



GOVERNMENTAL ETHICS COMMISSION

www.kansas.gov/ethics

Mark Werner
Treasurer for Bob Marshall
1604 Woodland Terrace
Pittsburg, KS 66762

October 3, 2012

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

RE: Receipts and Expenditures Report Due July 30, 2012
(Covering the Period January 1, 2012 thru July 26, 2012)

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,


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 Marshall campaign reported receiving the following contributions:

<u>DATE</u>	<u>CONTRIBUTOR</u>	<u>AMOUNT</u>
11-7-09	Kansas Health Care Association PAC	\$200
12-15-11	Kansas Health Care Association PAC	\$250
12-31-11	Kansas Health Care Association PAC	\$250
7-17-12	Kansas Health Care Association PAC	\$500
		\$1200
11-7-09	Beachner Construction Company	\$500
7-22-12	Beachner Construction Company	\$1000
		\$1500

All of these contributions were received during the primary election period.

Pursuant to K.S.A. 25-4153, the campaign accepted contributions in excess of the legal limit amounting to \$700. 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 October 29, 2012 Receipts and Expenditures Report.

2. The July 30, 2012 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 30, 2012 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.

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