

STATE OF KANSAS

Administration of
Campaign Finance,
Conflict of Interest
& Lobbying Laws



109 West 9th Street, Suite 504
Topeka, Kansas 66612
(785) 296-4219 (phone)
(785) 296-2548 (fax)

GOVERNMENTAL ETHICS COMMISSION

www.kansas.gov/ethics

Penny Wood
Treasurer for Patrick Maloney
1237 W Hoover Avenue
Kingman, KS 67068

September 21, 2010

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

RE: Receipts and Expenditures Report Due July 26, 2010
(Covering the Period January 1, 2010 thru July 22, 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 (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,

A handwritten signature in black ink, appearing to read "Carol E. Williams".
Carol E. Williams
Executive Director

1. The July 26, 2010 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 26, 2010 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.

2. Schedule B (In-Kind Contributions) of the July 26, 2010 report lists expenditures made by the candidate. These expenditures are also listed on Schedule C (Expenditures and Other Disbursements). If the expenditures were made from personal funds, not campaign funds deposited into a campaign account, they are to be reported on Schedule B as in-kind contributions from the donor and removed from Schedule C. If the expenditures were made from the campaign bank account, they must be listed on Schedule C (Expenditures and Other Disbursements) and removed from Schedule B. An amended cover summary page must also be filed with the correct totals.

3. Schedule D (Other Transactions) of the January 10, 2010 report lists a loan payable of \$3469.62 to the candidate. This \$3469.62 is not carried forward as a loan payable to the July 26, 2010 report, nor is it disclosed on Schedule C (Expenditures and Other Disbursements). An amended July 26, 2010 report must be filed disclosing the disposition of this debt.

4. Schedule A (Contributions and Other Receipts) of the July 26, 2010 report lists a \$100 contribution being received on 2-27-10 from the Ford County Democratic Central Committee. K.S.A. 25-4153a states that no registered lobbyist, political committee or person, other than an individual, shall make a contribution and no legislator or candidate for the legislature shall accept a contribution from a lobbyist, political committee or person, other than an individual after January 1 and prior to sine die adjournment of the regular session of the legislature which was May 28, 2010, or any other time the legislature is in session. This contribution should not have been accepted and should be returned. The return of this contribution must be shown on Schedule C (Expenditures and Other Disbursements) of the October 25, 2010 report.

5. 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 Maloney campaign reported receiving a \$250 contribution on 10-3-09 from the Kansas National Education Association PAC, and an additional \$500 on 7-12-10, for a total of \$750. 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 \$250. 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 25, 2010 Receipts and Expenditures Report.

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