

75th OREGON LEGISLATIVE ASSEMBLY – 2009 Regular Session
STAFF MEASURE SUMMARY

MEASURE: SB 783-B

Joint Committee on Ways and Means

Carrier – House: Rep. Galizio
Carrier – Senate: Sen. Johnson

Revenue: No revenue impact

Fiscal: Fiscal statement issued

Action: Do Pass with Amendments to the A-Engrossed Bill (Printed B-Engrossed)

Vote: 21 – 0 – 1

Yeas: Buckley, C. Edwards, D. Edwards, Galizio, Garrard, Gilman, Jenson, Kotek, Nathanson, Richardson, Shields, G. Smith
Nays:

Exc:

Senate

Yeas: Bates, Carter, Girod, Johnson, Monroe, Nelson, Verger, Walker, Whitsett

Nays:

Exc: Winters

Prepared By: John Terpening, Legislative Fiscal Office

Meeting Date: 6/22, 6/23

WHAT THE MEASURE DOES: The measure defines the term “petition committee” and directs each petition committee to establish and maintain an account in a financial institution. The petition committee must pay expenditures and deposit contributions using the petition committee account. The treasurer of the petition committee must file a certificate to the Secretary of State if contributions or expenditures for the calendar year will be under \$2,000. The measure directs petition committee’s to file a statement of organization with the Secretary of State including petition committee account information. The petition committee is not required to file a statement of organization when the amount of contributions or expenditures does not exceed \$350. The measure defines restrictions for use of contributions received by a political committee that is not a principal campaign committee and contributions received by a petition committee. The measure has an operative date of January 1, 2010.

ISSUES DISCUSSED:

- Fiscal impact of the measure

EFFECT OF COMMITTEE AMENDMENT: Requires Secretary of State to examine any notice of intent to discontinue statement of organization or close accounts filed by candidates or committees to be reviewed within 90 days of receipt and for the Secretary of State to send a notification that the statements are sufficient or insufficient.

BACKGROUND: Prior to 2005, contributions made to a candidate’s political committee during a special session on the legislature were required to be reported within two calendar days. The provision, unintentionally deleted in 2005, was made an administrative rule; however, the Elections Division would prefer it to be a statutory provision. ORS 260.043 requires the filing of a statement of organization when the amount of aggregate contributions or expenditures exceeds, or is expected to exceed \$300. The cost for a candidate to file a voter’s pamphlet statement is \$300 (ORS 251.065); therefore, upon filing a voter’s pamphlet statement, a petition or campaign committee goes over the threshold and required to meet all other filing obligations with the Secretary of State’s office. In many cases, a candidate or petition committee will make no other expenditures other than to the voter’s pamphlet. By increasing the filing threshold to \$350, it saves the committees and Secretary of State’s office time and cost. Since 2005, the Elections Division has conducted “spot check” audits four times a year of financial transactions reported by political committees. The Elections Division has limited staff resources and to do the workload, particularly during an election year, due to the frequency of the “spot check” audits, they are not completed in a timely manner often resulting in duplicate work by the political committees and the Division. Senate Bill 783-A would not eliminate the audit, but would change audit to a biannual requirement, where a percentage of all committees who have had transactions in a given six-month period will be randomly selected and then up to 10 transactions will be randomly selected for the audit.