖ Give the city employees the respect and consideration due dedicated, public service professionals.
- ❖ Insist that personnel complaints first go through the proper chain of command. If not resolved, only then should complaints come to the council.
- ❖ Know the law; respect both the spirit and letter of the law.
- ❖ Expect the council to comply with the law.
- ❖ Learn the open meetings laws, public contracting laws, budgeting laws, employment laws, etc.
- ❖ Insist that all city transactions be ethical, legal and appropriate.
- ❖ Hire and use an independent accountant and have a separate audit committee.
- ❖ Attend all council meetings. Stay informed. Insist on agendas and copies of reports well in advance of the next meeting. Review meeting minutes.
- ❖ Keep current on city business. Attend conferences, workshops and training seminars to learn about legislative changes having an impact on the city.
- ❖ Avoid conflict of interest by disclosing potential conflicts and refusing to debate, discuss or vote with respect to any matter in which you or your family has an interest.
- ❖ Respect the opinions of other councilors and graciously accept the principle of "majority rule" in council decisions.
- ❖ Do not make rash decisions in moments of excitement or emotion. Be sure you have all the facts. Do not rely on only a one-sided version of disputed issues. Demand sufficient information before voting.
- ❖ Recognize that an individual councilor has no legal status to act for the council outside of an official meeting, unless authority is given to councilors by majority vote of the council.
- ❖ Discourage discussions on matters of overall policy outside of regular council meetings.
- ❖ Do not make commitments on any matter that should properly come before the council as a whole.
- ❖ Do not allow personal issues to be brought into council considerations.
- ❖ Review your insurance and its coverages and exclusions.
- ❖ Read and be familiar with Oregon Revised Statutes pertaining to Code of Ethics and Oregon Public Meetings Law.

# Communications – The Key to Success

Council effectiveness is dependent upon good group dynamics. Each new configuration of the council creates its own personality and style of operating. As with any group, each council must go through the usual evolution of forming, storming, norming, performing and, eventually, reforming.

A number of city councils in Oregon have adopted internal “communication agreements” to promote effective governance and establish ground rules for working together. The following are examples of such agreements:

## Council Member Responsibilities and Meeting Guidelines

- ◆ Submit items for the agenda.
- ◆ State opinions or feelings honestly and openly.
- ◆ Stay on the agenda and help others to do so.
- ◆ Participate actively; speak out.
- ◆ Listen actively; seek clarification.
- ◆ Support the open meeting process.
- ◆ Facilitate problem solving.
- ◆ Protect others’ rights.
- ◆ Avoid disruptive communication.
- ◆ Agree to discuss problems and conflicts when they arise.
- ◆ Before each meeting, ask yourself:

*“What would help this council to move ahead and to get this problem resolved?”*

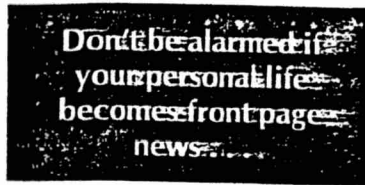
*“What can I do to help this council function more effectively?”*

... each council must go through the usual evolution of forming, storming, norming, performing and, eventually, reforming.

## Code of Conduct

- ◆ I will seek to understand others’ perspectives.
- ◆ I will honor others in public and protect others in their absence.
- ◆ I will focus on issues, not personalities.
- ◆ I will be honest and truthful in all deliberations and interactions.
- ◆ I will individually support the collective decision-making of the city council. If I disagree with a decision made by the council, I will voice my opinion without personalizing the issue and without eroding the reputation of the city council. Once a decision is made, I will support that decision.
- ◆ I will present my views in a forthright, positive manner and respond to questions clearly and directly. I will focus on the present and the future. I will use the past only as data for the present and the future.
- ◆ I will not blame others for situations I have an opportunity to resolve.
- ◆ I will feel free to visit with other council members outside of meetings, but I will abide by the Oregon Public Meetings Law.
- ◆ I will give other council members, the mayor and city manager advance notice of significant matters to be introduced at council meetings.
- ◆ If I have a concern or issue with another council member or the city manager, I will go to that person first in a private and timely manner and share that concern. If unresolved, I will present the issue to the mayor in a private and timely manner to seek a means for resolution.
- ◆ I support the city’s form of government.

## Elected Officials and the Public Spotlight



Becoming an elected official means living in the public spotlight 24 hours a day. Elected officials come to realize that this is simply a condition that accompanies the position—for better or worse. Don't be alarmed if your personal life becomes front page news and the "talk of the town". It's bound to happen sooner or later.

Media relations is a skill that can work in the city's favor. It is wise to develop a respectful relationship with the local reporter, and attempt to create a reciprocal relationship. Be sensitive to the reporter's job and his or her need to meet deadlines.

At the same time, be careful. Never speak "off the record". Expect anything you say to be used. Don't assume an interview is over until the reporter has left the scene.

Here are a few guidelines for surviving life in the "public fish bowl":

- ❖ Be truthful.
- ❖ If you don't know the answer, say so.
- ❖ Anticipate all situations and questions.
- ❖ Be prepared.
- ❖ Be accountable and responsible for everything you do and say.

## Representing the Public

Two of the most important tasks of local government officials are to discover citizen opinion and to ensure that citizens have sufficient information to form knowledgeable opinions and to make responsible decisions (including voting). For these tasks to be carried out successfully, elected officials must solicit public input and encourage citizen participation and involvement.

Communication is important in achieving effective citizen participation in local government. Success depends on both the attitudes and interests of citizens and city officials. Citizens need to know their efforts are recognized and valued in the decision-making process. Public hearings, advisory committees, town hall meetings, televised council meetings, neighborhood associations, volunteer participation, public opinion polls, and interest groups are ways to connect citizens with city government in a significant way.

## Community Visioning and Goal Setting

In Oregon, many councils conduct annual goal setting and community visioning processes.

### Setting City Goals

A clear set of goals provides the framework within which nearly all other city activities can be accomplished. Goals provide direction, reduce crisis management environments, develop cohesiveness among council members, allow managers and staff to manage their time and activities effectively, and permit periodic evaluation of progress to make any necessary mid-course corrections.

Without goals a council cannot distinguish between movement and progress. Individuals and groups can spend tremendous effort and resources performing activities that, in retrospect, were not necessary. Often, the reason for this wasted effort is the absence of a clear set of priorities and specific plans for accomplishing them.

Typically, council goals are developed for a one- to two-year period. They are a tool for: a) focusing the council's efforts; b) communicating priority issues to the community; and c) providing clear direction to city staff. Council goals should be articulated in such a way that they are specific, realistic, outcome-based, within the city's control, and measurable. Once goals have been set and adopted by the council, they can be used as a measure for evaluating staff performance, guiding budget decisions, and managing unanticipated issues that arise during the year.

## **Visioning: Sustaining Quality of Life**

City governance is an institution that enables a community of citizens, through their elected representatives, to maintain safety and a good quality of life, which is accomplished by developing policy, adopting implementing laws and ordinances, and planning for the delivery and financing of public services. Success is dependent upon the ability to stay in touch with the public's needs and desires, to understand the issues, and to balance the short- and long-term social, economic and environmental impacts.

A vision statement provides a blueprint for the future and helps the council, staff and citizens to set priorities and make decisions to achieve desired outcomes. In 1993, a group of city government officials gathered and, looking ten years into the future, drafted a vision for Oregonians. These officials represented small, medium and large cities, as well as the diverse regions of the state. The vision reprinted below illustrates how common goals for the future might guide policy, funding allocations and community planning decisions.



## Envision Oregon's Future

In the year 2003, the complexion of Oregon reflects **livable, viable communities**. Oregon's vision places emphasis on empowering the individual and strengthening the family by providing quality education; family-wage jobs; medical, health and community services; a safe, clean environment; a reliable, responsive infrastructure; and governing system that responds to community priorities.

Oregon's education system is well-coordinated and provides **quality education** where each individual is valued, where educational standards are achieved, where the needs of the business community are met, and where emphasis is placed on life-long learning.

Oregon's **well-trained, well-educated workforce** supports a strong, diversified, and **robust economy**. Business and industry support Oregon's quality of life by providing **family-wage jobs**, supporting the family, cooperating with education, investing in the community, and protecting the environment.

Oregon responded to the rapid increase in growth with **well-managed use of land, community and housing development**, and a successful system of **transportation alternatives**.

Oregon is still nationally recognized for its natural **environment**. While Oregon's growth has put enormous pressure on its natural resources, air, land and water, the cost of preservation and protection has been fairly and reasonably assessed and shared.

Providing for the economically disadvantaged and the physically and mentally disabled is no longer viewed as a burden, but as a responsibility. Cooperative partnerships have been formed among social service agencies, schools, government, business, and community-based organizations to meet **human service needs** at the local and state levels. **Health care** is now provided for all Oregon residents.

A renewed sense of community has produced **safer, more secure communities** and neighborhoods. A wide variety of arts, recreation, leisure and cultural activities is accessible to all citizens. Because residents' priorities are addressed at the city and county level, citizen trust in government has been regained, community involvement and volunteerism has increased, and local elected leadership is strong.

Oregon government has become more efficient. **State and local governments have forged a cooperative working partnership, enabling state government to support and assist local governments' efforts to effectively administer and finance local programs and services and respond to citizen priorities at the community level.**

# About the League of Oregon Cities

The League of Oregon Cities (LOC) is a voluntary membership organization of dues-paying city governments in Oregon. The League believes that local problems are best resolved at the local level, and that people are best served by a strong and responsive local government.

Founded in 1925, LOC's membership includes 238 of the 240 incorporated cities in Oregon. The League provides a variety of services to city elected officials and appointed staff, including:

**Legislative Services.** LOC speaks for a broad and diverse group of cities. *Together, cities have a strong, collective voice.* LOC works hard to provide legislators, their staff and city members with accurate, timely information. We remind legislators that they share a common interest with municipal officials—we serve the same constituents. The weekly *Legislative Bulletin* and time-critical action calls involve members during the legislative session.

**Policy-Setting.** A 55-member Legislative Committee, and several issue-specific Standing Committees, each with members representing large and small communities across the state, guide legislative endeavors. The *Oregon Municipal Policy* is the official long-range policy statement of Oregon's cities on a wide variety of topics.

**Intergovernmental Relations.** LOC serves as a liaison with local, regional, state and federal agencies. LOC is a member of, and partner with, the National League of Cities and other prominent local government associations.

**Technical Assistance.** League staff respond daily to questions from city officials on a wide variety of issues as well as city practices and procedures. We provide sample ordinances and charters and a variety of how-to publications, as well as point to additional helpful resources.

**Conferences & Training.** LOC offers many opportunities for city officials to acquire the necessary skills and up-to-date information to enable them to serve their citizens efficiently and effectively, as well as to provide forums to share knowledge and skills to solve common problems. Examples are the League's annual conference in November, drawing approximately 1,000 officials from across the state; regional meetings on various topics of critical concern; legislative conferences; and affiliate group meetings. In addition, LOC's Elected Officials Workshops cover the basics of governing for officials new to office, and serve as a refresher for "experienced" officials. *If you are elected to office, we strongly encourage you to attend this workshop.*

**Publications.** Among the League's most popular publications are its monthly informational newsletter, the *LOCAl Focus*; the *Legislative Bulletin* (weekly during the legislative session); and the *Handbook for Oregon City Councilors*, a must for newly-elected officials.



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## Additional Resources and Recommended Reading

Oregon Government Standards and Practices Commission  
*"Oregon Government Standards and Practices Laws: A Guide for Public Officials"*  
(503) 378-5105

Secretary of State's Office – Elections Division  
*"City Elections Manual"*  
(503) 986-1518  
web: [www.sos.state.or.us](http://www.sos.state.or.us)

Department of Justice  
*"Attorney General's Public Records and Meetings Manual"*  
(503) 378-2992, ext. 325

League of Oregon Cities  
*"Handbook for Oregon City Councilors"*  
(503) 588-6550