



# Election Integrity Violation Report

Nevada Secretary of State Ross Miller  
Election Integrity Task Force

To report an allegation of voter fraud to the Office of Secretary of State, please fill out this form and submit as instructed.

**Privacy Notice:** Information submitted to this office on this page will be used for official purposes only. Personal information is requested only to facilitate the processing of each report. Please note that when you submit your message online, we log your computer's IP address and other technical information that may be useful in assisting you. All complaints received will be kept confidential.

Title:  Mr.  Mrs.  Ms.  Miss  Dr.  Rev.

Last Name  First Name

Street Address

City  State  Zip Code

Phone:  Fax:  Email Address:

County:  Date Incident Occurred:  /  /  (mm/dd/yyyy)

Name of Polling Place:

Name, address and phone number of additional persons to contact concerning this complaint:

Heidi Gansert;  
Assemblyman, Pat Hickey;  
Senator Greg Brower

Explain the entire circumstances surrounding your complaint. Please be VERY specific and include ALL relevant information:

See attached letter.

This information may be submitted on our website or sent via fax, email and regular mail:

Nevada Secretary of State Ross Miller  
Election Integrity Task Force  
101 North Carson Street, Suite #3  
Carson City, NV 89701

Phone: 775-684-5705  
Fax: 775-684-5718  
Email: nvelect@sos.nv.gov  
Website: www.nvsos.gov

W. Chris Wicker  
1718 Evening Rock Court  
Reno, Nevada 89523

March 20, 2013

*Via Facsimile & Email – (775) 684-5718 & nvelect@sos.nv.gov*

Mr. Ross Miller  
Nevada Secretary of State  
101 North Carson Street, Suite 3  
Carson City, NV 89701

**Re: Campaign Practices Violation Report Pursuant to NRS 294A.410(2)**

Dear Secretary Miller:

I write pursuant to NRS 294A.410(2) regarding an apparent violation of Nevada statutes concerning campaign finance practices by former Assemblywoman Heidi Gansert. Ms. Gansert's term in the Nevada Legislature ended on November 3, 2010. She did not run for re-election no indication appears to exist in her required disclosure reports of her having received any campaign contributions after her term ended.

NRS 294A.160(6) states that:

Except as otherwise provided in subsection 7, every public officer who:

- (a) Holds a state, district, county, city or township office;
- (b) Does not run for reelection to that office and is not a candidate for any other office; and
- (c) Has contributions that are not spent or committed for expenditure remaining from a previous election,
  - shall, not later than the 15th day of the second month after the expiration of the public officer's term of office, dispose of those contributions in the manner provided in subsection 3.

Per subsection 3 of 294A.160, a public officer within the meaning of 294A.160(6), which Ms. Gansert certainly was, is required to dispose of unspent campaign contributions by January 15 of the succeeding year by one of the following methods:

- (a) Return the unspent money to contributors;

March 20, 2013

(b) Use the money in the candidate's next election or for the payment of other expenses related to public office or his or her campaign, regardless of whether he or she is a candidate for a different office in the candidate's next election;

(c) Contribute the money to:

(1) The campaigns of other candidates for public office or for the payment of debts related to their campaigns;

(2) A political party; or

(3) Any combination of persons or groups set forth in subparagraphs (1) and (2);

(d) Donate the money to any tax-exempt nonprofit entity; or

(e) Donate the money to any governmental entity or fund of this State or a political subdivision of this State. A candidate who donates money pursuant to this paragraph may request that the money be used for a specific purpose.

The provisions of subsection (b) would not have been available to Ms. Gansert under the circumstances, as she was no longer a candidate for any office, so she would have been limited to the options listed in subsections (a) and (c).

Ms. Gansert was required to dispose properly of her unspent campaign contributions no later January 15, 2011. In her campaign Contributions & Expenses report filed with the Secretary of State on January 8, 2012, Ms. Gansert reported that she did not dispose of any but \$400 prior to the deadline, and the vast portion of her campaign contributions—more than \$100,000.00—went undisposed until many months after the January deadline.

The lion's share of her unspent campaign monies, \$73,800.99, was contributed to Nevadans First PAC on October 18, 2011, more than 9 months past the deadline required by Nevada law for disposition of such funds by a public officer in Ms. Gansert's circumstances. Nevadans First (sometimes reported as "Nevadans 1st") was a registered Nevada committee for political action controlled exclusively by Ms. Gansert herself. The October 11, 2011, contribution of \$73,800.99 was, in fact, the only monetary contribution reported by that PAC on its 2011 C&E report.<sup>1</sup> Those monies were subsequently contributed by Nevadans First PAC to a slew of other PACs and candidates in the fall and winter of 2011, as detailed in the public reports made by Ms. Gansert's PAC—at least \$25,921.90 went to other committees for political action.

The violations of Nevada law inherent in this scheme are clear:

1) Ms. Gansert failed to dispose of her unspent campaign funds in the time allotted by state law;

---

<sup>1</sup> Nevadans First PAC now appears to have been de-listed by Ms. Gansert.

Ross Miller  
Nevada Secretary of State

March 20, 2013

2) When she did dispose of these unspent funds, she did so in a manner disallowed by law, as funding political action committees are not an option for disposition of funds under 294A.160(3).

To the extent, therefore, that Ms. Gansert's contributions to her own PAC many months after the legal deadline were violations of Nevada law, contributions by that PAC to any source, including other PACs, of those same funds likewise violate Nevada campaign finance law. Monies that should not have been available for contribution to PACs and candidates' campaign accounts in late 2011 were made available by the unlawful retention of those funds by Ms. Gansert and then by the funneling of such funds through her committee for political action. Those funds flowed to, among numerous others, Assembly Minority Leader Pat Hickey and Senator Greg Brower, for use in their own 2012 campaigns or for further shifting to candidates or PACs of their choosing.

If the law against violation of campaign practices mandated by Nevada state law means anything, the funds improperly retained, handled, and managed by Ms. Gansert should be identified and then required to be disposed of in an appropriate manner, and civil penalties should attach to the conduct of any actors who participated or benefitted from these campaign finance violations.

I urge your office to conduct an investigation into this matter, and to hold accountable the public officials involved. Thanks very much for your attention to this issue. Please feel free to contact this office with any questions or if I can be of service to you in your investigation.

Pursuant to NRS 294A.410(2)(d), I hereby certify that the foregoing is true to the best of my information and belief, the information included herein being available through records publicly available on websites maintained by the Secretary of State's Office.

Sincerely,



W. Chris Wicker

WCW/knw