



GOVERNMENTAL ETHICS COMMISSION

www.kansas.gov/ethics

Derek Smith
Treasurer for Lee Kinch
907 Woodlawn Heights
Derby, KS 67037

August 26, 2011

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

RE: Receipts and Expenditures Report Due October 25, 2010
(Covering the Period July 23, 2010 thru October 21, 2010)

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

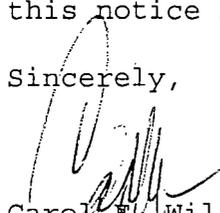
AND

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,


Carol E. Williams
Executive Director

1. The Amended October 25, 2010 Receipts and Expenditures Report was not signed by the candidate or the treasurer of record. An amended October 25, 2010 report must be filed and signed by the candidate, Lee Kinch, or Derek Smith, the treasurer of record.

2. 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 Kinch campaign reported receiving two \$300 contributions on 9-21-10 from the United Transportation Union PAC, for a total of \$600. Both of these contributions were received during the general election period. However, the verified statement filed by the United Transportation Union PAC indicates only one \$300 contribution was given to the Kinch campaign. Please check your records to determine if the \$300 contribution was reported twice by your campaign.

If two \$300 contributions were received, pursuant to K.S.A. 25-4153, the campaign accepted a contribution in excess of the legal limit amounting to \$100. 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, 2012 Receipts and Expenditures Report. If only one contribution was received, an amended Schedule A (Contributions and Other Receipts) of the October 25, 2010 report must be filed removing the \$300 duplicate entry.

3. Schedule A (Contributions and Other Receipts) of the October 25, 2010 report lists two \$150 contributions from Kansas Wine & Spirit Wholesalers PAC received on 9-27-10. However, the PAC reports giving one \$150 contribution to the Kinch campaign. Please check your records to determine if the campaign received one or two contributions from the PAC. If the \$150 contribution was reported twice, an amended Schedule A must be filed removing the \$150 duplicate entry.

4. 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. An expenditure amounting to \$1570 was made to Wheat State Strategies on 10-21-10. Please submit the required supplemental information as an amendment to Schedule C on the October 25, 2010 Receipts and Expenditures Report.

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