



GOVERNMENTAL ETHICS COMMISSION

<https://ethics.kansas.gov>

Marc Bennett
Treasurer for Anthony Mattivi
535 Main Street
Wichita, KS 67203

September 20, 2022

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

RE: Receipts and Expenditures Report Due July 25, 2022
(Covering the Period January 1, 2022 thru July 21, 2022)

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 cursive script that reads "Karina Renne".

Karina Renne
State Campaign Finance Coordinator

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 Mattivi campaign reported receiving the following contributions:

<u>Date</u>	<u>Contributor</u>	<u>Amount</u>
11-01-21	3200 LLC	\$2000
06-27-22	3200 LLC	\$2000
		\$4000
08-05-21	Robert Cutler	\$2000
01-24-22	Robert Cutler	\$2000
		\$4000
12-27-21	Basil Hourani	\$1000
06-27-22	Basil Hourani	\$2000
		\$3000
09-29-21	Neal Lintecum	\$500
10-30-21	Neal Lintecum	\$500
11-29-21	Neal Lintecum	\$500
12-29-21	Neal Lintecum	\$500
01-29-22	Neal Lintecum	\$500
02-28-22	Neal Lintecum	\$500
03-30-22	Neal Lintecum	\$500
04-30-22	Neal Lintecum	\$500
		\$4000

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 \$7000. 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 31, 2022 Receipts and Expenditures Report.**

2. 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. Expenditures in the amount of \$76,439.00 were made to FlexPoint Media, Inc for Radio/TV Media Buy. Please submit the required supplemental information as an amendment to Schedule C on the July 25, 2022 Receipts and Expenditures Report.

3. Schedule C (Expenditures and Other Disbursements) of the July 25, 2022 report shows expenses in the amount of \$267.16 for fuel/gas costs. Pursuant to Advisory Opinion 2007-14, the candidate can only be reimbursed for mileage at the state mileage reimbursement rate, not 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 be necessary for the candidate to reimburse the campaign account for the fuel purchased. This reimbursement will need to be disclosed on Schedule A (Contributions and Other Receipts) of the October 31, 2022 Receipts and Expenditures Report. The candidate can be reimbursed for the miles driven at the state rate of \$.56 per mile through June 30, 2022 and \$58.5 per mile from July 1, 2022 to the present. If done, this expenditure would be disclosed on Schedule C (Expenditures and Other Disbursements) of the October 31, 2022 report.

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