



GOVERNMENTAL ETHICS COMMISSION

www.kansas.gov/ethics

Tom Thomas
Treasurer for James Barnett
1715 Hammond Drive
Emporia, KS 66801

June 2, 2009

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

RE: Receipts and Expenditures Report Due October 27, 2008
(Covering the Period July 25, 2008 thru October 23, 2008)

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 (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

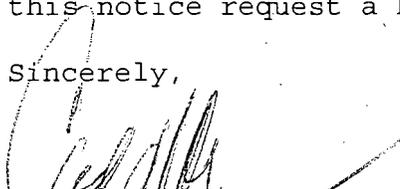
AND

The Candidate's
Home County Election
Officer

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 the office of state senator, . . . \$1000 for each primary election . . . and an equal amount for each general election." The Barnett campaign reported receiving a \$1000 contribution on 11-26-07 from the Lincoln Village Mobile Home Park, and \$1000 on 7-23-08, for a total of \$2000. Both of these contributions were received during the primary election period.

Pursuant to K.S.A. 25-4153, the campaign accepted a contribution in excess of the legal limit amounting to \$1000. We would suggest that this contribution be refunded immediately. The return of this contribution should be noted on Schedule C (Expenditures and Other Disbursements) of the January 10, 2010 Receipts and Expenditures Report.

2. According to the reports filed with the Secretary of State, Kansas American Family Insurance PAC reports making a \$500 contribution to James Barnett on 9-26-08 and the Kansas Contractors Association PAC reports making a \$1000 contribution on 8-19-08. These contributions were not reported by your campaign. If these contributions were received, they must be reported on Schedule A (Contributions and Other Receipts) on the October 27, 2008 report. These errors will cause the cash balance on the front page summary sheet to be incorrect. Therefore, an amended front page summary sheet must also be filed. If the campaign did not receive these contributions, please note this fact in a letter to the Commission.

3. K.S.A. 25-4148 (b) (7) requires that when an expenditure is made by payment to an advertising agency, public relations firm or political consultants for disbursement to vendors, the report of such expenditure shall show in detail the name of each such vendor and the amount, date and purpose of the payment to each. An expenditure amounting to \$3142.65 was made to MarketAide on 8-15-08. Please submit the required supplemental information as an amendment to Schedule C on the October 27, 2008 Receipts and Expenditures Report.

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