



**GOVERNMENTAL ETHICS COMMISSION**

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October 19, 2010

Mike Callison  
Treasurer for Ron Thornburgh for Governor  
5375 SW 7<sup>th</sup> Street  
Topeka, KS 66606

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

RE: Receipts and Expenditures Report Due January 10, 2010  
(Covering the Period January 1, 2009 thru December 31, 2009)

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.

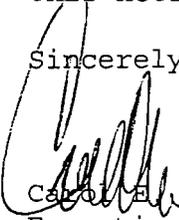
File the amended report within thirty (30) days with:

Secretary of State  
120 SW 10<sup>th</sup>  
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,

  
Carol 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 the pair of offices of governor and lieutenant governor, . . . \$2000 for each primary election . . . and an equal amount for each general election." The Thornburgh for Governor campaign reported receiving the following contributions:

<u>DATE</u>	<u>CONTRIBUTOR</u>	<u>AMOUNT</u>
10-20-08	John Dicus	\$1000
4-23-09	John Dicus	\$2000
		<b>\$3000</b>
9-24-07	Bette Morris	\$500
9-27-07	Bette Morris	\$500
7-11-08	Bette Morris	\$500
9-24-08	Bette Morris	\$500
4-16-09	Bette Morris	\$500
		<b>\$2500</b>
10-11-08	Howard Ward	\$100
4-16-09	Howard Ward	\$2000
		<b>\$2100</b>

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 \$1600. 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 January 10, 2011 Receipts and Expenditures Report.

2. K.S.A. 25-4154 (c) states "The aggregate of contributions for which the name and address of the contributor is not reported under K.S.A. 25-4148 shall not exceed 50% of the amount one individual (other than the candidate or spouse) may contribute to or for a candidate's campaign."

The January 10, 2010 report indicates there was \$1125.05 in contributions received online during the reporting period when the name of the contributor was not known. K.S.A. 25-4154 (c) sets that limit at \$1000 per election cycle. If the campaign cannot determine the name, address and amount contributed by each person that made up this \$1125.05, the campaign accepted \$125.05 in illegal contributions. If the campaign is able to determine who made these contributions, please provide a listing to the Commission. Otherwise, all excess anonymous contributions must

be disposed of immediately in a non-political manner (i.e., a charity). If a donation is made to a charitable organization, the disposition of the \$125.05 will be reported on Schedule C (Expenditures and Other Disbursements) of the January 10, 2011 Report.

3. Schedule A (Contributions and Other Receipts) of the January 10, 2010 report lists a \$352 contribution being received on 2-5-09 from the Eighth and Jackson Group. K.S.A. 25-4153a states that no registered lobbyist, political committee or person, other than an individual, shall make a contribution and no state officer, or candidate for state officer elected on a statewide basis 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 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 January 10, 2011 report.

4. Schedule A (Contributions and Other Receipts) lists a \$20 contribution with the notation "Unknown donor".

K.S.A. 25-4154 (b) states, "No person shall give or accept any contribution in excess of \$10 unless the name and address of the contributor is known to the individual receiving the contribution." An explanation of this contribution must be provided. If the campaign is not aware of the name of the contributor of this contribution, \$20 must be expended in a non-political manner since this would be an illegal contribution. An explanation of this contribution must be provided in a letter to the Commission.

5. The Campaign Finance Act requires that any contribution from an individual in excess of \$150 must be accompanied by the occupation and industry of the individual. Schedule A (Contributions and Other Receipts) of the report does not reflect both the occupation and industry of the individual donors. The report must be amended to show both the occupation and the industry of all contributors who gave in excess of \$150.

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