



GOVERNMENTAL ETHICS COMMISSION

www.kansas.gov/ethics

May 5, 2011

Tom Arpke
Treasurer for Kris Kobach
512 W Iron Avenue
Salina, KS 67401

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

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. 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 other state officers elected from the state as a whole, . . . \$2000 for each primary election . . . and an equal amount for each general election." The Kobach campaign reported receiving the following contributions:

<u>DATE</u>	<u>CONTRIBUTOR</u>	<u>AMOUNT</u>
8-9-10	Lloyd & Nancy Hanahan	\$500
8-18-10	Lloyd & Nancy Hanahan	\$500
8-29-10	Lloyd & Nancy Hanahan	\$500
9-5-10	Lloyd & Nancy Hanahan	\$500
9-21-10	Lloyd & Nancy Hanahan	\$1000
10-1-10	Lloyd & Nancy Hanahan	\$1800
		\$4800
8-25-10	Robert & Mary Jane Hodgdon	\$4000
9-29-10	Robert & Mary Jane Hodgdon	\$4000
		\$8000

2. Schedule A (Contributions and Other Receipts) of the report lists a \$15 cash contribution and a \$25 cash contribution with the notation "anonymous".

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 these two contributions must be provided. If the campaign is not aware of the names of the contributors of these two contributions, \$40 must be expended in a non-political manner since these would be illegal contributions. An explanation of these contributions must be provided in a letter to the Commission.

3. According to the reports filed with the Secretary of State, the Leavenworth County Republican Central Committee reports making a \$309 contribution to Kris Kobach on 10-11-10. This contribution was not reported by your campaign. If this contribution was received, it must be reported on Schedule A (Contributions and Other Receipts) on the October 25, 2010 report. This error will cause the cash balance on the front page summary sheet to be incorrect. Therefore, an amended front page summary sheet must also be filed. If the campaign did not receive this contribution, please note this fact in a letter to the Commission.

4. Schedule A (Contributions and Other Receipts) of the October 25, 2010 report indicates a \$100 contribution was given to the Kobach campaign from the Leavenworth County Republican Central

Committee on 9-6-10. However, the October 25, 2010 report filed by the central committee does not list this contribution. Please check your records to determine if this contribution was from the Leavenworth County Republican Central Committee or from another contributor. This information can be provided in a letter to the Commission.

5. 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. The following expenditures were made to Right Way Media for TV Radio Ad Purchase:

<u>DATE</u>	<u>AMOUNT</u>
7-16-10	\$8887.62
8-11-10	\$3425.01
9-30-10	\$2247.30
10-6-10	\$5243.70

Please submit the required supplemental information as an amendment to Schedule C on the October 25, 2010 Receipts and Expenditures Report.

6. Schedule D (Other Transactions) of the amended July 26, 2010 report lists a loan payable of \$1700 to Kris Kobach. This \$1700 is not carried forward as a loan payable to the October 25, 2010 report, nor is it disclosed on Schedule C (Expenditures and Other Disbursements). An amended October 25, 2010 report must be filed disclosing the disposition of this debt.

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

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May 5, 2011

Thomas Arpke
Treasurer for Kris Kobach
512 W Iron Avenue
Salina, KS 67401-2776

Dear Mr. Kobach:

We have completed the review of the October 25, 2010 and the January 10, 2011 Receipts & Expenditures Reports you filed on behalf of the Kris Kobach for Secretary of State campaign.

During the review, we found the following contributions of \$300 or more that were received by the Kobach campaign:

<u>DATE</u>	<u>CONTRIBUTOR</u>	<u>AMOUNT</u>
10-22-10	Henry Buhl	\$1500
10-22-10	Warren J. Newcomer, Jr.	\$500
10-22-10	Janssen Glass & Door, LLC	\$300
10-26-10	Pottawatomie Co. Republican Central Committee	\$500

These contributions should have been shown on the Last Minute Contribution Report and filed with the Secretary of State on October 28, 2010.

In the future, you must be certain that any last minute contributions of \$300 or more are reported on the appropriate date. The failure to do so may result in a civil fine being assessed by the Governmental Ethics Commission.

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

Sincerely,

Carol Williams
Executive Director

c: Kris Kobach