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

In the matter of a Late Contribution and Expenditure Report by the Citizens for Alan Brown for State Representative, Alan Brown, Candidate, Donna L. Butler, Treasurer, for the First Supplement to the Second Pre-Election for the May 16, 2006, Primary Election	)))))	Notice of Proposed Civil Penalty; Opportunity to Request Hearing

November 30, 2006 Case Number: L9086

Citizens for Alan Brown for State Representative (002868)
Alan Brown, Candidate / Donna L. Butler, Treasurer
1155 SW Coast Hwy
Newport, OR 97365

RECEIVED
DEC 01 2006
BY:

Dear Representative Brown:

This letter constitutes a Notice of Proposed Civil Penalty. Please read the information below carefully and contact our office if you have any questions about its contents or necessary actions on your part.

Reason for Notice:

This notice is being sent to you as a result of your failure to file a complete first supplement to the second pre-election contribution and expenditure report (see ORS 260.058). This report, which discloses aggregate contributions of more than $500 from a single source and aggregate expenditures of more than $1,000 to a single payee between May 1 and May 7, 2006, was due in the office of the Secretary of State, Elections Division, not later than 5:00 pm, May 8, 2006.

The committee submitted a timely first supplement to the second pre-election report on May 8, 2006; however, an additional expenditure should have been included on the report. The expenditure that was required to be included on the first supplement to the second pre-election report ($2,500.00 to CF Strategies on May 1, 2006) was first disclosed on your post-election report filed on June 15, 2006. This portion of the first supplement to the second pre-election report is considered filed on June 15, 2006, making it 27 business days late.

Authority for Civil Penalty:

The Secretary of State has the authority to impose civil penalties in accordance with ORS 260.232 and has adopted the *2006 Campaign Finance Manual* by administrative rule. The penalty is imposed against the candidate and the treasurer of record at the time of the violation.

Explanation of the Penalty Matrix:

Enclosed is the penalty matrix used in calculating penalties for late reports. This matrix reduces the maximum statutory civil penalty to an amount not to exceed a percentage of the total contributions or total expenditures—whichever is greater—for each business day the report was late. The percentage is based upon whether the candidate has committed any previous late violations since September 15, 2005, as follows:

I HEREBY REQUEST A HEARING TO REVIEW THIS PENALTY -
TREASURER
12/21/06