

OREGON GOVERNMENT ETHICS COMMISSION

MEETING MINUTES

August 10, 2018

9:00 a.m.

(:01)

Chair Alison Kean called the meeting to order at 9:05 a.m. The meeting was held in the 2nd Floor Conference Room of the Morrow Crane Building at 3218 Pringle Rd SE Salem, Oregon. Other Commissioners present were Richard Burke, Charles Starr, Daniel Mason, David Fiskum, Nathan Sosa, Kamala Shugar, Karly Edwards, and Sean O'Day by telephone. Staff present were OGEC Counsel Amy Alpaugh, Executive Director Ron Bersin, Program Manager Virginia Lutz, Compliance and Education Coordinator Diane Gould, Investigator Tammy Hedrick, and Investigator Hayley Weedn.

(1:20)

AGENDA ITEM 1, Comments from the Chair. Kean stated she will not be present at the next Commission meeting in September. Vice-chair Burke will preside. General discussion among Commissioners and staff.

(3:14)

AGENDA ITEM 2, Approval of the minutes of the June 29, 2018 Commission meeting. Fiskum moved for approval of the minutes of the June 29, 2018 Commission meeting. Group vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

CONSENT CALENDAR

(3:35)

Burke moved for the approval of the Consent Calendar items 3-9 and the staff recommendation on each as follows:

Lobbyist Penalty Correspondence

AGENDA ITEM 3, Jeff Allen, 2018 Q2, Letter of Education

AGENDA ITEM 4, Elizabeth Craig, 2018 Q2, Letter of Education

AGENDA ITEM 5, Mark Lewis, 2018 Q2, Letter of Education

Statement of Economic Interest Penalty Correspondence

AGENDA ITEM 6, Dennis Haener, 2018 SEI, Letter of Education

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AGENDA ITEM 7, John Gray, 2018 SEI, Letter of Education

AGENDA ITEM 8, Catherine Monteith, 2018 SEI, Letter of Education

AGENDA ITEM 9, Lee Anne Landenberger, 2018 SEI, Letter of Education

Group vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

End of Consent Calendar

Lobbyist Penalty Correspondence

(6:16)

AGENDA ITEM 10, Serena Stoudamire Wesley, 2016 Q4, paid by check; 2018: Q1 \$10, Q2 \$100. Recommendation: 2018: Q1, Letter of Education; Q2 \$10. Bersin summarized the matter. The Commission generally discussed the recommendation. Burke moved a Letter of Education for the late filing of the Q1 2018, and reduce to \$50 for the late filing of the Q2 2018 Lobbyist Client Expenditure Report. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

Lobbyist Client Penalty Correspondence

(11:30)

AGENDA ITEM 11, American Coatings Association, 2016 Q4, \$20; 2017: Q1 \$50, Q4 \$40; 2018: Q1, \$70, Q2 \$10 (\$190). Bersin summarized the matter. Burke moved that the Commission not reduce the late filing penalties. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

Statement of Economic Interest

(14:20)

AGENDA ITEM 12, Tom Neff, 2018 SEI, No recommendation. Bersin summarized the matter. The Commission generally discussed. Mason moved that the Commission not reduce the late filing penalty of \$50. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(16:20)

AGENDA ITEM 13, Roy Davis, 2018 SEI. Recommendation: \$300 for third violation. Starr moved to accept staff recommendation to reduce late filing penalty to \$300. Roll call vote

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was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(18:40)

AGENDA ITEM 14, Buddy Mendive, 2018 SEI. Recommendation: \$50 for second violation. Bersin summarized the matter. The Commission generally discussed. Burke moved to accept staff recommendation to reduce late filing penalty to \$50. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

SEI Stipulated Final Orders

(20:17)

The Commission generally discussed stipulated final orders and the processes.

(31:03)

AGENDA ITEM 15, 15-282EDT, John Miller, Board of Directors, Lakeside Rural Fire Protection District. Hedrick summarized the case. Starr moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. The Commission generally discussed the procedures. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(46:17)

AGENDA ITEM 16, 17-068EMT, Barbara Castillo, City Administrator, City of Millersburg. Gould summarized the case. The Commission generally discussed procedures. Burke moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(59:08)

AGENDA ITEM 17, 17-070EDG, Joseph VonDoloski, Executive Director, Logos Public Charter School. Gould summarized the case. The Commission discussed the matter. Burke moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(1:05:20)

AGENDA ITEM 18, 17-094XMT, Carole Garrison, City Council member, City of Prairie City. Hedrick summarized the case. The Commission discussed the matter. Fiskum

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moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

AGENDA ITEM 19, 17-095XMT, Georgia Patterson, City Council member, City of Prairie City. Fiskum moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

AGENDA ITEM 20, 17-098XMT, Joe Phippen, City Council member, City of Prairie City. Fiskum moved that the Commission approve the proposed stipulated final order as the final order in this matter and that the chairperson be authorized to sign it as such. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(1:11:29)

The Commission convened into executive session at 10:10 a.m. to consider Preliminary Reviews pursuant to ORS 244.260(4)(d), and ORS 192.685(1).

EXECUTIVE SESSION CONSENT CALENDAR

Reports of Preliminary Review

(All items removed from consent calendar for discussion.)

End of Executive Session Consent Calendar.

OTHER ITEMS

Reports of Preliminary Review
(removed from consent calendar)

(1:12:22)

AGENDA ITEM 27, 18-134XDG, Steve Dyer, Portland Village School Board of Directors. Gould summarized the case. Dyer was present and addressed the Commission. The Commission discussed the matter. Burke moved that the Commission find that there is a substantial, objective basis for believing that Steve Dyer may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

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(1:31:35)

AGENDA ITEM 26, 18-133XHW, Medessa Cheney, Portland Village School Board of Directors. Fiskum moved that the Commission find that there is a substantial, objective basis for believing that Medessa Cheney may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(1:36:10)

AGENDA ITEM 28, 18-135XDG, Lauren Rook, Portland Village School Board of Directors. Fiskum moved that the Commission find that there is a substantial, objective basis for believing that Lauren Rook may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(1:36:50)

AGENDA ITEM 30, 18-137XDG, Dennis Terzian, Portland Village School Board of Directors. Fiskum moved that the Commission find that there is a substantial, objective basis for believing that Dennis Terzian may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(1:37:27)

AGENDA ITEM 31, 18-138XDG, Dre Davey, Portland Village School Board of Directors. Fiskum moved that the Commission find that there is a substantial, objective basis for believing that Dre Davey may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(1:37:60)

AGENDA ITEM 32, 18-139XDG, Dorine Nafziger, Portland Village School Board of Directors. Fiskum moved that the Commission find that there is a substantial, objective basis for believing that Dorine Nafziger may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

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(1:38:30)

AGENDA ITEM 33, 18-140XDG, Zapoura Newton-Calvert, Portland Village School Board of Directors. Fiskum moved that the Commission find that there is a substantial, objective basis for believing that Zapoura Newton-Calvert may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(1:39:15)

AGENDA ITEM 29, 18-136XDG, Sean McCormick, Portland Village School Board of Directors. Fiskum moved that the Commission find that there is a substantial, objective basis for believing that Sean McCormick may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(1:40:25)

AGENDA ITEM 34, 18-139XDG, Ann Marie Vitti, Portland Village School Board of Directors. The Commission discussed the matter. Mason moved that the Commission find that there is a substantial, objective basis for believing that Ann Marie Vitti may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Roll call vote was taken as follows: Burke, nay; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, nay; Starr, aye; Kean, aye. Motion passed 7-2.

(1:57:12)

AGENDA ITEM 35, 18-142XDG, Ellen Harris, Portland Village School Board of Directors. The Commission discussed the matter. Mason moved that the Commission find that there is a substantial, objective basis for believing that Ellen Harris may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Roll call vote was taken as follows: Burke, nay; Edwards, aye; Fiskum, aye; Mason, aye; O'Day, aye; Sosa, aye; Shugar, nay; Starr, aye; Kean, aye. Motion passed 7-2.

(1:57:46)

The Commission recessed at 10:55 a.m. and resumed Executive Session at 11:10 a.m.

(:10) Recorder timed out during the break.

Mason was excused from the balance of the meeting.

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(2:50)

AGENDA ITEM 37, 18-147XMT, Don Williams, Lincoln City Mayor. Gould summarized the case. Counsel Micah Farge was present and addressed the Commission. Burke moved that the Commission find that there is a substantial, objective basis for believing that Don Williams may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(22:20)

AGENDA ITEMS 36, 38 – 41

18-146XMT, Dick Anderson

18-148XMT, Susan Wahlke

18-149XMT, Judy Casper

18-150XMT, Diana Hinton

18-151XMT, Riley Hoagland

Lincoln City Counselors. Gould summarized the cases. Andrea Coit, counsel for each individual, was present and addressed the Commission. Shugar moved that the Commission find that there is a substantial, objective basis for believing that Anderson, Wahlke, Casper, Hinton, and Hoagland may have violated ORS Chapter 192.660 and that the Commission should investigate accordingly.

(1:13:22)

Roll call vote was taken for Dick Anderson as follows: Burke, aye; Edwards, aye; Fiskum, nay; O'Day, nay; Sosa, aye; Shugar, aye; Starr, nay; Kean, aye. Motion passed 5 – 3.

Roll call vote was taken for Susan Wahlke as follows: Burke, aye; Edwards, aye; Fiskum, nay; O'Day, nay; Sosa, aye; Shugar, aye; Starr, nay; Kean, aye. Motion passed 5 – 3.

Roll call vote was taken for Judy Casper as follows: Burke, aye; Edwards, aye; Fiskum, nay; O'Day, nay; Sosa, aye; Shugar, aye; Starr, nay; Kean, aye. Motion passed 5 – 3.

Roll call vote was taken for Diana Hinton as follows: Burke, aye; Edwards, aye; Fiskum, nay; O'Day, nay; Sosa, aye; Shugar, aye; Starr, nay; Kean, aye. Motion passed 5 – 3.

Roll call vote was taken for Riley Hoagland as follows: Burke, aye; Edwards, aye; Fiskum, nay; O'Day, nay; Sosa, aye; Shugar, aye; Starr, nay; Kean, aye. Motion passed 5 – 3.

(1:25:01)

AGENDA ITEM 42, 18-155EHW, John Lindsey, Linn County Commissioner. Weedn summarized the case. Lindsey addressed the Commission and provided additional documents. Burke moved that the Commission find that there is a substantial, objective basis for believing that John Linsey may have violated ORS Chapter 244.040(1),

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244.040(4) and 244.120(2) and that the Commission should investigate accordingly. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(1:56:56)

AGENDA ITEM 44, 18-157EHW, Lila Bradley, Lincoln City Director of Public Works. Weedn summarized the case. Bradley and counsel, Andrea Coit, addressed the Commission. Shugar moved that the Commission find that the complaint and information before the Commission do not indicate a violation of ORS Chapter 244 or warrant further review and that this complaint be dismissed. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

(2:02:55)

AGENDA ITEM 43, 18-156SHW, Anna Williams, Oregon House of Representatives Candidate. Weedn summarized the case. Williams addressed the Commission by telephone. Edwards declared she works with the Oregon Nurses Association. Fiskum declared his firm is a lobbyist for the client. Burke moved that the Commission find that the complaint and information before the Commission do not indicate a violation of ORS Chapter 244.090 or warrant further review and that this complaint be dismissed. The Commission generally discussed the case. Roll call vote was taken as follows: Burke, aye; Edwards, aye; Fiskum, aye; O'Day, aye; Sosa, aye; Shugar, aye; Starr, aye; Kean, aye. Motion passed unanimously.

Own Motion Preliminary Reviews

None.

The Commission reconvened into regular session for a working lunch at 1:30 p.m.

Reports of Investigation

None.

Advisory Opinions

None.

CORRESPONDENCE RECEIVED/REPONSES

Staff Opinions

(non-action, informational only items)

None.

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Staff Advice
(non-action, informational only items)

(4:40) (recorder timed out during lunch)

AGENDA ITEM 21, 18-162I, Senator Arnie Roblan re public officials receiving paid expenses for meals to attend the 7th Annual Oregon Coastal Caucus Economic Summer (OCCES) event scheduled for August 22 – 23, 2018.

AGENDA ITEM 22, 18-168I, Chane Griggs, Salem Planning Commission, re application of conflict of interest provisions to official actions of planning commissioner.

The Commission generally discussed the advice.

Other Correspondence
(non-action, informational only items)

None.

Miscellaneous Items

(5:50)

AGENDA ITEM 23, Preventing Sexual Harassment and Discrimination and Harassment Free Workplace training videos. A link will be sent to each Commissioner to view presentation individually.

(7:12)

AGENDA ITEM 24, Trainers' Report. Hedrick summarized the training activities.

(9:43)

AGENDA ITEM 25, Executive Director's Report. Bersin discussed the following:

- 2017-2019 biennial budget status
- Legislative Concepts
- SEI 2018 filing with 3 non-filed.
- Website redesign continues.
- Interviews are beginning for the Program Analyst 1 (Trainer) and Investigator 3 positions.
- Email accounts have been set up for Commissioners.
- Best Practices Survey.
- Building closure issue.
- Update and discussion regarding the Cylvia Hayes matter.

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(31:40)

Chair Kean adjourned the meeting at 1:58 p.m.

The next scheduled meeting date of the Oregon Government Ethics Commission is set for Friday, September 21, 2018, at 9:00 a.m. The meeting will be held in the 1st Floor Conference Room of the Morrow Crane Building at 3218 Pringle Rd SE, in Salem, Oregon.

DRAFT

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Oregon

Kate Brown, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: ogec.mail@oregon.gov

Website: www.oregon.gov/ogec

August 15, 2018

Vicki L. Walker, Director
Dept. of State Lands
775 Summer St. NE, Suite 100
Salem OR 97301

Dear Ms. Walker:

The written explanation of why your Q2 2018 Lobbyist expenditure report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, September 21, 2018, at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

The due date for the \$10 penalty will be extended to coincide with the September 21st meeting date. You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



Lobbyist Activity

Q2 2018

Lobbyist Code: 1403
User Name: VickiLWalker
Email: vicki.walker@state.or.us

Vicki Walker
775 Summer Street NE, Ste 100
Salem, OR 973011279

Q2 2018 Filing:	7/16/2018
Q2 2018 Expended:	\$0.00
Q2 2018 Penalty:	\$10.00

Activity Log - Q2 2018 to Date

04/10/18 03:33:26.817 - User Successfully Authenticated -
04/10/18 03:35:15.087 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q1 2018
04/10/18 03:36:26.843 - User Successfully Authenticated -
04/12/18 05:11:48.813 - User Successfully Authenticated -
07/16/18 01:30:08.650 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/16/18 01:20:05.903 - User Successfully Authenticated -
07/16/18 01:21:24.057 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q2 2018
08/02/18 08:16:57.857 - User Profile Updated - User profile updated for Vicki Walker
08/02/18 08:16:58.137 - User Profile Updated - The user's main profile was updated.
08/02/18 08:18:19.153 - User Profile Updated - The user's main profile was updated.
08/02/18 08:18:19.173 - User Profile Updated - User profile updated for Vicki Walker

PREVIOUS VIOLATIONS: NONE

RECOMMENDATION:

in Accordance with EA




Oregon

Kate Brown, Governor

Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

www.oregon.gov/dsl

State Land Board

Kate Brown

Governor

Dennis Richardson

Secretary of State

Tobias Read

State Treasurer

RECEIVED
AUG 02 2018
OREGON GOVERNMENT
ETHICS COMMISSION

Date: August 2, 2018

To: Oregon Government Ethics Commission

From: Vicki L. Walker
Director, Department of State Lands

Subject: Late filing of Q2 2018 Lobby Report

Dear Oregon Government Ethics Commissioners:

I am writing to request the \$10 late filing fee for Q2 2018 be reversed. My assistant mistakenly thought that the quarterly report that she files for the agency, and the lobbyist report each lobbyist is required to file, were one and the same and advised me accordingly. I have never previously registered as a lobbyist in my professional career and, therefore, once the agency report was filed, we thought that our obligation was fulfilled. We have since learned differently and will be sure to file correctly moving forward.

Best Regards,

Vicki L. Walker

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Oregon

Kate Brown, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: ogec.mail@oregon.gov

Website: www.oregon.gov/ogec

August 27, 2018

Jonathan Manton
PO Box 3324
Salem OR 97302

Dear Mr. Manton:

The written explanation of why your Q2 2018 Lobbyist expenditure report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, September 21, 2018, at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

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Sincerely,

Commission Staff



Lobbyist Activity

Q2 2018

Lobbyist Code: 289
User Name: Jonathan Manton
Email: jmanton2008@gmail.com

Jonathan Manton
PO Box 3324
Salem, OR 97302

Q2 2018 Filing: 7/20/2018
Q2 2018 Expended: \$0.00
Q2 2018 Penalty: \$50.00

Activity Log - Q2 2018 to Date

04/20/18 01:24:22.210 - User Failed to Authenticate -
04/20/18 01:25:32.150 - User Successfully Authenticated -
04/20/18 01:52:23.357 - Lobbyist Client Registration Accepted - The lobbyist/client registration was accepted.
07/16/18 01:30:07.277 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/17/18 01:30:06.420 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/18/18 01:30:06.523 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/19/18 01:30:06.593 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/20/18 01:30:06.650 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/20/18 10:52:21.223 - Admin User Reset Initiated - An admin user reset was initiated.
07/20/18 10:53:05.743 - Admin User Password Reset Completed - A user reset their password using an admin reset.
07/20/18 10:53:21.497 - User Successfully Authenticated -
07/20/18 10:53:54.987 - User Profile Updated - User profile updated for Jonathan Manton
07/20/18 10:53:55.230 - User Profile Updated - The user's main profile was updated.
07/20/18 10:54:05.863 - Admin User Reset Initiated - An admin user reset was initiated.
07/20/18 10:56:52.647 - Admin User Password Reset Completed - A user reset their password using an admin reset.
07/20/18 10:57:11.027 - User Successfully Authenticated -
07/20/18 10:59:02.850 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q2 2018

PREVIOUS VIOLATIONS: NONE

RECOMMENDATION:

Letter A.E.I
(P)

RECEIVED

AUG 27 2018

OREGON GOVERNMENT
ETHICS COMMISSION

Dear Members of the Oregon Government Ethics Commission,

Thank you for alerting me as to my 5 day delinquency in filing my Q2 2018 expenditure report. Please accept this Statement of Explanation and consider a request for a one-time waiver of the fine as this is my first time filing a late report.

I have recently returned to Oregon after nearly two years of spending valuable time with family in Georgia. With the hectic nature of a change in locations and cross-country move, I regretfully failed to realize the quarter had expired and my report was due. I did not spend any money lobbying as indicated in my report.

I very much appreciate the heads-up provided to me by Kathy Baier! She had no obligation to reach out to me, but did so anyway and was extremely courteous and professional.

It is great to be back in Oregon and I am looking forward to returning to the Capitol. Thank you for your work, service to Oregon, and for your consideration of my request to waive this fine.

Best wishes,
Jonathan Manton
(541) 729-2923

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Oregon

Kate Brown, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: ogec.mail@oregon.gov

Website: www.oregon.gov/ogec

August 28, 2018

Emily McLain
6900 SW Atlanta St.
Portland OR 97223

Dear Ms. McLain:

The written explanation of why your Q2 2018 Lobbyist expenditure report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, September 21, 2018, at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

The due date for the \$40 penalty will be extended to coincide with the September 21st meeting date. You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



Lobbyist Activity

Q2 2018

Lobbyist Code: 97
User Name: Emily McLain
Email: emily.mclain@ppaoregon.org

Q2 2018 Filing: 7/19/2018
Q2 2018 Expended: \$0.00
Q2 2018 Penalty: \$40.00

Emily McLain
6900 SW Atlanta St.
Portland, OR 97223

Activity Log - Q2 2018 to Date

04/02/18 03:54:04.653 - User Successfully Authenticated -
04/02/18 03:55:09.200 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q1 2018
06/07/18 09:24:11.503 - User Successfully Authenticated -
06/07/18 09:24:12.627 - User Successfully Authenticated -
07/16/18 01:30:06.933 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/16/18 11:08:28.997 - Admin User Reset Initiated - An admin user reset was initiated.
07/16/18 11:09:20.217 - Admin User Password Reset Completed - A user reset their password using an admin reset.
07/16/18 11:09:34.080 - User Successfully Authenticated -
07/16/18 11:10:15.723 - User Profile Updated - User profile updated for Emily McLain
07/16/18 11:10:15.780 - User Profile Updated - The user's main profile was updated.
07/16/18 11:10:33.780 - Admin User Reset Initiated - An admin user reset was initiated.
07/17/18 01:30:06.263 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/18/18 01:30:06.400 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/18/18 07:11:30.870 - User Failed to Authenticate -
07/18/18 07:11:46.320 - User Failed to Authenticate -
07/18/18 07:12:08.660 - User Failed to Authenticate -
07/19/18 01:30:06.470 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/19/18 01:43:35.140 - Admin User Reset Initiated - An admin user reset was initiated.
07/19/18 01:44:24.563 - Admin User Password Reset Completed - A user reset their password using an admin reset.
07/19/18 01:44:40.570 - User Successfully Authenticated -
07/19/18 01:48:08.357 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q2 2018
08/27/18 12:25:46.317 - User Failed to Authenticate -
08/27/18 12:25:56.533 - User Failed to Authenticate -
08/27/18 12:26:10.783 - User Successfully Authenticated -

PREVIOUS VIOLATIONS: NONE

RECOMMENDATION:

Letter to ED
(PP)

From: McLain, Emily <Emily.McLain@ppaoregon.org>
Date: Monday, August 27, 2018 5:21 PM
To: BAIER Kathy * OGEC
Subject: Late filing letter to commissioners

RECEIVED
AUG 28 2018
OREGON GOVERNMENT
ETHICS COMMISSION

Dear commissioners,

Thank you so much for considering this request. Due to major staff transitions, staff leave, and changes at both my previous employer, the Oregon Education Association, and my new employer, Planned Parenthood Advocates of Oregon, I have a late filing of my lobbying reports. I apologize that this happened during my transition. I always report on time and diligently follow the process with the Ethics Commission but because of a major job transition and staffing fluctuations related to our systems of making sure filing happened I filed late in Q2 this year. I want to ask if you would consider waiving the penalty this time. Thank you so much for your consideration. I have really appreciated Kathy on staff at OGEC for answering all my questions when I realized this and for helping me get set up again so this won't happen again. Thank you again for your consideration!

Emily McLain

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Oregon

Kate Brown, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: ogec.mail@oregon.gov

Website: www.oregon.gov/ogec

September 11, 2018

Rebecca Carey-Smith
121 SW Salmon Street
Portland OR 97206

Dear Ms. Carey-Smith:

The written explanation of why your Q2 2018 Lobbyist expenditure report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, September 21, 2018, at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

The due date for the \$40 penalty will be extended to coincide with the September 21st meeting date. You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



Lobbyist Activity

Q2 2018

Lobbyist Code: 1307
User Name: reball
Email: rebecca.carey-smith@pgn.com

Rebecca Carey-Smith
121 SW Salmon Street
Portland, OR 97206

Q2 2018 Filing: 7/19/2018
Q2 2018 Expended: \$0.00
Q2 2018 Penalty: \$40.00

Activity Log - Q2 2018 to Date

04/13/18 09:49:32.603 - User Failed to Authenticate -
04/13/18 09:49:38.173 - User Failed to Authenticate -
04/13/18 09:59:57.790 - Admin User Reset Initiated - An admin user reset was initiated.
04/13/18 10:04:15.227 - Admin User Password Reset Completed - A user reset their password using an admin reset.
04/13/18 10:04:23.043 - User Successfully Authenticated -
04/13/18 10:06:05.967 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q1 2018
07/16/18 03:30:08.383 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/17/18 03:30:07.013 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/18/18 03:30:06.883 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/19/18 03:30:07.030 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/19/18 05:41:54.773 - User Successfully Authenticated -
07/19/18 05:42:53.143 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q2 2018
08/30/18 05:57:25.747 - User Profile Updated - User profile updated for Rebecca Carey-Smith
08/30/18 05:57:25.807 - User Profile Updated - The user's main profile was updated.
08/30/18 05:58:38.000 - User Profile Updated - User profile updated for Rebecca Carey-Smith
08/30/18 05:58:38.013 - User Profile Updated - The user's main profile was updated.

PAST VIOLATIONS: NONE

RECOMMENDATION:

Letter of Ed
(PE)

RECEIVED
SEP 11 2018
OREGON GOVERNMENT
ETHICS COMMISSION

September 11, 2018

To: Oregon Government Ethics Commission Members
Chair Allison Kean
Vice Chair Richard Burke
Karly Edwards
Nathan Sosa
David Fiskum

Charles Starr
Daniel Mason
Kamala Shugar
Sean O'Day

cc: Kathy Baier
From: Rebecca Carey-Smith
Re: Lobbyist quarterly filing late fee

Dear Oregon Government Ethics Commission:

I am a registered state lobbyist for Portland General Electric. I am writing to provide an explanation for the tardy filing of my Q2 2018 expenditure report.

I was on maternity leave with my first child from March 14, 2018 through August 1, 2018. I was still able to access my work email during the first part of my leave and received the reminder for the Q1 2018 filing, but by the month of June I had been locked out of my computer due to lack of use. Because of this, I did not receive the very helpful reminder that commission staff sends. I realize that it is my responsibility to remember to file my report, with or without a reminder email, but in the midst of new motherhood I had completely checked out of my professional life. I greatly appreciate Kathy Baier's time and effort to call my cell phone with a reminder that I was four days late filing my report.

Given that unique circumstance of being on maternity with no access to my work computer or work email, I would greatly appreciate the consideration of an waiver of this late fee. I did not do any lobbying activities nor meet with a legislator during my maternity leave. However, I completely understand and respect the importance of the Commission's rules and if this is not possible I will process a check immediately.

Thank you for your consideration.

Best regards,

Rebecca Carey-Smith
503-382-7824
Rebecca.Carey-Smith@pgn.com

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Oregon

Kate Brown, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: ogec.mail@oregon.gov

Website: www.oregon.gov/ogec

August 21, 2018

Salmon For All
Attn: Hobe Kytr
PO Box 56
Astoria OR 97103

Dear Mr. Kytr:

The written explanation of why your Q2, 2018 Client expenditure report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, September 21, 2018, at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

The due date for Q2, 2018 (\$900) penalty will be extended to coincide with the September 21st meeting date. You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



Client/Employer Activity

Q2 2018

Client Code: 1216
User Name: Steven E Fick
Email: info@salmonforall.org

Q2 2018 Filing: 8/14/2018
Q2 2018 Expended: \$7,800.00
Q2 2018 Penalty: \$900.00

Salmon For All
Attn: Hobe Kytr
P.O. box 56
astoria , OR 97103

Activity Log - Q2 2018 to Date

04/10/18 12:21:47.540 - User Successfully Authenticated -
04/10/18 12:24:16.370 - Client Report Submitted - Client Report Submitted for Q1 2018
07/16/18 01:30:10.210 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/17/18 01:30:07.853 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/18/18 01:30:07.367 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/19/18 01:30:07.453 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/20/18 01:30:07.710 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/21/18 01:30:06.750 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/22/18 01:30:15.200 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/23/18 01:30:07.360 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/24/18 01:30:06.637 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/25/18 01:30:06.680 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/26/18 01:30:06.690 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/27/18 01:30:06.360 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/28/18 01:30:06.507 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/29/18 01:30:06.367 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/30/18 01:30:06.360 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/31/18 01:30:06.393 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/01/18 01:30:06.490 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/02/18 01:30:06.560 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/03/18 01:30:06.257 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/04/18 01:30:06.837 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/05/18 01:30:07.873 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/06/18 01:30:07.587 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/07/18 01:30:06.573 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/08/18 01:30:05.620 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/09/18 01:30:06.767 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/10/18 01:30:06.213 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/11/18 01:30:06.730 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/12/18 01:30:06.310 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/13/18 01:30:06.173 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/14/18 01:30:06.457 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/14/18 10:49:45.257 - User Successfully Authenticated -
08/14/18 10:51:58.587 - Client Report Submitted - Client Report Submitted for Q2 2018

PREVIOUS VIOLATIONS: NONE

RECOMMENDATION:

Lester *AK* *RP*

RECEIVED
AUG 16 2018
OREGON GOVERNMENT
ETHICS COMMISSION

5253 Ash Street
Astoria, OR 97103

August 14, 2018

Oregon Government Ethics Commission
3218 Pringle Rd. SE #220
Salem, OR 97302-1544

Dear Commission Members,

My name is Hobe Kytr. I am employed as the office Administrator for Salmon For All, a nonprofit trade association of Columbia River commercial fishermen, processors, and ancillary businesses, representing the lower Columbia River non-Indian commercial gillnet fishing industry. It is my job to file the quarterly reports with the Oregon Government Ethics Commission.

The evening of this past July 5, I suffered a serious fall at our home, which fractured the C-2 vertebra in my neck. From July 6-10, I was at the OHSU trauma center, then released to the Avamere Crestview skilled nursing facility for further care and rehab from July 10 through July 19. I am back at home now, but must remain in a neck brace for another 6-7 weeks.

I filed the belated report for the second quarter of 2018 this morning at the office of Salmon For All. It was my first visit there since the beginning of July. I won't really be back to work until this neck brace comes off.

It was my failure and mine alone for the late filing of our second quarter report. My employers at Salmon For All are not to blame. You have my apologies for the lateness of my filing, and hope you will understand there were extenuating circumstances.

Respectfully,


Hobe Kytr, Administrator
Salmon For All



Oregon

Kate Brown, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: ogec.mail@oregon.gov

Website: www.oregon.gov/ogec

August 28, 2018

Presidio
Attn: Tony Kaperick
2 Centerpointe
Portland OR 97035

Dear Mr. Kaperick:

The written explanation of why the Q2, 2018 Client expenditure report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, September 21, 2018, at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

The due date for Q2, 2018 (\$30) penalty will be extended to coincide with the September 21st meeting date. You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



Client/Employer Activity

Q2 2018

Client Code: 744
User Name: Presidio
Email: tkaperick@presidio.com

Q2 2018 Filing: 7/18/2018
Q2 2018 Expended: \$5,000.00
Q2 2018 Penalty: \$30.00

Presidio
Attn: Tony Kaperick
2 Centerpointe
Portland, OR 97035

Activity Log - Q2 2018 to Date

04/10/18 08:58:28.017 - User Successfully Authenticated -
04/10/18 08:59:35.080 - Client Report Submitted - Client Report Submitted for Q1 2018
07/16/18 01:30:09.897 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/17/18 01:30:07.620 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/18/18 01:30:07.210 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/18/18 04:34:30.630 - User Successfully Authenticated -
07/18/18 04:36:51.677 - Client Report Submitted - Client Report Submitted for Q2 2018
08/28/18 06:59:17.183 - User Successfully Authenticated -
08/28/18 06:59:17.807 - User Successfully Authenticated -

PREVIOUS VIOLATIONS: NONE

RECOMMENDATION:

Letter to EOL 

BAIER Kathy * OGEC

From: Kaperick, Tony <TKaperick@presidio.com>
Sent: Tuesday, August 28, 2018 7:00 AM
To: BAIER Kathy * OGEC
Subject: RE: Client/Employer expenditure reporting

RECEIVED
AUG 28 2018
OREGON GOVERNMENT
ETHICS COMMISSION

Kathy/Commission – I am asking for your support in mitigating this penalty given this is the first occurrence, I was traveling on the east coast with family during the submission time and I made effort to get it filed by the 18th so just 3 days late, and Presidio has a strong track record of keeping on top of this. I do the best I can given that this is an additional responsibility on my account manager role and I have no direct support person to track this. Any consideration would be appreciated.

With gratitude, Tony

Tony Kaperick | Senior Account Executive
Presidio (NASDAQ: PSDO) | presidio.com
6000 Meadows Road Suite 400, Lake Oswego, OR 97035
D: 503.594.0392 | C: 541.913.2051 | tkaperick@presidio.com

From: BAIER Kathy * OGEC <Kathy.BAIER@oregon.gov>
Sent: Monday, August 27, 2018 3:55 PM
From: Kaperick, Tony <tkaperick@presidio.com>
Subject: Client/Employer expenditure reporting

EXTERNAL EMAIL

Hello Tony. In review of your account today, I see you have a \$30 late filing penalty from Q2 2018 that needs to be satisfied. You may send in a check to the below address for \$30 or you may write a letter of explanation (email is fine) to the Commission asking to mitigate the penalty. If you have any questions, please give me a call.

Kathy Daniel Baier
OR Government Ethics Commission
3218 Pringle Rd SE, Suite 220
Salem OR 97302-1544
Ph: 503-378-2170

This message w/attachments (message) is intended solely for the use of the intended recipient(s) and may contain information that is privileged, confidential or proprietary. If you are not an intended recipient, please notify the sender, and then please delete and destroy all copies and attachments. Please be advised that any review or dissemination of, or the taking of any action in reliance on, the information contained in or attached to this message is prohibited.

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Oregon

Kate Brown, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: ogec.mail@oregon.gov

Website: www.oregon.gov/ogec

September 5, 2018

Oregonians for Rural Health
Attn: Wayne Patterson
522 SE Washington Ave, Ste 107
Roseburg OR 97470

Dear Mr. Patterson:

The written explanation of why the Q2, 2018 Client expenditure report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, September 21, 2018, at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

The due date for Q2, 2018 (\$90) penalty will be extended to coincide with the September 21st meeting date. You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



Client/Employer Activity

Q2 2018

Client Code: 1276
User Name: wpatterson1
Email: wayne@uedpartnership.org

Q2 2018 Filing: 7/24/2018
Q2 2018 Expended: \$982.00
Q2 2018 Penalty: \$90.00

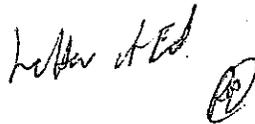
Oregonians for Rural Health
Attn: Wayne Patterson
522 SE Washington Ave, Ste 107
Roseburg, OR 97470

Activity Log - Q2 2018 to Date

04/10/18 11:18:39.587 - User Successfully Authenticated -
04/10/18 11:20:31.870 - Client Report Submitted - Client Report Submitted for Q1 2018
07/12/18 10:25:20.397 - User Successfully Authenticated -
07/12/18 10:25:51.833 - Client Report Saved - Client Report Saved for Q2 2018
07/16/18 01:30:10.303 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/17/18 01:30:07.947 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/18/18 01:30:07.397 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/19/18 01:30:07.483 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/20/18 01:30:07.820 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/21/18 01:30:06.797 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/22/18 01:30:15.260 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/23/18 01:30:07.437 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/24/18 01:30:06.683 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/24/18 08:26:38.623 - User Successfully Authenticated -
07/24/18 08:29:46.530 - Client Report Submitted - Client Report Submitted for Q2 2018

PREVIOUS VIOLATIONS: NONE

RECOMMENDATION:

Letter of Ed


From: Wayne Patterson <wayne@uedpartnership.org>
Sent: Wednesday, September 05, 2018 1:29 PM
To: BAIER Kathy * OGEC
Cc: DeLana Smith
Subject: request for waiver

RECEIVED
SEP 05 2018
OREGON GOVERNMENT
ETHICS COMMISSION

Kathy,
On the matter of filing late, please consider the following.
PACWEST, our lobbyist, did not get us the numbers that we needed to file until after I left the office on July 14, which was a Friday. I had requested it several times previous to that date and let them know that I would be on vacation from July 14 to July 24. Due to receiving the information from them late, which in turned caused us to file late, we request that our late fees be waived.

Best regards,

Wayne Patterson
Executive Director
541-464-3527 Office
800-210-9032 Toll Free
541-580-3663 Mobile
522 SE Washington Ave., Ste 107, Roseburg, OR 97470
www.uedpartnership.org
2016 & 2017 OEDA Award Winner



UMPQUA ECONOMIC DEVELOPMENT
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UMPQUA





Oregon

Kate Brown, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: ogec.mail@oregon.gov

Website: www.oregon.gov/ogec

August 21, 2018

Tim Parks
PO Box 812
Merrill OR 97633

Re: 2018 SEI late filing

Dear Mr. Parks:

The written explanation of why your 2018 Statement of Economic Interest report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, September 21, 2018 at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



SEI Activity 2018

SEI Code: 4724
User Name: parkshickey
Email: parkshickey@gmail.com

2018 Filing: 5/25/2018
2018 Penalty: \$310.00

Tim Parks
PO Box 812
Merrill, OR 97633

2018 Offices Held

No data to report.

Activity Log - 2018 to Date

05/07/18 01:30:13.443 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/08/18 01:30:10.093 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/09/18 01:30:09.160 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/10/18 01:30:08.240 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/11/18 01:30:10.000 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/12/18 01:30:10.200 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/13/18 01:30:08.833 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/14/18 01:30:12.947 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/15/18 01:30:11.673 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/16/18 01:30:10.643 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/17/18 01:30:07.680 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/18/18 01:30:13.470 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/19/18 01:30:07.963 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/20/18 01:30:08.937 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/21/18 01:30:08.703 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/22/18 01:30:07.950 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/23/18 01:30:08.807 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018
05/24/18 01:30:07.003 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018
05/25/18 01:30:09.557 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018
05/25/18 02:28:06.960 - Late SEI Report Filed - SEI Report Filed Late for year 2018

PREVIOUS VIOLATIONS: NONE

RECOMMENDATION:

Letter to ED
ED

Tim Parks
PO Box 812
Merrill, OR 97633

RECEIVED
AUG 20 2018
OREGON GOVERNMENT
ETHICS COMMISSION

Dear Commissioners,

I inadvertently filed my SEI late. In the past I have filed on time and in the future I will file on time so I am asking for a waiver of the penalties. Thank you for your consideration.

Tim Parks

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Oregon

Kate Brown, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: ogec.mail@oregon.gov

Website: www.oregon.gov/ogec

August 22, 2018

Mark McKechnie
132 W Main Street
Medford OR 97501

Re: 2018 SEI late filing

Dear Mr. McKechnie:

The written explanation of why your 2018 Statement of Economic Interest report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, September 21, 2018 at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



SEI Activity
2018

SEI Code: 968
User Name: markmckechnie1
Email: mark@oregonarchitecture.biz

2018 Filing: 5/29/2018
2018 Penalty: \$510.00

Mark McKechnie
132 W Main Street
Medford, OR 97501

2018 Offices Held

No data to report.

Activity Log - 2018 to Date

05/07/18 01:30:11.400 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/08/18 01:30:08.877 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/09/18 01:30:08.193 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/10/18 01:30:07.337 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/11/18 01:30:08.860 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/12/18 01:30:09.093 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/13/18 01:30:07.973 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/14/18 01:30:09.623 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/15/18 01:30:08.957 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/16/18 01:30:10.003 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/17/18 01:30:06.807 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/18/18 01:30:10.163 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/19/18 01:30:07.263 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/20/18 01:30:08.063 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/21/18 01:30:07.970 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/22/18 01:30:07.073 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/23/18 01:30:07.823 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018
05/24/18 01:30:06.350 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018
05/25/18 01:30:07.870 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018
05/26/18 01:30:06.217 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018
05/27/18 01:30:07.090 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018
05/28/18 01:30:07.463 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018
05/29/18 01:30:06.080 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018
05/29/18 02:22:56.180 - User Failed to Authenticate -
05/29/18 02:23:03.970 - User Failed to Authenticate -
05/29/18 02:25:11.553 - User Successfully Authenticated -
05/29/18 02:27:22.523 - User Profile Updated - The user's main profile was updated.
05/29/18 02:27:22.547 - User Profile Updated - User profile updated for Mark McKechnie
05/29/18 02:33:24.317 - Late SEI Report Filed - SEI Report Filed Late for year 2018
05/29/18 04:55:36.327 - User Successfully Authenticated -
05/29/18 04:56:09.597 - User Profile Updated - User profile updated for Mark McKechnie
05/29/18 04:56:09.633 - User Profile Updated - The user's main profile was updated.

PREVIOUS VIOLATIONS: NONE

RECOMMENDATION:

Letter of Ed
MD

Mark McKechnie
4406 San Juan Drive
Medford, OR 97504

RECEIVED
AUG 22 2018
OREGON GOVERNMENT
ETHICS COMMISSION

August 22, 2018

Oregon Government Ethics Commission
3218 Pringle Road SE, Suite 200
Salem, Oregon 97302

RE: Late Filing of 2017 Report

Dear Sirs:

I am writing to ask for a waiver of the late filing penalty on my 2017 report. The late filing was inadvertent. I am a recent appointee to the Medford Planning Commission and the fact that I need to file a report annually with the Commission has not yet become part of the annual routine for the position. E-mail reminders at the beginning of this year went to an e-mail address I never use, so I was unaware I had not filed the correct report. I believe I have that issue corrected.

Up until January of this year I was also a member of the Oregon Board of Architect Examiners, which is a semi-independent Board, and as such Board members are not required to submit an Ethics statement, so I had no clues from other volunteer service that I should be filing a report.

As I indicated above, I have provided my business e-mail to the Commission and expect to receive timely reminder notices in the future. Thank you for your consideration in this matter.

Regards,

Mark McKechnie
Member
Medford Planning Commission



Oregon

Kate Brown, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: ogec.mail@oregon.gov

Website: www.oregon.gov/ogec

August 27, 2018

Andrea Henderson
260 13th St. NE
Salem OR 97301

Dear Ms. Henderson:

The written explanation of why your Q2 2018 Lobbyist expenditure report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, September 21, 2018, at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

The due date for the \$1,300 penalty will be extended to coincide with the September 21st meeting date. You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



Lobbyist Activity

Q2 2018

Lobbyist Code: 274
User Name: AHendersonOCCA17
Email: ahenderson8@gmail.com

Q2 2018 Filing: 8/22/2018
Q2 2018 Expended: \$0.00
Q2 2018 Penalty: \$1,300.00

Andrea Henderson
260 13th St NE
Salem, OR 973014117

Activity Log - Q2 2018 to Date

04/01/18 11:33:09.007 - User Successfully Authenticated -
04/01/18 11:33:54.143 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q1 2018
04/01/18 02:49:24.500 - User Successfully Authenticated -
07/16/18 01:30:07.230 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/17/18 01:30:06.373 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/18/18 01:30:06.493 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/19/18 01:30:06.563 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/20/18 01:30:06.573 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/21/18 01:30:06.267 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/22/18 01:30:13.607 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/23/18 01:30:06.720 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/24/18 01:30:06.170 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/25/18 01:30:06.307 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/26/18 01:30:06.347 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/27/18 01:30:06.080 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/28/18 01:30:06.100 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/29/18 01:30:05.993 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/30/18 01:30:06.047 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2018 Q2
07/31/18 01:30:06.097 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/01/18 01:30:06.037 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/02/18 01:30:06.263 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/03/18 01:30:05.960 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/04/18 01:30:06.523 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/05/18 01:30:07.343 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/06/18 01:30:06.713 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/07/18 01:30:05.870 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/08/18 01:30:04.993 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/09/18 01:30:06.143 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/10/18 01:30:05.543 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/11/18 01:30:06.043 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/12/18 01:30:05.607 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/13/18 01:30:05.597 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/14/18 01:30:05.833 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/15/18 01:30:05.347 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/16/18 01:30:07.560 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/17/18 01:30:05.903 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/18/18 01:30:05.870 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/19/18 01:30:05.660 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/20/18 01:30:05.913 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/21/18 01:30:05.803 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/22/18 01:30:06.033 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2018 Q2
08/22/18 03:58:23.613 - Admin User Reset Initiated - An admin user reset was initiated.
08/22/18 03:59:45.450 - Admin User Password Reset Completed - A user reset their password using an admin reset.
08/22/18 04:00:32.563 - User Successfully Authenticated -
08/22/18 04:00:58.487 - User Profile Updated - User profile updated for Andrea Henderson
08/22/18 04:00:58.537 - User Profile Updated - The user's main profile was updated.
08/22/18 04:02:00.533 - Admin User Reset Initiated - An admin user reset was initiated.
08/22/18 04:07:12.177 - Admin User Password Reset Completed - A user reset their password using an admin reset.
08/22/18 04:07:44.347 - User Successfully Authenticated -
08/22/18 04:10:37.757 - Lobbyist Report Submitted - Lobbyist Report Submitted for Q2 2018

PAST VIOLATIONS: 2016 Fail to File Registration for 2016, Own Motion.
Commissioners issued a reduced fee for all 4 quarters of 2016, \$250

RECOMMENDATION: *No recommendation*
-48- 

Andrea Henderson
2446 Timothy Drive NW
Salem, Oregon 97304
Ahenderson8@gmail.com

RECEIVED
AUG 27 2018
OREGON GOVERNMENT
ETHICS COMMISSION

To the Oregon Government Ethics Commission

I am writing to request a reduction in my fine for not filing a timely report.

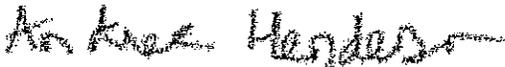
On March 30 I left employment with the Oregon Community College Association (OCCA) through a separation agreement. As part of my departure OCCA terminated my status as a registered lobbyist representing them. I wrongly assumed that this discharged my obligation and that I need not take further action. I have since learned that I had a proactive duty to change my registration status and I failed to do so.

I fully take responsibility for that failure and note your website clearly states that filing is required so long as the registration is active and that termination of employment does not discharge that obligation. I also failed to update my email address with the Commission so that I would receive notice of my failure to file.

Upon notice from OCCA that they had received information indicating that I had failed to file I looked up my status and took corrective action. I do not currently have any clients but hope to in the future and will ensure that I correctly file and am aware of all the requirements.

I recognize that I am at fault and have clearly violated the requirements. I also recognize that I have failed to file in the past to check my status which resulted in a fine. However I do ask that a reduction be made in the fine and appreciate your consideration.

Sincerely,



Andrea Henderson

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Oregon

Kate Brown, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: ogec.mail@oregon.gov

Website: www.oregon.gov/ogec

August 22, 2018

Whole Foods Market
Attn: Susan Livingston
15 Lake Bellevue Dr., Suite 100
Bellevue WA 98005

Dear Ms. Livingston:

The written explanation of why your Q2, 2016 and Q4, 2017 Client expenditure reports were filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, September 21, 2018, at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

The due date for Q2, 2016 and Q4, 2017 (\$300) penalties will be extended to coincide with the September 21st meeting date. You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



Client/Employer Activity

Q4 2017

Client Code:	319	Q4 2017 Filing:	1/19/2018
User Name:	Susan B Livingston	Q4 2017 Expended:	\$0.00
Email:	Susan.Livingston@wholefoods.com	Q4 2017 Penalty:	\$40.00

Whole Foods Market
Attn: Susan Livingston
15 Lake Bellevue Drive
Bellevue, WA 98005

Activity Log - Q4 2017 to Date

10/03/17 05:08:59.043 - User Failed to Authenticate -
10/03/17 05:09:59.273 - User Successfully Authenticated -
10/03/17 05:10:30.457 - Client Report Submitted - Client Report Submitted for Q3 2017
12/15/17 09:30:26.087 - Lobbyist Client Registration Renewal Initiated - The lobbyist/client registration renewal was initiated.
12/25/17 01:30:05.027 - Lobbyist/Client Registration Request Unconfirmed - The client did not respond to the registration invitation in the allotted amount of time.
01/01/18 01:32:18.497 - Lobbyist/Client Registration Request Expired - The lobbyist/client registration came to end of term and expired.
01/16/18 02:58:11.133 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4.
01/17/18 03:00:32.217 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4.
01/18/18 01:30:11.627 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4.
01/19/18 01:30:09.167 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4.
01/19/18 01:43:25.740 - User Failed to Authenticate -
01/19/18 01:43:30.527 - User Failed to Authenticate -
01/19/18 01:43:40.310 - Admin User Reset Initiated - An admin user reset was initiated.
01/19/18 01:44:54.773 - Admin User Password Reset Completed - A user reset their password using an admin reset.
01/19/18 01:45:05.383 - User Successfully Authenticated -
01/19/18 01:46:32.347 - Client Report Submitted - Client Report Submitted for Q4 2017
08/22/18 03:42:03.153 - Admin User Reset Initiated - An admin user reset was initiated.
08/22/18 03:43:12.587 - Admin User Password Reset Completed - A user reset their password using an admin reset.
08/22/18 03:43:15.633 - User Failed to Authenticate -
08/22/18 03:43:26.393 - User Successfully Authenticated -

PAST VIOLATIONS: Q2 2016 \$260

Q4 2017 \$ 40

RECOMMENDATION:

*Waive Q2 2016 fee = 1 letter
No reduction of Q4 2017 \$40⁰⁰*

Client/Employer Activity

Q2 2016

Client Code: 319
Client Name: Susan B Livingston
Email: Susan.Livingston@wholefoods.com

Whole Foods Market
Attn: Susan Livingston
15 Lake Bellevue Drive
Bellevue, WA 98005

Q2 2016 Filing: 8/5/2016
Q2 2016 Expended: \$0.00
Q2 2016 Penalty: \$260.00

Activity Log - Q2 2016 to Date

05/25/16 10:50:24.517 - Admin User Reset Initiated - An admin user reset was initiated.
05/25/16 10:55:34.030 - User Failed to Authenticate -
05/25/16 10:59:56.320 - Client Report Submitted - Client Report Submitted
07/16/16 01:30:28.640 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q2
07/17/16 01:30:27.990 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q2
07/18/16 01:30:26.127 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q2
07/19/16 01:30:28.860 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q2
07/20/16 01:30:27.210 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q2
07/21/16 01:30:32.743 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q2
07/22/16 01:30:31.610 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q2
07/23/16 01:30:28.717 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q2
07/24/16 01:30:50.730 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q2
07/25/16 01:30:29.453 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q2
07/26/16 01:30:31.130 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q2
08/03/16 01:30:11.527 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2016 Q2
08/04/16 01:30:12.687 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2016 Q2
08/04/16 09:12:46.117 - User Profile Updated - User profile updated for Susan Livingston
08/04/16 09:12:47.223 - User Profile Updated - The user's main profile was updated.
08/05/16 01:30:11.740 - Automated Late Fee Applied - Late fee of amount \$50.00 applied for reporting requirement 2016 Q2
08/05/16 09:05:22.973 - User Failed to Authenticate -
08/05/16 09:05:30.657 - User Failed to Authenticate -
08/05/16 09:10:40.910 - User Failed to Authenticate -
08/05/16 09:10:50.707 - User Successfully Authenticated -
08/05/16 09:12:37.153 - Client Report Submitted - Client Report Submitted for Q2 2016
10/07/16 09:56:27.243 - User Failed to Authenticate -
10/07/16 09:56:34.050 - User Failed to Authenticate -
10/07/16 09:56:38.800 - User Failed to Authenticate -
10/07/16 09:58:37.123 - User Successfully Authenticated -
10/07/16 09:59:31.320 - Client Report Submitted - Client Report Submitted for Q3 2016
01/10/17 10:30:47.750 - User Successfully Authenticated -
01/10/17 10:31:46.540 - Client Report Submitted - Client Report Submitted for Q4 2016
01/16/17 01:37:39.767 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q4
01/16/17 10:49:23.207 - User Successfully Authenticated -
01/17/17 01:37:06.780 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2016 Q4
04/03/17 01:44:53.337 - User Successfully Authenticated -
04/03/17 01:46:12.777 - Client Report Submitted - Client Report Submitted for Q1 2017
07/03/17 09:38:33.053 - User Failed to Authenticate -
07/03/17 09:38:37.337 - User Failed to Authenticate -
07/03/17 09:38:46.437 - User Failed to Authenticate -
07/03/17 09:38:50.033 - User Failed to Authenticate -
07/03/17 09:39:44.990 - User Successfully Authenticated -
07/03/17 09:40:38.037 - Client Report Submitted - Client Report Submitted for Q2 2017
10/03/17 05:08:59.043 - User Failed to Authenticate -
10/03/17 05:09:59.273 - User Successfully Authenticated -
10/03/17 05:10:30.457 - Client Report Submitted - Client Report Submitted for Q3 2017
12/15/17 09:30:26.087 - Lobbyist Client Registration Renewal Initiated - The lobbyist/client registration renewal was initiated.
12/25/17 01:30:05.027 - Lobbyist/Client Registration Request Unconfirmed - The client did not respond to the registration invitation in the allotted amount of time.
01/01/18 01:32:18.497 - Lobbyist/Client Registration Request Expired - The lobbyist/client registration came to end of term and expired.
01/16/18 02:58:11.133 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4
01/17/18 03:00:32.217 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4
01/18/18 01:30:11.627 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4
01/19/18 01:30:09.167 - Automated Late Fee Applied - Late fee of amount \$10.00 applied for reporting requirement 2017 Q4
01/19/18 01:43:25.740 - User Failed to Authenticate -

Client/Employer Activity

Q2 2016

Client Code: 319
User Name: Susan B Livingston
Email: Susan.Livingston@wholefoods.com

Q2 2016 Filing: 8/5/2016
Q2 2016 Expended: \$0.00
Q2 2016 Penalty: \$260.00

Whole Foods Market
Attn: Susan Livingston
15 Lake Bellevue Drive
Bellevue, WA 98005

01/19/18 01:43:30.527 - User Failed to Authenticate -
01/19/18 01:43:40.310 - Admin User Reset Initiated - An admin user reset was initiated.
01/19/18 01:44:54.773 - Admin User Password Reset Completed - A user reset their password using an admin reset.
01/19/18 01:45:05.383 - User Successfully Authenticated -
01/19/18 01:46:32.347 - Client Report Submitted - Client Report Submitted for Q4 2017
08/22/18 03:42:03.153 - Admin User Reset Initiated - An admin user reset was initiated.
08/22/18 03:43:12.587 - Admin User Password Reset Completed - A user reset their password using an admin reset.
08/22/18 03:43:15.633 - User Failed to Authenticate -
08/22/18 03:43:26.393 - User Successfully Authenticated -

BAIER Kathy * OGEC

From: Susan Livingston (PN RSF) <Susan.Livingston@wholefoods.com>
Date: Wednesday, August 22, 2018 3:50 PM
To: BAIER Kathy * OGEC
Cc: Rena Wong (PN RSF)
Subject: Letter of Explanation

RECEIVED
AUG 22 2018
OREGON GOVERNMENT
ETHICS COMMISSION

Hi Kathy- Thank you for your assistance with providing the letter of explanation below to the commissioners regarding the Whole Foods Market account. If you need to reach me for any reason, please don't hesitate to call me directly at 425/445-0090.

Dear Commissioners,

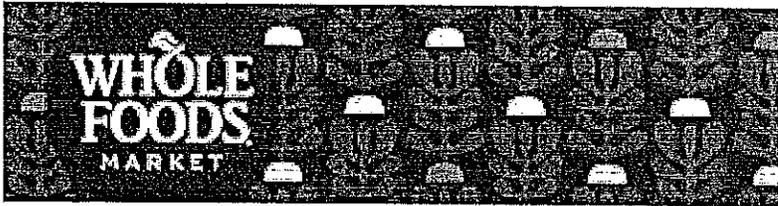
I am writing to respectfully request your help with mitigating or waiving overdue fees relating to our account. The executive that established this account is no longer an employee of Whole Foods Market. We did not become aware of the account or need to file until long after he left our company, and unfortunately, this caused some confusion on our end. We've worked closely with Kathy Baier in the last year or so to clean up our account and terminate our lobbyist relationship with Gwenn Baldwin. We very much appreciate your consideration of this period of transition and look forward to response following your meeting in late September, 2018.

Sincerely,

Susan Livingston
Whole Foods Market

SUSAN LIVINGSTON

Community Engagement and Events | Western US + Canada
15 Lake Bellevue Drive, Suite 100, Bellevue WA 98005
425/457-0090m



CONFIDENTIALITY NOTICE: The information contained in this email and any attached documents may be the confidential, proprietary or trade secret information of Whole Foods Market, its licensees or affiliates. If you are not the intended recipient of this message, please do not review, use, disclose, distribute, print, copy or disseminate this communication or any attached documents. If you have received this in error, please reply and notify the sender (only) and destroy all copies of the original message and any attached documents. Unauthorized interception of this e-mail is a violation of federal criminal law.



Oregon

Kate Brown, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: ogec.mail@oregon.gov

Website: www.oregon.gov/ogec

August 15, 2018

Krista Peterson
125 Tracy Lane
Medford OR 97501

Re: 2018 SEI late filing

Dear Ms. Peterson:

The written explanation of why your 2018 Statement of Economic Interest report was filed late has been received and will be submitted to the Oregon Government Ethics Commission (Commission) for consideration at a regular meeting. The next meeting will be held on Friday, September 21, 2018 at 9:00 a.m. The Commission will consider the matter at that time and then waive all, some, or no part of the penalty based on the explanation. Commission meetings are open to the public and you are welcome to attend. The meeting will be held in the Morrow Crane Building at 3218 Pringle Road, SE, Room 220, Salem, Oregon 97302.

You will be notified of the outcome and will be given additional instructions regarding the penalty, if any, in writing after the meeting. You may feel free to contact this office if you have any questions concerning this matter.

Sincerely,

Commission Staff



Your role is currently set as *SEI Filer*.

Your report status is **CURRENT**

Current Positions Held:

- **PLANNING COMMISSION, PHOENIX** - Appointed 1/1/2017

You have outstanding penalties or sanctions! Our records indicate that you currently have a balance of \$50.00 in penalties. [View Penalties and Sanctions](#)

- [Reports](#)
- [Penalties & Sanctions](#)
- [Documents](#)
- [Communications](#)

Current Reports and Amendments

10

<u>Year</u>	<u>Confirmation Number</u>	<u>Filing Date</u>	<u>Documents</u>	<u>Status</u>	<u>Commands</u>
<u>2018</u>	C9CGUJ5	05/14/2018	No	<u>Filed</u>	
<u>2017</u>	HUH01BW	08/03/2017	No	<u>Filed</u>	

SEI Activity
2018

SEI Code: 6957
Display Name: kristalp71
Email: kristalp71@hotmail.com

2018 Filing: 5/14/2018
2018 Penalty: \$50.00

KRISTA PETERSON
125 Tracy Ln
Medford, OR 97501

2018 Offices Held

No data to report.

Activity Log - 2018 to Date

No data to report.

PAST VIOLATIONS: 2017 SEI, \$3,730 waived in 8/25/17 meeting, Letter of Education

2018 SEI, \$30 waived in 6/29/18 meeting, reduced penalty to \$50

RECOMMENDATION: *No Contact, Bring back for reconsideration* 

She had two separate accounts (Lobbyist, SEI) merged into one. The EFS system removed her 2018 Office Held in the merge and removed the report history. (Identified issue reported to NIK)

RECEIVED

AUG 13 2018

OREGON GOVERNMENT
ETHICS COMMISSION

Krista Peterson
125 Tracy Lane
Medford, OR 97501

August 13, 2018

Government Ethics Commission
3218 Pringle Road SE
Salem, OR 97302

Dear Commission,

I am writing to request a removal of \$50.00 (reduced from \$80) in penalty charges for missing my deadline to file my 2018 Statement of Economic Interest report.

I believed I had filed my 2018 report correctly. I learned later that I had mistakenly filed under the 'Lobbyist' chose. I did not realize I was to file under the SEI chose. I had filled out and completed the Lobbyist chose and only after receiving the late dues via email found out I had not correctly filed.

I realize the Commission has already waived my charges from late filing in 2017. I am asking for the Commission to waive these 2018 charges also. I have made notes to be sure I file correctly next year.

Sincerely,
Krista Peterson
Planning Commission City of Phoenix, Oregon

Krista Peterson

Uh, no. ↑
She wouldn't have
had the option to
file an SEI under
Lobbyist role.

- C. 192.660(3) allows for labor negotiations to be conducted in executive session only if negotiators for both sides request that negotiations be conducted in executive session.
- D. ORS 192.660(2)(a) permits the topic of one's initial employment with the public body to be discussed in executive session, but not periodic salary discussions with current employees. The purpose of the 8/9/17 executive session was to discuss the salary of one of the City's employees with that employee. The topic of salary negotiation in executive session is explicitly prohibited by OAR 199-040-0020. ORS 192.660(2)(a) permits the topic of one's initial employment with the public body to be discussed in executive session, but not periodic salary discussions with current employees. ORS 192.660(3) was also cited as a lawful basis for the executive session, but only topics permitted by ORS 192.660(2) may be discussed in executive session.
- E. ORS 244.350 authorizes the Commission to assess civil penalties of up to \$1000 as a result of this violation.
- F. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find a violation of ORS 192.660(2).

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On June 29, 2018, the Commission acted to find violation, bring the investigative phase to a close and move to a negotiated settlement or a contested case hearing. The June 29, 2018 action was a preliminary finding of violations of Oregon Government Ethics law, as a prelude to a stipulated settlement or a contested case hearing, and not a final conclusion regarding a violation of the executive session provisions of Oregon Public Meetings law by Les Church.
- B. Les Church will receive a letter of education, as authorized by ORS 244.350, in order to settle and compromise this matter.
- C. The Commission releases, settles and compromises any and all claims, which have been or could be asserted against Les Church within the scope of the above-referenced proceedings.
- D. Les Church will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

5. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in comparing and reviewing this agreement.

6. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Les Church agrees to waive his right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Les Church agrees to waive his right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.



Les Church

07/28/18

Date

Alison R. Kean, Chairperson
Oregon Government Ethics Commission

Date

- C. Mario Leonetti did not disclose a potential conflict of interest prior to taking the actions on the four occasions described in paragraph A.
- D. ORS 244.350 authorizes the Commission to assess civil penalties of up to \$5,000 per violation.
- E. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find violations ORS 244.120(2).

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On 6/2/17, the Commission considered information in the preliminary review phase and acted to find cause to initiate an investigation of these matters. Mario Leonetti has indicated that he wishes to conclude this matter by agreeing to the terms and conditions in this order without completing the investigative phase.
- B. Mario Leonetti will receive a letter of education in lieu of a civil penalty, as authorized by ORS 244.350 in order to settle and compromise this matter.
- C. The Commission releases, settles and compromises any and all claims, which have been or could be asserted against Mario Leonetti within the scope of the above-referenced proceedings.
- D. Mario Leonetti will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

5. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in comparing and reviewing this agreement.

6. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Mario Leonetti agrees to waive his right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Mario Leonetti agrees to waive his right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.

Mario P Leonetti
Mario Leonetti

8-14-18
Date

Alison R. Kean, Chairperson
Oregon Government Ethics Commission

Date

(

(

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- B. As a result of Multnomah County's financial review, Mr. Brown became the subject of a criminal investigation. He was indicted on 10/10/17 in Multnomah County Circuit Court on 58 charges. On 2/27/18, Mr. Brown entered a plea of guilty to three counts: official misconduct, aggravated theft, and identity theft committed between 9/1/16 and 8/31/17. On 5/14/18 Mr. Brown was sentenced to incarceration for a term of 18 months, post-prison supervision for two years, and restitution in the amount of \$54,187 payable to Multnomah County and \$400 payable to the identity theft victim, his supervisor.
- C. ORS 244.040(1) prohibits any public official from using their official position or office to obtain financial gain for the public official, other than official salary, honoraria or reimbursement of expenses.
- D. The actions described in paragraphs (A) and (B) above constituted three violations of ORS 244.040(1).
- E. ORS 244.350 authorizes the Commission to assess civil penalties of up to \$15,000 as a result of these violations.
- F. ORS 244.360 authorizes the Commission to order Randall Brown to pay a monetary forfeiture equal to twice the amount of the financial gain Randall Brown realized as a result of these violations.
- G. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find violations of ORS 244.040(1).

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On 1/5/18, the Commission considered information in the preliminary review phase and acted to find cause to initiate an investigation of these matters. Randall Brown, through his attorney, has indicated that he wishes to conclude this matter by agreeing to the terms and conditions in this order without completing the investigative phase.
- B. Randall Brown will pay a civil penalty, as authorized by ORS 244.350, in the amount of \$2,250 in order to settle and compromise this matter.
- C. Randall Brown will not pay a forfeiture, as authorized by ORS 244.360, as he is paying restitution to the victims.
- D. The civil penalty in item B above will be paid at a monthly rate of \$225 for a period of ten months. The payments will be due on or before the 10th day of each month, with the first payment due on September 10, 2019, following Mr. Brown's projected release from incarceration. All payments will be interest free. If a payment becomes 10 days or more delinquent, the entire balance will be assigned to the Oregon Department of Revenue for collection.
- E. The Commission releases, settles and compromises any and all claims, which have been or could be asserted against Randall Brown within the scope of the above-referenced proceedings.
- F. Randall Brown will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

5. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in comparing and reviewing this agreement.

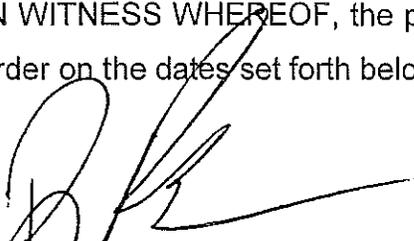
6. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Randall Brown agrees to waive his right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Randall Brown agrees to waive his right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.



Randall Brown

8-4-18

Date

Alison R. Kean, Chairperson
Oregon Government Ethics Commission

Date

BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION

In the Matter of)

Nicole Christy)

STIPULATED FINAL ORDER

CASE NO. 18-082EMT

- _____)
1. PURPOSE: The purpose of this stipulated final order is to settle any and all claims, allegations and charges by the Oregon Government Ethics Commission (Commission) against Nicole Christy.

 2. JURISDICTION: At all material times, Nicole Christy was a Developmental Disabilities Service Coordinator for Jackson County. Nicole Christy was a public official subject to the jurisdiction of the Commission pursuant to ORS Chapter 244.

 3. STIPULATED FACTS:
 - A. Nicole Christy, Jackson County employee, received traffic citations on April 4, 2017 while commuting to a work related event during work hours, and on January 14, 2018 while driving her personal vehicle for reasons not associated with her employment.

 - B. On both occasions, Nicole Christy used Jackson County letterhead to contact the courts requesting dismissal of the traffic citations. The letter dated April 25, 2017, was written to the Klamath County Circuit Court and the letter dated February 5, 2018 was written to the Josephine County Circuit Court. In both letters Ms. Christy used her official title, email and phone number associated with her position with Jackson County.

- C. ORS 244.040(1) prohibits any public official from using their official position or office to obtain financial gain for the public official, other than official salary, honoraria or reimbursement of expenses.
- D. Each of the actions described in paragraph A & B above constituted distinct violations of ORS 244.040(1).
- E. ORS 244.350 authorizes the Commission to assess civil penalties of up to \$10,000 as a result of these violations.
- G. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find violations of ORS 244.040(1).

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On May 11, 2018, the Commission considered information in the preliminary review phase and acted to find cause to initiate an investigation of these matters. Ms. Christy has indicated that she wishes to conclude this matter by agreeing to the terms and conditions in this order without completing the investigative phase.
- B. Nicole Christy will pay a civil penalty, as authorized by ORS 244.350, in the amount of \$100 in order to settle and compromise this matter.

- C. The Commission releases, settles and compromises any and all claims, which have been or could be asserted against Nicole Christy within the scope of the above-referenced proceedings.
- D. Nicole Christy will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

5. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in comparing and reviewing this agreement.

6. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, Nicole Christy agrees to waive her right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, Nicole Christy agrees to waive her right to obtain judicial review of this order as provided in ORS 183.482.

IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.



Nicole Christy

8/22/18

Date

Alison R. Kean, Chairperson
Oregon Government Ethics Commission

Date



Oregon

Kate Brown, Governor

Government Ethics Commission

3218 Pringle Rd SE, Ste 220

Salem, OR 97302-1544

Telephone: 503-378-5105

Fax: 503-373-1456

Email: ogec.mail@oregon.gov

Website: www.oregon.gov/ogec

August 20, 2018

Kathy Storm
317 SW Sixth Ave., Suite 400
Portland, Oregon 97204-1705

Advice 18-182I

Dear Ms. Storm:

This letter of advice is provided in response to your request received on August 15, 2018 which presented a question regarding the application of Oregon Government Ethics law. Annually, the Oregon Forest Resources Institute Board of Directors, coordinates events to educate public officials and others regarding forest management.

This analysis and advice is being offered under the authority provided in ORS 244.284 as guidance on how the current provisions of Oregon Government Ethics law may apply to the specific circumstances you have presented for public officials who may wish to participate in a tour intended to highlight innovations in mass timber construction, industry and university partnerships for commercialization of advanced wood products, and forest collaborative work in Oregon.

Based on information provided, it appears that Oregon Forest Resources Institute (OFRI) has coordinated a reception and educational tour for public officials. The purpose of these events is to educate and inform state government officials, county commissioners, city officials and other officials from all other levels of government on the innovations regarding forest management, specifically, on the subject of mass timber in Corvallis, Oregon.

During these events, OFRI will provide and pay for food, beverage, lodging and travel expenses. In this request, the question asked is what restrictions or requirements Oregon Government Ethics law may impose on public officials who may wish to participate in this tour.

Under most circumstances when a public official is offered food, beverage, lodging and travel expenses at no cost to the public official, it would be a gift as defined in ORS 244.020(7)(a). ORS 244.020(7)(b) excludes several items from the statutory definition of "gift", including reasonable food, travel and lodging expenses provided(7)(b)(F) allows acceptance of the payment of reasonable expenses for



Kathy Storm, OFRI
August 20, 2018
Page 2

Commission has adopted an administrative rule found in OAR 199-005-0001(2) to provide clarification to the term "fact-finding mission or trip".

Based on the information you provided it appears that ORS 244.020(7)(b)(F) would allow public officials to accept meals, transportation and lodging expenses to participate in the Oregon Forest Resources Institute educational forest tours, which appears to meet the definition of a fact-finding mission, as defined in OAR 199-005-0001(2).

For the public officials who participate in the event and who must file an Annual Verified Statement of Economic Interest report with the Oregon Government Ethics Commission would be required to report the aggregate value of these paid expenses pursuant to ORS 244.060(5). As the source of these paid expenses, it is required that OFRI provide a detailed cost analysis of food, travel and lodging provided to those public officials who may wish to participate, within 10 days of the event. [ORS 244.100(1)]

If you have any additional questions regarding the application of Oregon Government Ethics law please feel free to contact me directly.

Sincerely,



Ronald A. Bersin
Executive Director

RAB/th

*****DISCLAIMER*****

This staff advice is provided under the authority given in ORS 244.284(1). This opinion offers guidance on how Oregon Government Ethics law may apply to the specific facts described in your request. This opinion is based on my understanding and analysis of the specific circumstances you described and should not be applied to circumstances that differ from those discussed in this request.

HEDRICK Tammy R * OGEC

From: Kathy Storm <storm@ofri.org>
Sent: Wednesday, August 15, 2018 11:50 AM
To: HEDRICK Tammy R * OGEC
Cc: Timm Locke; Erin Isselmann
Subject: Ethics Approval for Fact-Finding Tour
Attachments: 2018 OFRI Board Tour Agenda.docx

Tammy,

On behalf of OFRI's board of directors, we are planning a fact-finding tour on the subject of mass timber in Corvallis on October 19, 2018, and we are seeking approval via email from the Oregon Ethics Commission that this tour qualifies as an exemption of a "gift" under ORS 244.020(7)(b)(F). Listed below are the details:

What is the date of the event?

- October 18, 2018 reception
- October 19, 2018 forest and building tour

What is the purpose of the event?

- The event will highlight innovations in mass timber construction, industry/university partnerships for commercialization of advanced wood products, and forest collaboratives at work in Oregon.

Who will be invited to participate?

- State legislators, county commissioners, city officials, and other officials from all other levels of government.

Of those individuals invited, what types of decisions or votes do they make that would have an economic impact on OFRI?

- None of the invitees make decisions or votes nor have an economic impact on OFRI. OFRI is governed by a 13-member board of directors who vote on action items.

What paid expenses are being provided (cost per person)?

• Reception catering on Oct. 18 (optional)	\$23.94
• Reception room rental on Oct. 18	\$3.90
• Lodging the night of Oct. 18 (optional)	\$165.09
• Opening session coffee and pastries Oct. 19	\$2.84
• Opening session room rental	\$3.00
• Tour bus	\$25.92
• Cloth bag to hold tour materials and snack	\$3.09
• Lunch on Oct. 19	\$11.94

Who is paying for the expenses?

- Oregon Forest Resources Institute

Attached is an agenda for the tour. Please let me know if you need additional information. I look forward to your response.

Kathy Storm

2018 OFRI Board of Directors Tour of Mass Timber Buildings
"Forging New Links Between Lands and People"
October 18-19, 2018
Corvallis, Oregon

Agenda

Description: The promise of mass timber lies at the intersection of rural economic development through acceleration of advanced wood products manufacturing and related industries, the carbon sequestration and storage capabilities of forests and wood products and sustainable forest management to support natural resource based industries, forest health restoration and other important forest values.

This tour will highlight innovations in mass timber construction, industry/university partnerships for commercialization of advanced wood products, and forest collaboratives at work in Oregon.

Thursday, October 18

5:30 – 7:30 Reception

Speaker: Ben Kaiser (invited)

Friday, October 19

9:30 – 10:00 Gather at the Hilton Garden Inn in Corvallis; check in

10:00 Board tour bus and travel to the McDonald Dunn Research Forest

10:30 Stop 1 TBD (OSU research foresters show some examples of projects they're working on related to sustainable management/forest health)

11:30 Stop 2 Forestry Club Cabin
Lunch and an active discussion about forest collaboratives

12:45 Board Bus for travel back to OSU campus

1:15 Stop 3 Peavy Hall and Emmerson AWP Lab tour
Pre-tour presentation from TDI
Construction tours

2:30 Bus or walk back to Hilton Garden Inn

For information, contact:

Timm Locke, director of forest products
locke@ofri.org – 971-673-3191

**2018 Best Practices Survey
Response Compilation**

Q#	DESCRIPTION	Yes	No	Total
1	Executive Director's performance expectations are current.	6		6
2	Executive Director's performance has been evaluated in the last year.	6		6
3	Agency's mission and high-level goals are current and applicable.	6		6
4	Commission reviews the Annual Performance Progress Report.	6		6
5	Commission is appropriately involved in review of Agency's key communications.	6		6
6	Commission is appropriately involved in policy-making activities.	6		6
7	Agency's policy option packages are aligned with its mission and goals.	6		6
8	Commission members review all proposed budgets.	6		6
9	Commission periodically reviews key financial information and audit findings.	6		6
10	Agency is appropriately accounting for resources.	6		6
11	Agency adheres to accounting rules and other relevant financial controls.	6		6
12	Commission members act in accordance with their roles as public representatives.	6		6
13	Agency coordinates with others where responsibilities and interests overlap.	6		6
14	Commission members identify and attend appropriate training sessions.	6		6
15	Agency reviews its management practices to ensure best practices are utilized.	6		6
Totals:		90	0	90

% Met: 100%

S1: How are we doing?

- Very well.
- The Commission has been incredible to be part of and I'm impressed by the professional staff.
- Very well.
- I am very confident in the staff of the Commission. All staff members are up-to-speed on their responsibilities and interact with Commission members with skill and dispatch. Of course, there is always room for improvement, but not because of any major deficit. As one commissioner, I have been impressed with the skill and competence of my colleagues.
- I believe OGEC staff and board are doing an excellent job in fulfilling our educational mission.

S2: How do we compare to others and/or to our target?

- Very well.
- The organization is run in a very professional and competent way.
- The Commission and its staff perform effectively as they administer Oregon law. Comparisons with "others" are hard because the Commission's role is so singular in Oregon.
- Favorably.

S3: What factors are affecting our results?

- In dept deliberation.
- Continue as is.
- The current state of the policy framework always has the potential to influence the work of a Commission. But there is no factor which, in and of itself, affects results. What does affect results are: (1) the character of staff reports to the Commission, which are almost uniformly of the highest quality; and (2) the perceptions of commissioners as they make their own independent judgments about matters on the agenda of formal meeting.
- Good staff leadership and interaction, as necessary, with commissioners.
- There is a great culture of team work, modesty, and public service.

S4: What needs to be done to improve future performance?

- Maintain communication between commission staff and commissioners.
- Keep up the good work.
- There is nothing specific that comes to mind, except this: A continuing commitment to excellence and transparency.
- Continue to work with commissioners to refine policies and procedures.

Trainers' Report September 21, 2018

This report covers the time period of August 10, 2018, through September 21, 2018.

Completion of training:

- Oregon Health Authority – ORS 244 (Salem)
- Metro Regional Center – ORS 244 (Portland)
- Oregon Youth Development Council – ORS 244 (Salem)
- Medford Water Commission – ORS 244 (Online)
- Oregon Municipal Recorders Association – ORS 244 (Portland)

Upcoming Trainings:

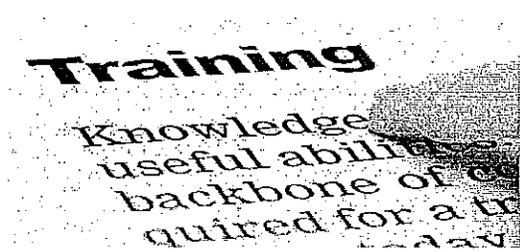
<u>Date</u>	<u>Time</u>	<u>Public Body (Topic)</u>	<u>Address</u>
9/27/2018	11:00 – 12:00 PM	Oregon Justice of the Peace Conference (ORS 244)	Linn County Expo Center Willamette Conference Center Rm 1 & 2 3700 Knox Butte RD Albany OR 97322
10/8/2018	Two Sessions: 11:00 – 12:00 PM & 1:00 – 2:00 PM	City of Lebanon (ORS 244)	Lebanon City Hall 925 Main Street Lebanon OR 97355
10/9/2018	Two Sessions: 10:00 – 11:00 AM & 1:00 – 2:30 PM	Oregon Public Employees Retirement System (ORS 244)	Oregon Public Employees Retirement System Headquarters 11410 SW 68 th Parkway Tigard OR 97223
10/15/2018	10:30 – 11:30 AM	Oregon Office of Emergency Management (ORS 244)	Armed Forces Reserve Center 3225 State Street #115 Salem OR 97301

10/19/2018	8:30 – 10:00 AM	Lane Community College (ORS 244)	Lane Community College 4000 E 30 th Ave Eugene OR 97405
10/23/2018	1:15 – 2:15 PM	Educator Advancement Council (ORS 244)	Broadway Commons 3 rd Floor, Peru Room 1300 Broadway St. NE Salem OR 97301
10/26/2018	9:30 – 11:00 AM	Construction Contractors Board (ORS 244)	201 High St. SE Salem, OR 97301

Upcoming Conferences:

10/25/2018	10:00 – 11:30 AM	Oregon Fire District Directors (ORS 244)	Riverhouse Convention Center 2850 NW Rippling River Ct Conference Room TBD Bend OR 97703
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Training Staff: Tammy Hedrick 503-378-6802 tammy.r.hedrick@oregon.gov
Monica Walker 503-378-2011 monica.walker@oregon.gov



October 2018

Oregon Government Ethics Commission AdobeConnect Webinar Training Calendar

Monday	Tuesday	Wednesday	Thursday	Friday
1 New Employees: you're a public official, now what! 10:00 – 11:00 AM	2	3	4 Conflicts of Interest 10:30 – 11:30 AM	5
8	9	10	11 Lobby law 2:30 – 3:30 PM	12
15	16 Executive Session 10:00 – 11:00 AM	17	18	19
22	23	24	25 Gifts 10:30 – 11:30 AM	26
29	30 Use of Position/Office 9:00 – 10:00 AM	31	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> Email ogec.training@oregon.gov to register for a webinar. </div>	

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Executive Director's Report

September 21, 2018

- Budget
 - 2017-19 biennial budget
 - Biennial financial plan incorporated in monthly BRIO reports.
 - Currently projected with a \$179,797.18 surplus.
 - Expenditures through March, \$108,694.19 spent per month, \$117,474.78 average to spend per month.
 - 2019-21 biennial Budget
 - Submitted timely Agency Request Budget.
 - \$2,958,949 biennial budget requested.
 - No Policy Packages, a current service level request budget.
 - Budget completed audit process, and has been recommended by DAS CFO Analyst to the Governor's office. Only \$2,000 reduction in Revenues created by public records requests. EFS and CMS have reduced the number of public records requests we complete for funds, since information is free from our website.
- Legislative Concepts
 - Rewrites by Legislative Counsel are completed.
 - Meeting with Governor's office on October 4, 2018 to discuss legislative concepts.
- SEI
 - Continue to work non-filers. 3 non-filers for 2018.
 - Continue to work past year non-filers.
- Other
 - Completed interviews and hired Program Analyst 1 (Trainer) position.
 - Completed interviews for Investigator 3 position, checking references
 - Invited to meet with Chinese delegation in late September. They are interested in Government Ethics
 - Quarter 2, 2018: Lobbyists non-filers-3, Clients-3

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**OREGON GOVERNMENT ETHICS COMMISSION
Fund 0050 - AGENCY REVENUE TO GENERAL FUND
For the Month of JULY 2018**



REVENUES

Budget Obj	Budget Obj Title	Monthly Activity	Biennium to Date Activity	Financial Plan	Unobligated Plan	Monthly Avg to Date	Monthly Avg to Spend
0505	FINES AND FORFEITS	-37,500.00	33,325.75	30,000.00	-3,325.75	2,563.52	-302.34
		-37,500.00	33,325.75	30,000.00	-3,325.75	2,563.52	-302.34

SUMMARY TOTALS

0050
AGENCY REVENUE TO GENERAL FUND

	Month Activity	Biennium Activity
REVENUES	-37,500.00	33,325.75
Total	-37,500.00	33,325.75



OREGON GOVERNMENT ETHICS COMMISSION

Fund 4150 - OF LIMIT - ADMIN

For the Month of JULY 2018

REVENUES

Budget Obj	Budget/Obj Title	Monthly Activity	Biennium to Date Activity	Financial Plan	Unobligated Plan	Monthly Avg to Date	Monthly Avg to Spend
0415	ADMINISTRATIVE AND SERVICES CHARGES	1,257,766.23	2,520,648.68	2,524,954.00	4,305.32	193,896.05	391.39
0975	OTHER REVENUE	2,300.22	52.25	2,000.00	1,947.75	4.02	177.07
		1,260,066.45	2,520,700.93	2,526,954.00	6,253.07	193,900.07	568.46

TRANSFER OUT

Budget Obj	Budget/Obj Title	Monthly Activity	Biennium to Date Activity	Financial Plan	Unobligated Plan	Monthly Avg to Date	Monthly Avg to Spend
9999	DEFAULT	0.00	10,000.00	0.00	-10,000.00	769.23	-909.09
		0.00	10,000.00	0.00	-10,000.00	769.23	-909.09

PERSONAL SERVICES

Budget Obj	Budget/Obj Title	Monthly Activity	Biennium to Date Activity	Financial Plan	Unobligated Plan	Monthly Avg to Date	Monthly Avg to Spend
3110	CLASS/JUNCLASS SALARY & PER DIEM	37,998.04	568,665.25	1,081,008.00	512,342.75	43,743.48	46,576.61
3160	TEMPORARY APPOINTMENTS	0.00	0.00	466.00	466.00	0.00	42.36
3190	ALL OTHER DIFFERENTIAL	219.54	1,120.97	0.00	-1,120.97	86.23	-101.91
3210	ERB ASSESSMENT	12.84	207.96	455.00	248.04	16.00	22.55
3220	PUBLIC EMPLOYEES' RETIREMENT SYSTEM	8,263.02	118,170.53	202,950.00	84,779.47	9,090.04	7,707.22
3221	PENSION BOND CONTRIBUTION	2,369.48	34,760.63	61,151.00	26,390.37	2,673.89	2,399.12
3230	SOCIAL SECURITY TAX	2,959.30	43,713.69	82,741.00	39,027.31	3,362.59	3,547.94
3250	WORKERS' COMPENSATION ASSESSMENT	12.02	223.93	621.00	397.07	17.23	36.10
3260	MASS TRANSIT	229.29	3,418.61	6,490.00	3,071.39	262.97	279.22
3270	FLEXIBLE BENEFITS	7,379.97	109,683.21	300,024.00	190,340.79	8,437.17	17,303.71
		59,443.50	879,964.78	1,735,907.00	855,942.22	67,689.60	77,812.93

SERVICES and SUPPLIES

Budget Obj	Budget/Obj Title	Monthly Activity	Biennium to Date Activity	Financial Plan	Unobligated Plan	Monthly Avg to Date	Monthly Avg to Spend
4100	INSTATE TRAVEL	0.00	8,840.30	19,004.00	10,163.70	680.02	923.97
4150	EMPLOYEE TRAINING	0.00	2,524.00	7,080.00	4,566.00	194.15	414.18
4175	OFFICE EXPENSES	0.00	5,795.97	21,567.00	15,761.03	445.84	1,432.82
4200	TELECOMM/TECH SVC AND SUPPLIES	-736.74	8,335.94	18,723.00	10,387.06	641.23	944.28
4225	STATE GOVERNMENT SERVICE CHARGES	10.00	26,445.14	52,567.00	26,111.86	2,034.24	2,373.81
4250	DATA PROCESSING	-51.51	16,867.91	98,254.00	81,386.09	1,297.53	7,398.74
4275	PUBLICITY & PUBLICATIONS	0.00	380.02	1,023.00	642.98	29.23	58.45
4300	PROFESSIONAL SERVICES	112.32	646.28	9,469.00	8,822.72	49.71	802.07
4315	IT PROFESSIONAL SERVICES	78,200.00	212,468.00	310,562.00	98,084.00	16,343.69	8,916.73
4325	ATTORNEY GENERAL LEGAL FEES	22,909.50	114,547.50	161,995.00	47,447.50	8,811.35	4,313.41

Budget Obj	Budget Obj Title	Monthly Activity	Biennium to Date Activity	Financial Plan	Unobligated Plan	Monthly Avg. to Date	Monthly Avg. to Spend
4375	EMPLOYEE RECRUITMENT AND DEVELOPMENT	0.00	199.99	2,484.00	2,284.01	15.38	207.64
4400	DUES AND SUBSCRIPTIONS	0.00	0.00	450.00	450.00	0.00	40.91
4425	FACILITIES RENT & TAXES	3,652.77	42,201.32	94,494.00	52,292.68	3,246.26	4,753.88
4575	AGENCY PROGRAM RELATED SVCS & SUPP	0.00	1,485.27	0.00	-1,485.27	114.25	-135.02
4650	OTHER SERVICES AND SUPPLIES	-118.81	82,243.22	164,091.00	81,847.78	6,326.40	7,440.71
4700	EXPENDABLE PROPERTY \$250-\$5000	0.00	0.00	7,607.00	7,607.00	0.00	691.55
4715	IT EXPENDABLE PROPERTY	0.00	10,078.76	0.00	-10,078.76	775.29	-916.25
		103,977.53	533,059.62	969,340.00	436,280.38	41,004.59	39,661.85

SUMMARY TOTALS

4150
 OFFICE ADMIN

	Month Activity	Biennium Activity
REVENUES		
REVENUE	1,260,066.45	2,520,700.93
Total	1,260,066.45	2,520,700.93
TRANSFER OUT		
TRANSFER OUT	0.00	10,000.00
Total	0.00	10,000.00
EXPENDITURES		
PERSONAL SERVICES	59,443.50	879,964.78
SERVICES AND SUPPLIES	103,977.53	533,059.62
Total	163,421.03	1,413,024.40

OREGON GOVERNMENT ETHICS COMMISSION
AY19 CASH FLOW

	Appn 30000 - Admin - PCA 41501				Appn 70000 - GF - PCA 00501			
	Actuals To Date	Actuals + Projected	2017-2019 LAB	Variance	Actuals To Date	Actuals + Projected	2017-2019 LAB	Variance
Beginning Cash Balance	798,167.30	798,167.30			-	-		
REVENUE								
0415 ADMINISTRATIVE AND SERVICES CHARGES	2,520,648.68	2,520,648.68	2,524,954.00	4,305.32	33,325.75	49,825.75	30,000.00	(19,825.75)
0505 FINES AND FORFEITS	-	52.25	2,000.00	1,947.75	-	-	-	0.00
0975 OTHER REVENUE	52.25	52.25	2,526,954.00	6,253.07	33,325.75	49,825.75	30,000.00	(19,825.75)
Total Revenue	2,520,700.93	2,520,700.93	2,526,954.00	6,253.07	33,325.75	49,825.75	30,000.00	(19,825.75)
TRANSFERS								
2010 TRANSFER OUT TO OTHER FUNDS	(10,000.00)	(10,000.00)		10,000.00	-	-	-	0.00
1107 TRANSFER IN FROM DEPT OF ADMIN SVCS	-	(10,000.00)		(10,000.00)	-	-	-	0.00
Total Transfers	(10,000.00)	(10,000.00)		10,000.00	-	-	-	0.00
PERSONAL SERVICES								
3110 CLASS/UNCLASS SALARY & PER DIEM	568,665.25	1,111,563.57	1,119,202.00	7,638.43	-	-	-	0.00
3160 TEMPORARY APPOINTMENTS	-	-	466.00	466.00	-	-	-	0.00
3170 OVERTIME PAYMENTS	-	-	-	-	-	-	-	0.00
3190 ALL OTHER DIFFERENTIAL	1,120.97	1,120.97	456.00	(4,120.97)	-	-	-	0.00
3210 ERB ASSESSMENT	207.96	396.28	206,804.00	59.72	-	-	-	0.00
3220 PUBLIC EMPLOYEES' RETIREMENT SYSTEM	118,170.53	214,240.58	161,420.00	(7,436.58)	-	-	-	0.00
3221 PENSION BOND CONTRIBUTION	34,760.63	68,086.11	82,741.00	(6,666.11)	-	-	-	0.00
3230 SOCIAL SECURITY TAX	43,713.69	85,035.10	62.00	(2,294.10)	-	-	-	0.00
3250 WORKERS' COMPENSATION ASSESSMENT	223.93	507.07	6.00	113.93	-	-	-	0.00
3260 MASS TRANSIT	3,418.61	6,551.74	6,490.00	(61.74)	-	-	-	0.00
3270 FLEXIBLE BENEFITS	109,683.21	207,182.59	311,148.00	103,965.41	-	-	-	0.00
Total Personal Services	879,964.78	1,694,684.01	1,789,348.00	94,663.99	-	-	-	0.00
SERVICES AND SUPPLIES								
4100 INSTATE TRAVEL	8,840.30	17,550.51	19,004.00	1,453.49	-	-	-	0.00
4125 OUT-OF-STATE TRAVEL	-	-	7,080.00	7,080.00	-	-	-	0.00
4150 EMPLOYEE TRAINING	2,524.00	3,999.00	21,557.00	3,081.00	-	-	-	0.00
4175 OFFICE EXPENSES	5,795.97	15,676.24	18,723.00	5,880.76	-	-	-	0.00
4200 TELECOMM/TECH SVC AND SUPPLIES	8,335.94	16,073.12	52,557.00	2,649.88	-	-	-	0.00
4225 STATE GOVERNMENT SERVICE CHARGES	26,445.14	51,245.14	98,254.00	64,326.09	-	-	-	0.00
4250 DATA PROCESSING	16,867.91	33,927.91	1,023.00	132.98	-	-	-	0.00
4275 PUBLICITY & PUBLICATIONS	380.02	896.02	9,469.00	4,482.74	-	-	-	0.00
4300 PROFESSIONAL SERVICES	646.28	4,986.26	310,552.00	17,234.00	-	-	-	0.00
4315 IT PROFESSIONAL SERVICES	212,468.00	293,318.00	161,995.00	(21,281.00)	-	-	-	0.00
4325 ATTORNEY GENERAL LEGAL FEES	114,547.50	183,276.00	2,484.00	1,042.01	-	-	-	0.00
4375 EMPLOYEE RECRUITMENT & DEVELOPMENT	199.99	1,441.99	450.00	225.00	-	-	-	0.00
4400 DUES AND SUBSCRIPTIONS	-	225.00	94,494.00	12,002.63	-	-	-	0.00
4425 FACILITIES RENT & TAXES	42,201.32	82,491.37	164,091.00	(1,485.27)	-	-	-	0.00
4475 AGENCY PROGRAM RELATED SVCS & SUPP	1,485.27	1,485.27	7,607.00	348.78	-	-	-	0.00
4650 OTHER SERVICES AND SUPPLIES	82,243.22	163,742.22	3,800.00	3,807.00	-	-	-	0.00
4700 EXPENDABLE PROPERTY \$250-\$5000	-	3,800.00	10,078.76	(10,078.76)	-	-	-	0.00
4715 IT EXPENDABLE PROPERTY	10,078.76	10,078.76			-	-	-	0.00
Total Services and Supplies	533,059.62	884,206.81	969,340.00	85,133.19	-	-	-	0.00
5900 OTHER CAPITAL OUTLAY	-	-	-	-	-	-	-	-
TOTAL EXPENDITURES	1,413,024.40	2,578,890.82	2,758,688.00	179,797.18	33,325.75	49,825.75	-	0.00
Ending Cash Balance*	1,895,843.83	729,977.41						

*Outstanding Revenue Invoices not taken into consideration

Analyst Report and Recommendations

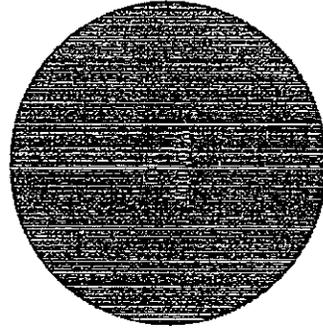
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Agency/Program: Oregon Government Ethics Commission

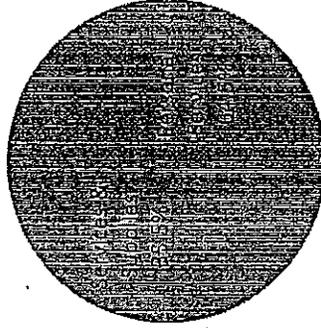
Analyst/Phone Number: Morse-Miller, Haylee (971) 301-0380

	General Fund	Lottery Funds	Other Funds	Federal Funds	OF - NL	FF - NL	Total Funds	Positions	Full-Time Equiv (FTE)
2017-19 Leg Approved Budget	0	0	2,758,688	0	0	0	2,758,688	9	9.00
2019-21 Current Service Level	0	0	2,934,592	0	0	0	2,934,592	9	9.00
2019-21 Agency Request Audit	0	0	2,934,592	0	0	0	2,934,592	9	9.00
2019-21 Analyst Rec Budget	0	0	2,934,592	0	0	0	2,934,592	9	9.00
% Change Analyst Rec / Leg Approved	0.00%	0.00%	6.38%	0.00%	0.00%	0.00%	6.38%	0.00%	0.00%
% Change Analyst Rec / Current Service Level	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

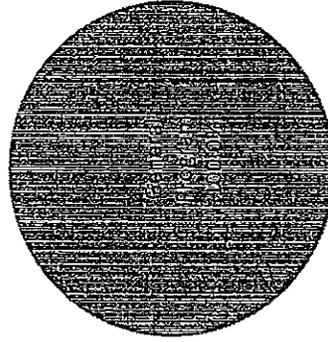
2019-21 Analyst Rec Budget by Fund Type



2019-21 Analyst Rec Budget by Category



2019-21 Analyst Rec Budget by Program Unit



OREGON GOVERNMENT ETHICS COMMISSION

EXECUTIVE SUMMARY

The Oregon Government Ethics Commission was established in 1974 by a ballot measure approved by more than 70 percent of the voters. The Commission is a nine-member citizen board with nine staff members. Eight Commission members are appointed by the Governor upon a recommendation from Legislative leadership; two each by the Democratic and Republican parties within each chamber of the Legislative Assembly pursuant to ORS 244.250; and one Commission member is directly appointed by the Governor. All members are subject to Senate confirmation. Additionally, Commission members are limited to one four-year term and may not be reappointed.

The mission of the Commission is to ensure that public officials throughout the state adhere to the provisions of ethics laws found in ORS Chapter 244 and the executive session provisions of public meeting laws in ORS 192.660 through interpretation, disclosure, education, and enforcement. The Commission also oversees the lobbying regulations of ORS 171.725-171.785 and 171.992.

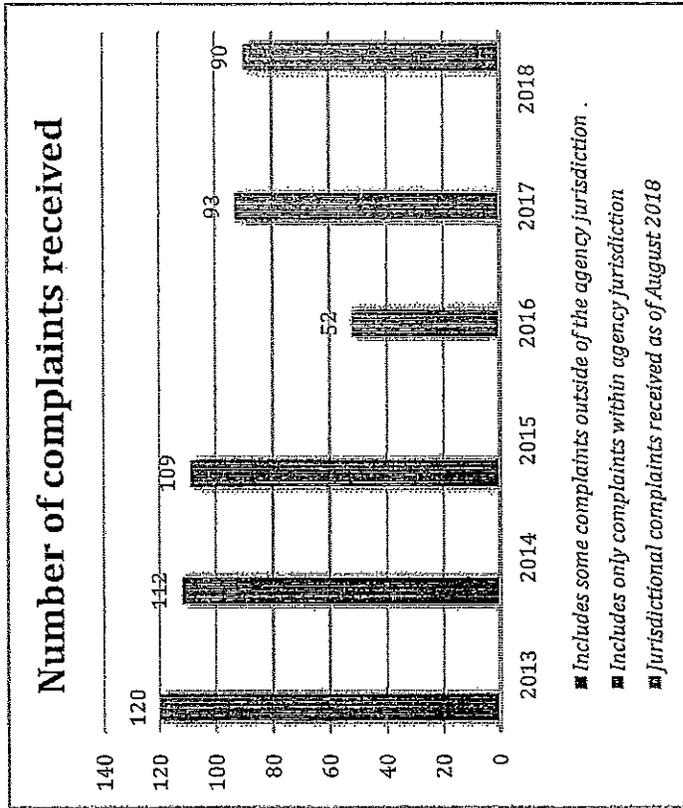
Since 2007, the Commission has focused more on education and transparency with training opportunities on Oregon government ethics law for public officials, lobbyists, and government employees. The Commission has a secondary focus on enforcement and investigates claims involving the use of public office for financial gain, failure to declare conflicts of interest, violation of rules governing executive session, and receipt of gifts over allowable limits.

The Commission is funded entirely by Other Funds. The 2019-21 budget recommended by the analyst is \$2.9 million total funds, which represents a 6.4 percent increase from the 2017-19 Legislatively Approved Budget (LAB) and no increase from the Current Service Level (CSL). The budget includes nine positions (9.00 FTE).

MAJOR ISSUES

Loss of institutional knowledge: The agency faces a loss of institutional knowledge with three long-time staff members, a third of the total staff, retiring in 2018 or considering retirement in late 2019. Two additional staff members are eligible to retire as of 2018 but have not yet made plans to do so.

Workload: Agency workload can increase during registration and Statement of Economic Interest filing deadlines for lobbyists and public officials. Workload also fluctuates based on requests for staff advice and the number and types of ethics complaints received.



Staff advice: There are an estimated 200,000 public officials under the Commission's jurisdiction, the vast majority of which serve at the local government level. With Senate Bill 30 (2009), additional protections were provided for public officials and bodies seeking informal staff advice on interpretation of Oregon government ethics law. An increasing reliance on staff advice has contributed to the Commission's workload, taking approximately 1.80 FTE in staff time.

Complaints: The Commission received 93 complaints in calendar year 2017. Renewed attention on the agency in the wake of the ethics hearings of former Gov. John Kitzhaber and fiancée Cylvia Hayes has caused complaints to rise even further in 2018. Because statutory deadlines for preliminary review of complaints requiring a formal opinion decreased from 135 days to 30 days pursuant to House Bill 2019 (2015), staff is often pulled from other work to focus on these complaints.

Complaints are now filed online with the agency and the process includes educational tutorials on the agency's scope of work. This system has improved tracking of jurisdictional complaints and slightly reduced the number of reported complaints outside of the agency's jurisdiction. While the incidence of ethics complaints suggests an attentive public, the prevalence of non-jurisdictional complaints underscores the need to continue to increase public awareness regarding the scope and applicability of Oregon's ethics laws.

Executive sessions: Continued uncertainty regarding the appropriate conduct of Executive Sessions has been a significant driver of violations. The Commission amended OARs in 2016 to clarify the Executive Session portion of the Public Meeting Law, which led to a decrease in complaints. However, because an Executive Session complaint is frequently against the entire public body, a complaint against one body means between five and nine complaints have actually been filed, one for each member of that body. Of the 90 cases opened in 2018, there were 31 related to Executive Session violations, which represents just five separate complaints. Executive Sessions also remain an issue as members of the public are present during public meetings and are more likely to observe a violation related to the limited reasons a public body can go into Executive Session.

REVENUE ISSUES

Agency revenues are stable. The passage of Senate Bill 10 (2007) transitioned the agency's funding from General Fund to an assessment model with operating costs equally shared between state agencies and local government entities. There are 100 state agencies and 1,762 local government entities assessed. State

agencies are assessed yearly, based upon their number of full-time equivalent positions. Local entities are assessed based upon a formula connected to the Municipal Audit charge collected by the Secretary of State. State agencies are billed August-September and the Commission receives funds in September-October of each year. Municipal groups are billed September-November with most funds received October-December of each year.

The recommended budget includes \$2.9 million Other Funds revenues from these assessments. The agency must carry an Other Funds ending balance equal to a minimum of three months of operating expenditures; this balance provides funds for operations during the first few months of the following biennium during which assessments are being billed and not yet received. In the 2019-2021 biennium, the agency anticipates an ending balance of \$742,144, equivalent to six months of operating reserve. As the agency's budget for 2019-2021 is finalized, the assessment could be reduced to better match revenues to expenditures.

In the past, the Commission has faced difficulties collecting assessments from local government entities, but identification of delinquent accounts has improved in recent biennia. Approximately \$5,000 of expected revenues will not be collected in 2018 due to closed or merged local government groups. Overall, local governments now have a 99 percent voluntary compliance rate in paying the agency's assessment.

The Commission also imposes civil penalties and collects fines and forfeitures. These revenues are transferred to the General Fund and are not used to support agency operations. The Commission collected \$38,807 in fines and forfeitures during 2015-17, and estimates collecting \$30,000 in the 2017-19 and 2019-21 biennia. This amount varies widely between biennia and it is likely that 2017-19 could result in close to \$50,000 in fines but no reliable revenue trends can be extracted from the data.

POLICY PACKAGES

None.

REDUCTIONS

The analyst does not recommend any reductions.

BUDGET-RELATED LEGISLATIVE CONCEPTS

The agency has three Legislative Concepts that are not budget-related.

AGENCY INTERNAL MEASURES

The Commission continues to focus on ensuring public officials and lobbyists have knowledge of the law through training sessions, advisory opinions, and staff advice. The intermediate outcome of these activities is to reduce the number of reported violations of Oregon government ethics law. The high-level outcome is to improve Oregon's government and public management practices.

The Commission has improved government transparency and understanding of government ethics law with the implementation of two new online systems. As of January 2016, the Commission has an Electronic Filing System (EFS), which was mandated by Senate Bill 5522 (2013). The Commission was directed to develop and implement the EFS for Statements of Economic Interest, lobbying, and legal expense trust report filings.

In addition, the Commission implemented a new Case Management System (CMS) with a contract from NIC USA, which debuted in January 2017. The CMS integrates caseloads and advice to various entities in one database and streamlines internal tracking mechanisms. Cases were previously processed manually; the new system allows cases to be available online in a searchable format. Both systems won a StateScoop IT Innovation of the Year Award (2016 and 2018). The Commission will continue to respond to user and staff feedback to improve user experience of these systems, improve internal processes, and further public ethics education.

GENERAL PROGRAM (SCR: 010-00)

OVERVIEW OF PROGRAMS AND REVENUES

The Commission is responsible for training and regulation of public officials in ethics, lobbying and the Executive Session provisions of public meetings laws. In recent years, the Commission has shifted from a focus on investigations to education, with in-person and online trainings on Oregon government ethics law conducted for state agencies, local government bodies, and special districts. Since there are always new public officials coming into office, education is an ongoing need.

The investigations program holds public officials and lobbyists accountable to Oregonians and to the ethics, Executive Session, and lobby laws. The investigation program is responsible for responding to complaints filed with the agency on violations of those elements. The results of these investigations are reported to the Commission in public meetings. The investigators use a variety of sources to complete the investigations within the statutorily required timeframes.

ANALYST BASE BUDGET ADJUSTMENTS

The analyst reduced Other Revenues (\$2,000) to reflect expected revenue in the 2019-21 budget. The agency charges outside parties for the cost of producing and distributing requested documents, such as reports and opinions. Most agency documents are now available online at no cost through the CMS and EFS.

ESSENTIAL PACKAGES

010 NON-PICS PERSONAL SERVICES / VACANCY FACTOR. RECOMMENDED.

This package includes the standard 3.8 percent inflationary increase for temporary appointments. It also includes adjustments to vacancy savings and costs for the Public Employees Retirement System Pension Obligation Bond repayment.

031 STANDARD INFLATION AND STATE GOVERNMENT SERVICE CHARGE. RECOMMENDED.

This package increases Services and Supplies by the standard 3.8 percent and non-state employee and professional services costs by the standard 4.2 percent inflation rates. The hourly rate for Attorney General costs are increased by 20.1 percent. The package also adjusts costs for changes in State Government Service Charges.

POLICY PACKAGES RECOMMENDED BY ANALYST

None.

FOR PACKAGES NOT RECOMMENDED BY THE ANALYST, INCLUDING THOSE RECOMMENDED FOR THE ADD-BACK LIST, SEE APPENDICES A AND B.

Version B-01 Analyst Rec. Budget
 Cross Reference: 19900-000-00-00-00000
 Oregon Government Ethics Commission

BDV200 - Analyst/Appeal Report
 2019-21 Biennium

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Leg Adopted Budget	-	-	2,705,247	-	-	-	2,705,247	9	9.00
2017-19 Emergency Boards	-	-	53,441	-	-	-	53,441	-	-
2017-19 Leg Approved Budget	-	-	2,758,688	-	-	-	2,758,688	9	9.00
2017-19 Leg Approved Budget (Base)	-	-	2,758,688	-	-	-	2,758,688	9	9.00
Summary of Base Adjustments	-	-	96,382	-	-	-	96,382	-	-
2019-21 Base Budget	-	-	2,855,070	-	-	-	2,855,070	9	9.00
010: Non-PICS Pers Svc/Vacancy Factor	-	-	7,307	-	-	-	7,307	-	-
030: Inflation & Price List Adjustments	-	-	72,215	-	-	-	72,215	-	-
2019-21 Current Service Level	-	-	2,934,592	-	-	-	2,934,592	9	9.00
Modified 2019-21 Current Service Level	-	-	2,934,592	-	-	-	2,934,592	9	9.00
2019-21 Analyst Rec Budget	-	-	2,934,592	-	-	-	2,934,592	9	9.00
Net change from 2017-19 Leg Approved Budget	-	-	175,904	-	-	-	175,904	-	-
Percent change from 2017-19 Leg Approved Budget	0.00%	0.00%	6.38%	0.00%	0.00%	0.00%	6.38%	0.00%	0.00%
Net change from 2019-21 Current Service Level	-	-	-	-	-	-	-	-	-
Percent change from 2019-21 Current Service Level	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

BDV200 - Analyst/Appeal Report Version B-01 Analyst Rec. Budget
 2019-21 Biennium Cross Reference: 19900-000-00-00-00000
 Oregon Government Ethics Commission

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2019-21 Base Budget									
Agency Request Budget									
Revenues	-	-	2,990,949	-	-	-	2,990,949	-	-
Transfers Out	-	-	(30,000)	-	-	-	(30,000)	-	-
Personal Services	-	-	1,885,730	-	-	-	1,885,730	-	-
Services & Supplies	-	-	969,340	-	-	-	969,340	-	-
Ending Balance	-	-	105,879	-	-	-	105,879	9	9.00
Analyst Rec. Budget									
Revenues	-	-	2,988,949	-	-	-	2,988,949	-	-
Transfers Out	-	-	(30,000)	-	-	-	(30,000)	-	-
Personal Services	-	-	1,885,730	-	-	-	1,885,730	-	-
Services & Supplies	-	-	969,340	-	-	-	969,340	-	-
Ending Balance	-	-	103,879	-	-	-	103,879	9	9.00
Difference									
Revenues	-	-	(2,000)	-	-	-	(2,000)	-	-
Transfers Out	-	-	-	-	-	-	-	-	-
Personal Services	-	-	-	-	-	-	-	-	-
Services & Supplies	-	-	-	-	-	-	-	-	-
Ending Balance	-	-	(2,000)	-	-	-	(2,000)	-	-

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Package Description	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
Package 010 Non-PICS Psnl Svc / Vacancy Factor									
Agency Request Budget									
Personal Services	-	-	7,307	-	-	-	7,307		
Ending Balance	-	-	(7,307)	-	-	-	(7,307)		
Analyst Rec. Budget									
Personal Services	-	-	7,307	-	-	-	7,307		
Ending Balance	-	-	(7,307)	-	-	-	(7,307)		
Difference									
Personal Services	-	-	-	-	-	-	-		
Ending Balance	-	-	-	-	-	-	-		

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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
Package 031 Standard Inflation									
<u>Package Description</u>									
Agency Request Budget	-	-	72,215	-	-	-	72,215		
Services & Supplies	-	-	(72,215)	-	-	-	(72,215)		
Ending Balance									
Analyst Rec. Budget									
Services & Supplies	-	-	72,215	-	-	-	72,215		
Ending Balance	-	-	(72,215)	-	-	-	(72,215)		
Difference									
Services & Supplies	-	-	-	-	-	-	-		
Ending Balance	-	-	-	-	-	-	-		

Version B-01 Analyst Rec. Budget
 Cross Reference: 19900-010-00-00-00000

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General Program

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Leg Adopted Budget	-	-	2,705,247	-	-	-	2,705,247	9	9.00
2017-19 Emergency Boards	-	-	53,441	-	-	-	53,441	-	-
2017-19 Leg Approved Budget	-	-	2,758,688	-	-	-	2,758,688	9	9.00
2017-19 Leg Approved Budget (Base)	-	-	2,758,688	-	-	-	2,758,688	9	9.00
Summary of Base Adjustments	-	-	96,382	-	-	-	96,382	-	-
2019-21 Base Budget	-	-	2,855,070	-	-	-	2,855,070	9	9.00
010: Non-PICS Pers Svc/Vacancy Factor	-	-	7,307	-	-	-	7,307	-	-
030: Inflation & Price List Adjustments	-	-	72,215	-	-	-	72,215	-	-
2019-21 Current Service Level	-	-	2,934,592	-	-	-	2,934,592	9	9.00
Modified 2019-21 Current Service Level	-	-	2,934,592	-	-	-	2,934,592	9	9.00
2019-21 Analyst Rec Budget	-	-	2,934,592	-	-	-	2,934,592	9	9.00
Net change from 2017-19 Leg Approved Budget	-	-	175,904	-	-	-	175,904	-	-
Percent change from 2017-19 Leg Approved Budget	0.00%	0.00%	6.38%	0.00%	0.00%	0.00%	6.38%	0.00%	0.00%
Net change from 2019-21 Current Service Level	-	-	-	-	-	-	-	-	-
Percent change from 2019-21 Current Service Level	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2019-21 Base Budget									
Agency Request Budget									
Revenues	-	-	2,990,949	-	-	-	2,990,949		
Transfers Out	-	-	(30,000)	-	-	-	(30,000)		
Personal Services	-	-	1,885,730	-	-	-	1,885,730		
Services & Supplies	-	-	969,340	-	-	-	969,340		
Ending Balance	-	-	105,879	-	-	-	105,879	9	9.00
Analyst Rec. Budget									
Revenues	-	-	2,988,949	-	-	-	2,988,949		
Transfers Out	-	-	(30,000)	-	-	-	(30,000)		
Personal Services	-	-	1,885,730	-	-	-	1,885,730		
Services & Supplies	-	-	969,340	-	-	-	969,340		
Ending Balance	-	-	103,879	-	-	-	103,879	9	9.00
Difference									
Revenues	-	-	(2,000)	-	-	-	(2,000)		
Transfers Out	-	-	-	-	-	-	-		
Personal Services	-	-	-	-	-	-	-		
Services & Supplies	-	-	-	-	-	-	-		
Ending Balance	-	-	(2,000)	-	-	-	(2,000)	-	-

Oregon Government Ethics Commission

Analyst Rec. Budget

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General Program

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
Package 010 Non-PICS Psnl Svc / Vacancy Factor									
Package Description This package includes the standard 3.8 percent inflationary increase for temporary appointments. It also includes adjustments to costs for the Public Employees Retirement System Pension Obligation Bond repayment.									
Analyst Recommendation Recommended									
Agency Request Budget									
Personal Services	-	-	7,307	-	-	-	7,307	-	-
Ending Balance	-	-	(7,307)	-	-	-	(7,307)	-	-
Analyst Rec. Budget									
Personal Services	-	-	7,307	-	-	-	7,307	-	-
Ending Balance	-	-	(7,307)	-	-	-	(7,307)	-	-
Difference									
Personal Services	-	-	-	-	-	-	-	-	-
Ending Balance	-	-	-	-	-	-	-	-	-

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
Package 031 Standard Inflation									
Package Description	This package increases Services and Supplies by the standard 3.8 percent and non-state employee and professional services costs by the standard 4.2 percent inflation rates. The hourly rate for Attorney General costs are increased by 20.1 percent. The package also adjusts costs for changes in State Government Service Charges.								
Analyst Recommendation	Recommended								
Agency Request Budget									
Services & Supplies	-	-	72,215	-	-	-	72,215		
Ending Balance	-	-	(72,215)	-	-	-	(72,215)		
Analyst Rec. Budget									
Services & Supplies	-	-	72,215	-	-	-	72,215		
Ending Balance	-	-	(72,215)	-	-	-	(72,215)		
Difference									
Services & Supplies	-	-	-	-	-	-	-		
Ending Balance	-	-	-	-	-	-	-		

Appendix A
Packages Recommended for Addback

No Packages Available

Appendix B
Packages Not Recommended

No Packages Available

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