



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20461

THIS IS THE END OF MUR # 893

Date Filmed 3/21/79 Camera No. --- 2

Cameraman bpc



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

March 6, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Larry Dunigan, President
Holiday Home Health Care Community -
1201 West Buena Vista Road
Evansville, Ind. 47710

RE: MUR 893

Dear Mr. Dunigan:

After considering the circumstances of this matter, the Commission has determined to take no further action against you and close its file in this matter.

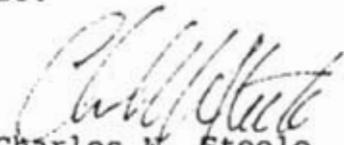
In taking this action, the Commission reminds you that a corporate contribution in connection with a Federal election is a violation of 2 U.S.C. §441b and that civil penalties may be assessed in such matters. In August, 1978, the Commission determined that even if such contributions are refunded, civil penalties would be assessed against violators after that date.

If you have any questions, please contact Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4058.

Sincerely,

William C. Oldaker
General Counsel

BY:


Charles N. Steele
Associate General Counsel



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Maxfield for Congress Committee)
Holiday Health Care)

MUR 893

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, certify that on March 1, 1979, the Commission determined by a vote of 6-0 to adopt the recommendation of the General Counsel to take no further action against Holiday Health Care, send the notification letter attached to the General Counsel's Report signed February 1, 1979, and close the file in this matter.

Attest:

3/2/79
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS *mwe by pc*
DATE: FEBRUARY 7, 1979
SUBJECT: OBJECTIONS - MUR 893 - General Counsel's
Report dated 1-29-79; Signed
2-1-79; Received in OCS 2-1-79,
3:53

The above-named document was circulated on a
48 hour vote basis at 3:00, February 2, 1979.

Commissioners Tiernan and Springer have submitted
objections to MUR 893 thereby placing the matter on the
Executive Session Agenda for February 15, 1979.

7901011797

February 1, 1979

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 893

Please have the attached General Counsel's Report on MUR 893 distributed to the Commission on a 48 hour tally basis.

Thank you.

79040111798

BEFORE THE FEDERAL ELECTION COMMISSION
January 29, 1979

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

79 FEB 1 P 3: 53

In the Matter of)
)
Maxfield for Congress Committee) MUR 893
Holiday Health Care)

GENERAL COUNSEL'S REPORT

BACKGROUND

A review of the 10 day pre-primary election report filed by the Maxfield for Congress Committee ("the Committee") revealed a \$250 contribution from Holiday Health Care, a corporation, in violation of 2 U.S.C. §441b(a).

EVIDENCE

The committee refunded the corporate contribution after receiving a surface violation notification on November 1, 1978. On January 10, 1979, the Commission voted to take no further action against the Committee based on the fact that it had received the contribution prior to August 1978 and had returned it. On that same date, the Commission found reason to believe that Holiday Health Care violated 2 U.S.C. §441b. The corporation responded by stating that the contribution was made without the knowledge that it was in violation of the Act.

ANALYSIS

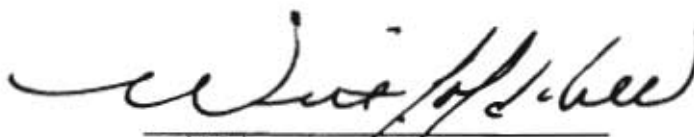
As set forth in 2 U.S.C. §441b, corporations are prohibited from making contributions in connection with federal elections. Due to the fact that the corporation has now been notified of the

provisions of §441b, the transaction took place prior to August, 1978, and the \$250 contribution has been refunded by the committee, it is recommended that no further action be taken against Holiday Health Care.

RECOMMENDATION

Take no further action against Holiday Health Care, send attached notification letter, and close file.

2/1/79
Date


William C. Oldaker
General Counsel

Attached

Notification letter



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Larry Dunigan, President
Holiday Home Health Care Community
1201 West Buena Vista Road
Evansville, Ind. 47710

RE: MUR 893

Dear Mr. Dunigan:

After considering the circumstances of this matter, the Commission has determined to take no further action against you and close its file in this matter.

In taking this action, the Commission reminds you that a corporate contribution in connection with a Federal election is a violation of 2 U.S.C. §441b and that civil penalties may be assessed in such matters. In August, 1978, the Commission determined that even if such contributions are refunded, civil penalties would be assessed against violators after that date.

If you have any questions, please contact Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4058.

Sincerely,

William C. Oldaker
General Counsel



CCM
9103

FEDERAL ELECTION COMMISSION

January 19, 1979

'79 JAN 22 PM 2:48

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

RE: MUR 893

Dear Mr. Oldaker:

In reply to your letter which suggests that we were in violation of ("the Act") 2 U.S.C., §441b (a), I submit the following response: After determining that Mr. Maxfield's views on many issues were harmonious with our views, it was determined that we would support this candidate for public office by contributing to his campaign. Without first checking with our attorney, I thought that up to \$1,000 was allowable for contribution by a corporation. Please know that this was an honest attempt to support a candidate and was in no way intended to break or circumvent any law. The ethics of this company would never allow for such a breach, either now or in the future, and certainly the \$250 contribution, even though comparatively quite small, was never expected to elicit any future favorable treatment, but rather, only to support a candidate with which we agreed.

I ask that you believe this was an honest mistake and that all information in this letter is complete and truthful.

Warmest personal regards,



Larry Dunigan, President
Holiday Home Health Care Community

LD/kb
cc. Morgan Maxfield

930000

1201 W. Buena Vista
Evansville, Indiana 47710

D



Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

C



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

January 12, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
Holiday Home Health Care
1201 West Buena Vista Road
Evansville, Indiana 47710

RE: MUR 893

Dear Sir or Madame:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that Holiday Home Health Care may have violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, it appears that your organization violated 2 U.S.C. §441b(a) by contributing \$250 in July, 1978 to the Maxfield for Congress Committee. Although we note that the Committee returned this contribution to you on November 13, 1978, the Act was violated when the contribution was originally made. We have numbered this matter MUR 893.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

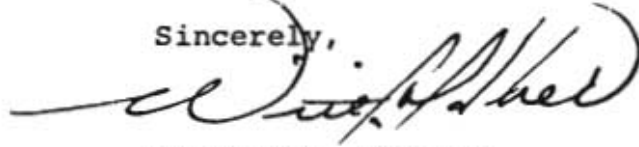
The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification.

If you have any questions, please contact Suzanne Callahan, the staff member assigned to this matter, at 202/523-4058.

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,



William C. Oldaker
General Counsel

MUR 853 - Callahan

PS Form 3811 Apr 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2 and 3. Add your address in the RETURN TO space on reverse.

1. The following service is requested (check one):

- ☐ Show to whom and date delivered
- ☒ Show to whom, date, and address of delivery
- ☐ RESTRICTED DELIVERY Show to whom and date delivered
- ☐ RESTRICTED DELIVERY Show to whom, date, and address of delivery \$ (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO
President - Holiday Home Health Care, 1201 West Bascom, Costa Mesa, Evansville, Ind. 47701

3. ARTICLE DESCRIPTION
REGISTERED NO. *943923* CERTIFIED NO. INSURED NO.

(Always obtain signature of addressee or agent)

I have received the article described above
SIGNATURE *[Signature]* ☐ Addressee ☐ Authorized agent

DATE OF DELIVERY *1-15-79*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

CLERK'S INITIALS

EVANSVILLE IN 67891

☆GPO 1977-0-249-596



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

January 12, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mrs. Ronald Clark, Treasurer
Maxfield for Congress Committee '78
Rural Route #3
Kansas City, Missouri 63161

Re: MUR 893

Dear Mrs. Clark:

On ~~December~~ ^{JANUARY 10}, 1978⁹, the Commission determined to take no further action against your committee in connection with your acceptance of a contribution from a corporation, Holiday Health Care, which violated 2 U.S.C. §441b(a). The Commission made this determination based on the fact that your committee refunded the illegal contribution on November 13, 1978; however, the Commission notified all candidates and committees in August, 1978, that in the future, the Commission would not only require that all corporate and labor contributions be refunded, but that civil penalties would be assessed against the contributor and recipient of such contributions.

Should you have any questions regarding this matter, please call Suzanne Callahan at (202) 523-4058.

Sincerely

William C. Oldaker
General Counsel

79040111803

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Maxfield for Congress)

MUR 893

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on January 10, 1979, the Commission determined by a vote of 5-0 to adopt the following recommendations, as set forth in the First General Counsel's dated January 8, 1979, regarding the above-captioned matter:

1. Take no further action against Maxfield for Congress Committee. Send the letter attached to the above-named report.
2. Find reason to believe that Holiday Health Care violated 2 U.S.C. §441b(a). Send the letter attached to the above-named report.

Voting for this determination were Commissioners Aikens, Springer, McGarry, Harris, and Thomson.

Attest:

1/10/79
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Received in Office of Commission Secretary: 1-8-79, 12:05
Circulated on 48 hour vote basis: 1-8-79, 3:00

January 8, 1979

MEMORANDUM TO: Marge Edmons
FROM: Elissa T. Carr
SUBJECT: MUR 893

Please have the attached First General Counsel's
Report on MUR 893 distributed to the Commission on a 48
hour tally basis.

Thank you.

79040111809

FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO COMMISSION

JAN 8 1979

MUR NO. 79 JAN 8 12:05
STAFF MEMBER(S) 893

Suzanne Callahan

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENT'S NAME: Maxfield for Congress

RELEVANT STATUTE: 2 U.S.C. §441b

INTERNAL REPORTS CHECKED: Maxfield for Congress

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

A review of the 10 day pre-primary election report filed by the Maxfield for Congress Committee ("the Committee") revealed a \$250 contribution from Holiday Health Care, a corporation, in violation of 2 U.S.C. §441b(a). The Committee was notified of the surface violation by Reports Analysis Division on November 1, 1978; the Committee submitted an adequate response on November 13th. The matter was referred to the Office of General Counsel from the Reports Analysis Division on December 7, 1978 (Attachment I).

LEGAL ANALYSIS

The Committee, in their November 13, 1978, letter, stated that the subject contribution was refunded on November 13, 1978 and attached a copy of the letter from the Committee to Holiday Health Care. Holiday Health Care has not yet been notified by the Commission of the violation.

The Commission, on July 26, 1978, discussed the subject of civil penalties in connection with violations of 2 U.S.C. §441b which prohibits corporate and labor contributions to federal campaigns. Based on the Commission's decision, all candidates and committees were notified in August, 1978, that in the future, the Commission would not only require that corporate and labor union contributions be refunded, but that civil penalties would be assessed against the contributor and recipient of such contributions. Due to the fact that this matter deals with a July, 1978, corporate contribution which has been refunded, it appears that no further action should be taken against the Committee; however, the Commission should find reason to believe that Holiday Health Care violated 2 U.S.C. §441b(a).

RECOMMENDATION

1. Take no further action against Maxfield for Congress Committee.
Send attached letter.
2. Find reason to believe that Holiday Health Care violated
2 U.S.C. §441b(a). Send attached letter.

Attachments

RAD Referral
Notification letters

7 2 0 0 1 0 1 1 8 1 3

REPORTS ANALYSIS REFERRAL SHEET

MUR 893

DATE December 7, 1978

ANALYST Susan Kaltenbaugh SK

TO: OGC

TEAM CHIEF Peter Kell, Jr. PKJ

THROUGH: STAFF DIRECTOR OGP

COMPLIANCE REVIEW Carroll Bowen CB

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS

CANDIDATE/COMMITTEE: MAXFIELD FOR CONGRESS (1978 COMMITTEE) MO/06

TREASURER: Mrs. Randall Clark

ADDRESS: Rural Route 13
 Kansas City North, Missouri 64161

AFFILIATE(S): Not pertinent to the allegation.

ALLEGATION(S):
 The Committee has received one corporate contribution totalling \$250.

CITE:
 2 U.S.C. 441b (a)

ATTACHMENT(S)
 II

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE:

8/28/78

ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment I.

PERIOD COVERED FROM 7/1/78 TO 7/24/78

TOTAL RECEIPTS \$ 23,163 TOTAL EXPENDITURES \$ 19,406.12

CASH ON HAND \$ 3951.18 DEBTS \$ 51,200

HISTORY:

RESULTS OF REVIEW:
 A first notice surface violation was sent to the Committee on 11/1/78, detailing the \$250 contribution from Holiday Home Health Care. This firm was incorporated on 7/22/75.

ATTACHMENT
 III

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

Not pertinent to the allegation.

REASON(S) FOR REFERRAL:
 An adequate response was certified on 11/13/78, in which the \$250 corporate contribution was acknowledged and refunded. This refund will be properly reported on the Year End report. This corporate contribution exceeds the Division threshold for review by OGC.

ATTACHMENT
 IV

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

Not pertinent to the allegation.

OTHER RELEVANT INFORMATION:

All amendments will be forwarded to OGC upon receipt by RAD.

Previous Referrals:
 None

FEDERAL ELECTION COMMISSION
1977-1978

DATE 30MAY78

CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
MAX FIELD, MORGAN	HOUSE	96 DEMOCRATIC PARTY			MISSOURI		1978 ELECTION	101 H5H006120	
1. STATEMENT OF CANDIDATE							10MAY78	1 70HSE/135/5255	✓
1978 STATEMENT OF CANDIDATE									
2. CANDIDATE REPORTS OF RECEIPT & EXPENDITURES							1JAN77 - 31MAR77	1 70HSE/121/5345	✓
1977 APRIL 10 QUARTERLY		3A - POSTCARD					1APR77 - 30JUN77	1 70HSE/124/1915	✓
JULY 10 QUARTERLY		3A - POSTCARD						2 TOTAL PAGES	
TOTAL			0	0	0	0			
3. PRINCIPAL CAMPAIGN COMMITTEE									
MAXFIELD FOR CONGRESS (1978 Committee)								101 C00055125	
1978 STATEMENT OF ORGANIZATION							5.FB.78	3 70HSE/140/0984	✓
STATEMENT OF ORGANIZATION - AMENDMENT							5.JUL78	4 70HSE/143/0107	✓
STATEMENT OF ORGANIZATION - AMENDMENT							31.JUL78	1 70HSE/143/0219	✓
STATEMENT OF ORGANIZATION - AMENDMENT							21.AUG78	3 70HSE/143/4513	✓
APRIL 10 QUARTERLY		3A - POSTCARD					1JAN78 - 31MAR78	1 70HSE/143/0980	✓
10 DAY PRE-PRIMARY			23,163		19,406		1JUL78 - 24JUL78	2 70HSE/143/0483	✓
REQUEST FOR ADDITIONAL INFORMATION								1 70HSE/094/4032	✓
10 DAY PRE-PRIMARY - AMENDMENT							1JUL78 - 24JUL78	2 70HSE/155/3340	✓
30 DAY POST-PRIMARY			30,273		33,792		25.JUL78 - 28AUG78	9 70HSE/145/3581	✓
JULY 10 QUARTERLY			41,835		41,640		1MAY78 - 30JUN78	7 70HSE/142/0548	✓
OCTOBER 10 QUARTERLY			8,597		7,985		29AUG78 - 30SEP78	6 70HSE/149/3951	✓
TOTAL			103,868	0	102,823	0		45 TOTAL PAGES	
4. AUTHORIZED COMMITTEES									
MAXFIELD FOR CONGRESS (1976 Committee)								101 C00036640	
1978 REQUEST FOR ADDITIONAL INFORMATION							14JUL78	2 70HSE/000/2977	✓
1977 APRIL 10 QUARTERLY		3A - POSTCARD						1 70HSE/122/0112	✓
JULY 10 QUARTERLY		3A - POSTCARD					1APR77 - 30JUN77	1 70HSE/124/1065	✓
YEAR END REPORT							1JAN77 - 31DEC77	2 70HSE/131/1965	✓
REQUEST FOR ADDITIONAL INFORMATION							1JAN77 - 31DEC77	3 70HSE/075/5555	✓
YEAR END REPORT - AMENDMENT			2,982		3,933		1JAN77 - 31DEC77	3 70HSE/140/0273	✓
YEAR END REPORT - AMENDMENT							1JAN77 - 31DEC77	1 70HSE/124/2375	✓
YEAR END REPORT - AMENDMENT			2,982		3,933		1JAN77 - 31DEC77	6 70HSE/145/0094	✓
REQUEST FOR ADDITIONAL INFORMATION							1JAN77 - 31DEC77	1 70HSE/088/3937	✓
YEAR END REPORT - AMENDMENT							1JAN77 - 31DEC77	4 70HSE/150/4969	✓
1978 APRIL 10 QUARTERLY		3A - POSTCARD						1 70HSE/133/0280	✓
5. OTHER SUPPORTING DOCUMENTS									
			CONTRIBUTIONS TO		EXPENDITURES				
TOTAL FOR PART 5			0	0	0	0		0 TOTAL PAGES	
6. 434E/ INDEPENDENT			INDEPENDENT CONTRIBUTIONS		INDEPENDENT EXPENDITURES				
7. 434E/ DELEGATE			DELEGATE CONTRIBUTIONS		DELEGATE EXPENDITURES				
8. COMMUNICATIONS			CONTRIBUTIONS TO		EXPENDITURES ON BEHALF OF				

all reports reviewed.

Attachment I

ITEMIZED RECEIPTS

(Contributions, Transfers, Contribution In-Kind,
Other Income, Loans, Refunds)

Supporting Lines 14a, 15a, 15b, 15c, 16a, 17a, and/or 18a
of FEC FORM 3

Attachment II

Page 3 of 4 for

Line Number 14a

(Use Separate Schedules for
each numbered line)

Contributor Name, Mailing Address and ZIP Code
FIELD FOR CONGRESS

<p>Contributor Name, Mailing Address and ZIP Code Mrs. E. Kemper Carter Marshall Plaza 110 W. 49th St. Kansas City, MO 64112</p> <p>Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other</p>	<p>Principal Place of Business Occupation investor</p> <p><input checked="" type="checkbox"/> Check if Contributor is self-employed</p> <p>Aggregate Year-To-Date \$ 250</p>	<p>Date (month, day, year) 7-11-78</p>	<p>Amount of each Receipt this Period 250</p>
<p>Contributor Name, Mailing Address and ZIP Code R.L. Gibson 102 N. Belt Hwy St. Joseph, MO 64506</p> <p>Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other</p>	<p>Principal Place of Business retired</p> <p>Occupation <input type="checkbox"/> Check if Contributor is self-employed</p> <p>Aggregate Year-To-Date \$ 5</p>	<p>Date (month, day, year) 7-17-78</p>	<p>Amount of each Receipt this Period 5</p>
<p>Contributor Name, Mailing Address and ZIP Code J.D. Wrather 270 No. Cannon Dr. Beverly Hills, Cal. 90210</p> <p>Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other</p>	<p>Principal Place of Business Lassy Film Productions</p> <p>Occupation owner</p> <p><input type="checkbox"/> Check if Contributor is self-employed</p> <p>Aggregate Year-To-Date \$ 500</p>	<p>Date (month, day, year) 7-17-78</p>	<p>Amount of each Receipt this Period 500</p>
<p>Contributor Name, Mailing Address and ZIP Code Byrne Logan 7 Hawthorne Lane St. Joseph, MO 64505</p> <p>Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other</p>	<p>Principal Place of Business retired</p> <p>Occupation <input type="checkbox"/> Check if Contributor is self-employed</p> <p>Aggregate Year-To-Date \$ 50</p>	<p>Date (month, day, year) 7-17-78</p>	<p>Amount of each Receipt this Period 50</p>
<p>Contributor Name, Mailing Address and ZIP Code Holiday Home Health Care 1201 West Buena Vista Rd. Evansville, Indiana</p> <p>Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other</p>	<p>Principal Place of Business INC. 7/22/75</p> <p>Occupation <input type="checkbox"/> Check if Contributor is self-employed</p> <p>Aggregate Year-To-Date \$ 250</p>	<p>Date (month, day, year) 7-17-78</p>	<p>Amount of each Receipt this Period 250</p>
<p>Contributor Name, Mailing Address and ZIP Code R.C. & Maxine Clyne 403 W. 68th Kansas City, MO 64113</p> <p>Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other</p>	<p>Principal Place of Business Occupation <input type="checkbox"/> Check if Contributor is self-employed</p> <p>Aggregate Year-To-Date \$ 10</p>	<p>Date (month, day, year) 7-17-78</p>	<p>Amount of each Receipt this Period 10</p>
<p>Contributor Name, Mailing Address and ZIP Code John A. Kroh, Jr. 5735 Ward Parkway Kansas City, MO 64114</p> <p>Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other</p>	<p>Principal Place of Business Kroh Brothers Develop- ment Co.</p> <p>Occupation President</p> <p><input type="checkbox"/> Check if Contributor is self-employed</p> <p>Aggregate Year-To-Date \$ 100</p>	<p>Date (month, day, year) 7-17-78</p>	<p>Amount of each Receipt this Period 100</p>

TOTAL of receipts this page (optional)

\$ 1,165

TOTAL this period (last page this line number only)

\$



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

1 November 1978

Copy

Mrs. Ronald Clark, Treasurer
Maxfield for Congress Committee '78
Rural Route #3
Kansas City, Missouri 63161

Dear Mrs. Clark:

This letter is prompted by the Commission's interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended. During review of the 10 Day Pre-Primary Report of Receipts and Expenditures, we noticed an entry indicating that you may have accepted a contribution from a corporation. Corporate contributions are prohibited by the Act, unless the contribution is made by a separate segregated fund established by the corporation. A copy of that portion of your report is attached for your review and clarification.

The Commission recommends that if you have accepted a prohibited contribution that you return the full amount to the donor. The return of the contribution should be reported immediately by letter and should be reflected as a contribution refund on your next report of receipts and expenditures. If the identification of the source of this contribution is incomplete or incorrect on the original report, please submit a statement which would clarify this particular matter for the public record. You may do so by amending your original report by letter.

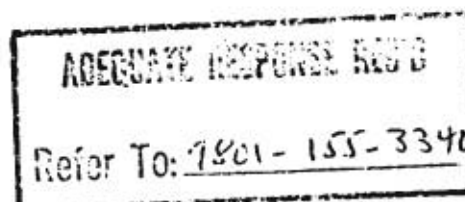
Please notify the Commission within fifteen (15) days from the date of this letter of the determination made on this matter. If you have any questions concerning this matter, please do not hesitate to contact Phillip Haward (800)424-9530, our Reports Analyst assigned to you. Our local telephone number is 523-4048.

Sincerely,

Orlando B. Potter

Orlando B. Potter
Staff Director

Enclosure
Certified Mail:
Return Receipt Requested





Attachment IV

Morgan Maxfield

for U.S. Congress

NOV 13 1978

November 13, 1978

Mr. Orlando B. Potter, Staff Director
Attention: Phillip Haward, Reports Analyst
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

082643

Re: 45V1/78-107PS

Dear Mr. Potter:

In response to your letter of November 1, we have determined that Holiday Home Health Care is indeed a corporation, and we have, therefore, refunded the full amount of \$250. A copy of the letter that accompanied the refund check is enclosed for your verification.

As per your instructions, this refund will be reported on our next report of receipts and expenditures as a contribution refund.

Thank you for your assistance in helping us comply with the regulations of the Federal Election Campaign Act.

Sincerely,

MAXFIELD FOR CONGRESS

Mrs. Randall Clark
Mrs. Randall Clark
Treasurer

Enclosure

cc: Mr. Morgan Maxfield
Rural Route 13
Kansas City North, Missouri 64161

CERTIFIED MAIL--RETURN RECEIPT REQUESTED

RECEIVED
OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES
1978 NOV 21 AM 11:35

1
8
4
4
3
6
6
4
0
8
7



Morgan Maxfield

for U.S. Congress

Rural Route 13, Kansas City, Missouri 64161

November 13, 1978

Holiday Home Health Care
1201 West Buena Vista Road
Evansville, Indiana 47710

Gentlemen:

Enclosed please find our Check No. 170 in the amount of \$250.

Because we cannot accept contributions from a corporation unless the contribution is made from a specifically designated fund, and because we are unable to determine whether your contribution was made from such a fund, we are obliged by the Federal Election Campaign Act to refund your donation.

We thank you for your support in the election. Please feel free to call our office if you have any questions regarding the refund.

Sincerely yours,

MAXFIELD FOR CONGRESS

Mrs. Randall Clark
Mrs. Randall Clark
Treasurer

Enclosure

cc: Mr. Orlando B. Potter, Staff Director
Attention: Phillip Havard
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Mr. Morgan Maxfield
Rural Route 13
Kansas City North, Missouri 64161



MAXFIELD FOR CONGRESS
8901 N. WAYNE
KANSAS CITY, MISSOURI

November 13

NOV 13 1978

NO-247
1910

Holiday Home Health Care

\$ 250.00

Two hundred fifty and 00/100

COMMERCIAL BANK of Liberty



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
Holiday Home Health Care
1201 West Buena Vista Road
Evansville, Indiana 47710

RE: MUR 893

Dear Sir or Madame:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that Holiday Home Health Care may have violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, it appears that your organization violated 2 U.S.C. §441b(a) by contributing \$250 in July, 1978 to the Maxfield for Congress Committee. Although we note that the Committee returned this contribution to you on November 13, 1978, the Act was violated when the contribution was originally made. We have numbered this matter MUR 893.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification.

If you have any questions, please contact Suzanne Callahan, the staff member assigned to this matter, at 202/523-4058.

-2-

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker
General Counsel

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FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mrs. Ronald Clark, Treasurer
Maxfield for Congress Committee '78
Rural Route #3
Kansas City, Missouri 63161

Re: MUR 893

Dear Mrs. Clark:

On December , 1978, the Commission determined to take no further action against your committee in connection with your acceptance of a contribution from a corporation, Holiday Health Care, which violated 2 U.S.C. §441b(a). The Commission made this determination based on the fact that your committee refunded the illegal contribution on November 13, 1978; however, the Commission notified all candidates and committees in August, 1978, that in the future, the Commission would not only require that all corporate and labor contributions be refunded, but that civil penalties would be assessed against the contributor and recipient of such contributions.

Should you have any questions regarding this matter, please call Suzanne Callahan at (202) 523-4058.

Sincerely,

William C. Oldaker
General Counsel

REPORTS ANALYSIS REFERRAL SHEET

MUR 893

DATE December 7, 1978 ANALYST Susan Kaltenbaugh SK
TO: OGC TEAM CHIEF Peter Kell, Jr. PKJ
THROUGH: STAFF DIRECTOR OPB COMPLIANCE REVIEW Carroll Bowen CB
FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS

CANDIDATE/COMMITTEE: MAXFIELD FOR CONGRESS (1978 COMMITTEE) MO/06TREASURER: Mrs. Randall ClarkADDRESS: Rural Route 13
Kansas City North, Missouri 64161AFFILIATE(S): Not pertinent to the allegation.ALLEGATION(S):
The Committee has received one
corporate contribution totalling
\$250.CITE:
2 U.S.C. 441b (a)ATTACHMENT(S)
II

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE:

8/28/78

ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment I.

PERIOD COVERED FROM 7/1/78 TO 7/24/78TOTAL RECEIPTS \$ 23,163 TOTAL EXPENDITURES \$ 19,406.12CASH ON HAND \$ 3951.18 DEBTS \$ 51,200

HISTORY:

RESULTS OF REVIEW:

A first notice surface violation was sent to the Committee on 11/1/78, detailing the \$250 contribution from Holiday Home Health Care. This firm was incorporated on 7/22/75.

ATTACHMENT
III

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

Not pertinent to the allegation.

REASON(S) FOR REFERRAL:

An adequate response was certified on 11/13/78, in which the \$250 corporate contribution was acknowledged and refunded. This refund will be properly reported on the Year End report. This corporate contribution exceeds the Division threshold for review by OGC.

ATTACHMENT
IV

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

Not pertinent to the allegation.

OTHER RELEVANT INFORMATION:

All amendments will be forwarded to OGC upon receipt by RAD.

Previous Referrals:
None

FEDERAL ELECTION COMMISSION

1977-1978
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

DATE 30NOV78

PAGE 1

CANDIDATE COMMITTEE/DOCUMENT	OFFICE SOUGHT/ PARTY	RECEIPTS PRIMARY	GENERAL	EXPENDITURES PRIMARY	GENERAL	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
HOUSE OF DEMOCRATIC PARTY	MISSOURI					1979 ELECTION	104 H&H06120	
1. STATEMENT OF CANDIDATE 1978 STATEMENT OF CANDIDATE						10MAR78	1	7CHSE/135/5355 ✓
2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES 1977 APRIL TO QUARTERLY 3A - POSTCARD 3A - POSTCARD		0	0	0	0	1JAN77 - 31MAR77 1APR77 - 30JUN77	1	77HSE/121/5345 ✓ 1
3. PRINCIPAL CAMPAIGN COMMITTEE OFFICIAL FOR CONGRESS (1978 Committee)						104 C00095125	2	77HSE/124/1915 ✓ 2 TOTAL PAGES
1978 STATEMENT OF ORGANIZATION - AMENDMENT						5JUL78	3	78HSE/140/0984 ✓
STATEMENT OF ORGANIZATION - AMENDMENT						5JUL78	4	78HSE/143/0209 ✓
STATEMENT OF ORGANIZATION - AMENDMENT						31JUL78	1	78HSE/143/0249 ✓
STATEMENT OF ORGANIZATION - AMENDMENT						21AUG78	3	78HSE/143/4613 ✓
STATEMENT OF ORGANIZATION - AMENDMENT						1JAN78 - 31MAR78	1	78HSE/143/0980 ✓
20 DAY PRE-PRIMARY		23,163		19,406		1JUL78 - 24JUL78	9	78HSE/143/0983 ✓
20 DAY PRE-PRIMARY						1JUL78 - 24JUL78	1	78HSE/096/4036 ✓
20 DAY POST-PRIMARY		30,273		53,292		25JUL78 - 28AUG78	2	78HSE/155/2340 ✓
20 DAY POST-PRIMARY		41,835		41,640		1MAY78 - 30JUN78	9	78HSE/145/3681 ✓
20 DAY POST-PRIMARY		8,597		7,985		29AUG78 - 30SEP78	7	78HSE/142/0549 ✓
20 DAY POST-PRIMARY		103,868	0	102,823	0		6	78HSE/149/3951 ✓
46 TOTAL PAGES							46	
4. ATTORNEY-AT-LAW OFFICIAL FOR CONGRESS (1978 Committee)						104 C00036640	2	78HSE/080/2977 ✓
1978 APRIL TO QUARTERLY						14JUL78	1	77HSE/122/0112 ✓
1977 APRIL TO QUARTERLY						1APR77 - 30JUN77	1	77HSE/124/1065 ✓
20 DAY PRE-REPORT		2,982		3,432		1JAN77 - 31DEC77	2	78HSE/131/1965 ✓
20 DAY PRE-REPORT						1JAN77 - 31DEC77	3	78HSE/075/5535 ✓
20 DAY PRE-REPORT		2,902		3,933		1JAN77 - 31DEC77	3	78HSE/140/0273 ✓
20 DAY PRE-REPORT		2,982		3,933		1JAN77 - 31DEC77	1	78HSE/124/2275 ✓
20 DAY PRE-REPORT						1JAN77 - 31DEC77	6	78HSE/145/0094 ✓
20 DAY PRE-REPORT						1JAN77 - 31DEC77	1	78HSE/088/3932 ✓
20 DAY PRE-REPORT						1JAN77 - 31DEC77	4	78HSE/150/4960 ✓
46 TOTAL PAGES							1	78HSE/133/0280 ✓
5. OTHER SUPPORTING DOCUMENTS							0	TOTAL PAGES
TOTAL FOR PART 5		0	0	0	0		0	
6. 430C/ 100P/RENT								
7. 430C/ DELEGATE								
8. COMMUNICATIONS								

INDEPENDENT EXPENDITURES
DELEGATE EXPENDITURES
EXPENDITURES ON BEHALF OF

all reports reviewed

ITEMIZED RECEIPTS

(Contributions, Transfers, Contribution In-Kind,
Other Income, Loans, Refunds)

Supporting Lines 14a, 15a, 15b, 15c, 16a, 17a, and/or 18a
of FEC FORM 3

Attachment II

Page 3 of 4 for

Line Number 14a

(Use Separate Schedules for
each numbered line)

Candidate or Committee in Full
FIELD FOR CONGRESS

Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
Mrs. E. Kemper Carter Burnall Plaza 110 W. 49th St. Kansas City, MO 64112 Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Occupation investor <input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$ 250	7-11-78	250
R.L. Gibson 102 N. Belt Hwy St. Joseph, MO 64506 Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Occupation retired <input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$ 5	7-17-78	5
J.D. Wrather 270 No. Cannon Dr. Beverly Hills, Cal. 90210 Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Occupation Lassy Film Productions Owner <input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$ 500	7-17-78	500
Byrne Logan 7 Hawthorne Lane St. Joseph, MO 64505 Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Occupation retired <input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$ 50	7-17-78	50
Holiday Home Health Care 1261 West Buena Vista Rd. Evansville, Indiana Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Occupation inc. 7/22/75 <input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$ 250	7-17-78	250
R.C. & Maxine Clyne 403 W. 68th Kansas City, MO 64113 Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Occupation <input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$ 10	7-17-78	10
John A. Kroh, Jr. 5735 Ward Parkway Kansas City, MO 64114 Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Occupation Kroh Brothers Develop- ment Co. President <input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$ 100	7-17-78	100
TOTAL of receipts this page (optional)			\$1,165
TOTAL this report (last page this line number only)			\$



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

1 November 1978

Copy

Mrs. Ronald Clark, Treasurer
Maxfield for Congress Committee '78
Rural Route #3
Kansas City, Missouri 63161

Dear Mrs. Clark:

This letter is prompted by the Commission's interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended. During review of the 10 Day Pre-Primary Report of Receipts and Expenditures, we noticed an entry indicating that you may have accepted a contribution from a corporation. Corporate contributions are prohibited by the Act, unless the contribution is made by a separate segregated fund established by the corporation. A copy of that portion of your report is attached for your review and clarification.

The Commission recommends that if you have accepted a prohibited contribution that you return the full amount to the donor. The return of the contribution should be reported immediately by letter and should be reflected as a contribution refund on your next report of receipts and expenditures. If the identification of the source of this contribution is incomplete or incorrect on the original report, please submit a statement which would clarify this particular matter for the public record. You may do so by amending your original report by letter.

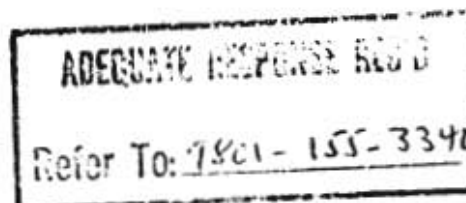
Please notify the Commission within fifteen (15) days from the date of this letter of the determination made on this matter. If you have any questions concerning this matter, please do not hesitate to contact Phillip Haward (800)424-9530, our Reports Analyst assigned to you. Our local telephone number is 523-4048.

Sincerely,

Orlando B. Potter

Orlando B. Potter
Staff Director

Enclosure
Certified Mail:
Return Receipt Requested





Attachment IV

Morgan Maxfield

for U.S. Congress

NOV 13 1978

November 13, 1978

Mr. Orlando B. Potter, Staff Director
Attention: Phillip Haward, Reports Analyst
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

082643

Re: 4SV1/78-107PS

Dear Mr. Potter:

In response to your letter of November 1, we have determined that Holiday Home Health Care is indeed a corporation, and we have, therefore, refunded the full amount of \$250. A copy of the letter that accompanied the refund check is enclosed for your verification.

As per your instructions, this refund will be reported on our next report of receipts and expenditures as a contribution refund.

Thank you for your assistance in helping us comply with the regulations of the Federal Election Campaign Act.

Sincerely,

MAXFIELD FOR CONGRESS

Mrs. Randall Clark

Mrs. Randall Clark
Treasurer

Enclosure

cc: Mr. Morgan Maxfield
Rural Route 13
Kansas City North, Missouri 64161

CERTIFIED MAIL--RETURN RECEIPT REQUESTED

RECEIVED
1978 NOV 21 AM 11:35
OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

89425501087



Morgan Maxfield

for U.S. Congress

Rural Route 13, Kansas City, Missouri 64161

November 13, 1978

Holiday Home Health Care
1201 West Buena Vista Road
Evansville, Indiana 47710

Gentlemen:

Enclosed please find our Check No. 170 in the amount of \$250.

Because we cannot accept contributions from a corporation unless the contribution is made from a specifically designated fund, and because we are unable to determine whether your contribution was made from such a fund, we are obliged by the Federal Election Campaign Act to refund your donation.

We thank you for your support in the election. Please feel free to call our office if you have any questions regarding the refund.

Sincerely yours,

MAXFIELD FOR CONGRESS

Mrs. Randall Clark
Mrs. Randall Clark
Treasurer

Enclosure

cc: Mr. Orlando B. Potter, Staff Director
Attention: Phillip Howard
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Mr. Morgan Maxfield
Rural Route 13
Kansas City North, Missouri 64161

MAXFIELD FOR CONGRESS 2901 N. WAYNE KANSAS CITY, MISSOURI		NOV 13 1978
Holiday Home Health Care		\$ 250.00
Two hundred fifty and 00/100		
COMMERCIAL BANK of Liberty		
Liberty, Missouri		



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20461

THIS IS THE BEGINNING OF MUR # 893

Date Filmed 3/21/79 Camera No. --- 2

Cameraman BPC