

**GOVERNMENTAL ETHICS COMMISSION**[www.kansas.gov/ethics](http://www.kansas.gov/ethics)

August 24, 2015

Willie Prescott  
Treasurer for Peggy Mast  
21602 S Auburn Road  
Osage City, KS 66523Notification of Material Error or Omission  
In A Receipts and Expenditures ReportRE: Receipts and Expenditures Report Due October 27, 2014  
(Covering the Period July 25, 2014 thru October 23, 2014)

A review of your Receipts and Expenditures Report identified above indicates the material error(s) or omission(s) listed on the other side of this page. Such error(s) and omission(s) must be corrected within thirty (30) days of the date of this notice.

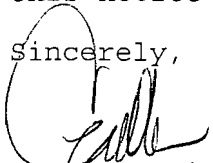
File the amended report within thirty (30) days with:

Secretary of State  
120 SW 10<sup>th</sup>  
Memorial Hall  
Topeka, KS 66612

As provided by law, a copy of this notice has been made a part of your record in the Secretary of State's Office. The intentional failure to file an amended report within thirty (30) days is a class A misdemeanor. In addition, you may not accept contributions or make expenditures following the end of the thirty (30) day period if the amended report has not been filed.

Additional information and assistance may be obtained by writing or calling this office. If after having contacted this office substantial issues remain unresolved, you may within ten (10) days of receipt of this notice request a hearing before the Commission.

Sincerely,

  
Carol E. Williams  
Executive Director

1. K.S.A. 25-4153 (a)(1) states, "The aggregate amount contributed to a candidate and such candidate's committee . . . shall not exceed the following: for member of the house of representatives, . . . \$500 for each primary election . . . and an equal amount for each general election." The Mast campaign reported receiving the following contributions:

<u>DATE</u>	<u>CONTRIBUTOR</u>	<u>AMOUNT</u>
08-07-14	Advance America	\$250
10-19-14	Advance America	\$400
08-07-14	Builders Assn. PAC, KC Chapter	\$350
10-26-14	Builders Assn. PAC, KC Chapter	\$350
08-07-14	Physician Hospital of KS PAC	\$500
10-13-14	Physician Hospital of KS PAC	\$500
08-07-14	Wichita Metro Chamber PAC	\$500
09-14-14	Wichita Metro Chamber PAC	\$500

All of these contributions were **received** during the general election period.

Pursuant to K.S.A. 25-4153, the campaign accepted contributions in excess of the legal limit amounting to \$1350. We would suggest that these contributions be refunded immediately. The return of these contributions should be noted on Schedule C (Expenditures and Other Disbursements) of the January 10, 2016 Receipts and Expenditures Report.

2. Schedule A (Contributions and Other Receipts) lists a \$100 contribution with the notation "Anonymous".

K.S.A. 25-4154 (b) states, "No person shall give or accept any contribution in excess of \$10 unless the name and address of the contributor is known to the individual receiving the contribution." An explanation of this contribution must be provided. If the campaign is not aware of the name of the contributor of this contribution, \$100 must be expended in a non-political manner since these would be illegal contributions. An explanation of this contribution must be provided in a letter to the Commission.

3. Schedule A (Contributions and Other Receipts) of the October 27, 2014 report lists a \$250 contribution on 10-5-14 from the Kansas Insurance Agents PAC. It appears this contribution is from the Kansas Insurance PAC, not the Kansas Insurance Agents PAC since they gave only one \$250 contribution and it was reported by the campaign as received on 9-25-14. Kansas Insurance PAC reported giving a \$250 contribution on 9-16-14 and that \$250 contribution is not reported by the campaign. Please check your records to determine if the \$250 contribution received on 10-5-14 was actually from the Kansas Insurance PAC. If so, an amended Schedule A for the October 27, 2014 report must be filed correcting this error.

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4. Schedule C (Expenditures and Other Disbursements) of the October 27, 2014 report lists a \$794.63 expenditure on 10-18-14 to Intrust Card Center for credit card expense for auto, fuel and travel. It will be necessary for you to provide a more detailed description of this expenditure. If any one expense was over \$50, it must be itemized. This information can be disclosed in a letter of amendment to the Commission.

5. Schedule C (Expenditures and Other Disbursements) of the October 27, 2014 report shows an expenditure in the amount of \$409.22 on 10-5-14 for gas charges for campaign trail. Pursuant to Advisory Opinion 2007-14, the candidate can only be reimbursed for mileage at the state mileage reimbursement rate. The candidate can not be reimbursed for fuel. The Commission opined "due to the difficulty in determining the allocation of vehicle expenses between a candidate's personal use of a vehicle and the candidate's use of a vehicle for holding political office or for campaign purposes, the Commission now determines that beginning January 1, 2008, the use of campaign funds to pay for otherwise un-reimbursed vehicle expenses will be limited to the state mileage reimbursement rate." When claiming reimbursement for mileage from campaign funds, the treasurer needs to keep detailed records for mileage expenditures showing the dates of travel, the necessity for and specific purpose of the travel, and the actual mileage traveled. It will be necessary for the candidate to reimburse the campaign account for the fuel purchased. This reimbursement will need to be disclosed on Schedule A (Contributions and Other Receipts) on the January 10, 2016 Receipts and Expenditures Report. The candidate can be reimbursed for the miles driven at the state rate of 56 cents per mile. If done, this expenditure would be disclosed on Schedule C (Expenditures and Other Disbursements) on the January 10, 2016 report.

If you have any questions, feel free to contact this office.