STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

August 13, 2012

Francis Bell
John Longfield, Treasurer
Citizens for Good Government
12143 Fort Custer Drive
Galesburg, Michigan 49053

Dear Messrs. Bell and Longfield:

The Department of State (Department) received a formal complaint filed by Scott Arnett against Citizens for Good Government, alleging that you violated section 47(1) of the Michigan Campaign Finance Act (MCFA), 1976 PA 388, MCL 169.247(1), by failing to include a complete and correct identification statement on certain campaign signs. A copy of Mr. Arnett's complaint is provided as an enclosure with this letter.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), R 169.36(2). A knowing violation constitutes a misdemeanor offense punishable by a fine of up to $1,000.00, imprisonment for up to 93 days, or both. MCL 169.247(5).

In support of his complaint, Mr. Arnett provided a picture of a sign which states "BELL FOR SUPERVISOR CHARLESTON TOWNSHIP [.]" It appears that the paid for by statement on the sign omits your committee's address.

The purpose of this letter is to inform you of the Department's examination of these matters and your right to respond to the allegations before the Department proceeds further. It is important to understand that the Department is neither making this complaint nor accepting the allegations as true.

**If you wish to file a written response to this complaint, you are required to do so within 15 business days of the date of this letter. Please include any evidence that reflects any corrective measures you have taken to bring your campaign material into compliance with the MCFA.** Your response may include any written statement or additional documentary evidence you wish to submit. All materials must be sent to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918. If you fail to submit a response, the Department will render a decision based on the evidence furnished by the complainant.

A copy of your reply will be provided to Mr. Arnett, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all of the statements and materials

provided by the parties, the Department will determine whether "there may be reason to believe that a violation of [the MCFA] has occurred [.]" MCL 169.215(10). Note that the Department's enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement of the criminal penalty provided in section 47(5) of the Act.

If you have any questions concerning this matter, you may contact me at (517) 241-0395.

Sincerely,

Lori A Bourbonais

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Scott Arnett

# Michigan Department of State
# Campaign Finance Complaint Form

Reset Form

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (the MCFA, 1976 PA 388, as amended; MCL 169.201 *et seq.*).
**Please print or type all information.**

I allege that the MCFA was violated as follows:

**Section 1. Complainant**

| Your Name | Daytime Telephone Number |
|---|---|
| Scott Arnett | 269-373-1274 |
| **Mailing Address** | |
| 6617 Peyton Place | |
| **City** | **State** / **Zip** |
| Kalamazoo | MI / 49048 |

**Section 2. Alleged Violator**

| Name | |
|---|---|
| Citizens For Good Government & Treasurer John H Longfield | |
| **Mailing Address** | |
| 12143 Fort Custer Drive | |
| **City** | **State** / **Zip** |
| Galesburg | MI / 49053 |

2012 AUG -6 PM 12:27

BUREAU OF ELECTIONS
MI DEPT OF STATE

**Section 3. Alleged Violations** (Use additional sheet if more space is needed.)

**Section(s) of the MCFA violated:** 169.247 Sec 47

**Explain how those sections were violated:**

Printed materials do not have required disclosure.

**Evidence that supports those allegations** (attach copies of pertinent documents and other information):

Photo of yard sign enclosed.

**Section 4. Certification** (Required)

***I certify that to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this complaint is supported by evidence.***

X _____ August 6, 2012

Signature of Complainant — Date

**Section 5. Certification without Evidence** (Supplemental to Section 4)

**Section 15(6) of the MCFA (MCL 169.215) requires that the signed certification found in section 4 of this form be included in every complaint**. However, if, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence, you may also make the following certification:

***I certify that to the best of my knowledge, information, or belief, there are grounds to conclude that the following specifically identified factual contentions are likely to be supported by evidence after a reasonable opportunity for further inquiry. Those specific contentions are:***

Failure to include required disclosure on printed materials

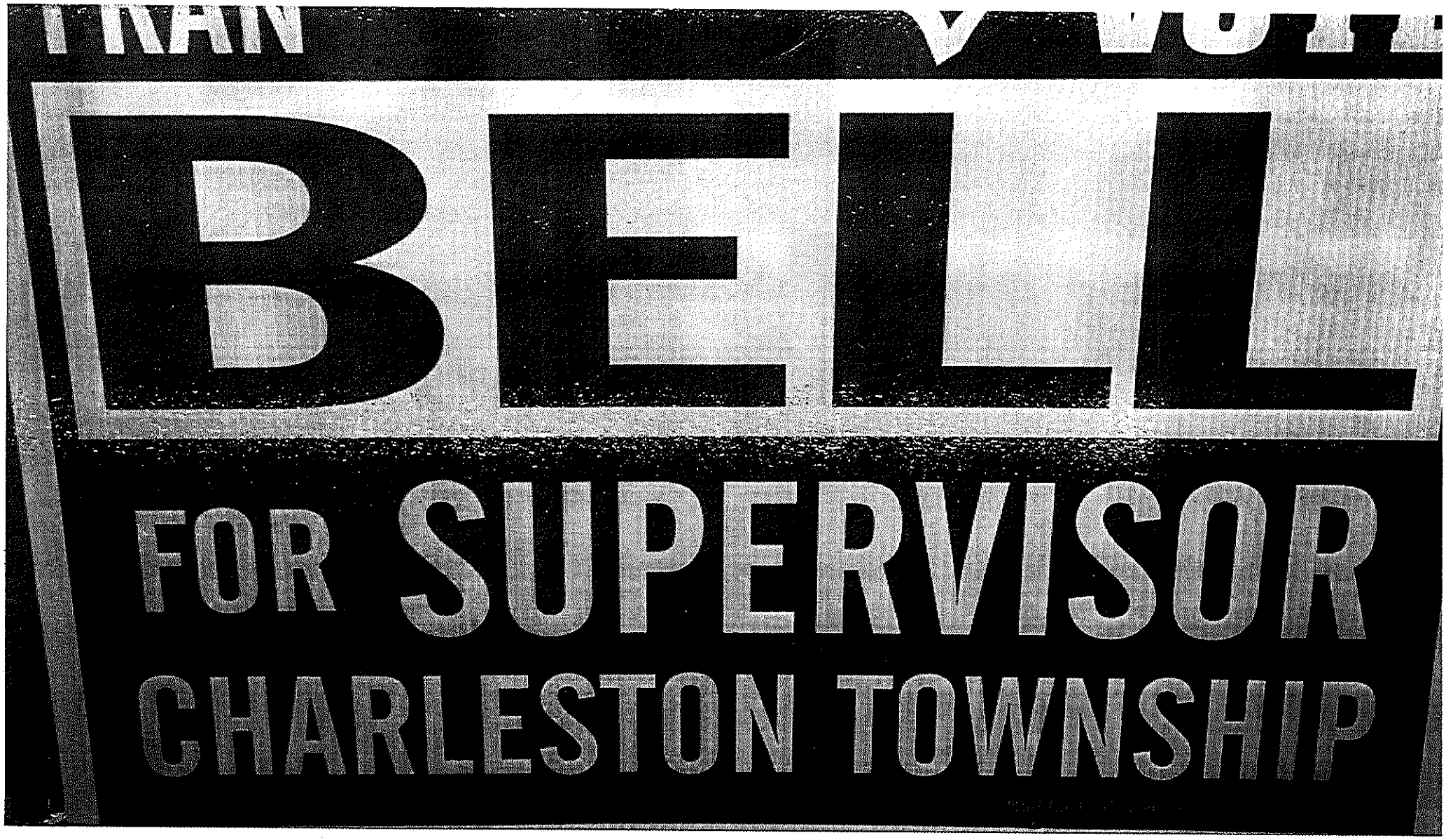
X _____ Aug 6, 2012

Signature of Complainant — Date

**Section 15(8) of the MCFA provides that a person who files a complaint with a false certification is responsible for a civil violation of the MCFA. The person may be required to pay a civil fine of up to $1,000.00 and some or all of the expenses incurred by the Michigan Department of State and the alleged violator as a direct result of the filing of the complaint.**

Mail or deliver the completed complaint form and evidence to the following address:

Michigan Department of State
Bureau of Elections
Richard H. Austin Building – 1st Floor
430 West Allegan Street
Lansing, Michigan 48918


BELL
FOR SUPERVISOR
CHARLESTON TOWNSHIP

## Bourbonais, Lori (MDOS)

**From:** Bourbonais, Lori (MDOS)
**Sent:** Tuesday, August 28, 2012 11:39 AM
**To:** 'charsupervisor@charlestontownship.org'
**Subject:** Notice of Complaint
**Attachments:** Arnett v Citizens for Good Government complaint.pdf; Arnett v Citizens for Good Government Notice of Complaint to Bell.doc

Mr. Bell,

I have attached a copy of the campaign finance complaint filed against you by Scott Arnett. It appears that I only sent the original notice to the address on Fort Custer because that was the only address supplied by the complainant. If you wish to file a written response you may reply by email to this email address or by regular mail to the address listed in the letter.

Sincerely,

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

August 28, 2012

Francis Bell
John Longfield, Treasurer
Citizens for Good Government
12143 Fort Custer Drive
Galesburg, Michigan 49053

Dear Messrs. Bell and Longfield:

The Department of State (Department) received a formal complaint filed by Scott Arnett against Citizens for Good Government, alleging that you violated section 47(1) of the Michigan Campaign Finance Act (MCFA), 1976 PA 388, MCL 169.247(1), by failing to include a complete and correct identification statement on certain campaign signs. A copy of Mr. Arnett's complaint is provided as an enclosure with this letter.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), R 169.36(2). A knowing violation constitutes a misdemeanor offense punishable by a fine of up to $1,000.00, imprisonment for up to 93 days, or both. MCL 169.247(5).

In support of his complaint, Mr. Arnett provided a picture of a sign which states "BELL FOR SUPERVISOR CHARLESTON TOWNSHIP [.]" It appears that the paid for by statement on the sign omits your committee's address.

The purpose of this letter is to inform you of the Department's examination of these matters and your right to respond to the allegations before the Department proceeds further. It is important to understand that the Department is neither making this complaint nor accepting the allegations as true.

**If you wish to file a written response to this complaint, you are required to do so within 15 business days of the date of this letter. Please include any evidence that reflects any corrective measures you have taken to bring your campaign material into compliance with the MCFA.** Your response may include any written statement or additional documentary evidence you wish to submit. All materials must be sent to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918. If you fail to submit a response, the Department will render a decision based on the evidence furnished by the complainant.

A copy of your reply will be provided to Mr. Arnett, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all of the statements and materials

provided by the parties, the Department will determine whether "there may be reason to believe that a violation of [the MCFA] has occurred [.]" MCL 169.215(10). Note that the Department's enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement of the criminal penalty provided in section 47(5) of the Act.

If you have any questions concerning this matter, you may contact me at (517) 241-0395.

Sincerely,

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Scott Arnett

STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

August 29, 2012

Scott Arnett
6617 Peyton Place
Kalamazoo, Michigan 49048

Dear Mr. Arnett:

The purpose of this letter is to inform you that the Department of State has granted an extension of time for an answer to Mr. Francis Bell regarding the complaint you filed against Citizens for Good Government, which concerns alleged violations of the Michigan Campaign Finance Act (MCFA or Act), 1976 P.A. 388, MCL 169.201 *et seq.*

Section 15(5) of the Act allows the Department to grant a 15 business-day extension for good cause. MCL 169.215(5). Mr. Bell did not receive the complaint from the Department until August 28, 2012, and the Department has concluded that good cause exists to extend the deadline for Mr. Bell to submit an answer. A copy of the email sent to Mr. Bell regarding the complaint is provided as an enclosure with this letter.

Sincerely,

Lori A Bourbonais

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

## Bourbonâis, Lori (MDOS)

**From:** Bourbonais, Lori (MDOS)

**Sent:** Tuesday, August 28, 2012 11:39 AM

**To:** 'charsupervisor@charlestontownship.org'

**Subject:** Notice of Complaint

**Attachments:** Arnett v Citizens for Good Government complaint.pdf; Arnett v Citizens for Good Government Notice of Complaint to Bell.doc

Mr. Bell,

I have attached a copy of the campaign finance complaint filed against you by Scott Arnett. It appears that I only sent the original notice to the address on Fort Custer because that was the only address supplied by the complainant. If you wish to file a written response you may reply by email to this email address or by regular mail to the address listed in the letter.

Sincerely,

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

September 18, 2012

Scott Arnett
6617 Peyton Place
Kalamazoo, Michigan 49048

Dear Mr. Arnett:

The Department of State received a response from Francis Bell and a response from Patsy Longfield to the complaint you filed against the Citizens for Good Government committee and John Longfield, which concerns alleged violations of the Michigan Campaign Finance Act (MCFA), 1976 P.A. 388, MCL 169.201 *et seq*. A copy of the response is provided as an enclosure with this letter.

Please note that the current Statement of Organization for the Citizens for Good Government committee lists James Whitehead as treasurer. After discussions with the county clerk, Mrs. Longfield, and Mr. Bell, the Department has determined that John Longfield is no longer the treasurer for the Citizens for Good Government committee and your complaint as it relates to Mr. Longfield is dismissed.

If you elect to file a rebuttal statement, you are required to send it within 10 business days of the date of this letter to the Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Francis Bell
Patsy Longfield

BUREAU OF ELECTIONS
MI DEPT OF STATE

2012 SEP 12 PM 4:53

September 8, 2012

Ms. Lori A. Bourbonais
Bureau of Elections
Richard H. Austin Building
430 W. Allegan, 1st Floor
Lansing, MI 48918

Dear Ms. Bourbonais,

I am writing in response to your August 28, 2012 letter regarding a complaint filed against my campaign committee, Citizens for Good Government, in the recent primary election. The independent committee was created on June 28, 2012 and filed on the appropriate form CFR103 with Kalamazoo County Clerk Timothy Snow.

This being my first personal experience with political campaign signs, I was aware there had to be identification of the finance source on the signs, but was not aware that an address had to be included. All of the information was provided on the Statement of Organization (CFR103) filed with the County Clerks office and readily available to any inquiry.

This was an innocent mistake on my part and not a "Knowing Violation" as referenced in your letter. I request that any possible penalties be waived for the unintentional mistake. Enclosed are copies of your August 28th letter, the CFR103 filing form and a photocopy of my campaign sign containing an address sticker, as you suggested, to correct the problem.

Sincerely,

Francis W. Bell

Francis W. Bell
14414 East L Avenue
P. O. Box 147
Galesburg, MI 49053

Encl. 3

MICHIGAN DEPARTMENT OF STATE
BUREAU OF ELECTIONS

# ORIGINAL OR AMENDED
# STATEMENT OF ORGANIZATION FORM FOR INDEPENDENT AND POLITICAL COMMITTEES (PAC'S)

1. Committee ID #:

2. Type of Filing:
☒ Original
☐ Amendment to Items: _____ Eff. Date: _____

3. Committee Type (Check one):
☒ **Independent:** We acknowledge that we must meet certain requirements before we are legally qualified to make contributions at a limit that is 10 times greater than the applicable contribution limit for an individual.

☐ **Political:** We acknowledge that we can never be legally qualified to make contributions at a limit that is greater than the applicable contribution limit for an individual.

4a. Full Name of Committee-Must include affiliate or sponsor:
CITIZENS FOR GOOD GOVERNMENT

4b. Acronym or Abbreviation (if any):

4c. Are you a Separate Segregated Fund (SSF)? ☐ YES ☐ NO

4d. If YES, the sponsor is a: ☐ Corporation ☐ Labor Organization ☐ D.D.S.

The sponsor's name is:

5a. Complete Comm. Mailing Address (May be PO Box):
11636 MILLER DR
GALESBURG, MI 49053

5b. Complete Comm. Street Address (May *not* be PO Box):
11636 MILLER DR
GALESBURG, MI 49053

6 Date Committee was Formed in MI: 6/28/12

7a. Committee Phone #: 269-665-7661

7b. Committee Fax #: —

7c. Committee E-mail Address: —

7d. Committee Website Address: _____

8. Treasurer Name and Complete Address:
JAMES WHITEHEAD
11636 MILLER DR
GALESBURG, MI 49053

Phone #: 269-665-7661

E-mail Address: jwhitehead@att.net

☐ OUT-OF-STATE COMMITTEE TREASURER IRREVOCABLE WRITTEN STIPULATION:
I stipulate and agree that any legal process affecting this committee served on the Secretary of State or an agent designated by the Secretary of State shall have the same effect as if personally served on me and all other principals of this committee. I further agree that this appointment shall remain in force as long as any liability of this committee remains outstanding within the State of Michigan.

9. Designated Record Keeper Name and Complete Address:
SAME AS TREAS.

Phone #: _____

E-mail Address: _____

10. ☒ **REPORTING WAIVER REQUEST:** If the committee does *not* expect to receive or expend in excess of $1,000 in a calendar year and checks this box; the filing requirement of pre, post, annual, triannual and quarterly campaign statements is waived. The Reporting Waiver will be automatically lost if the committee exceeds the $1,000 threshold.

11. Name and Address of Depositories or Intended Depositories of committee funds.

a. Official Depository

b. Secondary Depository

12. **ELECTRONIC FILING:** This item applies to committees that file with the Michigan Department of State Bureau of Elections only and does not apply to PAC's that file with the County Clerk's office.

The Campaign Finance Act requires any committee that files with the Secretary of State and spends or receives $20,000 in the preceding calendar year OR expects to spend or receive $20,000 in the current calendar year to file campaign statements electronically. Mertz Plus software is provided to you free of charge to assist you in meeting this requirement.

☐ Committee spent or received or expects to spend or receive in excess of $20,000 and is required to file electronically.

** OR **

☐ Committee did not spend or receive or does not expect to spend or receive in excess of $20,000 and would like to file electronically voluntarily.

13. **Verification:** I/We certify that all reasonable diligence was used in the preparation of the above statement and that the contents are true, accurate and complete to the best of my/our knowledge or belief. If filing electronically, we further agree that the signatures below shall serve as the signatures that verify the accuracy and completeness of each statement filed electronically by the committee. I/We certify that all reasonable diligence will be used in the preparation of each statement electronically filed by this committee and that the contents of each statement will be true, accurate and complete to the best of my/our knowledge or belief. **(Sign Name and Date below)**

James L. Whitehead — Current Treasurer — 6-28-2012 (Date)

James L. Whitehead — Designated Record Keeper (Required only if filing electronically) — 6-28-2012 (Date)

FRAN
✓VOTE
BELL
FOR SUPERVISOR
CHARLESTON TOWNSHIP
Paid for by Citizens for Good Government

STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

October 11, 2012

Francis Bell
Citizens for Good Government
12143 Fort Custer Drive
Galesburg, Michigan 49053

Dear Mr. Bell:

The Department of State (Department) has completed its investigation of a complaint filed against you by Scott Arnett, which alleged that you violated section 47(1) of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.247(1), by failing to include a complete and correct identification statement on your campaign signs. This letter concerns the disposition of Mr. Arnett's complaint.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), R 169.36(2). A knowing violation constitutes a misdemeanor offense punishable by a fine of up to $1,000.00, imprisonment for up to 93 days, or both. MCL 169.247(5).

The Act also requires the Department to "endeavor to correct the violation or prevent a further violation by using informal methods [,]" if it finds that "there may be reason to believe that a violation ... has occurred [.]" MCL 169.215(10). The objective of an informal resolution is "to correct the violation or prevent a further violation [.]" Id.

The complaint was filed by Mr. Arnett on August 6, 2012, and you filed a written response on September 12, 2012. Mr. Arnett did not file a rebuttal statement.

Mr. Arnett alleged that your "[p]rinted materials do not have required disclosure." Mr. Arnett provided as evidence a picture of a campaign sign which states "FRAN BELL FOR SUPERVISOR CHARLESTON TOWNSHIP [.]" It appears that the paid-for-by statement on the sign omits your committee's address.

In response, you filed a letter which stated that "being [your] first personal experience with political campaign signs, [you] were aware there had to be identification of the finance source on the signs, but [were] not aware that an address had to be included." You also state that this was "an innocent mistake and not a '[k]nowing [v]iolation' [.]" You provided a picture of a sign to show that you added the committee's address to your signs.

While the Department believes that the evidence tends to show that your campaign material failed to contain a complete paid-for-by statement, section 15(10) of the MCFA requires the

Department to "endeavor to correct the violation or prevent a further violation by using informal methods such as a conference, conciliation, or persuasion [.]" The Department is satisfied that you took appropriate corrective measures to bring your campaign material into compliance with the MCFA.

Additionally, the Department is advising you that section 47(1) and R 169.36(2) require you to print a complete and accurate identification statement on all campaign materials, consisting of the phrase "paid for by" followed by the full name and address of your committee. Note that all printed materials that refer to an election or your candidacy produced in the future must include this identification statement.

Please be advised that this notice has served to remind you of your obligation under the Act to identify your printed matter, and may be used in future proceedings as evidence that tends to establish a knowing violation of the Act. A knowing violation is a misdemeanor offense and may merit referral to the Attorney General for enforcement action. MCL 169.247(5), 215(10).

The Department now considers this matter closed and will take no further action against you at this time.

Sincerely,

Lori Bourbonais
Bureau of Elections
Michigan Department of State

c: Scott Arnett