



**GOVERNMENTAL ETHICS COMMISSION**

[www.kansas.gov/ethics](http://www.kansas.gov/ethics)

May 5, 2011

Thomas 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 January 10, 2011  
(Covering the Period October 22, 2010 thru December 31, 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.

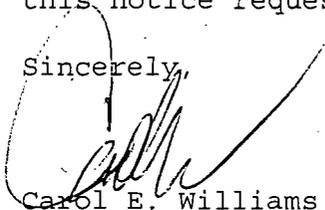
File the amended report within thirty (30) days with:

Secretary of State  
120 SW 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. The beginning balance of \$130,662.53 listed on the January 10, 2011 report is not the same as the ending balance of \$128,231.73 listed on the October 25, 2010 report. This difference of \$2,430.80 must be explained in an amended report.

2. Schedule A (Contributions and Other Receipts) of the January 10, 2011 report was not filed electronically. Pursuant to K.S.A. 2009 Supp. 25-4148, all candidates for statewide office are required to file receipts and expenditures reports electronically. An amended Schedule A for the January 10, 2011 report must be submitted electronically. This error causes the cover summary page to reflect no contributions during this reporting period, therefore, an amended cover summary page must also be submitted reflecting the \$27,110.00 in contributions shown on the computer spread sheet that was filed.

3. According to the last minute contribution report filed by the Kris Kobach campaign on October 28, 2010, the campaign received the following contributions:

<u>DATE</u>	<u>CONTRIBUTOR</u>	<u>AMOUNT</u>
10-23-10	Vishal Adma	\$300
10-23-10	Keith Bowman	\$300
10-23-10	Mary Gilkison	\$500
10-23-10	Ramesh Lokre	\$300

These contributions were not reported by your campaign on the January 10, 2011 report. These contributions must also be reported on Schedule A (Contributions and Other Receipts) on the January 10, 2011 report. These errors 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.

4. 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.

5. Schedule C (Expenditures and Other Disbursements) of the January 10, 2011 report lists 22 expenditures dated from 10-1-10 to 10-19-10. The reporting period for the January 10, 2011 report was October 22, 2010 through December 31, 2010. These expenditures occurred during the October 25, 2010 reporting period which was July 23, 2010 through October 21, 2010. An amended Schedule C must be submitted for the October 25, 2010 listing these 22 expenditures as well as an amended Schedule C

for the January 10, 2011 report removing these expenditures.

6. 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 \$3684.55 was made to Right Way Media on 11-10-10 for TV Radio Ad Purchase. Please submit the required supplemental information as an amendment to Schedule C on the January 10, 2011 Receipts and Expenditures Report.

7. Schedule D (Other Transactions) of the amended July 26, 2010 Receipts and Expenditures Report lists a loan payable totaling \$1700 to Kris Kobach. This loan is not carried forward as a loan payable to the October 25, 2010 report or the January 10, 2011 report, nor is it disclosed on Schedule C (Expenditures and Other Disbursements). All loans should be listed on Schedule D (Other Transactions) until such time as they are repaid or forgiven. An amended January 10, 2011 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