

503.986-1518

WRITTEN TESTIMONY
IN LIEU OF A PUBLIC HEARING

Candidate/Committee Name: SCOTT BRUUN FOR STATE REPRESENTATIVE
(please print)

Committee I.D. #: 004897 Case Number: L8045

Primary 20___ General 2004 Other _____

1st pre-election 2nd pre-election Supplement to 2nd pre Post-Election

Supplement to Post Supplemental Initiative Drive

Testimony Provided by STAN W. BAUMHOFER, TREASURER
(please print)

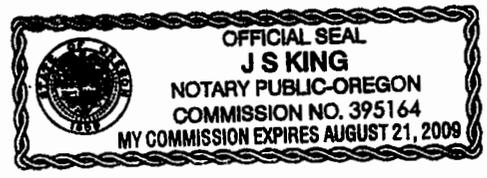
SEE TESTIMONY ON ATTACHED PAGE

RECEIVED
2005 OCT 18 AM 11:08
BILL BRADBURY
SECRETARY OF THE STATE

Signature _____ Date Oct 17, 2005

STATE OF _____
County of Multnomah

Subscribed before me this 17 day of October, 2005, by Stan Baumhofer.



We respectfully request a waiver of the proposed penalty on this matter, Case L8045, based on the attached electronic mail between the Office of Secretary of State, Elections Division and the Campaign's electronic filing agent, Darryl Howard and Associates

ATTACHMENT # 1

E-mail dated 10-21-04, 1:45 PM, transmitting to the Election Division the 2nd Pre-election C & E report for the General Election, 2004.

ATTACHMENT # 2

Copy of the paper form PC 1, Summary of C & E, stamped "Received Oct. 21, 2004, 4:03 PM."

The Committee ID number that had been transposed on the original electronic filing had been corrected on this paper receipted copy.

ATTACHMENT # 3

E-mail dated Thursday, Oct. 21, 2004, 4:06 PM, from SOS office, asking the Committee's electronic filing agent to correct the Committee ID number on the electronic report filed earlier that day.

At the time this E-mail request was sent (4:06 PM), the agent was physically in the Election Division office having the corrected paper copy of the report stamped "Received". (See "Received Oct. 21, 2004, 4:03 PM" on Attachment # 2 above)

The nearly simultaneous times of sending the 4:06 PM E-mail request to correct the ID number on the electronically filed report, with the 4:03 PM receipted paper report, delayed the agent from replying to the 4:06 PM E-mail until the agent returned to their office, at which time the ID number was corrected in an E-mail response at 5:05 PM (see ATTACHMENT # 4, Sandy Howard to elecfile SOS)

ATTACHMENT # 5

See the confirming E-mail message from Jennifer Hertel, Compliance Specialist, the following morning, confirming the corrected Electronic report had posted satisfactorily, and the response from Sandy Howard, clarifying the timing conflict of responding to the request to correct the Committee ID number.

SUMMARY

There clearly is no evidence of any effort or intent to ignore the reporting deadline; or omit or alter the information, either arithmetic or name/address data on the report.

A "Your committee's report is sufficient" letter dated Nov. 5, 2004, was received on Nov. 23, 2004 from the Election Division. (See Attachment #6)

We would hope that this chronological reciting of the report filing communications would allow our request for waiver of any proposed penalty.

If any additional or clarifying information is needed, do not hesitate to call either myself at 503-709-7669 or our agent, Sandy Howard at 503-566-3661.

Oct. 15, 2005
Dated

Sandy Howard

From: Sandy Howard [dhowardassociates@comcast.net]
Sent: Thursday, October 21, 2004 1:45 PM
To: 'elecfile SOS'
Subject: 004827 110204 2nd ORIG 102104

Please let me know when this files.

Summary Statement of Contributions and Expenditures

PC 1
Rev. 12/03

Please type or print legibly in black ink.

Page 1 of 2

Candidate or Political Committee Name:

Scott Braun for State Representative

Address (street or route, city, state, zip code):

333 S State St V229 ,Lake Oswego, OR 97034

Treasurer's Name:

Stan Baumhofer

Telephone Number (day):

503-697-3525

Committee ID Number:

004827 *wrong* 4897

Committee Type, Measure Number or office:

Principal Campaign Committee

Original

Primary 20

General 20 04

Other

Amendment

1st Pre-election

2nd Pre-election

Post-election

20 September Supplemental

A-TOTALS FOR THIS ACCOUNTING PERIOD

B-CUMULATIVE TOTALS FOR THIS ELECTION

CONTRIBUTIONS

1. Cash Contributions (Accounting Period Total from PC 2)	+	47111.00	+	78101.00
2. Loans Received (Non-Exempt) (Accounting Period Total from PC 2)	+	0.00	+	0.00
3. Total Cash Contributions (lines 1+2)	=	47111.00	=	78101.00
4. In-Kind (Accounting Period Total from PC 2)	+	2263.75	+	3492.12
5. TOTAL CONTRIBUTIONS (lines 3 + 4)	=	49374.75	=	81593.12

EXPENDITURES

6. Cash Expenditures (Accounting Period Total from PC 3)	+	39557.47	+	71039.73
7. Loan Payments (Non-Exempt) (Accounting Period Total from PC 3)	+	0.00	+	0.00
8. Total Cash Expenditures (lines 6 + 7)	=	39557.47	=	71039.73
9. In-Kind (Accounting Period Total from PC 2)	+	2263.75	+	3492.12
10. TOTAL EXPENDITURES (lines 8 + 9)	=	41821.22	=	74531.85

CASH BALANCE

11. Beginning Cash Balance (Ending Cash Balance from previous report)		6570.58		
12. Total Contributions (line 5)	+	49374.75		
13. Other Receipts (Accounting Period Total from PC 4A)	+	0.00		
14. Loans Received (Exempt) (Accounting Period Total from PC 4A)	+	0.00		
15. CONTRIBUTION SUBTOTAL (lines 11 + 12 + 13 + 14)	=	55945.33		
16. Total Expenditures (line 10)	+	41821.22		
17. Other Disbursements (Accounting Period Total from PC 4B)	+	0.00		
18. Loans Payments (Exempt) (Accounting Period Total from PC 4B)	+	0.00		
19. EXPENDITURE SUBTOTAL (lines 16 + 17 + 18)	=	41821.22		
20. ENDING CASH BALANCE (line 15 minus line 19)	=	14124.11		

FOR OFFICE USE ONLY

RECEIVED
NOV 21 PM 4:03
CLERK OF SUPERIOR COURT
STATE OF OREGON

ATTACHMENT # 2

Sandy Howard

From: elecfile SOS [Elecfile.Sos@state.or.us]
Sent: Thursday, October 21, 2004 4:06 PM
To: dhowardassociates@comcast.net
Subject: Re: 004827 110204 2nd ORIG 102104

Please correct the filer ID number, since I do not know who this report is for. 004827 is for Jim Welsh who is not filing this election cycle. This can't post until we have the correct number.

Nancy

>>> "Sandy Howard" <dhowardassociates@comcast.net> 10/21/2004 1:45:00

PM >>>

Please let me know when this files.

Sandy Howard

From: Sandy Howard [dhowardassociates@comcast.net]
Sent: Thursday, October 21, 2004 5:23 PM
To: 'elecfile SOS'
Subject: 004897 110204 2nd ORIG 102104

Sorry I had the wrong ID# the first attempt.

Sandy Howard

From: Sandy Howard [dhowardassociates@comcast.net]
Sent: Friday, October 22, 2004 8:38 AM
To: 'elecfile SOS'
Subject: RE: 004897 110204 2nd ORIG 102104

Jennifer,

This was originally filed with the wrong ID number. As soon as I was notified I re-submitted the report with the correction. I'm sorry for the error but this was re-submitted yesterday at 5:05PM. I cannot fix any problems in a timely manner since I have to wait for the report to be posted. I would like to speak with you on this matter. Thank you for all your hard work, this time of year is crazy for all of us. Please contact me at 503-566-3661.

Sandy Howard

-----Original Message-----

From: elecfile SOS [mailto:Elecfile.Sos@state.or.us]
Sent: Friday, October 22, 2004 7:47 AM
To: dhowardassociates@comcast.net
Subject: Re: 004897 110204 2nd ORIG 102104

the late 2nd pre report successfully posted.

jennifer

BILL BRADBURY
SECRETARY OF STATE



EXAM LETTER
November 5, 2004

JOHN LINDBACK
DIRECTOR

141 STATE CAPITOL
SALEM, OREGON 97310-0722

ELECTIONS — (503) 986-1518

Rec'd 11-23-04
Sub

BRUUN, SCOTT, FOR STATE REP (004897)
STAN W. BAUMHOFFER, TREASURER
333 S STATE ST, V229
LAKE OSWEGO OR 97034

We have examined your second pre-election contribution and expenditure report for the November 2, 2004, General Election and found the following:

Your committee's report is sufficient.

Your committee's report is not sufficient in the following way(s).

You failed to provide information under an item identified by a ♦. Failure to provide the information requested under an item identified by a ♦ will result in a penalty under ORS 260.232 for failure to file a sufficient report (see the penalty matrix on pages 104-105 of the 2004 Campaign Finance Manual).

You failed to provide information under an item identified by a ▲. Failure to provide the information requested under an item identified by a ▲ may result in a penalty under ORS 260.995 for failure to comply with an administrative rule adopted by the Secretary of State.

You must file the necessary amended information on amendment forms. We will not accept amendments on the regular reporting forms. If requested, you must also file an amended summary page and/or an amended Statement of Organization. All requested information on this exam letter must be received by **November 18, 2004**, to avoid penalties.

IMPORTANT REMINDER: Any additional amendments adding or deleting contributions or expenditures or changing the amount of a previously reported contribution or expenditure must be received by **November 18, 2004**, to avoid "new transaction" penalties.