

Candidate Filing Information Packet

May 19, 2009 Special Election

City Office on Ballot: City Auditor



Office of the City Auditor
Elections Division
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Candidates for Auditor must be, at the time of filing a declaration of candidacy or nominating petition, be one of the following: a Certified Public Accountant, a Certified Internal Auditor, or a Certified Management Accountant. The City Elections Officer will reject any filings from individuals who fail to provide evidence of required certification.



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SEL 223*	Campaign Account Information
AUD 120	Filing of Candidacy
AUD 125	Candidate & Campaign Information
SEL 121	Petition for Nonpartisan Nomination Signature Sheet
SEL 300	Statement One or More Petition Circulators Will/Will Not Be Paid
PC 7*	Certificate of Limited Contributions and Expenditures

* The information required on these forms can be filed in ORESTAR instead of using paper forms.

Appendix B

ORESTAR Manual – Available on the Secretary of State’s Website

http://www.sos.state.or.us/elections/orestar_help.html

Chapter 1: Introduction

Welcome

This packet is intended to provide information to candidates interested in filing for the office of City Auditor for the May 19, 2009 special nominating election. Auditor Gary Blackmer submitted a letter of resignation on January 6, 2009. The City Charter calls for special elections to fill the vacancy in the office of City Auditor. A special nominating election will be held on May 19, 2009. If no candidate receives a majority, the top two candidates will run off in a July 14, 2009 special runoff election. The candidate elected either at the May 19 nominating election ballot or the July 14 runoff ballot will serve the balance of the unexpired term ending on December 31, 2010. The office of City Auditor will again be on the May 20, 2010 ballot as scheduled.

The Campaign Finance Fund is a campaign finance reform measure that was created by City Ordinance No. 179258 to provide a *voluntary* campaign finance system for City Commissioner, Mayor, and Auditor elections.

Candidates may choose to participate in the system and receive public funds after qualification or they may choose to raise funds in a traditional manner. Candidates who choose to raise funds solely with private campaign contributions are referred to as "nonparticipating candidates." Candidates who seek certification under the Campaign Finance Fund are referred to as "participating candidates." Participating candidates have additional requirements. If you are interested in seeking certification, please reference the "2009 Special Election Participating Candidate Packet", which will be available the week of January 21, 2009 from the City Elections Officer. Potential candidates considering public financing should contact the City Elections Officer for more information before taking any steps towards candidacy, including making any expenditures or receiving any contributions – there are important additional requirements for candidates seeking certification.

While every effort has been made to include necessary information in this packet, please contact the City Elections Officer at (503) 823-3546 for further information.

Authority

Use of this information packet is intended solely as a reference guide. Every effort has been made to present clear and accurate information. If you have any questions or suggestions for improvement, the Auditor's Office would appreciate your kindness in notifying us of any inaccuracies by phone, e-mail or in person.

Readers of this information packet should take note that the information contained herein should not be considered as having the same weight and authority as City Code or City Administrative Rules. Candidates are responsible for understanding and complying with the City Code and Administrative Rules. In the event any information conflicts, this packet is not controlling and users must instead follow relevant legal authority.

Contact Information: City of Portland

City Elections Division

Office of the City Auditor

Andrew Carlstrom, City Elections Officer

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Portland, OR 97204-1900

Phone (503)-823-3546

Fax (503) 823-4571

Email andrew.carlstrom@ci.portland.or.us

Web www.portlandonline.com/auditor/elections

Other Contact Information

Oregon Secretary of State

Elections Division

141 State Capitol

Salem, OR 97310-0722

Phone (503) 986-1518

Fax (503) 373-7414

Web www.sos.state.or.us

Multnomah County Elections

1040 SE Morrison Street

Portland OR 97214

Phone (503) 988-3720

Fax (503) 988-3719

Web www.mcelections.org

General Candidate Information

Election Dates

- Special Nominating Election - May 19, 2009
- Any City Candidate who receives a majority of the votes cast for that office at the Primary Election will be elected. If no candidate receives a majority, the top two candidates will run off in the Special Runoff Election.
- Special Runoff Election – July 14, 2009

City Office on the Ballot

- City Auditor (Resigning Incumbent Gary Blackmer)

Candidate Qualifications for City Auditor

- Citizen of the United States and State of Oregon
- Registered Voter in the City of Portland
- Resident of the City of Portland since May 19, 2008
- At the time of filing a declaration of candidacy, or a nominating petition for the office of Auditor, candidates must be a Certified Public Accountant, Certified Internal Auditor, or Certified Management Accountant and remain certified as such throughout the term of office, if elected.

Filing Period for City Office

- 8:00 AM January 15, 2009 through 5:00 PM March 10, 2009

Withdrawal Deadline

- March 13, 2009 at 5:00 PM (Filing Fee Refunded)

Where to File

- Office of the City Auditor, City Hall, 1221 SW 4th Avenue, Room 140

Voters' Pamphlet

- City of Portland candidates may appear in the Multnomah, Washington and/or Clackamas County Voters' Pamphlets. Candidates must submit forms and pay a filing fee directly to the County elections offices.

State Campaign Finance Law

- Candidates will be provided with a copy of the *2008 Campaign Finance Manual*, which is also available online via the Secretary of State's website, www.sos.state.or.us/elections. All candidates and treasurers are responsible for knowing and understanding the contents of this manual.
- **Candidates are responsible for understanding and using the Secretary of State's online campaign finance reporting system, ORESTAR. Statements of organization are filed through ORESTAR, as are all contributions and expenditures. The Secretary of State, Elections Division, will answer ORESTAR user questions at (503) 986-1518 (Salem).**
- Candidates interested in participating in the City's Campaign Finance Fund program should note that City provisions OVERLAY the State provisions. They do not replace them. Candidates are responsible for complying with City AND State Campaign Finance provisions.

General Information: The Campaign Finance Fund

Campaign Finance Fund

- This voluntary program is governed by Code Chapter 2.10 and City Administrative Rules. Candidates who choose to raise funds with private campaign contributions are referred to as “nonparticipating candidates.” There are additional reporting requirements for nonparticipating candidates.
- City Code Chapter 2.10 and City Administrative Rules are available on the Auditor's Office website, www.portlandonline.com/auditor/elections.

If you are interested in seeking certification, please reference the “2009 Special Election Participating Candidate Packet”, which will be available January 20, 2009 from the City Elections Officer. Potential candidates considering public financing should contact the City Elections Officer for more information before taking any steps towards candidacy, including making any expenditures or receiving any contributions – there are important additional requirements for candidates seeking certification.

Important Dates: 2009 Special Elections

Special Nominating Election - May 19, 2009

January 15, 2009	1 st day to file as a candidate
January 15, 2009	1 st Day to File Declaration of Intent to Participate*
March 10, 2009	Last day to file as a candidate
March 10, 2009	Campaign Finance Fund Qualifying Deadline*
March 13, 2009	Last day to withdraw as candidate (otherwise will be on ballot)
March 19, 2009	Deadline for Auditor to file list of candidates with County
March 23, 2009	Deadline for candidate filing in Voters' Pamphlet
April 3, 2009	Military/Overseas Ballots Mailed
April 7, 2009	7-Day Transaction Reporting in ORESTAR Begins
April 7, 2009	Next Day (City) Reporting for 100% & Increment Reports Begins
May 1, 2009	Ballots mailed
May 19, 2009	Special Nominating Election
May 19, 2009	Next Day Reporting for 100% & Increment Reports Ends
June 8, 2009	Deadline for County to deliver Abstract of Votes
June 17, 2009	Certificates of Election or nation, Proclamation to Council on outcome of election

* Deadlines for Campaign Finance Fund Participating Candidates

Special Runoff Election – July 14, 2009

May 29, 2009	Military/Overseas Ballots Mailed
June 2, 2009	7-Day Transaction Reporting in ORESTAR Begins
June 2, 2009	Next Day (City) Reporting for 100% & Increment Reports Begins
June 21, 2009	Deadline for candidate filing in Voters' Pamphlet
June 26, 2009	Ballots Mailed
July 14, 2009	Special Runoff Election
July 11, 2009	Next Day Reporting for 100% & Increment Reports Ends
August 3, 2009	Deadline for County to deliver Abstract of Votes
August 12, 2009	Certificates of Election, Proclamation to Council on outcome of election

Chapter 2: Becoming a Candidate (how to appear on the ballot)



ORESTAR is the Secretary of State's online campaign finance reporting system. Campaign contributions and expenditures are reported electronically in ORESTAR. In addition, certain campaign filing forms can also be filed in ORESTAR. www.sos.state.or.us/elections

Required Filings for Office – Secretary of State

Statement of Organization and Campaign Account Information

Candidates who expect to spend more than \$300 in a calendar year must file a Statement of Organization, and Campaign Account Information, with the Secretary of State. This information must be filed within 3 days of the candidate receiving or spending any money. A candidate may file electronically through ORESTAR, or on the following paper forms, which can be either mailed or faxed to the Secretary of State:

- SEL 220 Statement of Organization for Candidate Committee
- SEL 223 Campaign Account Information

Note: if a candidate does not file a Statement of Organization, and then exceeds \$300 in either contributions or expenditures in a calendar year, the candidate must establish a campaign account, file a Statement of Organization, and electronically file all contributions and expenditures received during the calendar year within seven calendar days of exceeding the \$300 threshold.

Statement of Limited Contributions and Expenditures

Candidates who anticipate spending more than \$300 but less than \$2000 in a calendar year may file a Statement of Limited Contributions and Expenditures with the Secretary of State. This Statement may be filed online through ORESTAR, or on a paper form (PC 7) and either mailed or faxed to the Secretary of State. A candidate, or the candidate's treasurer must file a Certificate not later than seven calendar days after receiving a contribution or making an expenditure in a calendar year.

Required Filings – City Auditor

A candidate may file be fee or by nominating petition with the Auditor. Forms and steps are detailed in the following pages.

How to Become a Candidate:

STEP 1 - Forming a Principal Campaign Committee

A candidate may have only one Principal Campaign Committee at one time. Before filing a Principal Campaign Committee, any other existing committee (State, County, etc...) must be closed.

Candidates Planning to Spend or Receive more than \$300

If a candidate plans to receive or spend more than \$300 during the entire campaign, he or she must form a Principal Campaign Committee and register it with the Secretary of State through the online campaign finance reporting system ORESTAR (www.sos.state.or.us/elections) *within 3 business days of spending or receiving money*. The candidate must also set up a campaign account (financial), and submit the Campaign Account Information to the Secretary of State. As previously mentioned, a candidate may use paper forms SEL 220 and SEL 223, found in Appendix A, as well as online (Secretary of State and Auditor's website). These forms may be faxed or mailed to the Secretary of State.

If the candidate has a pre-existing Principal Campaign Committee filed with the City of Portland, the candidate should nevertheless update their Statement of Organization through ORESTAR to reflect the current Election Period and office sought.

Also, keep in mind that whenever ANY of the information disclosed on a Statement of Organization changes, the change must be reported within 10 calendar days by filing an amended Statement of Organization with the Secretary of State.

Candidates Planning to Spend or Receive less than \$300

If a candidate plans to receive or spend less than \$300 during the entire campaign and will act as his or her own treasurer, he or she is not required to form a Principal Campaign Committee or file any Contribution or Expenditure reports and may proceed to Step 2.

Note: a committee that files a Certificate of Limited Contributions and Expenditures is encouraged to enter its transactions in ORESTAR so that ORESTAR can assist in determining if the committee exceeds the \$2,000 threshold.

How to Become a Candidate:

STEP 2 - Filing for Office by (A) Fee or (B) Nominating Petition

Per City Code Section 2.08.060, a candidate may qualify to appear on the ballot either by filing a declaration of candidacy accompanied by a filing fee or by filing a nominating petition. For each of the following options, the required forms are noted below.

(A) Filing for Office by Fee

If the candidate expects to spend or receive less than \$300 during a calendar year, he or she must file the following forms:

- **AUD 120 - Filing of Candidacy** (*file with Auditor*)
- **Filing fees** (*file with Auditor; cash or check made payable to City of Portland*)
 - o **\$30 filing fee for Auditor**
- **AUD 125 - Candidate & Campaign Information** (*optional; file with Auditor*)

If the candidate expects to spend or receive more than \$300 but less than \$2,000 during a calendar year, he or she must file the following forms:

- **Statement of Organization** (*file with Secretary of State – electronically on ORESTAR, or form SEL 220*)
- **Campaign Account Information** (*file with Secretary of State – electronically on ORESTAR, or form SEL 223*)
- **AUD 120 - Filing of Candidacy** (*file with Auditor*)
- **Filing fees** (*file with Auditor; cash or check made payable to City of Portland*)
 - o **\$30 filing fee for Auditor**
- **Certificate of Limited Contributions and Expenditures** (*optional – file electronically with Secretary of State on ORESTAR, or form PC 7*)
- **AUD 125 - Candidate & Campaign Information** (*optional; file with Auditor*)

If the candidate expects to spend or receive more than \$2,000 during the calendar year, he or she must file the following forms:

- **Statement of Organization** (*required - file with Secretary of State – electronically on ORESTAR, or form SEL 220*)
- **Campaign Account Information** (*file with Secretary of State – electronically on ORESTAR, or form SEL 223*)
- **AUD 120 - Filing of Candidacy** (*file with Auditor*)
- **Filing fees** (*file with Auditor; cash or check made payable to City of Portland*)
 - o **\$30 filing fee for Auditor**

- **AUD 125 - Candidate & Campaign Information** (*optional; file with Auditor*)

The candidate has not officially filed for office until all required items are submitted in a sufficient form. The Auditor will also verify that the candidate meets the qualifications outlined in City Code Section 2.08.050.

Copies of required forms are included in Appendix A at the end of this packet. Copies of required forms may be requested from the City Elections Officer, (503) 823-3546. Electronic copies of the forms may be downloaded from the City Elections website at: www.portlandonline.com/auditor/elections.

(B) Filing for Office by Nominating Petition

As an alternative method of filing without the expense of the \$30 or \$50 filing fee, a candidate may file a nominating petition with the following four steps:

Step 1: Required Filing Forms Matrix: File Prospective Petition Forms. A candidate seeking to appear on the ballot must file the following forms:

If the candidate expects to spend or receive less than \$300 during the a calendar year, he or she must file the following forms:

- **AUD 120 - Filing of Candidacy** (*file with Auditor*)
- **SEL 121 - Prospective Petition for Nonpartisan Nomination**
- **SEL 300 - Statement that Petitioners Will/Will Not Be Paid**
- **AUD 125 - Candidate & Campaign Information** (*optional; file with Auditor*)

If the candidate expects to spend or receive more than \$300 but less than \$2,000 during a calendar year, he or she must file the following forms:

- **Statement of Organization** (*file with Secretary of State – electronically on ORESTAR, or forms SEL 220*)
- **Campaign Account Information** (*file with Secretary of State – electronically on ORESTAR, or form SEL 223*)
- **AUD 120 - Filing of Candidacy** (*file with Auditor*)
- **SEL 121 - Prospective Petition for Nonpartisan Nomination**
- **SEL 300 - Statement that Petitioners Will/Will Not Be Paid**
- **Certificate of Limited Contributions and Expenditures** (*optional – file electronically with Secretary of State on ORESTAR, or form PC 7*)
- **AUD 125 - Candidate & Campaign Information** (*optional; file with Auditor*)

If the candidate expects to spend or receive more than \$2,000 during the entire election cycle, he or she must file the following forms:

- **Statement of Organization** (*file with Secretary of State – electronically on ORESTAR, or forms SEL 220*)
- **Campaign Account Information** (*file with Secretary of State – electronically on ORESTAR, or form SEL 223*)
- **AUD 120 - Filing of Candidacy**
- **SEL 121 - Prospective Petition for Nonpartisan Nomination**
- **SEL 300 - Statement that Petitioners Will/Will Not Be Paid**
- **AUD 125 - Candidate & Campaign Information** – *optional*

Step 2: Circulate Petition

After the prospective petition is approved by the City Elections Officer, the candidate gathers valid signatures of at least 100 registered voters.

Step 3: File Prospective Petition Forms

Once signatures are gathered, the candidate submits completed signature sheets for verification. All signature sheets must be submitted in time to be verified before the filing deadline.

Step 4: File Perfected Petition Forms

If the Auditor's Office finds that the petition contains the required number of valid signatures, the candidate files the following form with the Auditor's Office:

- AUD 120 (Filing of Candidacy with "perfected petition" box marked)

The candidate has now officially filed for office.

Copies of required forms are included in Appendix A at the end of this packet. Copies of required forms may be requested from the City Elections Officer, (503) 823-3546. Electronic copies of the forms may be downloaded from the City Elections website at: www.portlandonline.com/auditor/elections.

Changing Participating Status

A candidate who is interested in changing their status from nonparticipating to participating may make this change during the qualifying period. For the May 2009 Special Nominating Election, this translates to a deadline of March 10, 2009. Keep in mind, however, that this deadline is the deadline for submitting \$5.00 qualifying contributions from Portland registered voters in the following amounts (on 3-part forms from the City Auditor; forms to be verified by the Auditor and Multnomah County Elections):

- 1,000 for candidates for Auditor.

A candidate may change from a nonparticipating to a participating status only if they have complied with all contribution and spending limits required of a participating candidate.

To become a participating candidate, the candidate shall file a Declaration of Intent to Participate (Form AUD 210-D) prior to the end of the qualifying deadline.

If you are interested in seeking certification, please reference the “2009 Special Election Participating Candidate Packet”, which will be available the week of January 21, 2009 from the City Elections Officer. Potential candidates considering public financing should contact the City Elections Officer for more information before taking any steps towards candidacy, including making any expenditures or receiving any contributions – there are important additional requirements for candidates seeking certification.

Chapter 3: Campaign Finance Reporting Requirements

State Reporting Requirements

See the *Campaign Finance Manual* published by the Secretary of State's Office for information about candidate reporting requirements. In general, there are three levels of reporting requirements under State law:

- 1. Less than \$300 in a calendar year.** If the candidate serves as their own treasurer, does not already have an open principal campaign committee and does not expect to receive or spend more than \$300 in a calendar year, the candidate is not required to file a Statement of Organization, Campaign Account Information, or contribution and expenditure transactions in ORESTAR.

Note: if a candidate does not file a Statement of Organization, and then exceeds \$300 in either contributions or expenditures in a calendar year, the candidate must establish a campaign account, file a Statement of Organization, and within seven calendar days of exceeding the \$300 threshold, and electronically file all contributions and expenditures received during the calendar year.

- 2. More than \$300 but less than \$2,000 in a calendar year.** If the candidate expects to receive or spend \$300 or more but less than \$2,000 in a calendar year, the candidate:
 - Must file a Statement of Organization and Campaign Account Information as previously discussed in Chapter 2 of this Guide.
 - May file a Certificate of Limited Contributions and Expenditures may be filed in lieu of filing contribution and expenditure transactions in ORESTAR;

Note: a committee that files a Certificate of Limited Contributions and Expenditures is encouraged to enter its transactions in ORESTAR so that ORESTAR can assist in determining if the committee exceeds the \$2,000 threshold.

- 3. More than \$2,000.** If the candidate expects to receive or spend a total of more than \$2,000 for the entire election, the candidate:
 - Must file a Statement of Organization and Campaign Account Information as previously discussed in Chapter 2 of this Guide.

- Must file detailed contribution and expenditure reports according to the schedule outlined in the 2008 Secretary of State’s Campaign Finance Manual.

See the 2008 *Campaign Finance Manual* for information about State penalties for failure to file complete or timely ORESTAR filings.

Schedule of ORESTAR Transaction Deadlines for 2009 Special Elections for City of Portland nonparticipating Auditor candidates:

Election Date	Transaction Occurs	Due Date
May 19, 2009	On or before March 7, 2009	30th day after date of transaction
	March 8 - April 6	April 14
	April 7 - May 19	7th day after date of transaction

Election Date	Transaction Occurs	Due Date
July 14, 2009	May 20 – June 1, 2009	June 9
	June 2 – July 14	7th day after date of transaction
	On or after July 15	30 th day after date of transaction

Additional City Reporting Requirements for Nonparticipating Candidates

In addition to State Reporting Requirements, City Code and Administrative Rules require additional ORESTAR filing deadlines for nonparticipating candidates when certain contribution or expenditure levels are reached. This information is used by the Auditor to determine if opposing certified candidates are eligible to receive matching funds.

See the Page 16 of this packet for information about penalties for failure to file complete or timely reports.

Additional City ORESTAR Filing Requirements for Nonparticipating Candidates

1. 100% Filings.

- A nonparticipating candidate who receives contributions or makes expenditures, in aggregate during the total election accounting period, exceeding the 100% Amounts listed below, must report all contribution and expenditure transactions exceeding the 100% Amount in ORESTAR by 5:00 p.m. of the second business day after the 100% Amount has been exceeded.

- 100% Amounts. The 100% Amounts are equal to 100% of the initial allocation distributed to a certified Campaign Finance Fund candidate for the same office under the provisions of City Code Section 2.10.110.
- A 100% Filing must be filed if the nonparticipating candidate receives contributions or makes expenditures, in aggregate during the total election accounting period, exceeding the 100% Amounts below.

For the May 19, 2009 Special Nominating Election Period, the **100% Amounts are:**

- **\$150,000** for candidates for City Auditor.*

For the July 14, 2009 Special Runoff Election, the **100% Amounts are:**

- **\$200,000** for candidates for Auditor.*

*** Unless changed by City Council**

- When is the 100% Report Due?

No later than 5:00 p.m. on the **second business day** after the 100% amount is exceeded.

EXCEPT, the 100% report is due no later than 5:00 p.m. on the **next business day** after the 100% amount is exceeded during the following time periods:

- April 7, 2009 through May 19, 2009
- June 2, 2009 through July 14, 2009

2. Increment Filings

- Once a nonparticipating candidate has exceeded the 100% Amount (and completed 100% Filings), the candidate who receives contributions or makes expenditures, in aggregate in the Increment Amounts listed, must report all contribution and expenditure transactions each time an Increment Amount has been exceeded. Increment Filings are due in ORESTAR by 5:00 p.m. of the second business day after an Increment 100% Amount has been exceeded.

For the 2009 Special Election Primary and General Election Periods, the **Increment Amounts are:**

- **\$5,000** for candidates for City Auditor

- When are Increment Filings Due?
 - No later than 5:00 p.m. on the **second business day** after the additional increment amount is exceeded.

EXCEPT, an Increment report is due no later than 5:00 p.m. on the **next business day** after the additional increment amount is exceeded during the following time periods:

- April 7, 2009 through May 19, 2009
- June 2, 2009 through July 14, 2009

Amending Filings

- 100% and Increment Filings, as with other ORESTAR transactions, may be amended in ORESTAR as described by the Secretary of State. See the ORESTAR manual or contact the Secretary of State for more information.
- The Auditor will examine 100% and Increment Filings for sufficiency.
 - The Auditor has 10 business days after the deadline or after a report is filed, whichever is later, to review the reports, check for computation errors and determine if there are entries that do not include all the information required by law. The treasurer will be sent an exam letter that either indicates the report is sufficient or identifies the items that need to be corrected. The letter will include a deadline for providing amendments to correct the insufficient information.
 - If the committee submits the requested information on the appropriate amendment form by the amendment deadline, the report will be considered sufficient.
 - If the committee fails to provide the requested information by the amendment deadline, the report will be considered insufficient.
 - 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.
- Corrections, Deletions or Additions. In addition to the insufficiencies noted in the exam letter, when a candidate or treasurer realizes that entries on previously submitted report need to be corrected or deleted, or that there are additional entries that should have been included on a report, those changes are made by filing amendment(s) in ORESTASR to the transaction(s) in question.

Retention of Campaign Finance Records

State Requirements

See ORS 260.055 and the *Campaign Finance Manual* published by the Secretary of State for information about retention of campaign finance records.

Accounts kept by a committee must be preserved for at least two years after the date of the election to which the accounts refer or at least two years after the date the last supplemental report is filed, whichever is later.

Chapter 4: Enforcement Procedures and Civil Penalties

State Campaign Finance Laws

See the [Campaign Finance Manual](#) published by the Secretary of State for information about enforcement procedures and civil penalties for violation of State campaign finance laws.

City Campaign Finance Program

City Code Section 2.10.220 gives the Auditor the authority to impose a civil penalty for the failure of a nonparticipating candidate to file complete and timely 100% and Increment Filings. The Auditor has established a penalty matrix by administrative rule which is summarized below. The Auditor will send a notice of proposed penalty to any person, candidate or political committee determined to be in violation. The notice shall describe the proposed penalty and outline the procedures for requesting a penalty hearing.

City Penalty Matrix

No penalty imposed under Code Chapter 2.10 shall exceed \$10,000 for any violation except as otherwise provided in Code Section 2.10.220. Limits on penalties do not include interest. Penalties are subject to interest at a rate of 12 percent of the total amount per annum.

Late Filings

- The penalty for the late filing of a 100% or Increment Filing is equal to the total amount of contributions and expenditures reported late or not reported. No penalty will be assessed for the first violation unless the total aggregate late reported or unreported contributions and expenditures are greater than \$1,000.
- If the report is late as a direct result of an error by the Auditor, the violation is waived and no penalty is addressed.

Insufficient Filings

- An insufficiency results when an entry on a report is missing one of the items of required information or an item of information provided is not adequate.
- After the filing deadline for a report or after a report is filed, the Auditor has 10 business days to review the report. If there are entries listed that do not include all of the required information, an exam letter identifying the insufficient items will be sent to the treasurer. If all the requested information is provided by the amendment deadline provided in the

exam letter, the report 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 for an insufficient report.

- The penalty for all missing or insufficient items is based on a per item charge.
 - First violation by the candidate, person or political committee - \$10/insufficient item.
 - Second violation by the candidate, person or political committee - \$15 per insufficient item.
 - Third or subsequent violation by the candidate, person or political committee - \$20 per insufficient item.
- If the calculated penalty is under \$50, a violation is found but the penalty is not assessed.
- If the report is late as a direct result of an error by the Auditor, the violation is waived and no penalty is assessed.

Payment of City Penalties

- If a civil penalty is imposed against a candidate or the principal campaign committee of a candidate, the candidate shall be personally liable for the amount to be paid.
- If a civil penalty is imposed against a political committee other than a principal campaign committee, the directors of the political committee shall be jointly and severally liable for the amount to be paid.
- Penalties may be paid from any private source. A penalty may be paid from committee funds and reported as an expenditure on the committee's appropriate contribution and expenditure report.
- Civil penalties may be paid at any time after receiving the notice of proposed penalty, but are due no later than 60 days after the penalty has become final.
- All moneys received in civil penalties for violations of Code Chapter 2.10 shall be paid to the Auditor and credited to the Campaign Finance Fund.
- Civil penalties imposed for violation of Code Chapter 2.10 are subject to interest at a rate of 12 percent of the total amount per annum.
- At the request of the Auditor, the City Attorney may seek civil penalties and enforcement of any provision of this Chapter in Circuit Court or other appropriate venue.

Appendix A: Forms

- SEL 220* Statement of Organization of Candidate Committee
- SEL 223* Campaign Account Information
- AUD 120 Filing of Candidacy
- AUD 125 Candidate & Campaign Information
- SEL 121 Petition for Nonpartisan Nomination Signature Sheet
- SEL 300 Statement One or More Petition Circulators Will/Will Not Be Paid
- PC 7* Certificate of Limited Contributions and Expenditures

* The information required on these forms can be filed in ORESTAR instead of using paper forms.

Statement of Organization for Candidate Committee

SEL 220

rev 12/07: 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 \$300 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 \$300 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 balance and filing a completed SEL 220 with the "Discontinuation" box marked.

please type or print legibly in black ink

This filing is an: Original Amendment Discontinuation

↓ name of committee *If changing committee name, please include former name.*

committee address *street/route, city, state, zip code; no post office box numbers*

campaign phone

↓ name of treasurer

Mr Ms

mailing address for committee correspondence *street/route, city, state, zip code*

work phone

home phone

fax

email address

↓ name of alternate transaction filer

Mr Ms

mailing address for alternate transaction filer *street/route, city, state, zip code*

email address

↓ name of person designated to receive notices sent under ORS chapters 246-260

Mr Ms

mailing address for person designated to receive notices *street/route, city, state, zip code*

email address

↓ name of candidate

Mr Ms

candidate address *street/route, city, state, zip code; no post office box numbers*

mailing address for candidate correspondence

work phone

home phone

fax

email address

continued on the reverse side of this form

SEL 220

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 Party Libertarian Pacific Green

Republican Nonaffiliated Working Families Party 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 recalls measure number(s):_____

candidate(s) being recalled:_____

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.

Attached is a Campaign Account Information form (SEL 223)

yes

no

↓ **signature**

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

office number

candidate ID number

date SEL 223 received

date acknowledgment sent

Campaign Account Information

SEL 223

rev 12/07: ORS 260,039,
ORS 260.042

Filing a New Committee: This form, along with the appropriate Statement of Organization form (SEL 220 or 221), 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 Elections Division of a change in information, submit this form, completed in its entirety, and mark the "Amendment" box. An amended SEL 220 or 221 should not be filed unless the information on that form also changes.

Discontinuing: A final contribution and expenditure report that shows a zero balance must be filed, along with the appropriate completed Statement of Organization (SEL 220 or 221) with the "Discontinuation" box marked. The final report may be filed at any time. 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 ink

This filing is an: Original Amendment

↓ name of committee *If changing committee name, please include former name.*

_____ name of Oregon financial institution

_____ account number

_____ name of account

_____ name of account holder

_____ names of persons who have signature authority

↓ **signature**

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

_____ office number

_____ candidate ID number

**FILING OF CANDIDACY FOR NONPARTISAN NOMINATION FOR CITY OFFICE
MAY 19, 2009 SPECIAL NOMINATING ELECTION**

Please Type or Legibly Print in Black Ink

Note: This information is a matter of public record and may be published or reproduced.

FILING FOR OFFICE OF: City Auditor	
NAME OF CANDIDATE:	NAME SHOULD APPEAR ON BALLOT AS FOLLOWS:
RESIDENCE ADDRESS(Street/Route, City, State, Zip Code):	MAILING ADDRESS (For all correspondence):
COUNTY OF RESIDENCE:	
TELEPHONE (HOME):	TELEPHONE (WORK):
	CAMPAIGN WEBSITE (Optional):
CAMPAIGN TELEPHONE (Optional):	CAMPAIGN E-MAIL ADDRESS (Optional):

TO THE CITY AUDITOR, CITY OF PORTLAND:

FILING OF CANDIDACY BY DECLARATION, WITH THE REQUIRED FILING FEE

FILING OF CANDIDACY BY **PROSPECTIVE** PETITION, WITH THE REQUIRED PROPOSED SIGNATURE SHEET SIGNED BY CANDIDATE AND STATEMENT ONE OR MORE CIRCULATORS WILL OR WILL NOT BE PAID

FILING OF CANDIDACY BY **PERFECTED** PETITION, WITH THE REQUIRED NUMBER OF SIGNATURES CERTIFIED BY APPROPRIATE COUNTY ELECTIONS OFFICE

MAY 19, 2009 SPECIAL NOMINATING ELECTION FILING DATES

First Day to File for Candidacy: 8:00 AM, Thursday January 15, 2009
 Last Day to File for Candidacy: 5:00 PM, Tuesday, March 10, 2009
 Deadline to Withdraw Candidacy: 5:00 PM, Friday, March 13, 2009
 Last Day to File a County Voters' Pamphlet Statement: 5:00 PM, Monday March 23, 2009

FEES, SIGNATURES & QUALIFICATIONS

OFFICE:	FILING FEE:	OR	REQUIRED SIGNATURES:	QUALIFICATIONS:
AUDITOR	\$30.00		100	-U.S. Citizen -Registered voter in City -Resident of City as of May 19, 2009

ADDITIONAL QUALIFICATIONS: A Candidate for City Auditor must be a Certified Public Accountant, Certified Internal Auditor, or Certified Management Accountant (Portland City Charter Section 2-501).

BELOW AREA FOR OFFICE USE ONLY

Initials _____

Cash? or Check No. _____

Voter Registration Verified?

<\$300 <\$2,000 >\$2,000

State Committee # _____

REQUIRED INFORMATION
(ORS 249.031, PCC 2.08.070 & PCC 2.08.080)

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 - <u>no acronyms</u>	Last grade level completed	Diploma/Degree/Certificate (AA, BA, BS, MA, PhD, etc...)	Course of study (optional)

Other:

PRIOR GOVERNMENTAL EXPERIENCE (Elected or Appointed)

NOTE: This information is a matter of public record and may be published or reproduced.

By signing this document, I hereby state:

THAT I shall accept the nomination for the office indicated above;

THAT I shall qualify for said office if elected;

THAT all information provided by me on this form, including my occupation, educational background, and prior governmental experience, is true to the best of my knowledge.

Check the appropriate box:

By marking this box, I certify I do not have an existing candidate committee and I do not expect to spend more than \$300 during each calendar year. I understand I must still keep records of all campaign transactions and if the total contributions or total expenditures exceed \$300 during a calendar year, I must follow the requirements detailed in the 2008 Finance Manual published by the Secretary of State.

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 2008 Campaign Finance Manual.

Candidate's Signature

Date Signed

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 five years. (ORS 260.715). A person may only file for one lucrative office at the same election. Unless the person has withdrawn the first filing, **all** filings are invalid. (ORS 249.013(3))

CANDIDATE & CAMPAIGN INFORMATION

2009

Citizens, media, and other interested parties often request information regarding candidates & campaigns. The City Auditor's Office publishes a Register of Candidates which is made available to the public.

Information provided on the Register of Candidates will be taken directly from your "Filing for Candidacy for Nonpartisan Nomination for City Offices" and/or Statement of Organization forms, unless you provide alternate information below:

Name of Candidate/Measure _____

Name of Committee _____

Contact _____

Mailing Address _____

Campaign Telephone _____

Campaign Fax _____

Campaign E-Mail _____

Campaign Web Site _____

Office of the City Auditor, Elections Division

1221 SW Fourth Ave Room 140, Portland, OR 97204

Tel. 503-823-3546 Fax. 503-823-4571 E-mail: andrew.carlstrom@ci.portland.or.us

Web: <http://www.portlandonline.com/auditor/elections>

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, position or zone 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.

signature*	date signed* <i>mm/dd/yy</i>	print name*	residence or mailing address* <i>street, city, zip code</i>	precinct # <i>(optional)</i>
------------	------------------------------	-------------	---	------------------------------

1 _____

2 _____

3 _____

4 _____

5 _____

6 _____

7 _____

8 _____

9 _____

10 _____

* Signature must only be completed by the signer. Circulators may not complete, change or obscure the signer's signature, date signed, printed name or address information, unless the signer initials the change. An exception is allowed for a circulator to complete or change information (other than the signature) if requested to do so by a disabled signer.

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* _____

Statement One or More Petition Circulators Will Be Paid

SEL 300

rev 1/08: ORS 248.008,
ORS 249.061, ORS 249.078,
ORS 249.740, ORS 249.865

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 or certificate. 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 paid for obtaining signatures. Additionally, unless this is for a recall petition or a minor political party formation petition, 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.

identify petition *name of candidate or minor political party on prospective petition; or name of officeholder on recall petition*

signed* date signed

signed* date signed

signed* date signed

* Statement must be signed by one of the following:

- candidate for nomination
- chief petitioner for recall petition
- chief sponsor for certificate of nomination
- chief sponsor for minor political party formation petition

Statement No Petition Circulators Will Be Paid

SEL 300

rev 1/08: ORS 248.008,
ORS 249.061, ORS 249.078,
ORS 249.740, ORS 249.865

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 or certificate. 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 one or more petition circulators will be compensated for obtaining signatures. Additionally, unless this is for a recall petition or a minor political party formation petition, by signing this document, I hereby state that no circulators will be compensated on this petition.

identify petition *name of candidate or minor political party on prospective petition; or name of officeholder on recall petition*

signed* date signed

signed* date signed

signed* date signed

* Statement must be signed by one of the following:

- candidate for nomination
- chief petitioner for recall petition
- chief sponsor for certificate of nomination
- chief sponsor for minor political party formation petition

PC 7 Certificate of Limited Contributions and Expenditures

please type or print legibly in black ink

rev 1/08

↓ 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 *po box or street, city, state, zip code* _____

committee type, 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 if the committee exceeds \$2,000 in total contributions or total expenditures during the calendar year, detailed transaction information must be filed for the calendar year.

signature of candidate or treasurer _____ date signed _____

- If a candidate or political 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 a calendar year.
- This form cannot be used by chief petitioners of an initiative, referendum or recall petition.
- 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

