



GOVERNMENTAL ETHICS COMMISSION

www.kansas.gov/ethics

Joshua Shorter
Treasurer for John Whitmer
461 South Firefly Court
Wichita, KS 67235

September 26, 2014

Notification of Material Error or Omission
In A Receipts and Expenditures Report

RE: Receipts and Expenditures Report Due July 28, 2014
(Covering the Period January 1, 2014 thru July 24, 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 by filing an amended report.

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

Secretary of State
120 SW 10th
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,

A handwritten signature in black ink, appearing to read "Carol E. Williams".

Carol E. Williams
Executive Director

1. Schedule A (Contributions and Other Receipts) of the July 28, 2014 report shows \$1750 in loans from John Whitmer. All loans should also be listed on Schedule D (Other Transactions) until such time as they are repaid or forgiven. An amended report must be filed which includes Schedule D and the corresponding entry on Line 7 of the cover summary page.
2. The July 28, 2014 report did not disclose a payment to the Secretary of State for the candidate's filing fee. If the filing fee was paid by the candidate from personal funds, it should be recorded on Schedule B (In-Kind Contributions) as an "in-kind" contribution from the candidate to the campaign. If the filing fee was paid from campaign funds, this expenditure should be listed on Schedule C (Expenditures & Other Disbursements). The July 28, 2014 report must be amended by showing the payment of the filing fee either on Schedule B or Schedule C and on the cover summary page.
3. Schedule C (Expenditures and Other Disbursements) shows expenditures to Quik Trip and Casey's General Store totaling \$53.78 for gas. 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 not be necessary for the candidate to reimburse the campaign account for the fuel purchased. However, in the future, please be sure reimbursement is for miles driven for campaign purposes at the state rate of 56 cents, not for fuel purchased.

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