

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

1:00 p.m. Call Meeting to Order

Review and approve today's meeting agenda and the September 28, 2022, meeting minutes

Executive Director Report

- Legislative Recommendations
- KOMA Training

Civil Penalties

Candidates & Treasurers

Marcus Clark (2), Candidate and Treasurer Topeka City Councilmember District 5	Christina Haswood, Candidate for State Representative
Kevin Makalous, Candidate and Treasurer Shawnee City Councilmember Ward 4	Daniel Stillwell, Treasurer for Sam Stillwell
Sami Turner, Treasurer for Christina Haswood	Joshua White, Candidate and Treasurer Neosho County Commissioner District 1

Lobbyists

Katrina Abraham, Lobbyist Cerner Corporation	Damien Gilbert, Lobbyist Gencur Svaty Public Affairs
Daniel Shafton, Lobbyist Kansas Norml, Inc.	George Hanna, Lobbyist Kansas Norml, Inc.
Ryan Reza, Lobbyist NAMI Kansas	Terrell Davis, Lobbyist Wichita Public Schools USD 259

Paid-for Waiver Requests

- Laura Kelly, Gubernatorial Candidate
- Jalon Britton, House Candidate

Civil Penalty Waiver Requests

- Yvonne Schneider, Treasurer, Greeley County Republic Central Committee
- Clare Gustin, Lobbyist, Sunflower Electric Power Corporation
- Arturo Perez, Treasurer, Junction City Firefighters PAC 3309
- James Herd, Treasurer, Comanche County Democratic Central Committee
- Janet Lewis, Treasurer, Coffee County Democratic Central Committee

1:30 p.m. Civil Fine Hearings

- CF 2022-01, Matt Watkins (Requested continuance to November 16, 2022, meeting.)
- CF 2022-02, Tobias Schlingensiepen (Requested continuance to November 16, 2022, meeting.)

Executive Session

Date of next meeting: November 16, 2022

3:00 p.m. Adjournment

**Minutes
Governmental Ethics Commission
901 S. Kansas Ave.
Topeka KS 66612
September 28, 2022
1:00 p.m.**

Members Present

Nick Hale, Chair
Jane Deterding - by phone
Patty Dengler
Amy James
Kyle Krull
Ken Moore
Todd Scharnhorst - by phone
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 1:02 p.m. by Chair Hale.

Minutes

After review of today's agenda and the August 24, 2022, and September 14, 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.

Ms. Dengler pointed out a correction needed to the September 14, 2022, minutes. Mr. Solbach made a motion to approve today's agenda, the August 24, 2022, minutes and the amended minutes from the September 14, 2022, meeting after the correction was made. Ms. Dengler seconded the motion. There was no discussion and the motion passed unanimously.

Civil Penalty Assessment Orders

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

Statement of Substantial Interest Report

Max Stucky Halley, Candidate for Representative	\$300
Marvin Robinson II, Candidate for Representative	\$220

July 25, 2022, Receipts & Expenditures Report

Janet Lewis, Treasurer Coffee County Democratic Central Committee	\$60
James (Skip) Herd, Treasurer Comanche County Democratic Central Committee	\$300

Kandy Dowell, Treasurer Elk County Republican	\$300
Thomas Witt, Treasurer Equality Kansas PAC	\$300
Justin Choitz, Treasurer Fire PAC 2119	\$300
Yvonne Schneider, Treasurer Greeley County Republican Central Committee	\$300
Arturo Perez, Treasurer Junction City Firefighters PAC 3309	\$300
Haley Kottler, Treasurer Kansas for a Progressive House	\$300
Elton Hale, Treasurer Kansas Black Republican Council	\$1,000
John J. Carson, Treasurer Kansas City Regional Assn of Realtors- Kansas Realtors PAC	\$1,000
Hugh Coleman IV, Treasurer Leavenworth County Young Democrats	\$300
Taryn Jones, Treasurer LGBTQ Leadership PAC	\$300
Linda Snyder, Treasurer KS Federation of Rep Women District 1	\$300
Linda Snyder, Treasurer Lyon County Republican Women	\$300
Catherine Schaukowitz, Treasurer Rooks County Democratic Central Committee	\$60
Elton Hale Jr, Treasurer Wyandotte Black Republican Council	\$80
Madison Plaszczyk, Treasurer Young Democrats, KU	\$300

September 10, 2022, Employment & Expenditures Report

Christy Davis, Lobbyist Stray Dog Policy, Inc	\$250
Clare Gustin, Lobbyist Sunflower Electric Power Corporation	\$300
Kelly Rippel, Lobbyist The Capitol Lobby Group	\$300

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

Waiver requests for Civil Penalty Assessment

Mr. Skoglund presented a waiver request from George “Arlyn” Briggs. Mr. Skoglund stated that Mr. Briggs recently visited the office to indicate his interest in calling into the Commission meeting to request a waiver however has not done so and has not submitted the required report therefore Mr. Skoglund recommended no action be taken at this time however could take it up at another time if received.

Mr. Skoglund presented a waiver request from Mark Schaukowitch, Chair, Rooks County Democrats on behalf of Catherine Schaukowitch, Treasurer. Mr. Skoglund said as a disclaimer he considers Mark Schaukowitch a friend. Mr. Skoglund stated with that note the waiver falls within the normal categories we recommend waivers for therefore recommended the waiver. Mr. Solbach made a motion to approve the waiver request. Mr. Moore seconded the motion. There was no additional discussion. The motion passed unanimously.

Mr. Skoglund presented a waiver request from Danny Zeck, Candidate, Kansas State Board of Education. Mr. Skoglund said that Mr. Zeck attempted to comply by submitting through the electronic system and believed he had properly submitted the report but simply did not complete the final step to submit. Mr. Skoglund said this is the first penalty Mr. Zeck has received and the partial filing with the Secretary of State’s office has been confirmed therefore recommended the waiver. Mr. Moore made a motion to approve the waiver request. Ms. Dengler seconded the motion. There was no additional discussion. The motion passed unanimously.

Settlement Discussion of Complaint 715 & Complaint 716 continued

Mr. Skoglund presented a revised “Agreed Order of Dismissal and Release.” Mr. Skoglund said that he and Mr. Berry have reviewed the document and have no objections to it. Discussion ensued. Mr. Solbach made a motion to approve the revised “Agreed Order of Dismissal and Release,” and the Chairman to sign once the Respondents have signed. Discussion ensued.

Executive Session

At 1:21p.m., Mr. Krull stated that for good cause pursuant to K.A.R. 19-6-2, I move to recess this open meeting until 1:26p.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. Solbach seconded the motion. Discussion ensued. The motion passed unanimously.

At 1:26p.m., Mr. Krull moved to incorporate by reference his prior motion except extending the recess to 1:35p.m. Mr. Solbach seconded the motion. The motion passed unanimously.

At 1:35p.m., Mr. Krull moved to incorporate by reference fully his prior motion except extending the recess to 1:45p.m. Mr. Solbach seconded the motion. The motion passed unanimously.

Upon return from Executive Session, discussion ensued. Mr. Moore made a motion to accept the revised "Agreed Order of Dismissal and Release," and amend the release to delete paragraph enumerated under number one (1) on Attachment A, page number three (3). Discussion ensued. Mr. Solbach seconded the motion. The motion passed unanimously.

Mr. Ney requested that he have an opportunity to consult with his clients to revise the language regarding "official capacity" instead of "individual capacity." Discussion ensued. The Commission agreed to consider revised language at the conclusion of the Executive Session that discuss separate items not related to Complaint 715 and Complaint 716.

Executive Session

At 2:07p.m., Mr. Krull stated that for good cause pursuant to K.A.R. 19-6-2, I move to recess this open meeting until 2:25p.m. for executive session, with staff present, 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. Moore seconded the motion. There was no discussion. The motion passed unanimously.

Settlement Discussion of Complaint 715 & Complaint 716 continued

Upon return from Executive Session, Mr. Ney presented a revised "Agreed Order of Dismissal and Release," that included modified "release" language on Attachment A, page number three (3). Discussion ensued. Mr. Krull made a motion to accept the revised "Agreed Order of Dismissal and Release" as drafted, and Attachment A as revised, and authorize Chair Hale's signature after we have received the signed release from the Respondents. Discussion ensued. Mr. Solbach seconded the motion. The motion passed unanimously.

Next meeting date

Chair Hale announced that the next meeting would be held October 26, 2022.

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

Adjournment

At 2:37 p.m. Mr. Krull moved to adjourn the meeting. Ms. James seconded the motion. There was no discussion and the motion passed unanimously.

Draft Legislative Recommendations for 2023

Considered at the October 26, 2022 meeting of the Governmental Ethics Commission

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 [new]

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 [new]

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 see an anticorruption 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.

Slide 1

NO ASTRA PER ASPERA

Kansas

Governmental Ethics Commission

THE KANSAS OPEN MEETINGS ACT AND EXECUTIVE SESSION

BRETT BERRY, KGEC Attorney
OCTOBER 24, 2022

Slide 2

KANSAS OPEN MEETINGS ACT (KOMA)

- Ensures public access to information that forms the basis for public decision-making
- Public's right to know about the deliberations and decisions of public governing bodies
- Principal of democratic governance; electorate must be informed

Slide 3

REQUIREMENTS OF KOMA

- Conduct business in open public meeting; no binding action by secret ballot
- Provide notice of date, time, and place of meeting to those requesting notice
- Make agenda available
- Recess to executive session only for statutorily allowed reasons

Slide 4

REQUIREMENTS OF KOMA

- Provide notice to public
- Notice must be personal
- Can be written or oral
- Must be given in reasonable time
- Don't confuse with rights of commission members
- Public participation
- It is a right to watch, not speak



1

Slide 5

WHEN IS IT A MEETING?

- Any **interactive communication**
- By a **majority of the membership** of the commission
 - Five commission members
- For the **purpose** of discussing commission business



1

Slide 6

SERIAL MEETINGS

- **Collectively involve five or more** commission members
- Share a **common topic of discussion** concerning commission business, and
- Are **intended** by any or all of the participants to **reach agreement** on a **matter that would require binding action** to be taken by the commission.



1

Slide 7

POTENTIAL PROBLEMS

- Social gatherings
- Informal gatherings
- Meetings initiated by outside groups
- Retreats and study sessions
- Telephone meetings
- Serial meetings
- E-mail



1

Slide 8

PERSONAL LIABILITY

- A violation of the Kansas open meetings act can result in fines of up to \$500 per violation for individual commission members.
- The KGEC cannot cover board members who violate the law.



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Slide 9

EXECUTIVE SESSION

- The statute that provides for executive sessions of public meetings, and the procedure for calling an executive session is very specific.
- The commission is required to have an open session prior to and after an executive session.



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Slide 10

EXECUTIVE SESSION

- Motion
- Subject
- Justification
- Time
- Limited items which can be discussed
- No one except the commission has a right to attend
 - Others may be invited to attend by the commission



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REVISIONS TO KOMA REGARDING EXECUTIVE SESSION

K.S.A. 75-4319 was revised effective July 1, 2017

- Used to require: "A statement of the justification for closing the meeting."
- Now requires: (1) "a statement describing the subjects to be discussed during the closed or executive meeting; and (2) the justification listed in subsection (b) for closing the meeting."
- The complete motion must be recorded in minutes and maintained as permanent record.



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Slide 12

SUBJECT FOR EXECUTIVE SESSION MOTION

- Provide a brief description of what subject will be discussed while still protecting important privacy interests
 - Discuss an individual employee's performance
 - Discuss audits, investigations, and formal complaints
 - Receive direction and advise from legal counsel
- Question: how much information is required?



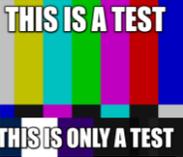
12

Slide 16

TEST 1: DOES THIS MOTION COMPLY?

Mr. CHAIR, I move we go into executive session to discuss an individual employee's performance under the non-elected personnel exception under KOMA and return to Open session at 8:30 p.m.

-- Yes



Slide 17

TEST 2: DOES THIS MOTION COMPLY?

Mr. CHAIR, I move we go into executive session to discuss potential litigation with our legal counsel and return to open session at 8:30 p.m.

-- No

-- Does not state KOMA justification.

- "under the KOMA exception for matters deemed privileged in the attorney-client relationship"



Slide 18

CONFIDENTIALITY

- Commission members—and anyone invited to executive session—must not disclose matters discussed in the session to anyone.
- Executive session under KOMA exists to protect either a public interest or the privacy interest of a particular individual.
- Any improper disclosure erodes public trust.



Slide 19

CONFIDENTIALITY

- Where individual privacy rights are involved, such as confidential employee information, a commission member's discussion outside of executive session may result in the violation of the individual's privacy right.
- Likewise, sharing an attorney-client privileged discussion may end up damaging a litigation position or waiving the attorney-client privilege, which belongs to the commission as a whole, not the individual commission member. Only commission members and staff may be present for executive session under justification of such discussions.
- The immunity that protects commission members from liability for things in executive session would not cover the commission member for statements made outside of executive session.



Slide 20

QUESTIONS???

Phone: 1-785-296-4219

Brett Berry – brett.berry@ks.gov





GOVERNMENTAL ETHICS COMMISSION

<https://ethics.kansas.gov>

TO: Commission Members

FROM: Mark Skoglund, Executive Director

DATE: October 26, 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>
Amended October 25, 2021 Receipts & Expenditures Report			
Marcus Clark, Candidate and Treasurer Topeka City Council District 5	NA	30+	\$300
Amended January 10, 2022 Receipts & Expenditures Report			
Marcus Clark, Candidate and Treasurer Topeka City Council District 5	NA	30+	\$300
Kevin Makalous, Candidate and Treasurer Shawnee City Councilmember Ward 4	NA	30+	\$300
July 25, 2022 Receipts & Expenditures Report			
Christina Haswood, Candidate Coffee County Democratic Central Comm.	8/24/2022	16	\$160
Daniel Stillwell, Treasurer for Sam Stillwell	NA	17	\$170

Sami Turner, Treasurer for Christina Haswood	NA	16	\$160
Joshua White, Candidate and Treasurer Neosho County Commissioner District 1	NA	30+	\$300



GOVERNMENTAL ETHICS COMMISSION

<https://ethics.kansas.gov>

TO: Commission Members

FROM: Mark Skoglund, Executive Director

DATE: October 26, 2022

RE: Lobbyist Civil Penalty

The following individuals failed to file the required report by the due date for penalty free filing. K.S.A. 46-280 provides that a certified notice shall be sent to a lobbyist failing to file any required report, and that the lobbyist shall have 2 days from the day the notice was sent to file the report. After that date, the civil penalty is \$100 the first day and \$50 for each subsequent day up to a maximum of \$1000. The following individuals did not file in a timely manner:

<u>Name</u>	<u>Date Filed</u>	<u>Days Late</u>	<u>Amount</u>
September 10, 2022 Lobbyist Employment & Expenditures Report			
Katrina Abraham, Lobbyist Cerner Corporation	9/26/2022	10	\$550
Damien Gilbert, Lobbyist Gencur Svaty Public Affairs	NA	19+	\$1,000
Daniel Shafton, Lobbyist Kansas Norml, Inc.	NA	19+	\$1,000
George Hanna, Lobbyist Little Government Relations	9/30/2022	14	\$750
Ryan Reza, Lobbyist NAMI Kansas	NA	19+	\$1,000
Terrell Davis, Lobbyist Wichita Public Schools USD 259	9/26/2022	10	\$550

SANDLER REIFF

SANDLER REIFF LAMB
ROSENSTEIN & BIRKENSTOCK, P.C.

1090 Vermont Ave NW, Suite 750
Washington, DC 20005
www.sandlerreiff.com
T: 202-479-1111

September 29, 2022

Kansas Governmental Ethics Commission
c/o Mark Skoglund
Executive Director

By email to KGEC_Ethics@ks.gov

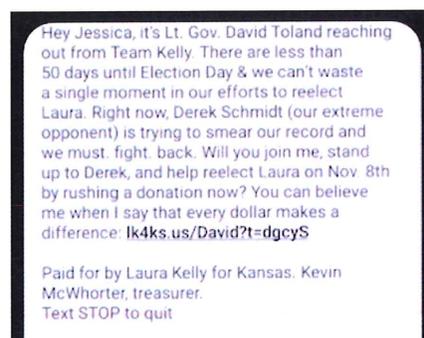
Mr. Skoglund:

My name is David Mitrani from the law firm Sandler Reiff Lamb Rosenstein & Birkenstock, P.C., our firm is counsel to Laura Kelly for Kansas, Governor Kelly's campaign committee in the upcoming November election.

We are in receipt of your letter dated September 21, 2022, regarding a text message that Laura Kelly for Kansas disseminated to her supporters. This text message was delivered to 8,001 individuals and cost the campaign \$320.04 to send. This was a small audience, solely for fundraising purposes.

While we recognize that this text message does not specifically match the disclaimer requirements in Kansas Stat. § 25-4156(b)(1)(C), as interpreted by Opinion No. 2020-03 – this text message clearly states that it was paid for by Laura Kelly for Kansas. A recipient of this message would not have any doubts about who paid for the message – especially since the message begins with “*Hey Jessica, it's Lt. Gov. David Toland reaching out from Team Kelly*”, and ends with the required disclaimer.

Separately, unlike a telephone call where an individual could hang up or disconnect before the disclaimer is read, a text message like the one at issue clearly displayed the required disclaimer as part of the original message received by all recipients, as shown in the attachment to the notice below:



Given that the disclaimer clearly appeared in the message itself, fulfilling the law's purpose to inform recipients of the entity responsible for the message – in addition to the small audience and low cost of the dissemination – we would request that the Commission exercise its discretion to waive any potential penalties related to this matter, and close the file.

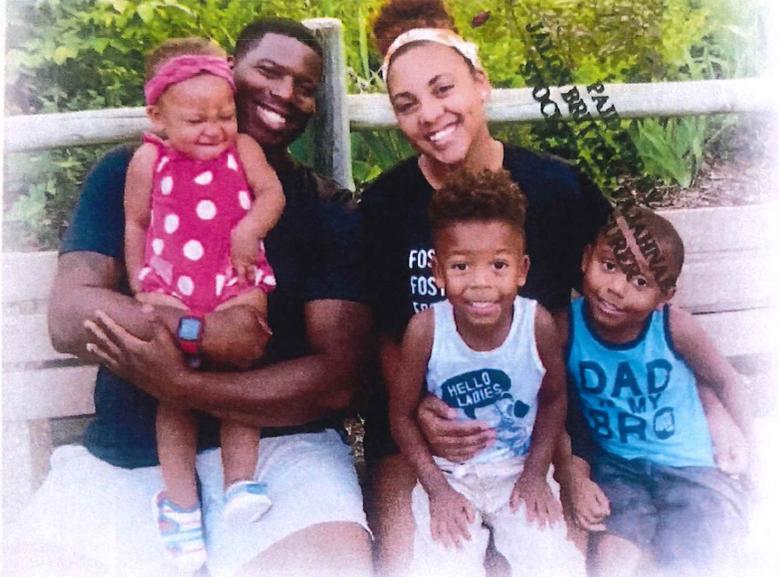
If there are any questions, I can be reached at mitrani@sandlerreiff.com.

Sincerely,

A handwritten signature in blue ink, appearing to be 'David Mitrani', with a long horizontal flourish extending to the right.

David Mitrani
Counsel to
Laura Kelly for Kansas

I am writing to inform you of an oversight mistake on a recent batch of walk cards. As soon as I was made aware of said mistake, I stopped handing them out. I have a bought a stamp age with my Attribution that will be attached to this email. If someone don't mind looking over it and confirming that this stamp age will work on the remaining literature that would be appreciated. Once again, I apologize for that error. Jalon Britton



PAID FOR BY
JALON BRITTON, TAJAehNAE
STOCKER TREASURER

I'm running to bring an energetic, young voice to the Kansas State house. The 85th District deserves better.

My goals, once elected, are to ensure that education is fully funded so teachers are supported continuously and that they have full autonomy to teach without interference from state government.

I fully intend to continue pressing for this urgent policy until it is passed. Without fully funded, stable schools, we compromise the foundation that builds our societies that has a ripple effect and will impact crime, health care, and even our population growth as parents choose to leave the state for better schools.

I came to this district and immediately noticed there was a lack of genuine leadership. Join me November 8th for a better Kansas.

PAID FOR BY JALON BRITTON, TAJAehNAE STOCKER TREASURER

VOTE NO AGAIN TO PATRICK PENN!! ON NOVEMBER 8TH.



*** WANTS TO TAKE AWAY WOMEN'S REPRODUCTIVE RIGHTS**

*** BIGGEST SUPPORTER OF VALUE THEM BOTH**

*** HELPED SPONSOR THE ABORTION AMENDMENT PUT ON THE AUGUST 2ND BALLOT**

*** VALUE THEM "BOTH" SUPPORTS INCEST, RAPE, AND DEATH DURING PREGNANCY.**



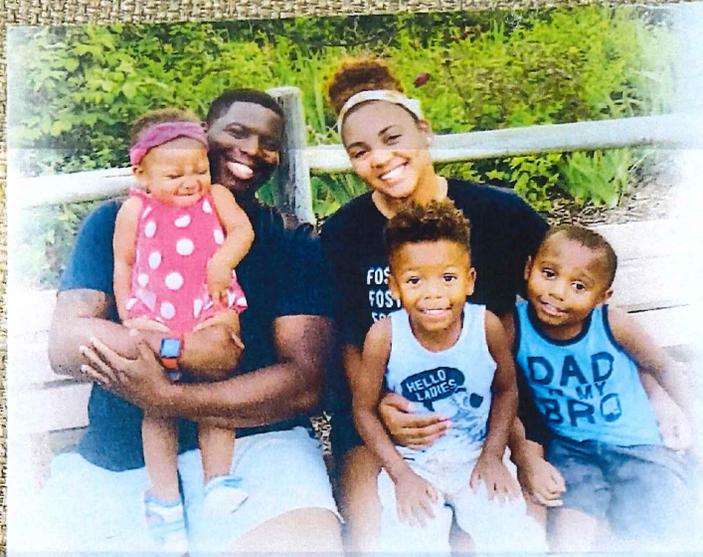
"WE'VE ALLOWED SHAME TO BE ASSOCIATED WITH A SAFE HEALTH PROCEDURE. LETS MAKE SURE REPRESENTIVES LIKE PENN ARE VOTED OUT.

***A VOTE FOR JALON BRITTON IS A WIN FOR BASIC HUMAN RIGHTS ON NOVEMBER 8TH.**

Leadership skills

-  Communication
-  Relationship Builder
-  Mentor and Coach
-  Bipartisan resolution





I'm running to bring an energetic, young voice to the Kansas State house. The 85th District deserves better.

My goals, once elected, are to ensure that education is fully funded so teachers are supported continuously and that they have full autonomy to teach without interference from state government.

I fully intend to continue pressing for this urgent policy until it is passed. Without fully funded, stable schools, we compromise the foundation that builds our societies. That has a ripple effect and will impact crime, health care, and even our population growth as parents choose to leave the state for better schools.

I came to this district and immediately noticed that there was a lack of genuine leadership. Join me November 8th for a better Kansas.



RECEIVED
OCT 06 2022
KS Governmental Ethics Commission

Governmental Ethics Commission
901 S. Kansas Avenue
Topeka, Kansas 66612

Yvonne Schneider
P.O. Box 576
Tribune, Kansas 67879
620-376-8990
October 3, 2022

To Whom It May Concern,

I recently received a letter informing me I have been fined \$300 for failure to file a Receipts and Expenditures Report for Greeley County.

I am at a loss as to why I should be responsible for this report. I have not been a precinct person since 2016. I was not the treasure for the committee. During the time Warren Kuttler (treasurer) and I were in office (2016) we received no donations (we had no way of receiving funds) and did not advertise for any candidates. We were not made aware of the fact that we were not required to register with the Governmental Ethics Commission, if we did not intend to accept any funds - which we did not intend to do. We thought we were being conscientious by registering.

Warren Kuttler has sent two letters informing you that he is no longer a precinct person and therefore is not the treasure as well.

Please remove me from any position of responsibility in your records regarding my previous tenure as a precinct person.

Sincerely,



Yvonne Schneider



SUNFLOWER ELECTRIC POWER CORPORATION

October 6, 2022

Via UPS

Mark Skogland
Executive Director
Kansas Government Ethics Commission
901 South Kansas Avenue
Topeka, Kansas 66612

RECEIVED
OCT 07 2022
KS Governmental Ethics Commission

Re: Request for Consideration
Waiver of Civil Penalty

Dear Director Skogland:

Sunflower Electric Power Corporation is in receipt of the Civil Penalty Assessment Order of \$300 assessed on behalf of Clare Gustin, Lobbyist. Sunflower acknowledges that the filing on behalf of Clare Gustin was delayed and corrected the oversight on September 21, 2022, the day we received a reminder notice.

Sunflower formally seeks a waiver of the civil penalty assessed for the following reasons:

- The lobbyist report was promptly filed as soon as the oversight was recognized
- The lobbyist reported zero dollars spent for the time period of June – August 2022
- Clare Gustin has an excellent track record of on-time filings
- Clare Gustin has officially retired from Sunflower Electric Power Corporation and the lack of reporting was due to an internal communication error following her retirement
- Corrective measures have been put in place to ensure this oversight does not happen again

For the reasons stated above, Sunflower respectfully asks for your consideration to waive the civil penalty of \$300 assessed on behalf of Clare Gustin, Lobbyist. Please accept this letter as our official request for consideration and we will not be present to address the Commission in person.

If you would like to discuss this request further, please contact Nikki Pfannenstiel at 7853.623.3334.

Respectfully,

Nicole M. Pfannenstiel
Manager, Member Services

Request To Waive Civil Penalty Fee

Arturo R Perez, Treasurer

Junction City Firefighters PAC 3309

1016 W 14th St

Junction City, KS 66441

RECEIVED

OCT 11 2022

KS Governmental Ethics Commission

Dear Governmental Ethics Commission,

I am writing this letter to kindly request that you waive the civil penalty assessed of \$300 for not filing the Receipts and Expenditures report in a timely manner under the following circumstances.

I have taken over as PAC treasurer this year and I am getting familiar with all the procedures and datelines presented by your Commission. I had received a letter to remind me to file it after the July 25th deadline, however, failed to do so thinking I was able to include it in the report due by Oct 31st. The second letter now I have received was informing me of the civil penalty assessed above. I have filed the appropriate forms, with the help of your office and will continued to do so in a timely manner now that I am more familiar with the deadlines and procedures. I hope you understand that it was an honest error and will ensure it does not happen again.

Sincerely,

Arturo Perez

State of Kansas
Govt. Ethics Commission
901 S. Kansas Ave.
Topeka, KS 66612

October 6, 2022

RECEIVED

OCT 11 2022

KS Governmental Ethics Commission

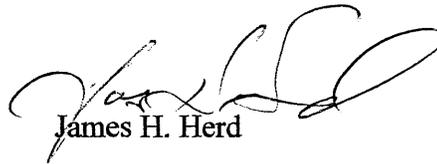
To whom it may concern:

I am resigning my position as Treasurer of the Comanche County Democratic Committee effective immediately. I received the position because I showed up at our last committee meeting 5 years ago. The recent penalty for failure to report is even more reason for me to resign. The P.O. Box 637, Coldwater, Kansas, is my personal mailing address. Do not use that address anymore.

Your letter dated September 29, 2022, indicates that I might ask the Commission to waive the \$300.00 penalty. I would ask that the penalty be waived. The Comanche County Democratic Central Committee is an inactive body. It has a bank account, but no officers, now that I resign. We have not had a contribution into the account since 2010. There are still Democrats out here, but they are not interested in a position within the committee.

If I am obligated to pay the penalty, let me know where to send it.

Respectfully submitted



James H. Herd

RECEIVED

OCT 18 2022

KS Governmental Ethics Commission

PO Box 301
Lebo, KS 66856

October 17, 2022

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

Dear Mr. Skoglund,

I received your letter on October 3, 2022, regarding my failure to submit the July 25, 2022, Receipts and Expenditures Report in a timely manner. I request that the civil penalty be waived. I have 2 reasons for this.

First, the letters about filing this report went to our former chairman, Christian Sykes, who has told me that he checks his mail infrequently. Christian emailed me in late July (I did not save the email) about this, and again on August 19, 2022, about getting more mail from your office. By that time I had mailed in the report.

Second, my 96 year old mother and I live together. On June 27 she fell, breaking her right wrist and right hip. She was in the hospital for a month for treatment and rehabilitation. When she was able to return home, I was her sole caregiver, which kept me very busy. I also provide support services for my 39 year old son, who lives in Lebo too, and is a paraplegic. He is single, does not drive, and relies on me for transportation, handling his personal affairs, etc. There is not another relative nearby to help with either my mother or my son.

These responsibilities occupied my time and thoughts for several weeks, resulting in my delay in filing the required report. I request that the Commission consider this at the next regularly scheduled Commission meeting, and grant the waiver. I so not want to appear in person.

If you have any questions, my email is jlewisks@yahoo.com, my phone is 620.366.9101.

Sincerely,



Janet Lewis

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

Mark Skoglund,)	
Executive Director)	
)	
)	Case No. 2022 CF 1
Matt Watkins,)	
Respondent)	
_____)	

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)	
)	
)	Case No. 2022 CF 2
Tobias Schlingensiepen,)	
Respondent)	
_____)	

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

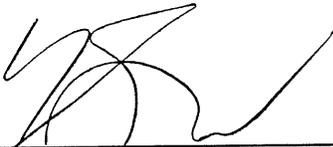
December 31, 2015, which failed to state the total of expenditures, to-wit: reported \$5.00 instead of \$24,340.78, in violation of K.S.A. 25-4148(b)(10).

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