

STATE OF KANSAS

Administration of
Campaign Finance,
Conflict of Interest
& Lobbying Laws



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GOVERNMENTAL ETHICS COMMISSION
www.kansas.gov/ethics

Leslie Ward
Treasurer for Carolyn McGinn
2452 N Redbud
Wichita, KS 67204

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 McGinn campaign reported receiving the following contributions:

<u>DATE</u>	<u>CONTRIBUTOR</u>	<u>AMOUNT</u>
11-21-11	Kansas Health Care Association PAC	\$500
6-30-12	Kansas Health Care Association PAC	\$1000
		\$1500
11-3-09	KS Independent Pharmacy PAC	\$150
10-5-10	KS Independent Pharmacy PAC	\$200
12-5-11	KS Independent Pharmacy PAC	\$250
7-20-12	KS Independent Pharmacy PAC	\$750
		\$1350

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 \$850. 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.

3. Schedule A (Contributions and Other Receipts) lists a \$20 cash contribution on 7-2-12 and a \$20 cash contribution on 7-25-12 with the notation "anonymous donation".

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 these two contributions totaling \$40 must be provided. If the campaign is not aware of the name(s) of the contributor(s) of these two contributions, \$40 must be expended in a non-political manner since they would be

illegal contributions. An explanation of these contributions must be provided in a letter to the Commission.

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