

4. On the day following the May 4, 2006, amendment deadline, the committee's report was still missing the following required information: the complete date for one contribution, the occupational information for 12 contributors and the purpose for one expenditure (14 items).
5. On June 9, 2006, the secretary received an amended SEL 221 changing the committee mailing address to 20575 NW Von Neumann Dr Ste 150, Beaverton, OR 97006
6. On July 13, 2006, December 7, 2006 and March 7, 2007, amendments to the committee's report were filed. The amendments provided 14 items of previously insufficient information.
7. On September 5, 2007, the secretary sent the committee a Notice of Proposed Civil Penalty. The notice was sent by both certified and first class mail to the treasurer at the above-referenced address. The notice proposed a civil penalty of \$70.00 and allowed the committee 20 days to request a hearing. The notice sent by certified mail was received and signed for by the committee on September 7, 2007.
8. The committee did not request a public hearing or submit notarized testimony in lieu of a public hearing.
9. The secretary has record of no previous insufficient filings during the two-year period beginning September 15, 2005.

ULTIMATE FINDINGS OF FACT

Virginia K. Hill, Treasurer, failed to file a sufficient first pre-election contribution and expenditure report for the May 16, 2006, Primary Election.

CONCLUSIONS OF LAW

Treasurer Virginia K. Hill's failure to file a sufficient first pre-election contribution and expenditure report for the May 16, 2006, Primary Election violated ORS 260.063, ORS 260.083 and OAR 165-012-0005. A civil penalty may be imposed for this violation under ORS 260.232(1)(b).

A maximum \$10,000 civil penalty may be imposed for this violation. The *2006 Campaign Finance Manual*, which contains a penalty calculation matrix on pages 108 and 109, is designated in OAR 165-012-0005 as the procedure manual for Oregon campaign finance regulations.

Since this is the first violation by the treasurer, the penalty is \$10.00 per omission, less 50% for every omitted item provided prior to the issuance of the proposed penalty notice.

ORDER

It is ordered that a penalty of \$70.00 (\$10.00 X 14 items - \$70.00) is assessed. If your payment is not received within 60 days, the Order will be forwarded to our accounting division for collection and may subsequently be sent to the Oregon Department of Revenue.

Please refer to case number I9299 when mailing your payment.

RIGHT TO JUDICIAL REVIEW

You have the right to appeal this Order to the Oregon Court of Appeals pursuant to ORS 183.482. To appeal you must file a petition for judicial review with the Court of Appeals within 60 days from the day this Order was served to you. Because this Order was mailed to you, the date of service is the day it was *mailed*, not the day you received it. If you do not file a petition for judicial review within the 60-day time period, you will lose your right to appeal.

Stacey Jackson, Compliance Specialist

DATE of Service: November 15, 2007