

BILL BRADBURY
SECRETARY OF STATE



ELECTIONS DIVISION
JOHN LINDBACK
DIRECTOR
141 STATE CAPITOL
SALEM, OREGON 97310-0722
ELECTIONS — (503) 986-1518

BEFORE THE SECRETARY OF STATE
OF THE
STATE OF OREGON

In the matter of a Late Contribution and Expenditure Report)
by the Jefferson County Democratic Central Committee,) Final Order by Default
Krieg S. Vezie, Treasurer, for the Supplemental of 2005)
) Case No. L8476
)

July 27, 2007

Jefferson County Democratic Central Committee (000316)
Krieg S. Vezie, Treasurer
8044 SW Sandy Place
Crooked River Ranch, OR 97760

Dear Mr. Vezie:

This is a Final Order by Default issued by the Secretary of State (secretary) for your failure to file a timely supplemental contribution and expenditure report for 2005.

On June 13, 2007, the secretary notified the Jefferson County Democratic Central Committee (committee), pursuant to ORS 260.232(2), that it had failed to file the report and that the secretary may impose a civil penalty. An opportunity for a hearing was provided in that notice; however, no request for a hearing was received by the secretary within the time permitted in the notice. Accordingly, after consideration of the records and files of the secretary regarding this matter, the secretary is entering the following Order.

FINDINGS OF FACT

1. The committee's Statement of Organization (SEL 221), applicable during the reporting period, was filed with the secretary on June 25, 2001. The statement reported Lorena Wise as treasurer and 561 9th Street, Metolius, OR 97741 as the address to which all committee correspondence was to be sent. An amended statement of organization was subsequently filed on July 19, 2002, changing the mailing address to PO Box 119, Warm Springs, OR 97761. The secretary received notification from the post office on December 11, 2003 that the address for the treasurer had changed to 1505 NW Hartford Ave, Bend, OR 97701. After further investigation by the secretary it was determined that Ms. Wise's mailing address had again changed on April 11, 2006, to 677 S Redwood St, Canby, OR 97013, and then again on February 14, 2007, to 2750 N Maple Court, Canby, OR 97013.
2. The committee was required to file a supplemental report with the secretary on September 12, 2005.

3. The secretary sent the committee a notice that it had failed to file a timely report on September 13, 2005. The notice was sent by first class mail to 1505 NW Hartford Ave, Bend, OR 97701.
4. On May 25, 2006, the secretary sent a letter to 677 S Redwood St, Canby, OR 97013 to the committee informing them that their report had still not been received.
5. The Secretary made several attempts to contact Lorena Wise by telephone and by mail since 2001. Ms. Wise disconnected her telephone and offered no forwarding number and all mail sent to Ms. Wise was returned by the post office with notification that the forwarding order had expired or was refused.
6. The statement of organization was amended on May 15, 2007 naming Krieg S. Vezie as the treasurer and 8044 SW Sandy Pl, Crooked River Ranch, OR 97760 as the address to which all committee correspondence was to be sent.
7. On May 31, 2007 Stephen Hillis, Committee Chairman, met with the Secretary to complete and file the late report.
8. The committee reported total contributions of \$181.45 and total expenditures of \$250.00 during the accounting period for the report.
9. On June 13, 2007, the secretary sent the current committee treasurer, Krieg S. Vezie 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 \$100.00 and allowed the committee 20 days to request a hearing. The notice sent by certified mail was received and signed for by Krieg Vezie on June 29, 2007.
10. The committee did not request a public hearing or submit notarized testimony in lieu of a public hearing.
11. The secretary has record of one previous late filing during the two-year period beginning September 15, 2005.

ULTIMATE FINDINGS OF FACT

Lorena Wise, Treasurer, failed to file a timely supplemental contribution and expenditure report for 2005.

CONCLUSIONS OF LAW

Treasurer Lorena Wise's failure to file a timely supplemental contribution and expenditure report for 2005 violated ORS 260.063.

By statute, a maximum \$10,000 civil penalty may be imposed for this violation. The *2004 Campaign Finance Manual*, which contains a penalty calculation matrix on pages 100–102, is designated in OAR 165-012-0005 as the procedure manual for Oregon campaign finance regulations. The treasurer responsible for a late filing penalty is the treasurer required to file the report (the treasurer of record with the filing officer at the time the report is due). If the late report is filed by a different treasurer, both treasurers shall be jointly liable.

Under the penalty matrix, the maximum statutory penalty of \$10,000 is reduced to 3% of the total contributions or total expenditures—whichever is greater—for each business day the report was late as this is the second late violation by the treasurer.

The calculated penalty for the late report would exceed the maximum penalty of \$100.00 which is imposed when the total contributions or total expenditures—whichever is greater—is between \$0 and \$2,000.

ORDER

It is ordered that a penalty of \$100.00 is assessed. If your payment is not received within 60 days from the date of service noted below, this Order will be sent to our accounting division for collection and may be subsequently sent to the Oregon Department of Revenue.

Please refer to case number L8476 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.

Candy Broucek, Compliance Specialist

DATE of Service: _____

cc: Stephen Hillis, Committee Chairman
375 NE Chestnut St
Madras OR 97741-1910