



GOVERNMENTAL ETHICS COMMISSION

<https://ethics.kansas.gov>

Sandra Praeger
Treasurer for Brian McClendon
3601 Quail Creek Court
Lawrence, KS 66047

October 5, 2018

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

RE: Receipts and Expenditures Report Due July 30, 2018
(Covering the Period January 1, 2018 thru July 26, 2018)

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,



Mark Skoglund
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 pair of offices of governor and lieutenant governor or for other state officers elected from the state as a whole, . . . \$2000 for each primary election . . . and an equal amount for each general election." The McClendon campaign reported receiving a \$2000 contribution on 3-18-18 from Luiz Barroso, and an additional \$1000 contribution on 4-29-18, for a total of \$3000. 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 October 29, 2018 Receipts and Expenditures Report.

2. Schedule A (Contributions and Other Receipts) indicates your campaign accepted the following cash contribution over \$100:

<u>Date</u>	<u>Name</u>	<u>Amount</u>
5-14-18	Annie Kuether	\$200

K.S.A. 25-4153(i) states, "No person shall make any contribution or contributions to any candidate or the candidate committee of any candidate in the form of money or currency of the United States which in the aggregate exceeds \$100 for any one primary or general election, and no candidate or candidate committee of any candidate shall accept any contribution or contributions in the form of money or currency of the United States which in the aggregate exceeds \$100 from any one person for any one primary or general election."

The cash contribution listed above should not have been accepted by the campaign. In the future, you must be certain that all contributions in excess of \$100 are made by check, cashier's check, money order or E Funds.

3. Schedule C (Expenditures and Other Disbursements) lists the following expenditures being made by the McClendon campaign:

<u>Date</u>	<u>Expenditure</u>	<u>Amount</u>
04-02-18	Alaska Airlines	\$436.41
04-02-18	Alaska Airlines	\$436.41
05-10-18	United Airlines	\$425.00
05-10-18	United Airlines	\$425.00
04-29-18	Uber - San Francisco, CA	\$75.57
04-30-18	Uber - San Francisco, CA	\$67.63
05-03-18	Uber - San Francisco, CA	\$61.77

Further explanation as to the purpose of these expenditures and how they are campaign expenses must be provided in a letter to the Commission.

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