

March 21, 2017



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**Oregon Progressive Party
Position on Bill at 2017
Session of Oregon Legislature:**

HB 2351: Oppose

Dear Committee:

The Oregon Progressive Party (OPP) opposes this bill, which

- Requires individual, political committee or petition committee that receives request for information or documentation from Secretary of State, Attorney General or filing officer pursuant to campaign finance investigation to produce requested information or documentation within 30 calendar days.
- Permits use of campaign moneys in connection with most legal proceedings relating to elections law.
- Establishes civil penalty of \$150 for instances where person signs ballot belonging to different elector but Secretary of State or Attorney General determines that improper signature was not made with intent to commit fraud.
- Establishes civil penalty of up to 10 percent of campaign moneys improperly converted to personal use in circumstances where conversion is accurately included in timely filed statements of contributions and statements of expenditures.

We question the need for this bill. First, information requests from the Secretary of State or Attorney General or other elections filing officer already typically contain deadlines for response, and those deadlines are often far sooner than 30 days. Thus, HB 2351 appears to relax existing requirements for answering requests for information.

Second, the bill expands the existing loophole that allows campaign funds to be used to defend a candidate or public official treasurer or director of a political committee in any civil, criminal or other legal proceeding or investigation that relates to or arises from the course and scope of the duties of the person as a candidate or public official or treasurer or director. We oppose that expansion.

Third, the bill severely reduces the penalty for personal use of campaign funds. Under existing law, the civil penalty shall not exceed \$1,000 plus the amount converted to personal use for each violation of ORS 260.407. This bill reduces that penalty to just 10% of the amount converted to personal use, if the personal use is reported on ORESTAR. We believe that is insufficient penalty.

Oregon Progressive Party

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