

Agenda
Governmental Ethics Commission
901 S. Kansas Ave.
Topeka, Kansas
November 16, 2022
1:00 p.m.

1:00 p.m. Call Meeting to Order

Review and approve today's meeting agenda and the October 26, 2022, meeting minutes

Executive Director Report

- 2022 Annual Report

Civil Penalties

Candidates & Treasurers

Leah Barnhard, Treasurer Women for Kansas Action	Kiel Corkran, Candidate and Treasurer for Insurance Commissioner
Richard Ramos, Treasurer Firefighters Club 83	Greg Schoofs, Candidate for State Representative
HF Swender, Treasurer The Right Way Kansas PAC for Economic Growth	Steve Watson, Treasurer Plumbers & Pipefitters Local 441 PAC

Paid-for Waiver Requests

- Chris Mann, Candidate, Attorney General
- Audra McMahon, Candidate, Johnson County Commissioner District 1
- Emily Inskeep, NRA-PVF
- Kimberly Temple Schrant, Candidate, Harper County Commissioner District 1

Civil Penalty Waiver Requests

- Terrell Davis, Lobbyist, Wichita Public Schools USD 259
- Katrina Abraham, Lobbyist, Cerner Corporation
- Leah Barnhard, Treasurer, Women for Kansas Action
- John "Jeff" Carson, Treasurer, Kansas City Regional Assn of Realtors-Kansas
- Justin Choitz, Treasurer, FirePAC 2119
- Damien Gilbert, Lobbyist, Gencur Svaty Public Affairs
- Elton Hale, Treasurer, Kansas Black Republican Council
- Elton Hale, Treasurer, Wyandotte Black Republican Council
- George Hanna, Lobbyist, Kansas Norml, Inc.
- Kevin Makalous, Candidate and Treasurer, Shawnee City Councilmember Ward 4
- Ryan Reza, Lobbyist, NAMI Kansas
- Daniel Shafton, Lobbyist, Kansas Norml, Inc.

1:30 p.m. Public Hearings

- CF 2022-01, Matt Watkins
- CF 2022-02, Tobias Schlingensiepen
- Complaint 739, George A. Briggs, Treasurer and Candidate for Governor
- Complaint 740, Max Stucky Halley, Candidate for State Representative
- Complaint 741, Mark Tallent, Treasurer and Candidate for State Representative

Executive Session

Date of next meeting: January 25, 2023

3:00 p.m. Adjournment

Minutes
Governmental Ethics Commission
901 S. Kansas Ave.
Topeka KS 66612
October 26, 2022
1:00 p.m.

Members Present

Nick Hale, Chair
Jerome Hellmer, Vice Chair
Jane Deterding - by Videoconference
Patty Dengler
Amy James
Kyle Krull
Ken Moore
Todd Scharnhorst - by Videoconference
John Solbach

Staff Present

Mark Skoglund, Executive Director
Brett Berry, General Counsel
Scott Smith, Investigator
Barbara Montgomery, Office Manager

The regular monthly meeting of the Governmental Ethics Commission was called to order at 1:00 p.m. by Chair Hale.

Minutes

After review of today's agenda and the September 28, 2022, meeting minutes, Chair Hale asked for any corrections needed to the agenda or minutes, or a motion to approve the agenda and minutes as written.

Mr. Solbach pointed out a correction needed to the September 28, 2022, minutes. Mr. Solbach made a motion to approve today's agenda and the September 28, 2022, meeting minutes after the correction was made. Ms. Deterding seconded the motion. There was no discussion and the motion passed unanimously.

Executive Director's Report

Mr. Skoglund presented the draft Legislative Recommendations for 2023 that will be included in KGECC's Annual Report for 2022. Mr. Skoglund highlighted the following: Electronic Filing for State Candidates; the Ethics Cleanup Megabill; Cryptocurrency Contributions; and Support of Federal Candidates. Mr. Skoglund said that he will be submitting the completed report to the Governor and the Legislative Coordinating Council in the first week of December as required by statute. The Annual Report will be comprised of all actions the Commission has taken in the previous fiscal year. Mr. Skoglund said the Annual Report for 2022 would be presented at the next regular Commission meeting in November for review and approval.

Mr. Skoglund said that Board member related training would be included as part of future meeting agendas as time allows to support best practices and the KOMA training is the first one being provided.

Mr. Berry presented training on KOMA.

Civil Penalty Assessment Orders

Commissioners reviewed the civil penalty assessments for the late filing for the following:

October 25, 2021, Receipts & Expenditures Report

Marcus Clark, Candidate and Treasurer Topeka City Council District 5	\$300
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January 10, 2022, Receipts & Expenditures Report

Marcus Clark, Candidate and Treasurer Topeka City Council District 5	\$300
Kevin Makalous, Candidate and Treasurer Shawnee City Councilmember Ward 4	\$300

July 25, 2022, Receipts & Expenditures Report

Christina Haswood, Candidate Coffee County Democratic Central Committee	\$160
Daniel Stillwell, Treasurer For Sam Stillwell	\$170
Sami Turner, Treasurer For Christina Haswood	\$160
Joshua White, Candidate and Treasurer Neosho County Commissioner District 1	\$300

September 10, 2022, Lobbyist Employment & Expenditures Report

Katrina Abraham, Lobbyist Cerner Corporation	\$550
Damien Gilbert, Lobbyist Gencur Svaty Public Affairs	\$1,000
Daniel Shafon, Lobbyist Kansas Norml, Inc.	\$1,000
George Hanna, Lobbyist Kansas Norml, Inc.	\$750
Ryan Reza, Lobbyist NAMI Kansas	\$1,000
Terrell Davis, Lobbyist Wichita Public Schools USD 259	\$550

Civil Penalty Assessment Orders will be mailed to the individuals above. The Commission had no questions.

Paid for by Attribution waiver requests

Mr. Skoglund presented the letter from David Mitrani, Counsel to Laura Kelly, Gubernatorial Candidate regarding the improper attribution statement on a text message that had been sent. Mr. Skoglund also presented the letter from Jalon Britton, Candidate for the 85th District regarding the lack of attribution statement on a printed card that had been distributed.

Mr. Skoglund recommended that as the past practice has been to waive first time offenses, to waive the violation for both and send sternly worded letter indicating that future violations could result in a civil fine up to \$5,000 for a first offense and it is a misdemeanor offense.

Mr. Hellmer moved to waive the violations for both. Mr. Moore seconded the motion. There was no discussion. The motion passed unanimously.

Waiver requests for Civil Penalty Assessment

Mr. Skoglund presented a letter from Yvonne Schneider, Treasurer for the Greeley County Republican Central Committee requesting a waiver of the civil penalty for the late filing of the July 25, 2022, Receipts and Expenditures Report. Mr. Skoglund had no recommendations. Mr. Solbach made a motion to waive \$250 of the \$300 assessed penalty if paid in 30 days. Mr. Moore seconded the motion. There was no additional discussion. The motion passed unanimously.

Mr. Skoglund presented a letter from Nicole Pfannenstiel on behalf of Clare Gustin, Lobbyist for the Sunflower Electric Power Corporation requesting a waiver of the civil penalty for the late filing of the September 10, 2022, Lobbyist Employment and Expenditures Report. Mr. Skoglund said the waiver falls within the normal categories we recommend waivers for therefore recommended the waiver. Mr. Hellmer made a motion to approve the waiver request. Mr. Krull seconded the motion. There was no additional discussion. The motion passed unanimously.

Mr. Skoglund presented a letter from Arturo Perez, Treasurer for the Junction City Firefighters PAC 3309 requesting a waiver of the civil penalty for the late filing of the July 25, 2022, Receipts and Expenditures Report. Mr. Skoglund had no recommendations. Mr. Solbach made a motion to waive \$250 of the \$300 assessed penalty if paid in 30 days. Ms. James seconded the motion. There was no additional discussion. The motion passed unanimously.

Mr. Skoglund presented a letter from James Herd, Treasurer for the Comanche County Democratic Central Committee requesting a waiver of the civil penalty for the late filing of the July 25, 2022, Receipts and Expenditures Report. Mr. Skoglund had no recommendations. Mr. Solbach made a motion to waive \$250 of the \$300 assessed penalty if paid in 30 days. Mr. Moore seconded the motion. There was no additional discussion. The motion passed unanimously.

Mr. Skoglund presented a letter from Janet Lewis, Treasurer for the Coffee County Democratic Central Committee requesting a waiver of the civil penalty for the late filing of the July 25, 2022, Receipts and Expenditures Report. Mr. Skoglund said the waiver falls within the normal categories we recommend waivers for therefore recommended the waiver. Mr. Krull made a motion to approve the waiver request. Mr. Hellmer seconded the motion. There was no additional discussion. The motion passed unanimously.

Public Hearings

CF 2022-01, Matt Watkins; and CF 2022-02, Tobias Schlingensiepen

Mr. Skoglund said the attorneys for both Respondents have requested a continuance of their hearings to the next regularly scheduled Commission meeting. Discussion ensued.

Mr. Hellmer made a motion to approve the continuance, pursuant to the request. Ms. Dengler seconded the motion. There was no additional discussion. The motion passed unanimously.

Executive Session

At 1:57p.m., Mr. Krull stated that for good cause pursuant to K.A.R. 19-6-2, I move to recess this open meeting until 2:15p.m. for executive session to discuss matters related to complaints, audits, or investigations, made confidential pursuant to K.S.A. 25-4161 and 25-4165. Justification for executive meeting is to consult with the Commission's attorney, which is within the attorney-client privilege, as provided for in K.S.A. 75-4319(b)(2). Mr. Hellmer seconded the motion. Discussion ensued. The motion passed unanimously.

Next meeting date

Chair Hale announced that the next meeting would be held November 16, 2022.

Chair Hale asked if there were additional items to discuss, if not he would take a motion to adjourn.

Adjournment

At 2:19 p.m. Mr. Hellmer moved to adjourn the meeting. Ms. Dengler seconded the motion. There was no discussion and the motion passed unanimously.

GOVERNMENTAL ETHICS COMMISSION

2022 ANNUAL REPORT

901 S. Kansas Ave
Topeka, Kansas 66612
(785) 296-4219
<https://ethics.kansas.gov>

PREFACE

This annual report and recommendations is submitted to the Governor and the Legislative Coordinating Council for transmittal to the Legislature pursuant to K.S.A. 25-4119a and K.S.A. 46-1212c. With some exceptions, the report covers the period from July 1, 2021, through June 30, 2022, the end of Fiscal Year 2022. Occasionally, data for the first quarter of Fiscal Year 2023 is used to provide a more complete picture of the Commission's operations.

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Mission:

The Governmental Ethics Commission works to foster public trust and confidence in state government decision-making through education, administration, and enforcement of the Campaign Finance Act and State Governmental Ethics Laws.

The Kansas Governmental Ethics Commission was established by the Kansas Legislature in 1974 to administer, interpret, and enforce the Campaign Finance Act (K.S.A. 25-4142 *et seq.*) and laws relating to conflict of interests, financial disclosure, and the regulation of lobbying (K.S.A. 46-215 *et seq.*). These laws establish the public's right to information about the financial affairs of Kansas' public officials, lobbyists, and candidates for state and local office. The Commission also renders advisory opinions and can adopt rules and regulations under a less comprehensive conflict of interest law covering local government officials and employees (K.S.A. 75-4301 *et seq.*).

Agency Philosophy:

The Kansas Governmental Ethics Commission believes the strongest safeguard against unethical conduct by public officials and employees is an informed and active public. For the disclosure elements of the legislation to have meaning, the public must be made aware of the legislation and the financial disclosure information must be accessible to the public. To this end, the Commission and its staff will approach their duties with a dedicated sense of purpose and responsibility to the individuals subject to the Campaign Finance Act and State Governmental Ethics Laws and the citizens of Kansas by performing their activities in an efficient and impartial manner. The Commission places a high priority on providing assistance to those subject to the Commission's jurisdiction to prevent violations.

Commission Members

The Kansas Governmental Ethics Commission is a nine member, bipartisan, citizen commission authorized by K.S.A. 25-4119a. Members serve two-year terms with the Commission's Chairperson appointed by the Governor. The Vice-Chairperson is elected by the membership. Commission appointments are made by the Governor, Attorney General, Secretary of State, Chief Justice of the Supreme Court, President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, and the Minority Leader in the House. The Governor makes two appointments, each from a different political party.

The Commission usually meets once a month. The Commission's meetings are open to the public and information prepared by the staff for each meeting is available to the public. During FY 2022, the Commission held 11 meetings. Meetings are scheduled to address a variety of matters including the review of and action on complaints filed, investigations undertaken, and audits performed. In addition, the Commission issues advisory opinions to answer questions involving interpretation of a particular section of the law, makes policy decisions, amends and adopts new administrative regulations, and handles administrative matters including personnel, budget preparations, and office procedures.

Commission Staff

The staff of the Commission assumes all responsibility for the daily operations of the agency which include administration, legal, investigation, audit, information technology, and clerical functions. As a service oriented agency, the staff strives to assist individuals in complying with applicable laws by responding quickly, efficiently, and impartially. Commission staff also works diligently to ensure campaign finance and lobbying data is compiled, entered, and posted on the Internet to be viewed by the citizens of Kansas.

Current Commission Members

Nick Hale, Chairperson, Democrat, Prairie Village

Term expires January 31, 2023

Jerome Hellmer, Vice-Chairperson, Republican, Salina

Term expires January 31, 2024

Amy James, Democrat, Overland Park

Term expires January 31, 2023

John Solbach, Democrat, Lawrence

Term expires January 31, 2023

Todd Scharnhorst, Republican, Olathe

Term expires January 31, 2023

Kenneth Moore, Democrat, Kansas City

Term expires January 31, 2023

Kyle Krull, Republican, Overland Park

Term expires January 31, 2024

Jane Deterding, Republican, Wichita

Term expires January 31, 2024

Patricia Dengler, Republican, Wichita

Term expires January 31, 2024

Commission Staff

Executive Director – Mark Skoglund
Commission & Staff Attorney – Brett Berry
Office Manager – Barbara Montgomery
State Candidate Report Examiner – Karina Renna
Local Candidate Report Examiner – Jennifer Schneider
Lobbyist Coordinator – Jessica White
PACs/Parties Coordinator, Auditor – Payge Quintana-Padgett
Substantial Interests Coordinator/IT Specialist – Roxie Valdivia
Investigator – Scott Smith

Budget

In FY 2022, the Commission was appropriated \$470,233 from the State General Fund with a fee fund limitation of \$253,531. The following chart reflects revenue and expenditures for the fiscal year.

Fiscal Year 2022 Budget	Actual
Revenue:	
State General Fund Utilized	\$470,232
Fee Fund Utilized	\$233,461
Total Revenue Utilized	\$703,693
Expenditures:	
Salaries & Benefits	\$585,232
Contractual Services	\$109,850
Commodities	\$ 2,803
Capital Outlay	\$ 5,808
Total Expenditures	\$703,693

Legislative Activity

The 2022 Legislature did not pass any bills that impacted the Commission or the laws under its jurisdiction.

Organization & Operation

The Commission's efforts focus on full compliance with the Kansas campaign finance, conflict of interests, and lobbying statutes. Each year the Commission receives thousands of financial disclosure reports filed by candidates, political and party committees, public officials, and lobbyists. Staff time is devoted to assuring the accurate and timely disclosure of required financial information about those in state and local government. The processing and evaluation of filed reports and statements and an analysis of the supporting records, where appropriate, are crucial to the Commission's efforts. It is through the initial and comprehensive review of these reports, and the later audit and investigation when necessary, that the Commission can determine compliance with the laws.

The Commission's work encompasses five areas:

- (1) education and public awareness;
- (2) advisory opinions;
- (3) reviews and audits;
- (4) enforcement (including inquiries and investigations, the filing of complaints, holding public hearings and assessing civil penalties); and
- (5) general administrative activities.

Education & Public Awareness

The Commission's goal remains to improve communications regarding the reporting requirements of those subject to one or more of the disclosure laws and to increase public awareness with respect to the impact and importance of information contained in the reports filed. The Commission's website has become an efficient instrument for disseminating and distributing Commission information. Information concerning the Commission, the advisory opinions it issues, scanned copies of state level candidate, party committee and political action committee campaign finance reports, campaign finance and lobbying reporting forms, and campaign election and lobbying statistics can be found at <https://ethics.kansas.gov>.

The Commission utilizes informational brochures, the Internet, the news media, and speaking engagements to inform not only those under the Commission's jurisdiction, but also the public about the laws and their meaning. Statistical information is summarized and printed, in addition to being posted on the Commission's website, in the areas of campaign finance and lobbying. However, most time in this area is devoted to informing those directly covered by the laws of their duties and responsibilities. To accomplish this task, the Commission conducts informational seminars, and prepares and distributes handouts, campaign finance handbooks, lobbying handbooks, and conflict of interest laws brochures. In addition, staff fields calls to provide information and advice. In FY 2022 the Commission's staff made 16 presentations. The Commission is actively working towards providing electronic access to training materials in order to reach all individuals subject to the Ethics Commission's jurisdiction.

Advisory Opinions

Advisory opinions are issued by the Commission to clarify the application of the statutes in a particular situation. The Commission can issue these opinions on its own initiative or in response to individual inquiries. If an individual requests an opinion and conducts themselves according to the guidelines in the opinion, they are presumed to be in compliance with the law.

Five opinions were issued in FY 2022. Three opinions were issued in response to inquiries by individuals and two were initiated by the Commission to provide guidance. Since the Commission was established in 1974 through June 30, 2022, the Commission has issued a total of 1,261 advisory opinions. A synopsis of the advisory opinions issued in FY 2022 can be found at the conclusion of this report.

Review & Audit Program

Complete, accurate and timely disclosure of certain kinds of financial information by candidates, elected officials, state employees and lobbyists is the key requirement of the legislation. Active review and auditing of reports is essential for the proper administration of the law.

CAMPAIGN FINANCE

In the area of campaign finance, the Commission's procedures include a preliminary review and post-election comprehensive desk review of all receipts and expenditures reports filed. In addition, a certain number of campaigns and committees are selected for field audits.

Candidates, party committees, and political committees filed 1,462 receipts and expenditures reports in FY 2022. All receipts and expenditures reports received a comprehensive desk review.

Additionally, staff processed 364 state candidates, 311 county candidates, 174 first-class city candidates, and 412 party and political action committees. The candidates, their treasurers, and the party and political committee officers all received handbooks, guides, statutes, and other material to assist them in understanding their responsibilities under the Campaign Finance Act.

Audits

Audits of the records of candidates and political action committees are conducted using generally accepted auditing standards and are conducted on a priority basis. Accorded first priority are situations involving formal complaints. The next priority is assigned to situations in which it is necessary to clarify problems identified during the desk reviews. A general investigation may also be authorized at this point.

Finally, a random sample of candidates and committees is audited. If a candidate is selected for a random audit, their opponent is also examined. In FY 2022, there were 6 campaign finance audits conducted.

FY 2022 Campaign Finance Statistics

- Candidates for 2022 State Office - 364
- Carryover State Candidates – 244
- Candidates for 2022 County Office – 311
- Carryover County Candidates - 107
- Candidates for 2021 First Class City Office – 174
- Carryover First Class City Candidates – 77
- Political Action Committees – 227
- Party Committees - 185
- Campaign Finance Reports Filed – 1,462
- Failure to File Notices Issued – 116
- Error and Omission Notifications Issued - 202

CONFLICT OF INTERESTS

The Kansas conflict of interests statutes provide for (1) the filing of statements of substantial interests; (2) a code of conduct making it illegal for state officials and employees to be involved in certain conflicts; and (3) the issuance of advisory opinions.

The Commission's staff processed and reviewed 5,772 financial disclosure statements filed by state officers, state employees, and elected officials in FY 2022. Throughout the year, staff updates computer databases as appointments are made, officials resign or their terms end, and new positions are created. Financial disclosure forms and instructions are mailed to new appointees and candidates as the Commission receives official notice of their appointment or eligibility. Thereafter, forms and instructions are emailed or mailed on an annual basis to all persons subject to the filing requirements. All financial disclosure statements are public records and may be reviewed during regular business hours in the Secretary of State's office or on the Secretary of State's website. Those required to file Statements of Substantial Interests are elected state officials and candidates for such office, individuals whose appointments are subject to confirmation by the Senate, general counsels for state agencies, and state officers, employees, and members of boards, councils or commissions meeting the definition of a "designee" and so listed by the head of their agency.

2022 Statements of Substantial Interests Filings

- Employees Listed as Designees – 5,208
- Elected Officials – 186
- Appointees Subject to Senate Confirmation – 20
- Board Members Listed as Designees – 337
- General Counsels - 21

The Commission the conflict statutes are of fundamental importance to the workings of state government. They draw the line between private interests and the public trust which must be guarded carefully. Efforts to clarify and enforce the line are increasingly important as public concern mounts over abuses of the public trust.

Many state officials and employees are in a position to make or influence decisions which could directly affect their personal interests. The state conflict of interest laws prohibit such activity. To assist these individuals, the Commission issues advisory opinions upon its own initiative and upon the request of any person to whom the relevant law applies.

REPRESENTATION CASE DISCLOSURE

There were zero Representation Case Disclosure Statements filed in FY 2022. It is possible that individuals required to file such statements have not done so. However, given the structure of the statutory requirements, there is no way of knowing who should file such statements.

LOBBYING

There are 598 lobbyists registered for calendar year 2022 as of November 10, 2022. This compares with the total of 581 registered lobbyists in calendar year 2021. Of the 598 registered, some are registered on behalf of more than one person or organization. To date, 1,892 organizations or persons have been represented this year. This compares to 1,800 organizations represented by a lobbyist in 2021. The Commission's statistical analysis of the lobbyist employment and expenditures reports filed shows that \$555,007 has been spent on lobbying activities in the first three months of 2022. Registered lobbyists are required to file a lobbyist employment and expenditures report six times a year. These reports show expenditures if the lobbyist spent more than \$100 in a reporting period. To date this calendar year, 5,113 Lobbyist Employment and Expenditures Reports have been filed. A lobbyist can file an Affidavit of Exemption from filing the Lobbyist Employment and Expenditures Report if they do not expend in excess of \$100 in any reporting period.

Lobbyist Registrations and Expenditures

To Date for Calendar Year 2022

- Number of Registered Lobbyists – 598
- Number of Lobbyist Registration Statements Filed – 1,892
- Number of Reports Filed by Lobbyists – 5,113
- Number of Affidavits of Exemption Filed – 724
- Total of Expenditures for January-March 2022 – \$555,007
- Total Expenditures for 2021: \$448,827
- Number of Failure to File Notices Issued – 77

Enforcement

INQUIRES & INVESTIGATIONS

In FY 2022, the Commission addressed 26 investigations or inquiries. Investigations can be conducted prior to a complaint being filed or following the filing of a complaint. Inquiries and investigations remain confidential until a complaint has been filed and a probable cause determination has been made regarding the complaint. Whenever an investigation does not disclose facts sufficient to warrant further action, the Commission may issue a report concerning the findings of the Commission to the person or persons investigated. This report can be made public by the person or persons investigated.

COMPLAINTS

There were 26 complaints filed in FY 2022. Twelve complaints were dismissed on the basis that there was insufficient evidence to support a probable cause determination or were dismissed after being set for hearing. Seven complaints had a public hearing. Two complaints were settled. Four complaints are ongoing. One complaint was dismissed for lack of jurisdiction. It should be understood that after an investigation, if the Commission concludes there is no evidence to establish probable cause that there was an intentional violation of law, a complaint is dismissed and no public hearing is held. The determination as to whether an intentional violation has occurred is a decision which is not reached until the conclusion of a public hearing. Anyone who suspects that any of the provisions administered by the Commission have been violated may file a complaint in writing with the Commission.

CIVIL PENALTIES & FINES

The statutes enforced by the Commission provide for the assessment of civil penalties for failure to file certain reports or statements under the campaign finance, lobbying and state conflict of interest statutes. Individuals can be subject to a \$10 per day penalty for each day the report or statement remains unfiled up to a maximum of \$300. Since 2018, for primary and general election campaign finance reports, as well as for lobbyist expenditure reports, the civil penalty is \$100 for the first day and \$50 for each day the report remains unfiled up to a maximum of \$1000. The Commission is authorized to waive any imposed civil penalty upon a finding of good cause. There were civil penalties totaling \$38,580 assessed and \$11,360 in civil penalties waived in FY 2022. The Commission collected \$15,402 in civil penalties. A few civil

penalties which were assessed in prior years were collected in FY 2022. Some of the civil penalties assessed in FY 2022 still remain outstanding.

In addition to any other penalty prescribed under the campaign finance, lobbying or state conflict of interest statutes, the Commission can assess a civil fine not to exceed \$5,000 for the first violation, \$10,000 for the second violation and \$15,000 for the third and each subsequent violation. Before a civil fine can be assessed, the person must be given proper notice and an opportunity to be heard. Civil fines in the amount of \$74,000 were assessed in FY 2022 as a result of ten civil fine hearings. Of this amount, \$4,125 was later waived and \$2,125 has been paid. In FY 2022, a total of \$8,353 has been collected in fines, which includes amounts collected from fines assessed prior to FY 2022.

FY 2022 Civil Penalties and Fines

Campaign Finance Civil Penalties Assessed - \$25,520

Lobbying Civil Penalties Assessed – \$12,850

Statement of Substantial Interests Civil Penalties Assessed - \$210

Total Civil Penalties Assessed – \$38,580

Total Civil Penalties Waived – \$11,360

Total Civil Penalties Collected - \$15,402

Total Civil Fines Assessed – \$74,000

Total Civil Fines Waived - \$4,125

Total Civil Fines Collected - \$8,353

Commission Recommendations

The Commission is directed by statute to make recommendations to the Governor and Legislature. It recognizes that any major piece of legislation periodically needs revision, modification, and in some cases, major changes. To that end, the Commission makes the following recommendations:

1. Electronic Filing for State Candidates

K.S.A. 25-4148 permits state and local candidates, other than for statewide office, to file their campaign finance reports on paper or electronically. Candidates for statewide office must file all forms electronically. Requiring electronic campaign finance reporting would provide a wide variety of benefits, including but not limited to:

- Cost and efficiency savings regarding data entry reductions and more rapid report processing;
- Cost savings from decreased numbers of Error and Omission Notices sent due to errors that could be prevented by filling fields in an electronic form such as calculation errors and required fields being left blank;
- Decreased costs for printing forms and reports;
- Increased accuracy of data presented to the public as it would reduce avenues for errors; and
- Increased transparency and decreased time delay in presenting campaign finance data to the public.

Due to these benefits and others, the Commission believes that significant benefits warrant requiring electronic submission of all campaign finance reports for state office. In doing so, Kansas would be joining 43 states that already have this requirement.

The Commission supports the granting of exemptions for good cause at the discretion of the Executive Director. Furthermore, the Commission does not oppose a delayed initiation date of the requirement until the next election cycle if a concern exists regarding time of implementation.

2. Ethics Cleanup Megabill

There are many statutes that require minor corrections due to statutory conflicts created elsewhere, language that overlooks practice, references to statutes that no longer exist, and extraneous language that was intended to be removed in other legislation. The Ethics Commission proposes that each of these items are included in one bill, since these changes are expected to be noncontroversial but nonetheless important to cleaning up ethics and campaign finance statutes.

- A. **Extraneous text – 25-4148** includes extra language that was left over after an earlier legislative adjustment. The language “in both” should be stricken from the sentence “Reports filed by treasurers for state office, other than officers elected on a state-wide basis, shall be filed in both with the office of the secretary of state.”
- B. **Correcting “paid for” attribution for social media – K.S.A. 25-4156(b)(1)(E)** defines corrupt political advertising as any person making (or causing to be made) any website, e-mail, or other type of internet communication which expressly advocates the nomination, election, or defeat of a clearly identified candidate for a state or local office to follow such matter with a statement which states: "Paid for" or "Sponsored by" followed by the name of the chairperson or treasurer of the political or other organization sponsoring the same or the name of the individual who is responsible therefor. Appending such attributions to e-mails is analogous to printed matter and compliance with the attribution requirement is simple and straightforward. Compliance for some websites and some social media websites can be difficult or impossible.
The Commission believes that the rigid formats of certain websites or other internet communications make appending the required attributions problematic or impossible. The Commission believes the Legislature should consider methods to require open and obvious attribution on social media platforms.

- C. Procedural unintended consequence – K.S.A. 25-4161 and K.S.A. 46-256** require that when the Commission finds probable cause to believe the allegations in a complaint, a hearing shall be fixed within 30 days. In practice, this requirement is not always possible. The Commission typically meets on the fourth Wednesday of each month. Many times, the next regularly scheduled meeting of the Commission is greater than 30 days away. Additionally, some meetings are canceled due to weather, light agendas, or other issues. The Commission recommends changing the 30 day requirement to 90 days, which maintains the Commission’s requirement to rapidly resolve complaints while ensuring that the statutory language is reasonable.
- D. Statutory conflict – K.S.A. 25-4173 and 25-4174** allow candidates to file an affidavit if they expend and receive less than a certain amount in each of the primary and general election cycles. This threshold amount was increased to \$1,000 in 2015, but the adjoining statute was not updated. Therefore, K.S.A. 25-4174 should have the text reflect the correct affidavit amount of \$1,000.
- E. Extraneous text – K.S.A. 46-255** includes the sentence “No complaint alleging a violation of section 31 may be filed with the commission after the expiration of thirty (30) days from the date upon which the alleged violation occurred.” The statute being referenced was repealed; this sentence can be removed.
- F. Statutory conflict – K.S.A. 46-265** allows lobbyists to register on paper, though since 2018 all reports must be completed electronically per K.S.A. 46-268. This creates an unnecessary procedural issue that creates difficulty in compliance.
- G. Statutory conflict – K.S.A. 46-280** provides that the Commission shall send a notice to any lobbyist who has not timely filed a report and any individual who has not timely filed a Statement of Substantial Interest form. The statute, as amended by 2018 HB 2642, increased the civil penalties for lobbyist expenditure reports and shortened the applicable grace period to file the form without penalty. The amended statute creates a potential conflict in the notice provision regarding whether the grace period begins from receipt of the notice or from the sending of the notice. Since lobbyists and individuals subject to filing Statements of Substantial Interest are aware of the relevant deadlines and in order to create consistency with similar statutory provisions in other areas, the Commission recommends a procedural amendment so that the grace period provided in statute begins running from the time the Commission sends the notice of failure to file, rather than from the time of receipt.

3. Cryptocurrency Contributions

Cryptocurrency campaign contributions, while nonexistent in Kansas so far, are becoming more common elsewhere. Contributions of virtual currency are now legal in federal elections and a number of other jurisdictions. The Kansas Campaign Finance Act does not address cryptocurrency in any form. Whether cryptocurrency is a boon for campaigns and political participation or not, the Act must be updated to specifically address virtual currency.

The Commission recognizes campaigns may have interest in accepting virtual currency. Additionally, the Commission recognizes, without agreement or disagreement, that some believe cryptocurrency in campaign finance has potential to increase political participation and in turn, awareness. However, the Commission is concerned about the fact that cryptocurrency contributions by their very nature are not auditable. The existence of the transfer is confirmable but the source of the funds is not verifiable as it would be with a wire transfer or check. In this way, virtual currency is similar to contributions of cash. In large part because cash is not auditable, K.S.A. 25-4153(i) places additional limitations on how large a cash campaign finance contribution can be:

No person shall make any contribution or contributions to any candidate or the candidate committee of any candidate in the form of money or currency of the United States which in the aggregate exceeds \$100 for any one primary or general election, and no candidate or candidate committee of any candidate shall accept any contribution or contributions in the form of money or currency of the United States which in the aggregate exceeds \$100 from any one person for any one primary or general election.

Cash contributions are not anonymous contributions - to be accepted, the campaign must be aware who gave the cash contribution and the donor's address. However, unlike more conventional campaign finance contributions, there is little evidence of the transaction other than the currency itself. This scenario is very similar to cryptocurrency contributions, which would provide a unique address identifying the existence of a transaction but would not contain information that specifically identifies the donor.

As such, it is the recommendation of the Commission that campaign contributions of cryptocurrency should be permitted, subject to the following restrictions:

- Political contributions of cryptocurrency are limited to \$100 in each primary or general election from any one donor to any one candidate, identical to cash contribution limits,

- The value of the contribution is based upon the market value of the cryptocurrency at the time it is received by the campaign,
- Campaigns are responsible for providing accurate market valuation of cryptocurrency received by a campaign,
- Campaigns must sell the virtual currency and deposit the proceeds into the campaign account before using the funds to make disbursements for goods and services,
- Campaigns must detail on campaign finance reports the amount and type of virtual currency received (e.g., 0.005 Bitcoins) as an in-kind contribution,
- Anonymous virtual currency contributions are prohibited, and
- The following information must be obtained before accepting the contribution: the contributor's name, address, an affirmation that the contributor is the owner of the virtual currency, and an affirmation that the contributor is not a foreign national.

4. Support of Federal Candidates

Currently, Kansas campaign finance law strictly prohibits using any funds to benefit a federal candidate:

Any political funds which have been collected and were subject to the reporting requirements of the campaign finance act shall not be used in or for the campaign of a candidate for a federal elective office.

K.S.A. 25-4153(f). The Commission does not perceive a benefit to prohibiting state party committees, county party committees, and PACs from engaging in this sort of activity. As such, the Commission recommends adding an exemption for party committees and political committees to this prohibition.

Appendix I

SUMMARY OF ADVISORY OPINIONS ISSUED IN FY 2022

Opinion No. 2021-01 – Issued July 28, 2021 [State Conflict of Interests]

A state employee may work two different state positions on the same day when the official duties for each do not overlap and the work performed for one position would not occur during time compensated by the other.

Opinion No. 2022-01 – Issued February 23, 2022 [Local Conflict of Interests]

A lease agreement in which a local governmental officer is a tenant does not inherently create a substantial interest.

Opinion No. 2022-02 – Issued March 23, 2022 [Campaign Finance]

Party committees and political committees may contribute funds to federally registered party committees and political committees without violating the federal use prohibition as long as the funds are not earmarked for a specific purpose.

Opinion No. 2022-03 – Issued May 25, 2022 [Campaign Finance]

Candidate committees and party committees cannot combine with each other to form joint fundraising committees in Kansas.

Opinion No. 2022-04 – Issued June 22, 2022 [Lobbying]

The Commission provided extensive summary and analysis of the “considerable degree” test for when a person is employed sufficiently as a lobbyist to require registration.

Appendix II

STATISTICAL COMPARISON OF LOBBYING EXPENDITURES 2012-2022

Statistical Comparison of Lobbying Expenditures 2012-22

Year	Number of Lobbyists/Registrations		Food and Beverage	Recreation	Entertainment Gifts and Honoraria	Mass Media	Communications	Other	Total
2012	550	1531	\$475,936	\$9,613	\$16,143	\$134,899	\$114,851	\$12,791	\$764,236
2013	542	1506	\$551,649	\$26,126	\$13,154	\$642,475	\$60,457	\$10,279	\$1,304,140
2014	548	1585	\$523,393	\$15,813	\$24,495	\$507,340	\$104,323	\$12,037	\$1,187,401
2015	557	1672	\$570,815	\$14,926	\$21,532	\$609,551	\$505,443	\$23,242	\$1,745,509
2016	552	1491	\$456,850	\$9,271	\$9,491	\$144,365	\$370,759	\$3,074	\$993,810
2017	556	1520	\$564,296	\$8,360	\$20,367	\$134,048	\$766,018	\$13,110	\$1,506,199
2018	538	1478	\$527,483	\$6,993	\$7,553	\$76,192	\$309,068	\$13,781	\$941,071
2019	560	1543	\$500,852	\$4,470	\$8,775	\$126,785	\$664,674	\$18,941	\$1,324,497
2020	558	1650	\$384,523	\$3,461	\$19,376	\$28,377	\$344,664	\$14,066	\$794,467
2021	581	1800	\$250,858	\$9,047	\$20,375	\$13,302	\$152,915	\$2,330	\$448,827
2022 Q1	598	1892	\$397,390	\$6,087	\$10,919	\$78,424	\$56,329	\$5,858	\$555,007

**GOVERNMENTAL ETHICS COMMISSION**<https://ethics.kansas.gov>

TO: Commission Members

FROM: Mark Skoglund, Executive Director

DATE: November 16, 2022

RE: Party Committees and Political Action Committees (PAC) Civil Penalties

The following individuals failed to file the required reports by the due date for penalty free filing. K.S.A. 25-4152 provides that a certified notice shall be sent, and that the individual shall have a number of days from the date such notice is placed in the mail to file the report. PACs which file two (2) days from the date of the notice of failure to file are imposed a Civil Penalty of \$100 for the first day and then \$50 per day thereafter up a \$1,000 maximum. Central Committees (CC) & PACs which file 15 days from the date of the notice are imposed a civil penalty of \$10 per day the report remains unfiled, up to a maximum of \$300. The following individuals did not file paperwork in a timely manner:

<u>Name</u>	<u>Date Filed</u>	<u>Days Late</u>	<u>Amount</u>
October 31, 2022, Receipts & Expenditures Report			
Leah Barnhard, Treasurer for Women for Kansas Action	11/7/2022	2	\$150
Kiel Corkran, Candidate and Treasurer for Insurance Commissioner	11/6/2022	1	\$100
Richard Ramos, Treasurer for Firefighters Club 83	11/8/2022	3	\$200
Greg Schoofs, Candidate for State Representative	11/7/2022	2	\$150
HJ Swender, Treasurer The Right Way Kansas PAC for Economic Growth	11/7/2022	2	\$150
Steven Watson, Plumbers & Pipefitters Local 441 PAC	11/7/2022	2	\$150

Montgomery, Barbara [KGEC]

From: Skoglund, Mark [KGEC]
Sent: Monday, November 14, 2022 2:11 PM
To: Montgomery, Barbara [KGEC]
Subject: FW: Campaign Text Message - Possible KSA 25-4156(b)(1)(C) Violation

Chris Mann campaign email below for the meeting.

Mark Skoglund
Executive Director
Kansas Governmental Ethics Commission
Mark.Skoglund@ks.gov
(785) 296-4219

From: Tai Vokins <taivokins@gmail.com>
Sent: Wednesday, November 2, 2022 1:04 PM
To: Smith, Scott A [KGEC] <Scott.A.Smith@ks.gov>
Cc: tai@chrismannforkansas.com; Chris Mann <chris@chrismannforkansas.com>; Matt Sinovic <matt@dkststrategies.com>; Alex Fall <alex@chrismannforkansas.com>
Subject: Re: Campaign Text Message - Possible KSA 25-4156(b)(1)(C) Violation

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Scott,

Thanks for your email. I have confirmed that the text message included with your email is no longer being distributed, and we will indeed add the proper attributions in the future.

Thank you,

Tai Vokins

Montgomery, Barbara [KGEC]

Subject: FW: Campaign Finance Report Issues

From: audra audramcmahon.com <audra@audramcmahon.com>

Sent: Tuesday, November 8, 2022 4:46 PM

To: Skoglund, Mark [KGEC] <Mark.Skoglund@ks.gov>

Cc: Schneider, Jennifer [KGEC] <Jennifer.Schneider@ks.gov>; audra audramcmahon.com <audra@audramcmahon.com>

Subject: Re: Campaign Finance Report Issues

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

 [20221108_163051.jpg](#)

 [20221108_162251.jpg](#)

 [20221108_162228.jpg](#)

 [20220727_135335.jpg](#)

 [20220727_135403.jpg](#)

 [Donation.docx](#)

 [Give Send Go.pdf](#)

Hello Mark and Jennifer,

Attached you will find attached amendments, the updated schedules A & B, and some data from Give Send Go as I have initiated the transfer, but there are indeed \$550 dollars of funds given that cannot be traced to a specific person. How would you like me to handle this?

The website and Facebook pages have been amended to included the language "Sponsored by Audra McMahon for Johnson County Commission, Audra McMahon, Treasurer."

I would officially like to request a waiver to the "paid for" disclaimers please to the Commission for the unintended disclaimer violations. Everything tangible was created for me and printed on my behalf. Additionally, Facebook is free, so I was not clear on indicating the need for sponsorship. That has been rectified immediately upon receipt of violation. Additionally, as I additionally pay for my personal website as a multiple business owner, I didn't consider adding my political view tab as needing disclaimer either, yet upon knowing the unintentional violation was in place, the filings have been immediately amended and the verbiage updated immediately as well. I now understand fully that if I request action (ie - VOTE for AUDRA) anywhere, it must be accompanied by sponsorship, treasurer data, and filing of the cost either legitimate or in kind added. This is the first and will be the last violation. I kindly request that the commission waive this violation without penalty. Thank you for your consideration.

Please advise what further action needs to be addressed and if a separate email is needed for the waiver request.

Sincerely,

Audra

Audra McMahon, CMPS, CDLP

816-507-6941

audra@audramcmahon.com

Montgomery, Barbara [KGEC]

Subject: FW: Paid-for disclaimer requirement re: text message campaign for Derek Schmidt in Kansas

Importance: High

From: Inskeep, Emily <EInskeep@nrahq.org>

Sent: Thursday, November 3, 2022 9:02 PM

To: Skoglund, Mark [KGEC] <Mark.Skoglund@ks.gov>

Subject: Fw: Paid-for disclaimer requirement re: text message campaign for Derek Schmidt in Kansas

Importance: High

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi Mark,

We spoke yesterday in regard to the text messages for Derek Schmidt paid for by the NRA-PVF. I wanted to let you know that I did discuss this with our team and the disclaimer was inadvertently left off of a round of texts. I advised that no more messages go out without the disclaimer.

Would you be able to provide me with the waiver we discussed over the phone?

Thank you again for reaching out to us to resolve this issue. I apologize for the trouble.

Emily Inskeep

Compliance Specialist

From: General Counsel

Sent: Wednesday, November 2, 2022 8:12 AM

To: Inskeep, Emily

Subject: FW: Paid-for disclaimer requirement re: text message campaign for Derek Schmidt in Kansas

From: Skoglund, Mark [KGECE] [mailto:Mark.Skoglund@ks.gov]
Sent: Tuesday, November 1, 2022 7:53 PM
To: General Counsel <generalcounsel@nrahq.org>
Subject: Paid-for disclaimer requirement re: text message campaign for Derek Schmidt in Kansas
Importance: High

Good afternoon,

It has come to my attention that a text message campaign is ongoing for Derek Schmidt in Kansas from the NRA-PVF that currently omits the proper paid-for disclaimer requirement. Please contact me immediately so we can resolve this issue. My cell phone is (913) 558-4515 and you can feel free to use it for this purpose. Thank you,

Mark Skoglund
Executive Director
Kansas Governmental Ethics Commission
Mark.Skoglund@ks.gov
(785) 296-4219

Montgomery, Barbara [KGEC]

Subject: FW: Schrant for County Commissioner - Error Reporting
Attachments: Avery Print from the Web, v5 Document_10-13-22.pdf;
03a_Letter_to_Registered_Voters_10-09-22.pdf

From: Kimberly Temple Schrant <Kimberly.Schrant@kansasmoneycoach.com>
Sent: Tuesday, November 1, 2022 9:07 PM
To: Skoglund, Mark [KGEC] <Mark.Skoglund@ks.gov>
Cc: Schneider, Jennifer [KGEC] <Jennifer.Schneider@ks.gov>; Montgomery, Barbara [KGEC] <Barbara.Montgomery@ks.gov>
Subject: RE: Schrant for County Commissioner - Error Reporting

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Mark,

Thanks for the note and the further instructions. I appreciate the help.

I've attached a copy of the letter that went out. The letter did include the proper "paid for" verbiage in the footer. Included with the letter were two business cards with no "paid for" wording. These were mailed out to all registered voters in the district. Additionally, some cards were included with testimonial letters that went out from supporters. The cards sent out were the same as those I've attached to this email.

We are putting labels on the remaining cards, so they have the proper wording. And I'm having my marketing person update the template so that if we print more cards, they will meet the requirements.

Please let me know if you have additional questions. Thanks again for the help. It's been a learning experience.

Kimberly

Kimberly Temple Schrant
KANSAS MONEY COACH, LLC
Kimberly.Schrant@KansasMoneyCoach.com
620.845.0397
www.KansasMoneyCoach.com

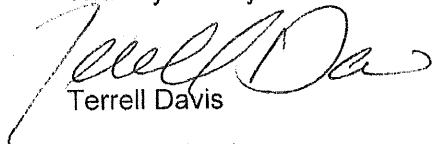


Dear Kansas Governmental Ethics Commission Members,

This letter is written in response to the civil penalty assessment and to request a waiver of that penalty. I have been an ethical lobbyist for the past 4 years for the Wichita Public School District USD 259, advocating for Wichita students in the Capital and for Kansas kids in DC. March of this year 2022 I was appointed Head of School at The Independent School in Wichita, Kansas. The Independent School is a private school serving students 6 weeks to the 12th grade. Upon accepting the position with TIS I ended my employment with USD 259. The directions on the separation were for my lobbying to end and for all reports to be submitted by USD 259 clerical support. My 259 email was deleted, so I could not receive communications from the Commission nor reminders regarding reporting to be completed. Also, during this time, I moved from my residence into an apartment. Months later I received notice that I was being cited for failure to file reports and called to inquire what happened. I then attempted to complete reports and to communicate with Lobbyist Services staff.

My request for a waiver is since dates were missed because of a change in employment and the deletion of email from the previous position. Prior reports have been made and on time, this was an oversight and I request for there to be "grace" applied in this case and for the penalty to be waived. I am working with the USD 259 new lobbyist and have shared the importance of getting reports turned in on time.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Terrell Davis", with a stylized flourish at the end.

316 371-1991

Terrell.davis@theindependentschool.com

Montgomery, Barbara [KGEC]

From: White, Jessica [KGEC]
Sent: Thursday, October 27, 2022 2:19 PM
To: Skoglund, Mark [KGEC]
Cc: Montgomery, Barbara [KGEC]
Subject: FW: Civil Penalty Waiver Request Form - Katrina Abraham

From: Katrina Abraham <kabraham87@gmail.com>
Sent: Thursday, October 27, 2022 11:26 AM
To: White, Jessica [KGEC] <Jessica.White@ks.gov>
Subject: Civil Penalty Waiver Request Form - Katrina Abraham

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To the Government Ethics Commission:

Thank you for your thoughtful consideration of my application for a waiver.

On August 1, 2022, I was informed that I was being laid off - as was the entirety of the Cerner Government Affairs team, save for our manager. As a result of the lay off, access to our computers and files was eliminated.

On September 26, 2022, I received a text from my former manager, Peter Henry, stating that he had received some mail from you all and to make sure that I filed a lobbyist and expenditure report. I was surprised to learn that this had not been taken care of by Cerner as part of them laying me off. Nonetheless, later that same day, I terminated my lobbyist registration and backdated the termination effective date as August 1, 2022 - the last day I worked for Cerner.

I am formally requesting a waiver from the penalty as I no longer work for this company, made a reasonable assumption that the company that terminated my employment also terminated my lobbying credentials and took over filing their expenditure report. Upon learning they had not done so, promptly filed the report and a termination with your office.

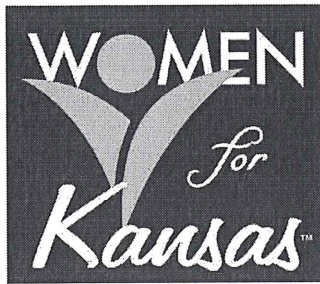
I appreciate your consideration and am happy to answer any questions you may have.

Thank you,

Katrina Abraham

--

Katrina Abraham
kabraham87@gmail.com



RECEIVED

NOV 07 2022

KS Governmental Ethics Commission

November 7, 2022

Kansas Governmental Ethics Commission
901 S. Kansas Ave
Topeka, KS 66612

Re: Request for waiver of civil penalties for late filing

Dear Payge,

Thank you for consideration for waiving the civil penalties for late filing of the Women For Kansas Receipts and Expenditures Report due October 31, 2022.

I was out of the country from October 19th - Nov 1st and was unable to provide Tom Witt, Campaign Planning, our campaign manager with the necessary information necessary to file the report. I received a letter from the Ethics Commission which was sent by certified mail on November 3rd and received by me on Saturday, Nov 5th. The letter indicated the report was due on Nov. 5th. The Campaign Planning office was closed over the weekend. They have also had significant family medical issues over the past week which delayed reporting by the deadline.

Thank you for any consideration,

Leah Barnhard

Leah Barnhard
leah.barnhard@wichita.edu
316-706-8909

Montgomery, Barbara [KGEK]

From: Jeff Carson <JeffC@kcrar.com>
Sent: Wednesday, October 26, 2022 3:17 PM
To: KGEK_Ethics
Subject: RE: Civil Penalty Assessment Order - Waiver Request - Kansas City Realtors PAC 11150 Overbrook Rd., Leawood, KS 66211

Follow Up Flag: Follow up
Flag Status: Completed

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good Afternoon,

I received a notice on September 29, 2022 of a Civil Penalty Assessment Order due to a failure to file our July 25, 2022 Receipts & Expenditures Report in a timely manner.

We were under the impression that we filed the report on 07/25/2022. The printed copy we have has that date on it and I think the one I "redid" still has that date on the top center. I'm not sure if we did not confirm our entry or what type of clerical issue we made but we were under the assumption that we had satisfied the requirement on July 25, 2022.

We have had a change in staff and the person responsible for preparing the reports retired and the first report we did after that we did manually by mail because we weren't sure about filing online. This time we thought we had the system down, we filled out the report manually and I have copies of that report and schedules (again dated 7/25/20220).

We are sorry this happened, we are currently working on our next report due soon and will make sure that we notify the commission with any problems, etc.

Please let me know if you need anything additional from us and we would like to respectfully request a waiver of the fine with the commitment to you all going forward that this should not happen again.

Thank you.

Jeff Carson
Director of Kansas REALTOR Advocacy
Kansas City Regional Association of REALTORS
11150 Overbrook Rd., Suite 100
Leawood, KS 66211
Office: 913-266-5916
Cell: 816-225-6880
Email: jeffc@kcrar.com

Montgomery, Barbara [KGEC]

From: justin choitz <hfd_bfj@yahoo.com>
Sent: Tuesday, October 25, 2022 11:01 PM
To: Montgomery, Barbara [KGEC]; KGEC_Ethics
Subject: FirePAC 2119 request for waiver
Attachments: FirePAC 2119 waiver request.docx; KS Gov Ethics FirePAC 2119.pdf

Follow Up Flag: Follow up
Flag Status: Completed

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Attached is my letter requesting waiver review and the canceled check for filing fees.

Thank you for your assistance in this matter.

Justin Choitz
Treasurer
FirePAC 2119
785-635-5193

Kansas Governmental Ethics Commission

901 S. Kansas Ave.

Topeka, Kansas 66612

Tel. 785-296-4212

Re: Waiver of civil penalty

FirePAC 2119

2502 Indian Trail

Hays, Kansas 67601

Justin Choitz Treasure

10/22/22

To Whom it May Concern,

I am writing to request the Failure to File Penalty be reviewed for waiver of \$300.00 penalty. I was made aware of the initial late filing in July 2022, I called the Gov. Ethics Commission on 7/11/2022 and was advised of notices sent.

I am the sole member of our Locals FirePAC, managing this obligation at times becomes a challenge with delegating my time between my full time fire department job, and two other part time jobs. The mailings occasionally become incorporated with other items of mail not immediately recognized as having the priority it deserves, and I understand that falls on my shoulders.

I have attached to this email the cancelled check for filing fees dated 8/1/2022.

Please accept my request for waiver review. Currently, I do not know the time and dates for addressing the board in person. If this would be required or requested, I would like to have that opportunity if my written request is not sufficient.

Respectfully,

Justin Choitz

FirePAC 2119

Damien Gilbert
5000 Clinton Pkwy #1512
Lawrence, KS 66047

November 3, 2022

Mark Skoglund et. al
Kansas Governmental Ethics Commission
109 SW 9th, Suite 504
Topeka, KS 66612

Dear Commission Members,

My name is Damien Gilbert and I served as a registered lobbyist for Gencur Svaty Public Affairs during the 2022 legislative session. It has very recently come to my attention that I failed to file the September 10 expenditure report on time and am expected to pay a \$1,000 civil penalty as a result. I am filing a formal request to excuse this penalty in full for a multitude of reasons, which I have listed below:

1. **This was my first session as a registered lobbyist.** It is not my regular job, and I am unfamiliar with the regular deadlines and requirements of such a position. While filing regular expenditure reports during the session makes sense to a layman like myself, I did not expect a requirement to file a report in September, four months after the session ended.
2. **I did not spend a single cent on lobbying during the session or since.** My lobbying activities consisted entirely of entry-level committee note-taking and lunch-displaying for my bosses at Gencur Svaty. As my submitted reports show, this is clearly a case of ignorance, not a malicious attempt to obscure influence on the Kansas government.
3. **I did not know I was in violation until a phone call on October 26.** Letters addressed to the business address on file for the Gencur Svaty offices were returned as undeliverable, which makes sense because the session has ended and I no longer work for that office. I accept responsibility for not seeing the Ethics Commission's emails, but I ask the Commission to understand that is because the work email I check changed along with my source of income. The 10/26 call to my cell phone number, which is on file with KGEC, was answered immediately.
4. **I can in no way afford a \$1,000 penalty.** Lobbying is not and has never been my day job. I live paycheck-to-paycheck and this penalty is nearly equal to two months of my rent. I ask the Commission to understand that enforcing this large of a penalty on a first-time lobbyist for such a clear, obvious misunderstanding would be excessive at best and cruel at worst.
5. **I have learned my lesson.** The stress of worrying how to pay my bills in the face of such a large fine has already achieved the goal of enforcing the penalty. I assure the Commission I am now fully aware of the seriousness of filing reports on time and of the schedule they are required on.

For the reasons listed above, I respectfully ask that you excuse this penalty in full, and look forward to attending the Commission's next meeting on November 16 to answer any questions you may have.

Thank you,
Damien Gilbert

October 23, 2022

**From: Elton Hale Jr, Treasurer
Kansas Black Republican Council
PO Box 4305
Kansas City, Ks 66104**

Dear Governmental Ethics Commission

On January 2022, I Elton Hale Jr was voted KBRC new treasurer upon accepting the Pandemic was in effect, unable to make appointment with Bank of America in Kansas City, Ks. so I would not have to drive to Wichita to bank. Kenya Cox agreed to continue to write checks. All the transactions were made in Wichita and Topeka. In March we were able to get appointment with Bank of America officially sign over the account. Ms Cox works days and travels. I work late evenings early mornings unable to make contact. I started to complete the Ethics report for her to discover I was missing addresses and zip codes. Ms Cox bank by cell Phone and kept no copies for her record.

Sincerely,

**Elton Hale Jr
Treasurer**

RECEIVED

OCT 26 2022

KS Governmental Ethics Commission

October 23, 2022

From: Elton Hale Jr, Treasurer
Wyandotte Black Republican Council
PO Box 4305
Kansas City, KS 66104

Dear Governmental Ethics Commission

I Elton Hale Jr. the treasurer for the WBRC had account with Home State Bank for years a free checking accounts personal and WBRC and seniors.

BankMidwest

bought out all three banks. Shortly after taking over, the bank sent out letters to account holders where were 90%, seniors that they had to keep a \$ 8,000 balance.

The bank close my WBRC account taking \$ 300, closing mind for not having enough

in my account to pay bills, charging me \$ 5.00 day. I came in with my military cap

they reinstated my account to free. I belong KPERS been retired since 1988, have not recieved a raise since 1990,our Kansas Legislator made it a misdemeanor to ask.

Sincerely,

Elton Hale Jr
Treasurer

White, Jessica [KGEC]

From: George Hanna <georgedhanna70@gmail.com>
Sent: Friday, September 30, 2022 1:50 PM
To: White, Jessica [KGEC]
Subject: September filing

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Commission Members,

Please accept my apologies for my oversight regarding the filing of the needed Termination Statement, completing the severance of Kansas NORML as a client and consequently myself as a lobbyist as a whole.

After filing my April expense report in May I resigned all positions to focus on spending needed time with family. I was unaware that after removing all clients from my SOS account that I also had the Termination Statement to submit. The omission of this was purely unintentional, and has since been corrected.

I respectfully request any potential penalties to be waved or significantly reduced, as my former position was unpaid.

Respectfully,
George Hanna
785-410-9401

Montgomery, Barbara [KGEC]

From: Schneider, Jennifer [KGEC]
Sent: Wednesday, November 9, 2022 2:46 PM
To: Montgomery, Barbara [KGEC]
Subject: FW: Forgiveness -Makalous waiver request

-----Original Message-----

From: KEVIN MAKALOUS <kmakalous@msn.com>
Sent: Wednesday, November 09, 2022 2:25 PM
To: Schneider, Jennifer [KGEC] <Jennifer.Schneider@ks.gov>
Subject: Forgiveness

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Jennifer and commission members...

Please accept this email as a formal apology for my tardiness and lack of responsiveness to your notification this summer regarding the requested amendment and correction to the 12/31/2021 campaign finance report for my failed bid for Shawnee City Council.

Over the summer we moved houses and between SIGNIFICANT mail delays and just being totally overwhelmed with keeping track of all the demands made with the move I honestly forgot to deal with your requests in the late summer.

I have now filed the requested amended return and would ask for your consideration of waiving the \$300 penalty assessed. I'm happy to address any further questions or concerns you may have. Feel free to call me at 9136095129.

I look forward to hearing back of your decision and I do plan on formally closing out the campaign finances over the next month.

My deepest appreciation of your time-

My Best-

Kevin Makalous

Sent from my iPhone

Kansas Ethics Commission

901 S. Kansas Ave.

Topeka, KS 66612

Dear The Governmental Ethics Commission of Kansas,

This letter is to officially request a waiver for the Civil Penalty of \$1,000 that was assessed to me on October 28th, 2022. I wish to address the Commission in-person during the next regularly scheduled meeting. Thank you, I will be explaining my reasons why I believe the Commission should waive the Civil Penalty below.

This Civil Penalty was a result of miscommunication and unfortunate timing, and a series of small mistakes ultimately led to the delayed filing for the September 10th Lobbyist Report. For background, I am a born and raised Kansan, who just recently graduated with a bachelor's degree from the University of Kansas. During school, I was employed part-time by NAMI Kansas, the Kansas-affiliate for the National Alliance on Mental Illness. I was with NAMI for a little under two years, working on mental health policy in the Kansas State Capitol. Prior to my employment, NAMI did not have a significant presence in the statehouse, and my hiring was meant to build that presence and develop a policy foundation for the organization, which was why I registered as a Lobbyist through Kansas Ethics. This was my first job that required a Lobbyist designation, so I self-taught myself on the rules and regulations mandated by Kansas Ethics. Because of our work, we were able to co-lead the efforts to pass the 988-Suicide Prevention Hotline infrastructure bill this last session and protect current funding for our state's mental health systems. I am a dedicated Kansan and have a large amount of respect for the work the Kansas Ethics Commission does, this mistake was purely by accident and had no malicious intent.

In June of 2022, I decided to leave NAMI KS and join another Kansas-based non-profit organization to expand my policy experience, so in July I terminated my Lobbyist designation with the organization. Soon after, my NAMI email was deleted, and I parted ways with the organization. Up until July, my reports and files were timely and well-managed with Kansas Ethics. Unfortunately, I did not know at the time that I was required to submit a report in September, in large part because I self-taught myself on Lobbyist procedure, this was missed.

Since I no longer had ties to NAMI, and my email did not exist, any attempt Kansas Ethics made to remind or contact me about this September report failed. I did not receive any emails I had access to, or receive any mail sent on this matter. I was unaware of this Civil Penalty until a staffer at Ethics contacted me through a personal email connected with another political entity I am a part of. After I was notified, I promptly responded, providing them with an updated email address and physical mailing address, then waited to receive your written notice to submit this letter once received, which was on November 3rd, 2022.

I am deeply apologetic of this mistake, I had no prior training on Lobbyist procedure before my time at NAMI, despite that I maintained reports up until my affiliation with them was over.

Which is why I request you all to waive this Penalty, I am a 23-year old Kansan who has spent their entire adult life trying to better this state, and a \$1,000 fine for a mistake I could not prevent based on my knowledge and the contact information Ethics had of me, is seismic for someone of my economic status. It would be extremely difficult for me to afford at the moment, as I have just graduated from University and work for a local non-profit.

I understand that rules are in place for a reason, and I did violate one of those standards, however I hope that the Commission hears my argument and understands my perspective on the matter.

Many thanks,

Ryan Reza

White, Jessica [KGEC]

From: Daniel Shafton <dshafton888@gmail.com>
Sent: Friday, October 28, 2022 4:27 PM
To: White, Jessica [KGEC]
Subject: Letter to: Kansas Governmental Ethics Commission- Request for Waiver of Fines

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Kansas Governmental Ethics Commission,

My name is Daniel Shafton, I am a lifelong Kansan, an eight-year veteran of local politics, and extremely new to the lobbying side of things with just one session under my belt.

With a week or so left in last year's session, the client I was lobbying on behalf of, KSCBA, dissolved. As I wanted to finish out the session and the work I had been fighting so hard on but didn't want to do so without the proper credentials, I found a group (KSNORML) to house my lobbying license with temporarily.

Originally, I was following the instructions of the KSCBA staff on how to do all of the lobbying reporting. Once they dissolved, I was on my own to figure it out. I then wrongly assumed that there was nothing to do or report during the off-session (since no one was in the capital!).

Upon receiving a voicemail from the SOS office, I immediately called back to learn how to remedy the situation. What I learned was, the emails were going to the "potential spam" folder, and the physical letter was rejected as I was not home to sign for it. To mitigate this issue in the future I have updated my address on file and have marked the email address as "safe". Additionally, I have downloaded the 50-page "Handbook for Lobbyists" PDF available on the State's website. I will review it in its entirety so I do not make any future mistakes.

Given that I never actually lobbied on behalf of the client, and moreover, that I do not get paid and have never been paid for ANY of my lobbying work, paying the \$1000 fine would personally cause me financial ruin. While I take full responsibility for my failure to report, a \$1000 fine would be financially devastating for me, as I currently live paycheck to paycheck.

Commissioners, I am asking for a one-time waiver of the \$1000 fee and guarantee you I will not allow for this to occur in the future. I hope I have made my intentions and situation clear and you will find it in your hearts to help me figure my way out of this without the financial damage.

Feel free to email me at dshafton888@gmail.com or call/text me at 913-488-4600 with any questions you may have.

Best Wishes,

-Daniel Shafton

KANSAS GOVERNMENTAL ETHICS COMMISSION
Pursuant to K.S.A. Chapter 25

Mark Skoglund,
Executive Director

Matt Watkins,
Respondent

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)
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) Case No. 2022 CF 1
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)
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NOTICE OF CIVIL FINE DETERMINATION AND HEARING

TAKE NOTICE that a public hearing will be held before the Kansas Governmental Ethics Commission on the 26th day of October 2022 at 1:30 p.m. in the Governmental Ethics Commission's Conference Room, 901 S. Kansas Ave., Topeka, Kansas, 66612, to determine whether Matt Watkins violated the Kansas Campaign Finance Act as alleged below:

ALLEGATIONS

January 2012 – Kansas Democratic Party State Account

1. On a report due January 10, 2012, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2011, through December 31, 2011, which, for \$73,155.71 in contributions, fails to state the name and address of each person who has made one or more contributions in an aggregate amount or value in excess of \$50 during the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan, in violation of K.S.A. 25-4148(b)(2).
2. On a report due January 10, 2012, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2011, through December 31, 2011, which failed to accurately state the total of all receipts, to-wit: reported \$211,195.21 instead of \$284,350.92, in violation of K.S.A. 25-4148(b)(6).
3. On a report due January 10, 2012, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2011, through December 31, 2011, which, for \$9,205.71 in expenditures, fails to state the name and address of each person to whom

expenditures have been made in an aggregate amount or value in excess of \$50, with the amount, date, and purpose of each; the names and addresses of all persons to whom any loan or advance has been made, in violation of K.S.A. 25-4148(b)(7).

4. On a report due January 10, 2012, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2011, through December 31, 2011, which failed to accurately state the total of expenditures, to-wit: reported \$166,188.95 instead of \$175,407.20, in violation of K.S.A. 25-4148(b)(10).

January 2012 – Kansas Democratic Party Legislative Victory Fund – 3rd District Account

5. On a report due January 10, 2012, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 3rd committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2011, through December 31, 2011, which, for \$10,195.84 in contributions, failed to state the name and address of each person who has made one or more contributions in an aggregate amount or value in excess of \$50 during the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan, in violation of K.S.A. 25-4148(b)(2).
6. On a report due January 10, 2012, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 3rd committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2011, through December 31, 2011, which failed to state the total of all receipts, to-wit: reported \$16,841.00 instead of \$27,624.43, in violation of K.S.A. 25-4148(b)(6).
7. On a report due January 10, 2012, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 3rd committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2011, through December 31, 2011, which, for \$10,289.00 in expenditures, fails to state the name and address of each person to whom expenditures have been made in an aggregate amount or value in excess of \$50, with the amount, date, and purpose of each; the names and addresses of all persons to whom any loan or advance has been made, in violation of K.S.A. 25-4148(b)(7).
8. On a report due January 10, 2012, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2011, through December 31, 2011, which failed to state the total of

expenditures, to-wit: reported \$16,251.20 instead of \$26,590.20 in violation of K.S.A. 25-4148(b)(10).

July 2012 – Kansas Democratic Party State Account

9. On a report due July 30, 2012, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2012, through July 26, 2012, which, for \$6,491.39 in contributions, fails to state the name and address of each person who has made one or more contributions in an aggregate amount or value in excess of \$50 during the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan, in violation of K.S.A. 25-4148(b)(2).
10. On a report due July 30, 2012, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2012, through July 26, 2012, which failed to state the total of all receipts, to-wit: reported \$88,286.36 instead of \$94,841.99 in violation of K.S.A. 25-4148(b)(6).
11. On a report due July 30, 2012, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2012, through July 26, 2012, which, for \$33,082.92 in expenditures, fails to state the name and address of each person to whom expenditures have been made in an aggregate amount or value in excess of \$50, with the amount, date, and purpose of each; the names and addresses of all persons to whom any loan or advance has been made, in violation of K.S.A. 25-4148(b)(7).
12. On a report due July 30, 2012, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2012, through July 26, 2012, which failed to state the total of expenditures, to-wit: reported \$95,720.88 instead of \$128,859.90 in violation of K.S.A. 25-4148(b)(10).

October 2012 – Kansas Democratic Party State Account

13. On a report due October 29, 2012, amended January 7, 2013, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 27, 2012, through October 25, 2012, which, for \$9,000.00 in contributions, fails to state the name and address of each person who has made one or more contributions in an aggregate amount or value in excess of \$50 during

the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan, in violation of K.S.A. 25-4148(b)(2).

14. On a report due October 29, 2012, amended January 7, 2013, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 27, 2012, through October 25, 2012, which failed to accurately state the total of all receipts, to-wit: reported \$724,380.19 instead of \$733,470.19, in violation of K.S.A. 25-4148(b)(6).
15. On a report due October 29, 2012, amended January 7, 2013, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 27, 2012, through October 25, 2012, which, for \$32,400 in expenditures, fails to state the name and address of each person to whom expenditures have been made in an aggregate amount or value in excess of \$50, with the amount, date, and purpose of each; the names and addresses of all persons to whom any loan or advance has been made, in violation of K.S.A. 25-4148(b)(7).
16. On a report due October 29, 2012, amended January 7, 2013, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 27, 2012, through October 25, 2012, which failed to accurately state the total of expenditures, to-wit: reported \$727,401.14 instead of \$759,846.41, in violation of K.S.A. 25-4148(b)(10).

January 2013 – Kansas Democratic Party State Account

17. On a report due January 10, 2013, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from October 26, 2012 through December 31, 2012, which, for \$40,436.04 in contributions, failed to state the name and address of each person who has made one or more contributions in an aggregate amount or value in excess of \$50 during the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan, in violation of K.S.A. 25-4148(b)(2).
18. On a report due January 10, 2013, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from October 26, 2012 through December 31, 2012, which failed to state the total of all

receipts, to-wit: reported \$228,418.46 instead of \$268,854.66, in violation of K.S.A. 25-4148(b)(6).

19. On a report due January 10, 2013, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from October 26, 2012 through December 31, 2012, which, for \$63,892.96 in expenditures, fails to state the name and address of each person to whom expenditures have been made in an aggregate amount or value in excess of \$50, with the amount, date, and purpose of each; the names and addresses of all persons to whom any loan or advance has been made, in violation of K.S.A. 25-4148(b)(7).
20. On a report due January 10, 2013, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from October 26, 2012 through December 31, 2012, which failed to state the total of expenditures, to-wit: reported \$278,190.12 instead of \$342,083.88, in violation of K.S.A. 25-4148(b)(10).

January 2014 – Kansas Democratic Party State Account

21. On a report due January 10, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2013, through December 31, 2013, which, for \$1,732.98 in contributions, fails to state the name and address of each person who has made one or more contributions in an aggregate amount or value in excess of \$50 during the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan, in violation of K.S.A. 25-4148(b)(2).
22. On a report due January 10, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2013, through December 31, 2013, which failed to state the total of all receipts, to-wit: reported \$143,458.46 instead of \$145,535.72, in violation of K.S.A. 25-4148(b)(6).

July 2014 – Kansas Democratic Party State Account

23. On a report due July 28, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from

January 1, 2014, through July 24, 2014, which, for \$4,900.00 in contributions, failed to state the name and address of each person who has made one or more contributions in an aggregate amount or value in excess of \$50 during the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan, in violation of K.S.A. 25-4148(b)(2).

24. On a report due July 28, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2014, through July 24, 2014, which failed to state the total of all receipts, to-wit: reported \$285,412.04 instead of \$290,412.04, in violation of K.S.A. 25-4148(b)(6).
25. On a report due July 28, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2014, through July 24, 2014, which, for \$3,775.00 in expenditures, fails to state the name and address of each person to whom expenditures have been made in an aggregate amount or value in excess of \$50, with the amount, date, and purpose of each; the names and addresses of all persons to whom any loan or advance has been made, in violation of K.S.A. 25-4148(b)(7).
26. On a report due July 28, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2014, through July 24, 2014, which failed to state the total of expenditures, to-wit: reported \$287,932.05 instead of \$291,707.05, in violation of K.S.A. 25-4148(b)(10).

October 2014 – Kansas Democratic Party State Account

27. On an report due October 27, 2014, and amended October 28, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 25, 2014, through October 23, 2014, which, for \$51,675.00 in contributions, fails to state the name and address of each person who has made one or more contributions in an aggregate amount or value in excess of \$50 during the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan, in violation of K.S.A. 25-4148(b)(2).
28. On an amended report due October 27, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 25, 2014, through October 23, 2014, which failed to state the total

of all receipts, to-wit: reported \$628,395.32 instead of \$680,070.48, in violation of K.S.A. 25-4148(b)(6).

29. On a report due October 27, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 25, 2014, through October 23, 2014, which, for \$185,444.89 in expenditures, fails to state the name and address of each person to whom expenditures have been made in an aggregate amount or value in excess of \$50, with the amount, date, and purpose of each; the names and addresses of all persons to whom any loan or advance has been made, in violation of K.S.A. 25-4148(b)(7).
30. On an amended report due October 27, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 25, 2014, through October 23, 2014, which failed to state the total of expenditures, to-wit: reported \$555,524.89 instead of \$741,007.74, in violation of K.S.A. 25-4148(b)(10).

October 2014 – Kansas Democratic Party Legislative Victory Fund – 2nd District Account

31. On a report due October 27, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 2nd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 25, 2014, through October 23, 2014, which, for \$10,000.00 in contributions, failed to state the name and address of each person who has made one or more contributions in an aggregate amount or value in excess of \$50 during the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan, in violation of K.S.A. 25-4148(b)(2).
32. On a report due October 27, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 2nd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 25, 2014, through October 23, 2014, which failed to state the total of all receipts, to-wit: reported \$10,000.00 instead of \$20,000.00, in violation of K.S.A. 25-4148(b)(6).
33. On a report due October 27, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 2nd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 25, 2014, through October 23, 2014, which, for \$5,000.00 in expenditures, fails to state the name and address of each person to whom expenditures have been made in an aggregate amount or value in excess of \$50, with the amount, date, and purpose of each; the names and

addresses of all persons to whom any loan or advance has been made, in violation of K.S.A. 25-4148(b)(7).

34. On a report due October 27, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 2nd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 25, 2014, through October 23, 2014, which failed to state the total of expenditures, to-wit: reported \$20,050.07 instead of \$25,050.07, in violation of K.S.A. 25-4148(b)(10).

October 2014 – Kansas Democratic Party Legislative Victory Fund – 3rd District Account

35. On a report due October 27, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 3rd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 25, 2014, through October 23, 2014, which, for \$12,500.00 in contributions, failed to state the name and address of each person who has made one or more contributions in an aggregate amount or value in excess of \$50 during the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan, in violation of K.S.A. 25-4148(b)(2).
36. On a report due October 27, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 3rd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 25, 2014, through October 23, 2014, which failed to state the total of all receipts, to-wit: reported \$18,000.00 instead of \$30,500.00 in violation of K.S.A. 25-4148(b)(6).
37. On a report due October 27, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 3rd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 25, 2014, through October 23, 2014, which, for \$5,000.00 in expenditures, fails to state the name and address of each person to whom expenditures have been made in an aggregate amount or value in excess of \$50, with the amount, date, and purpose of each; the names and addresses of all persons to whom any loan or advance has been made, in violation of K.S.A. 25-4148(b)(7).
38. On a report due October 27, 2014, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 3rd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 25, 2014, through October 23, 2014, which failed to state the total of expenditures, to-wit: reported \$20,000.00 instead of \$25,000.00, in violation of K.S.A. 25-4148(b)(10).

January 2015 – Kansas Democratic Party State Account

39. On a report due January 10, 2015, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from October 24, 2014, through December 31, 2014, which, for \$63,450.00 in contributions, failed to state the name and address of each person who has made one or more contributions in an aggregate amount or value in excess of \$50 during the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan, in violation of K.S.A. 25-4148(b)(2).
40. On a report due January 10, 2015, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from October 24, 2014, through December 31, 2014, which failed to state the total of all receipts, to-wit: reported \$415,017.51 instead of \$478,467.51, in violation of K.S.A. 25-4148(b)(6).
41. On a report due January 10, 2015, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from October 24, 2014, through December 31, 2014, which, for \$67,236.84 in expenditures, fails to state the name and address of each person to whom expenditures have been made in an aggregate amount or value in excess of \$50, with the amount, date, and purpose of each; the names and addresses of all persons to whom any loan or advance has been made, in violation of K.S.A. 25-4148(b)(7).
42. On a report due January 10, 2015, Matt Watkins, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from October 24, 2014, through December 31, 2014, which failed to state the total of expenditures, to-wit: reported \$491,697.20 instead of \$558,941.89 in violation of K.S.A. 25-4148(b)(10).

January 2015 – Kansas Democratic Party Legislative Victory Fund – 2nd District Account

43. On a report due January 10, 2015, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 2nd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from October 24, 2014, through December 31, 2014, which, for \$10,000.00 in contributions, failed to state the name and address

of each person who has made one or more contributions in an aggregate amount or value in excess of \$50 during the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan, in violation of K.S.A. 25-4148(b)(2).

44. On a report due January 10, 2015, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 2nd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from October 24, 2014, through December 31, 2014, which failed to state the total of all receipts, to-wit: reported \$15,000.00 instead of \$25,000.00, in violation of K.S.A. 25-4148(b)(6).

January 2015 – Kansas Democratic Party Legislative Victory Fund – 3rd District Account

45. On a report due January 10, 2015, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 3rd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from October 24, 2014, through December 31, 2014, which, for \$9,900.00 in contributions, failed to state the name and address of each person who has made one or more contributions in an aggregate amount or value in excess of \$50 during the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan, in violation of K.S.A. 25-4148(b)(2).
46. On a report due January 10, 2015, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 3rd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from October 24, 2014, through December 31, 2014, which failed to state the total of all receipts, to-wit: reported \$13,950.00 instead of \$23,850.00, in violation of K.S.A. 25-4148(b)(6).
47. On a report due January 10, 2015, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 3rd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from July 25, 2014, through October 23, 2014, which, for \$950.00 in expenditures, fails to state the name and address of each person to whom expenditures have been made in an aggregate amount or value in excess of \$50, with the amount, date, and purpose of each; the names and addresses of all persons to whom any loan or advance has been made, in violation of K.S.A. 25-4148(b)(7).
48. On a report due January 10, 2015, Matt Watkins, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 3rd District committee, appointed

under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from October 24, 2014, through December 31, 2014, which failed to state the total of expenditures, to-wit: reported \$14,000.00 instead of \$14,950.00, in violation of K.S.A. 25-4148(b)(10).

Both parties shall have the right to present arguments to the Governmental Ethics Commission. If, after hearing, the Commission determines that Matt Watkins violated the Kansas Campaign Finance Act as alleged, the Kansas Governmental Ethics Commission, pursuant to K.S.A. 25-4181, may assess a civil fine in an amount not to exceed \$5,000 for the first violation, \$10,000 for the second violation, and \$15,000 for the third violation and for each subsequent violation.

CERTIFICATE OF SERVICE

This is to certify that the preceding NOTICE OF CIVIL FINE DETERMINATION AND HEARING was deposited in the United States mail, certified return receipt requested, and first class on October 10th, 2022, addressed to:

Matthew Watkins
4023 N 111th St.
Kansas City, Kansas 66109



Mark Skoglund, Executive Director
Kansas Governmental Ethics Commission
901 S Kansas Ave
Topeka KS 66612
785-296-4219

KANSAS GOVERNMENTAL ETHICS COMMISSION

Pursuant to K.S.A. Chapter 25

Mark Skoglund,
Executive Director

Tobias Schlingensiepen,
Respondent

Case No. 2022 CF 2

NOTICE OF CIVIL FINE DETERMINATION AND HEARING

TAKE NOTICE that a public hearing will be held before the Kansas Governmental Ethics Commission on the 26th day of October 2022 at 1:30 p.m. in the Governmental Ethics Commission's Conference Room, 901 S. Kansas Ave., Topeka, Kansas, 66612, to determine whether Tobias Schlingensiepen violated the Kansas Campaign Finance Act as alleged below:

ALLEGATIONS

January 2016 – Kansas Democratic Party State Account

1. On a report due January 10, 2016, Tobias Schlingensiepen, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2015, through December 31, 2015, which, for \$22,702.58 in contributions, failed to state the name and address of each person who has made one or more contributions in an aggregate amount or value in excess of \$50 during the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan, in violation of K.S.A. 25-4148(b)(2).
2. On a report due January 10, 2016, Tobias Schlingensiepen, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2015, through December 31, 2015, which failed to state the total of all receipts, to-wit: reported \$137,159.50 instead of \$160,025.45, in violation of K.S.A. 25-4148(b)(6).
3. On a report due January 10, 2016, Tobias Schlingensiepen, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2015, through December 31, 2015, which, for \$9,192.95 in expenditures, fails to state the name and address of each person to whom

expenditures have been made in an aggregate amount or value in excess of \$50, with the amount, date, and purpose of each; the names and addresses of all persons to whom any loan or advance has been made, in violation of K.S.A. 25-4148(b)(7).

4. On a report due January 10, 2016, Tobias Schlingensiepen, as treasurer of the Kansas Democratic Party committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2015, through December 31, 2015, which failed to state the total of expenditures, to-wit: reported \$109,498.96 instead of \$119,649.32, in violation of K.S.A. 25-4148(b)(10).

January 2016 – Kansas Democratic Party Legislative Victory Fund – 3rd District Account

5. On a report due January 10, 2016, Tobias Schlingensiepen, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 3rd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2015, through December 31, 2015, which, for \$24,355.78 in contributions, failed to state the name and address of each person who has made one or more contributions in an aggregate amount or value in excess of \$50 during the election period together with the amount and date of such contributions, including the name and address of every lender, guarantor and endorser when a contribution is in the form of an advance or loan, in violation of K.S.A. 25-4148(b)(2).
6. On a report due January 10, 2016, Tobias Schlingensiepen, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 3rd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2015, through December 31, 2015, which failed to state the total of all receipts, to-wit: reported \$1,339.21 instead of \$25,694.99, in violation of K.S.A. 25-4148(b)(6).
7. On a report due January 10, 2016, Tobias Schlingensiepen, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 3rd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2015, through December 31, 2015, which, for \$24,335.78 in expenditures, fails to state the name and address of each person to whom expenditures have been made in an aggregate amount or value in excess of \$50, with the amount, date, and purpose of each; the names and addresses of all persons to whom any loan or advance has been made, in violation of K.S.A. 25-4148(b)(7).
8. On a report due January 10, 2016, Tobias Schlingensiepen, as treasurer of the Kansas Democratic Party Legislative Victory Fund – 3rd District committee, appointed under the Kansas campaign finance act, did then and there file the Receipts and Expenditures Report for the period from January 1, 2015, through

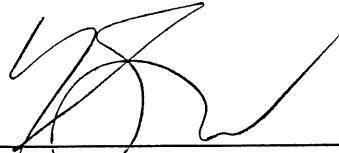
December 31, 2015, which failed to state the total of expenditures, to-wit: reported \$5.00 instead of \$24,340.78, in violation of K.S.A. 25-4148(b)(10).

Both parties shall have the right to present arguments to the Governmental Ethics Commission. If, after hearing, the Commission determines that Tobias Schlingensiepen violated the Kansas Campaign Finance Act as alleged, the Kansas Governmental Ethics Commission, pursuant to K.S.A. 25-4181, may assess a civil fine in an amount not to exceed \$5,000 for the first violation, \$10,000 for the second violation, and \$15,000 for the third violation and for each subsequent violation.

CERTIFICATE OF SERVICE

This is to certify that the preceding NOTICE OF CIVIL FINE DETERMINATION AND HEARING was deposited in the United States mail, certified return receipt requested, and first class on October 10th, 2022, addressed to:

Tobias Schlingensiepen
1601 SW Boswell Ave
Topeka, Kansas 66604



Mark Skoglund, Executive Director
Kansas Governmental Ethics Commission
901 S Kansas Ave
Topeka KS 66612
785-296-4219

BEFORE THE KANSAS GOVERNMENTAL ETHICS COMMISSION
901 South Kansas Avenue
Topeka, Kansas 66612

MARK SKOGLUND, Executive Director)
Kansas Governmental Ethics Commission,)
Complainant)
GEORGE A. BRIGGS,)
2022 Candidate and Treasurer for Governor,)
Respondent)
_____)

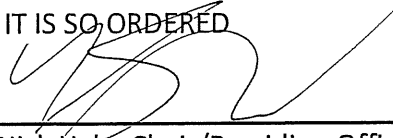
Complaint No. 739

NOTICE OF PUBLIC HEARING

On the 26th of October 2022, the Commission found probable cause to believe the respondent violated K.S.A. 25-4148 as alleged in the Commission in the above captioned matters. The public hearing is scheduled for November 16, 2022, at 1:30 p.m., in the Governmental Ethics Commission's conference room, 901 South Kansas Avenue, Topeka, Kansas. The hearing will be held before the Commission as a whole. You have the right to request a pre-hearing conference to resolve evidentiary issues or other pre-hearing matters. You have all those rights set out in K.A.R. 19-1-1 through 19-9-1, a copy of which is hereby provided to you concerning your hearing appearance.

IT IS SO ORDERED

Mark Skoglund for:



Nick Hale, Chair/Presiding Officer

Kansas Governmental Ethics Commission
By Direction of the Commission

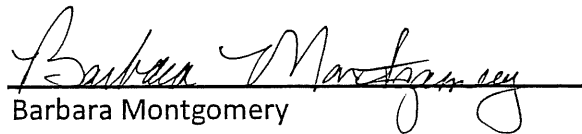
October 31, 2022

Date

CERTIFICATE OF SERVICE

This is to certify that on the 31st day of October 2022, a true and correct copy of the foregoing Public Hearing Notice was deposited in the U.S. mail, first class postage prepaid and certified mail postage prepaid, sign return receipt requested, addressed to the following:

George A. Briggs,
2022 Candidate and Treasurer for Governor
24969 SW 130 Road
Kincaid, KS 66039



Barbara Montgomery
Office Manager
Kansas Governmental Ethics Commission
901 S. Kansas Avenue
Topeka, Kansas 66612
Tel. 785-296-4219
Fax. 785-296-2548
KGEC Ethics@ks.gov

GOVERNMENTAL ETHICS
COMMISSION

COMPLAINT

(Commission Use Only)

Mark Skoglund
Complainant

Complaint No. 739

George A Briggs
Respondent

A. Complainant or attorney:

Name: Mark Skoglund, Executive Director
Address: 901 S Kansas Avenue
City and State: Topeka, KS

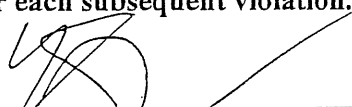
Phone: 785-296-4219
Zip Code: 66612

B. State the name of the person alleged to have violated the Act in question:

Name: George A Briggs, 2022 Treasurer & Candidate for Governor
Address: 24969 SW 130 Road
City, State, Zip Code: Kincaid, KS 66039

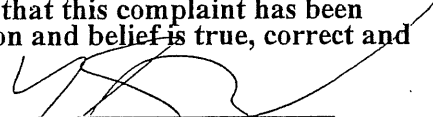
C. Complaint alleges:

George A Briggs, 2022 Treasurer & Candidate for Governor failed to file the July 25, 2022 Receipts and Expenditures Report as required by K.S.A. 25-4148, and due in response to a notice sent by certified mail on July 27, 2022 and first class mail on August 17, 2022, pursuant to K.S.A. 25-4152. K.S.A. 25-4167 provides that the intentional violation of K.S.A. 25-4148 is a class A misdemeanor. K.S.A. 25-4181 provides that, in addition to any other penalty prescribed under the Campaign Finance Act, the Commission may assess a civil fine not to exceed \$5,000 for the first violation, \$10,000 for the second violation, and \$15,000 for the third violation and for each subsequent violation.


(Signature of Complainant)

D. Verification:
State of Kansas)
County of Shawnee)

I, Mark Skoglund, do swear (or affirm) that this complaint has been examined by me and to the best of my knowledge, information and belief is true, correct and complete.

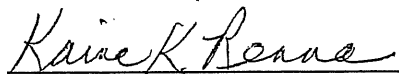

(Signature of Complainant)

Subscribed and sworn to (affirmed) before me this 24th day of August, 2022.



Karina K. Renna
Notary Public
State of Kansas

My appointment expires July 29, 2024


(Notary Public)

My Appt. Expires July 29, 2024

GEC Form Rev. 1998

BEFORE THE KANSAS GOVERNMENTAL ETHICS COMMISSION
901 South Kansas Avenue
Topeka, Kansas 66612

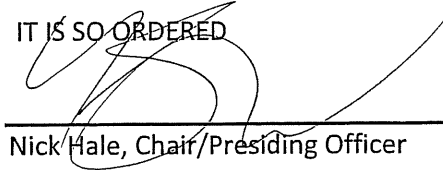
MARK SKOGLUND, Executive Director	)	
Kansas Governmental Ethics Commission,	)	
Complainant	)	
	)	Complaint No. 740
	)	
MAX STUCKY HALLEY,	)	
2022 Treasurer and Candidate for State Representative,	)	
Respondent	)	
_____	)	

NOTICE OF PUBLIC HEARING

On the 26th of October 2022, the Commission found probable cause to believe the respondent violated K.S.A. 25-4148 as alleged in the Commission in the above captioned matters. The public hearing is scheduled for November 16, 2022, at 1:30 p.m., in the Governmental Ethics Commission's conference room, 901 South Kansas Avenue, Topeka, Kansas. The hearing will be held before the Commission as a whole. You have the right to request a pre-hearing conference to resolve evidentiary issues or other pre-hearing matters. You have all those rights set out in K.A.R. 19-1-1 through 19-9-1, a copy of which is hereby provided to you concerning your hearing appearance.

IT IS SO ORDERED

Mark Skoglund for:



Nick Hale, Chair/Presiding Officer

Kansas Governmental Ethics Commission
By Direction of the Commission

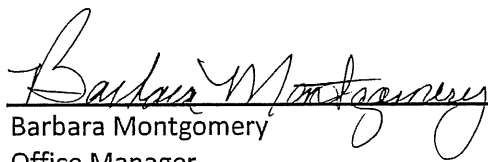
October 31, 2022

Date

CERTIFICATE OF SERVICE

This is to certify that on the 31st day of October 2022, a true and correct copy of the foregoing Public Hearing Notice was deposited in the U.S. mail, first class postage prepaid and certified mail postage prepaid, sign return receipt requested, addressed to the following:

Max Stucky Halley,
2022 Treasurer and Candidate for State
Representative
5651 SW Lincolnshire Circle
Topeka, KS 66610


Barbara Montgomery
Office Manager
Kansas Governmental Ethics Commission
901 S. Kansas Avenue
Topeka, Kansas 66612
Tel. 785-296-4219
Fax. 785-296-2548
KGEC Ethics@ks.gov

GOVERNMENTAL ETHICS
COMMISSION

COMPLAINT

(Commission Use Only)

Mark Skoglund)
Complainant)

Complaint No. 740

Max Stucky Halley)
Respondent)

A. Complainant or attorney:

Name: Mark Skoglund, Executive Director
Address: 901 S Kansas Avenue
City and State: Topeka, KS

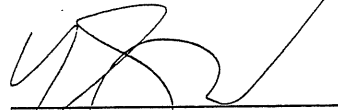
Phone: 785-296-4219
Zip Code: 66612

B. State the name of the person alleged to have violated the Act in question:

Name: Max Stucky Halley, 2022 Treasurer & Candidate for State Representative
Address: 5651 SW Lincolnshire Circle
City, State, Zip Code: Topeka, KS 66610.

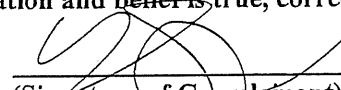
C. Complaint alleges:

Max Stucky Halley, 2022 Treasurer & Candidate for State Representative failed to file the July 25, 2022 Receipts and Expenditures Report as required by K.S.A. 25-4148, and due in response to a notice sent by certified mail on July 27, 2022 and first class mail on August 8, 2022, pursuant to K.S.A. 25-4152. K.S.A. 25-4167 provides that the intentional violation of K.S.A. 25-4148 is a class A misdemeanor. K.S.A. 25-4181 provides that, in addition to any other penalty prescribed under the Campaign Finance Act, the Commission may assess a civil fine not to exceed \$5,000 for the first violation, \$10,000 for the second violation, and \$15,000 for the third violation and for each subsequent violation.


(Signature of Complainant)

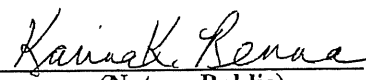
D. Verification:
State of Kansas)
County of Shawnee)

I, Mark Skoglund, do swear (or affirm) that this complaint has been examined by me and to the best of my knowledge, information and belief is true, correct and complete.


(Signature of Complainant)

Subscribed and sworn to (affirmed) before me this 24th day of August, 2022.

 **Karina K. Renna**
Notary Public
State of Kansas


(Notary Public)

(Seal) My Appt. Expires July 29, 2024 My appointment expires July 29, 2024

**GOVERNMENTAL ETHICS
COMMISSION**

FIRST AMENDED COMPLAINT

(Commission Use Only)

Mark Skoglund
Complainant

Complaint No. 740

Max Stucky Halley
Respondent

A. Complainant or attorney:

Name: Mark Skoglund, Executive Director
Address: 901 S Kansas Avenue
City and State: Topeka, KS

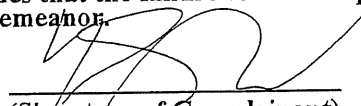
Phone: 785-296-4219
Zip Code: 66612

B. State the name of the person alleged to have violated the Act in question:

Name: Max Stucky Halley, 2022 Treasurer & Candidate for State Representative
Address: 5651 SW Lincolnshire Circle
City, State, Zip Code: Topeka, KS 66610

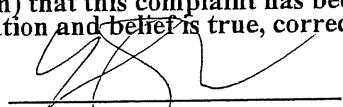
C. Complaint alleges:

1. Max Stucky Halley, 2022 Treasurer & Candidate for State Representative failed to file the July 25, 2022 Receipts and Expenditures Report as required by K.S.A. 25-4148, and due in response to a notice sent by certified mail on July 27, 2022 and first class mail on August 8, 2022, pursuant to K.S.A. 25-4152. K.S.A. 25-4167 provides that the intentional violation of K.S.A. 25-4148 is a class A misdemeanor. K.S.A. 25-4181 provides that, in addition to any other penalty prescribed under the Campaign Finance Act, the Commission may assess a civil fine not to exceed \$5,000 for the first violation, \$10,000 for the second violation, and \$15,000 for the third violation and for each subsequent violation.
2. Max Stucky Halley, 2022 Candidate for State Representative, failed to file a Statement of Substantial Interests due June 20, 2022, as required by K.S.A. 46-247(a) and K.S.A. 46-248(a)(3). K.S.A. 46-288 provides that, in addition to any other penalty prescribed under the State Governmental Ethics Laws, the Commission may assess a civil fine not to exceed \$5,000 for the first violation, \$10,000 for the second violation, and \$15,000 for the third violation and for each subsequent violation. K.S.A. 46-251 provides that the failure to file a required Statement of Substantial Interests is a class B misdemeanor.


(Signature of Complainant)

D. Verification:
State of Kansas)
County of Shawnee)

I, Mark Skoglund, do swear (or affirm) that this complaint has been examined by me and to the best of my knowledge, information and belief is true, correct and complete.


(Signature of Complainant)

Subscribed and sworn to (affirmed) before me this 8th day of September, 2022.

Karina K. Renna



Karina K. Renna

Notary Public
State of Kansas

(Notary Public)

My App. Expires
(Seal)

July 29, 2024

My appointment expires

July 29

, 2024

GEC Form Rev. 1998

BEFORE THE KANSAS GOVERNMENTAL ETHICS COMMISSION
901 South Kansas Avenue
Topeka, Kansas 66612

MARK SKOGLUND, Executive Director	)	
Kansas Governmental Ethics Commission,	)	
Complainant	)	
	)	Complaint No. 741
	)	
MARK TALLENT,	)	
2022 Treasurer and Candidate for State Representative,	)	
Respondent	)	
_____	)	

NOTICE OF PUBLIC HEARING

On the 26th of October 2022, the Commission found probable cause to believe the respondent violated K.S.A. 25-4148 as alleged in the Commission in the above captioned matters. The public hearing is scheduled for November 16, 2022, at 1:30 p.m., in the Governmental Ethics Commission's conference room, 901 South Kansas Avenue, Topeka, Kansas. The hearing will be held before the Commission as a whole. You have the right to request a pre-hearing conference to resolve evidentiary issues or other pre-hearing matters. You have all those rights set out in K.A.R. 19-1-1 through 19-9-1, a copy of which is hereby provided to you concerning your hearing appearance.

IT IS SO ORDERED

Mark Skoglund for:



Nick Hale, Chair/Presiding Officer

Kansas Governmental Ethics Commission
By Direction of the Commission

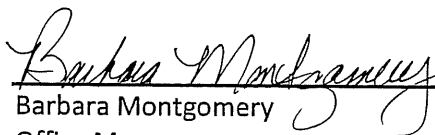
October 31, 2022

Date

CERTIFICATE OF SERVICE

This is to certify that on the 31st day of October 2022, a true and correct copy of the foregoing Public Hearing Notice was deposited in the U.S. mail, first class postage prepaid and certified mail postage prepaid, sign return receipt requested, addressed to the following:

Mark Tallent,
2022 Treasurer and Candidate for State
Representative
4225 W 107th
PO Box 11171
Overland Park, KS 66207



Barbara Montgomery
Office Manager
Kansas Governmental Ethics Commission
901 S. Kansas Avenue
Topeka, Kansas 66612
Tel. 785-296-4219
Fax. 785-296-2548
KGEC Ethics@ks.gov

GOVERNMENTAL ETHICS
COMMISSION

COMPLAINT

(Commission Use Only)

Mark Skoglund
Complainant

Complaint No. 741

Mark Tallent
Respondent

A. Complainant or attorney:

Name: Mark Skoglund, Executive Director
Address: 901 S Kansas Avenue
City and State: Topeka, KS

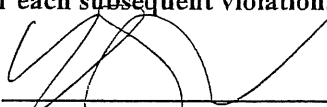
Phone: 785-296-4219
Zip Code: 66612

B. State the name of the person alleged to have violated the Act in question:

Name: Mark Tallent, 2022 Treasurer & Candidate for State Representative
Address: PO Box 11171, 4225 W 107th
City, State, Zip Code: Overland Park, KS 66207

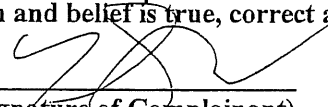
C. Complaint alleges:

Mark Tallent, 2022 Treasurer & Candidate for State Representative failed to file the July 25, 2022 Receipts and Expenditures Report as required by K.S.A. 25-4148, and due in response to a notice sent by certified mail on July 27, 2022 and first class mail on August 17, 2022, pursuant to K.S.A. 25-4152. K.S.A. 25-4167 provides that the intentional violation of K.S.A. 25-4148 is a class A misdemeanor. K.S.A. 25-4181 provides that, in addition to any other penalty prescribed under the Campaign Finance Act, the Commission may assess a civil fine not to exceed \$5,000 for the first violation, \$10,000 for the second violation, and \$15,000 for the third violation and for each subsequent violation.


(Signature of Complainant)

D. Verification:
State of Kansas)
County of Shawnee)

I, Mark Skoglund, do swear (or affirm) that this complaint has been examined by me and to the best of my knowledge, information and belief is true, correct and complete.

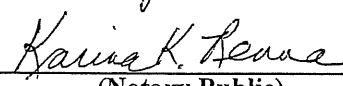

(Signature of Complainant)

Subscribed and sworn to (affirmed) before me this 24th day of August, 2022.



Karina K. Renna
Notary Public
State of Kansas

My appointment expires July 29, 2024


(Notary Public)

My Appt Expires July 29, 2024