

JEANNE P. ATKINS  
SECRETARY OF STATE  
ROBERT TAYLOR  
DEPUTY SECRETARY OF STATE



BRENDA BAYES  
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September 27, 2016

Brent Cheyne  
13411 Springlake Rd  
Klamath Falls OR 97603

Kenneth Smith  
6136 Hwy 39  
Klamath Falls OR 97603

Case No. 16-C&E-18

Dear Mr. Cheyne and Mr. Smith:

This is to notify you that a written complaint alleging a possible violation of Oregon Election Law was received by the Elections Division on September 22, 2016.

The complaint alleges that as candidates whose names will be printed on the October 12, 2016 Recall Election, that each of you are required to form a candidate committee, establish a dedicated bank account and disclose campaign finance transactions. On September 16, 2016, a full page ad appeared in the Klamath Falls Herald and News, and two mailings in opposition to the recall election have been sent to persons eligible to vote in the recall election (see enclosures). It states that it was paid for by "zones 1, 2 & 3 patrons."

I have conducted a search in the online ORESTAR application (which is used by candidates and political action committees to set up or file committee paperwork) and searched for committee that are associated with the recall election; the search executed no results even though there is clearly political advocacy related to the recall being paid for and disseminated in the Klamath Irrigation District.

Please respond to the questions below, and fax your response to my attention at 503-373-7414 by October 7, 2016.

1. Are either of you the party responsible for the content and payment of the advertisement or mailings, identified as "zones 1, 2 & 3 patrons"? If no, do you know who is responsible for the content and payment, as identified as "zones 1, 2 & 3 patrons"? If the answer is yes, please provide contact information for the "patrons".

2. Were either of you consulted or informed about the advertising or mailers? If yes, who made contact or informed you (provide the name and phone number of the person(s)).
3. Do you know a Mr. Al Fronsdaahl? Do you know if Mr. Fronsdaahl is the person that paid for the advertisement that was placed in the Klamath Falls Herald and News? Do you know if Mr. Fronsdaahl was responsible for the mailings?
4. Have either of you collected any contributions or made any expenditures, including personal expenditures to oppose your recall? Have you received any in-kind contributions<sup>1</sup> from any person?
5. Please explain why neither of you have not set up a committee to oppose the recall.

You may contact me at 503-986-1518 if you have any questions about the contents of this letter.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Hertel". The signature is written in a cursive, flowing style.

Jennifer Hertel  
Compliance Specialist

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<sup>1</sup> An in-kind contribution is a good or service that has value which is given to a campaign.