

STATE OF KANSAS

Administration of
Campaign Finance,
Conflict of Interest
& Lobbying Laws



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GOVERNMENTAL ETHICS COMMISSION

www.kansas.gov/ethics

Charles Vogt
Treasurer for Joseph Novak
13907 W 72nd Court
Shawnee, KS 66216

September 9, 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

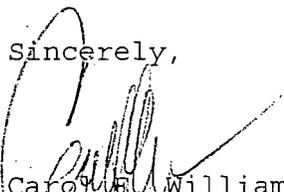
AND

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,


Carolyn 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 member of the house of representatives, . . . \$500 for each primary election . . . and an equal amount for each general election." The Novak campaign reported receiving a \$500 contribution on 8-7-08 from the Kansas State UAW PAC, and \$500 on 10-10-08, for a total of \$1000. Both of these contributions were received during the general election period.

Pursuant to K.S.A. 25-4153, the campaign accepted a contribution in excess of the legal limit amounting to \$500. 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, the Kansas Trial Lawyers Consumer/Civil Justice PAC reports making a \$200 contribution to Joseph Novak on 10-20-08. However, the Novak campaign reports the contribution as \$250. Please check your records to determine the correct amount of the contribution check. If the contribution was in fact \$200, an amended Schedule A (Contributions and Other Receipts) must be filed with the correct amount as well as an amended cover summary page with the correct totals.

3. Schedule C (Expenditures and Other Disbursements) of the October 27, 2008 report lists an expenditure to the Greater KC Women's Political Caucus on 9-11-08 for \$100.

On June 23, 1992, the Commission issued Opinion 92-24 concerning the permissible use of candidate campaign funds and ruled generally that such funds could not be given as donations to political committees. The opinion also stated that officeholders could purchase tickets to events at the lowest necessary price for the officeholder and his or her immediate family at fundraising and political events if the officeholder and his/her family attend the event.

If this expenditure was for the purchase of tickets to a fundraising event rather than a donation/contribution as shown on the report, that fact must be noted on an amended Schedule C. If this was a donation, you will need to contact the Greater KC Women's Political Caucus and have them return your campaign funds or you will need to reimburse the campaign personally.

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