

October 27, 2016

Dale Twing 4700 West 64th Street Fremont, Michigan 49412

Dear Mr. Twing:

The Department of State (Department) received a formal complaint filed by Jamie Baker against you, 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 a campaign ad. A copy of the 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), Mich. Admin. 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(6).

In support of his complaint, Mr. Baker provided a copy of an ad in the October 9, 2016 edition of <u>HI-LITES SHOPPERS' GUIDE</u> which states, "RE-ELECT DALE TWING DRAIN COMMISSIONER [.]" The paid-for-by statement on this ad appears to omit 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 the complaint, you are required to do so within 15 business days of the date of this letter. 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. Baker, 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

Dale Twing October 27, 2016 Page 2

administrative hearing, or referring this matter to the Attorney General for enforcement of the criminal penalty provided in section 47(6) of the Act.

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

Singerely,

Lori A. Bourbonais Bureau of Elections

Michigan Department of State

c: Jamie Baker

Campaign Finance Complaint Form Michigan Department of State

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.). All information on the form must be provided along with an original signature and evidence. Please print or type all information.

Section 1. Complainant		
Your Name		Daytime Telephone Number
LAMIE R. BAKER		231-245-8776
Mailing Address		
9173 REDUCCO DR		
City	State	Zip
NEWAYGO	MI	49337
Section 2. Alleged Violator		
Name		
DALE TWING		
Mailing Address	2000	
4700 W. 64th STRE		
City	State	Zip
FREMONT	MI	49412
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	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	Signature of Complainant	10/11/2016 Date	
Sect	ion 5. Certification without Evidence (Supplemental to Section 4)	
under	[10] [11] [14] [14] [15] [15] [15] [15] [15] [15] [15] [15	omplaint. However, if, after a reasonable inquiry ify that certain factual contentions are supported certification:	
	I certify that to the best of my knowled grounds to conclude that the following contentions are likely to be supported opportunity for further inquiry. Those	g specifically identified factual by evidence after a reasonable	
	grounds to conclude that the following contentions are likely to be supported	g specifically identified factual by evidence after a reasonable	

Alleged violator as a direct result of the filing of the complaint.

Mail or deliver the completed complaint form with an original signature and evidence to the following

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

address:

INTRODUCING:



e are now a stocking dealer of rieties of Herse Feeds, Rabbit Pellets, Chicken Crumbles, and other Poultry Feeds!

JY 3. GET 1 FREE through October 15th!

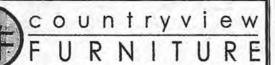


1	HEBPERIA	
SKEELS RD.	MEZ	PREMONT
3		

9490 E. Skeels Rd. Fremont (231) 924-1977

SALE: Reese 14 K fifth hitch, \$250 obo. Phone 54-5454.

WANTED: GOOD hunting land, 20-40 acres, buy or lease. No realtors. Call 231-349-9949.



Quality, Service, Good Prices Furniture for ALL YOUR NEEDS!

PHONE

HOURS: Mon., Tues.,

8888 200th Avenue

RE-ELECT





Proven, Experienced Leader

COMMITTED TO THE CITIZENS OF NEWAYGO COUNTY

Dale Twing's ACCOMPLISHMENTS

While in office are many. His Collaboration with government agencies, the private sector and townships have moved projects forward, including tire collection with hazardous waste cleanup, developing Dragon Trail at Hardy Pond, also bringing programs and workshops to the area for lake and stream improvement. He collaborated to enhance tourism by creating a staff position at Newaygo

County Welcome Center. He has proven to be FISCALLY RESPONSIBLE by implementing cost effective strategies such as downsizing his staff and still maintaining efficiency, also instituted a inter governmental mutual assistance agreement; and working closely with MDOT to keep costs down on large upcoming projects, all creating a savings to the taxpayer.

- QUALIFIED Department of Environmental Quality Drain Commissioner Certifications:
 Storm Water Management Soil Erosion and Sedimentation Control SESC and Hazardous Waste Clean-up Management . Graduate of Grand Valley State University.
- COMMUNITY INVOLVEMENT Dale Twing is a Board Member of Fremont Area Community
 Foundation, member of Newaygo County Farm Bureau and participates in Autism ASC Focus Group



VOTE TWING NOVEMBER 8TH

Paid for by the Committee to Re-Elect Dale Twing.





November 18, 2016

Jamie Baker 9173 Redwood Drive Newaygo, Michigan 49337

Dear Mr. Baker:

The Department of State received a response to the complaint you filed against Dale Twing, which concerns an alleged violation 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.

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: Dale Twing

TECETAENTELLED

I realized after the ad copy was emailed to the hi-lites that the required wording wasn't on the ad. I called the hi-lites and verbally requested to add the information, they inadvertently left the address off.

Dale Twing

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11-9-16

Campaign Finance Complaint Form
Michigan Department of State 16 PM 3: 21

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.). All information on the form must be provided along with an original signature and evidence. Please print or type all information.

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Your Name		Daytime Telephone Number
LAMIE R. BAKER		231-245-8776
Mailing Address		
9173 REDUDOD DR		
City	State	Zip
NEWAYGO	MI	49337
Section 2. Alleged Violator	《海潭縣 五军隐藏数	
Name DALE TWING		
Mailing Address	_	
4700 W. 64+ STREE	State	Zip
FREMONT	MI	49412
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Sect	ion 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	Signature of Complainant	10/11/2016 Date	
Sect	ion 5. Certification without Evidence (Supplemental to Section 4)	
section under	on 4 of this form be included in every co	lge, information, or belief, there are g specifically identified factual by evidence after a reasonable	
x_	Signature of Complainant	Date	
responto \$1,	nsible for a civil violation of the MCFA. T	on who files a complaint with a false certification is The person may be required to pay a civil fine of up urred by the Michigan Department of State and the the complaint.	
Mail o	ss:	an original signature and evidence to the following	

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

Revised: 01/16



December 29, 2016

Dale Twing 4700 West 64th Street Fremont, Michigan 49412

Dear Mr. Twing:

This letter concerns the complaint that was recently filed against you by Jamie Baker, which relates to a purported violation of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 et seq. The Department of State has received a rebuttal statement from the complainant, a copy of which is enclosed with this letter.

Section 15(10) of the MCFA, MCL 169.215(10), requires the Department to determine within 45 business days from the receipt of the rebuttal statement whether there is a reason to believe that a violation of the Act has occurred. Mr. Baker's complaint remains under investigation at this time. At the conclusion of the review, all parties will receive written notice of the outcome of the complaint.

Sincerely, La d. Benhanas

Lori A. Bourbonais Bureau of Elections

Michigan Department of State

c: Jamie Baker

To whom it may concern,

A rebuttal to Mr. Twings statement on why h is printed material did not have the correct identification statement. I can understand 1 ad posting that was incorrect. However, Mr. Twing had his ad posted 3 times with the incorrect identification statement. It was only corrected after he received your letter dated October 27, 2016. I find it highly unlikely that the Hi-lites would inadvertently leave the address off 2 additional times. As I have submitted my own ad to be posted in the same paper it was my responsibility to ensure the ad was correct. Mr. Twing also placed several posts on Facebook without the correct identification statement. I am sure that Mr. Twing received the same packet that I received when I decide to run for this position which clearly states how the Identification statement should read, as his sign shows. Please see attachments.

Attachment #1 Ad posted on 10/9/2016

Attachment #2 Ad posted on 10/23/2016

Attachment #3 Ad posted on 10/30/2016

Attachment #4 Correct ad posted on 11/2/2016

Attachment#5 Post on Facebook 10/16/2016

Attachment #6 Post on Facebook 10/26/2016

Attachment #7 Picture of sign with correct identification statement

Jamie Baker

HI-LITES, OCTOBER 9, 2016. 924-0630 PAGE 11

INTRODUCING:



le are now a stocking dealer of arieties of Horse Feeds, Rabbit Pellets, Chicken Crumbles, and other Poultry Feeds!

UY 3. GET 1 FREE through October 15th!





9490 E. Skeels Rd. Fremont (231) 924-1977

t SALE: Reese 14 K fifth el hitch, \$250 obo. Phone 854-5454. WANTED: GOOD hunting land, 20-40 acres, buy or lease. No realtors. Call 231-349-9949.



Quality, Service, Good Prices Furniture for ALL YOUR NEEDS!

PHONE

HOURS: Mon., Tues.,

8888 200th Avenue

RE-ELECT





Proven, Experienced Leader

COMMITTED TO THE CITIZENS OF NEWAYGO COUNTY

Dale Twing's ACCOMPLISHMENTS

While in office are many. His Collaboration with government agencies, the private sector and townships have moved projects forward, including tire collection with hazardous waste cleanup, developing Dragon Trail at Hardy Pond, also bringing programs and workshops to the area for lake and stream improvement. He collaborated to enhance tourism by creating a staff position at Newaygo

County Welcome Center. He has proven to be FISCALLY RESPONSIBLE by implementing cost effective strategies such as downsizing his staff and still maintaining efficiency, also instituted a inter governmental mutual assistance agreement, and working closely with MDOT to keep costs down on large upcoming projects, all creating a savings to the taxpayer.

- QUALIFIED Department of Environmental Quality Drain Commissioner Certifications:
 Storm Water Management Soil Erosion and Sedimentation Control SESC and Hazardous Waste Clean-up Management . Graduate of Grand Valley State University.
- COMMUNITY INVOLVEMENT Dale Twing is a Board Member of Fremont Area Community
 Foundation, member of Newaygo County Farm Bureau and participates in Autism ASC Focus Group



VOTE TWING NOVEMBER 8TH

Paid for by the Committee to Re-Elect Dale Twing.



ATTACHMENT #1





Proven, Experienced Leader

COMMITTED TO THE CITIZENS OF NEWAYGO COUNTY

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DRAIN COMMISSIONER QUALIFICATIONS:

Department of Environmental Quality Certifications: Storm Water Management - Soil Erosion and Sedimentation Control SESC and Hazardous Waste Clean-up Management.

Graduate of Grand Valley State University.

COMMUNITY INVOLVEMENT Dale Twing is a Board Member of Fremont Area Community
Foundation, member of Newaygo County Farm Bureau and participates in Autism ASD Focus Group



VOTE TWING NOVEMBER 8TH

Paid for by the Committee to Re-Elect Dale Twing.

AHACHMENT#2

White Cloud, MI

LOOKING FOR YOUTH AGES 8 AND UP

Performance Date - Saturday, December 10th

om, Saturdays 10am-2pm.

LOTHING RESALE Shop at "HAVE NO anxiety at all, but olton Community Center, 8485 in everything, by prayer and olton Road. Winter coats \$3 or petition, with Thanksgiving, ss, sweaters & winter tops \$1.98 make your requests known to · less, all jeans \$1.98 or less, God. Then the peace of God that ng and short formals. Tuesdays surpasses all understanding will Jam-4pm, Thursdays 10am- guard your hearts and minds in Christ Jesus." Philippians 4:6-7.



RE-ELECT





Proven, Experienced Leader

COMMITTED TO THE CITIZENS OF NEWAYGO COUNTY

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VOTE T<u>WING NOVEMBER</u> 8TH

Paid for by the Committee to Re-Elect Dale Twing.





LARGE SELECTION **OF WINTER BOOTS** FOR MEN, WOMEN & CHILDREN

ALSO...CARHART JAKETS & BIBS

A little bit of everything store!

Howard City



COLDWELL BANKERD SCHMIDT REALTORS **Newaygo Office** 8 W. State Rd 231-250-1161



FAMILY LAW: Are you having legal issues with a divorce, child custody or child support? Call today for a free initial legal consultation. Emelander Law Firm, P.C., 31 Wood Street, Newaygo. 231-303-5005

COAL IN stock at Maple Ridge Woodstove. Premium Anthracite Coal, \$280 per ton. Check out our selection of wood, pellet, coal and gas stoves. Phone 231-821-9161. Email: thestoveguy@pcfreemail.com

MEAT PROCESSING

"We make beef jerky and beef sausage." Ma Do Our Oun Cmaking 1830 S. SLOCUM ROAD RAVENNA

CUSTOM BUTCHERING BEEF & PORK

HOURS: Mon.-Fri. 9-5:30: Sat. 9-noon (231) 853-6200



RE-ELECT DALE TWING

the Qualified Candidate for **NEWAYGO COUNTY DRAIN COMMISSIONER**

- Qualifications by Department of Environmental Quality: Storm Water Management, Soil Erosion and Sedimentation Control SESC and Hazardous Waste Clean-up Management.
- Grand Valley State University B.S. Endorsed by Cindy Bock Newaygo County Drain Commissioner 1992-2008

Strongly support Dale Twing for the position of Drain Commissioner. He has done an outstanding job in serving our County. I am speaking from experience, as I was in the Drain Office for 30 vears most of that as the Drain Commissioner. I know the job requires a variety of skills and management experience to get the job done.

Dale has shown to be very effective leader, with the right skill sets. I know he will continue to serve our County well, Dale is the Best Candidate!

For more information on accomplishments and community involvement VISIT Facebook Dale Twing for Newaygo County Drain Commissioner And thevotersguidemlive.com Newaygo County Drain Commissioner Paid for by committee to elect Dale Twing 4700 W 64th St. Fremont, Ml. 49412h

FIREWOOD FOR Sale: Cut. split and delivered, \$135/cord, 1 1/2 cord minimum. 231-924-4957.

SEAL COAT Solutions. Asphalt maintenance, pot hole repair. Free estimates. Commercial & residential, 231-408-4442.





RE-ELECT





Proven, Experienced Leader COMMITTED TO THE CITIZENS OF NEWAYGO COUNTY

Dale Twing's ACCOMPLISHMENTS while in office are many. His Collaboration with government agencies, the private sector and townships have moved projects forward, including tire collection with hazardous waste cleanup, developing Dragon Trail at Hardy Pond, also bringing programs and workshops to the area for lake and atream improvement. He collaborated to enhance tourism by creating a staff position at Newaygo County Welcome Center. He has proven to be FISCALLY RESPONSIBLE by implementing cost effective strategies such as downsizing his staff and still maintaining afficiency, also instituted a inter-governmental mutual assistance agreement, and working closely with MDOT to keep costs down on large upcoming projects, all creating a savings to the taxpayer.

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- . COMMUNITY INVOLVEMENT Dale Twing is a Board Member of Fremont Area Community Foundation, member of Newaygo County-Farm Bureau and participates in Autism ASD Focus Group

Dale Twing - Newaygo Watercooler

Would appreciate your vote so I can continue to serve Newaygo County in a positive way

to Like Comment A Share

Cindy Schomagel Bock and 16 others

Deb Marker Best wishes Dale I live in GA NOW Like Reply October 16 at 3.5 lpm

Buy and Self Groups Near You



Hess Lake Area Buy Sell Trade

0

Sponsored

Create Ad



You could win \$50K! CheetosMuseum.com What's turking in your Bag of Bones? Submit your Cheelos

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Proven, Experienced Leader COMMITTED TO THE CITIZENS OF NEWAYGO COUNTY

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Oale Twing Newaygo Watercooler Fallow October 26

Experience matters! Re-Elect a proven leader! would appreciate your support on Nov 8th

₼ Like Comment → Share

Cindy Schomagel Bock and 11 others

1 share

2 Comments



Sarah Pregitzer You bett Like Reply October 28 at 5 07pm





Write a comment.



People You May Know

See All



Joanne Gustwiller 24 Add Friend

Sponsored

Create Ad



Buy 1, get 1 later w/ Visa Checkout on PapaJohns com Lid quant TRCs.

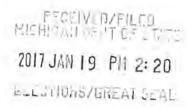


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DRAIN COMMISSIONER

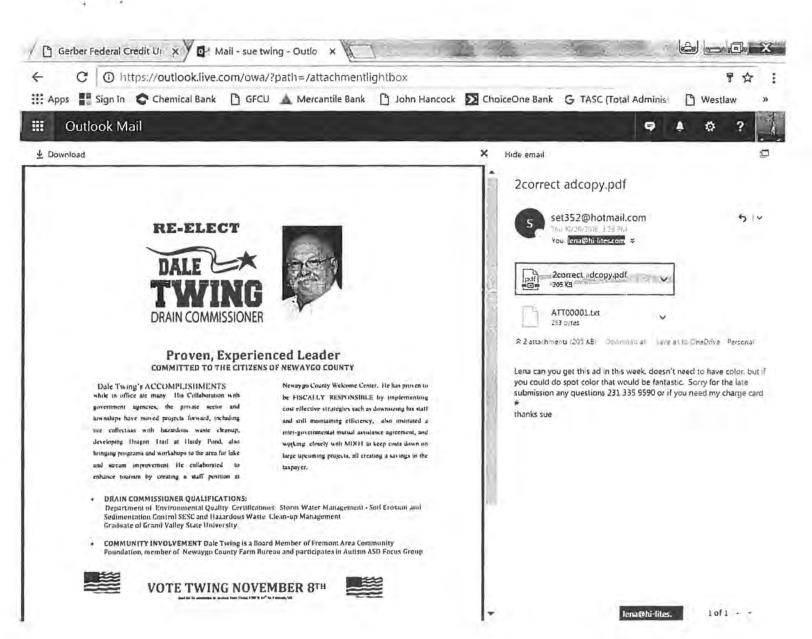
January 12, 2017



Dear Ms. Bourbonais,

Attached please find copies of emails and attachments to Lean Scoby of Hi-lites dated October 20, 2016 showing request to place the CORRECTED ad copy. The corrected copy shows the correct identification statement included in the ad. The hi-lites did not run my requested corrected ad copy but re-ran previous ad, which was NOT what I requested.

Dale E. Twing '





December 29, 2016

Dale Twing 4700 West 64th Street Fremont, Michigan 49412

Dear Mr. Twing:

This letter concerns the complaint that was recently filed against you by Jamie Baker, which relates to a purported violation of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 et seq. The Department of State has received a rebuttal statement from the complainant, a copy of which is enclosed with this letter.

Section 15(10) of the MCFA, MCL 169.215(10), requires the Department to determine within 45 business days from the receipt of the rebuttal statement whether there is a reason to believe that a violation of the Act has occurred. Mr. Baker's complaint remains under investigation at this time. At the conclusion of the review, all parties will receive written notice of the outcome of the complaint.

Sincerely,

Lori A. Bourbonais Bureau of Elections

Michigan Department of State

c: Jamie Baker



March 23, 2017

Dale Twing 700 West 64th Street Fremont, Michigan 49412

Dear Mr. Twing:

The Department of State (Department) has completed its investigation of the complaint filed against you by Jamie Baker, 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 certain campaign-related material. This letter concerns the disposition of Mr. Baker'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(6).

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.

Mr. Baker filed his complaint on October 14, 2016. You filed a written response on November 6, 2016, and Mr. Baker filed a rebuttal statement on November 29, 2016. You provided supplemental information to the Department on January 19, 2017.

Mr. Baker alleged that you failed to include your committee's address in the paid-for-by statement on your ad in a shoppers' guide. In support of his complaint, Mr. Baker provided a copy of an ad in the October 9, 2016 edition of the Hi-Lites Shoppers' Guide which states, "RE-ELECT DALE TWING DRAIN COMMISSIONER [.]" Your committee's address appeared to be omitted from the paid-for-by statement in the ad.

In your response you stated that the ad copy originally provided to the guide was missing a paidfor-by statement, and that you had verbally requested that the paid-for-by statement be added. You further stated that the guide "inadvertently left the address off." In your supplemental response, you provided a copy of an email to Hi-Lites which included ad copy that contained a complete and correct paid-for-by statement. Dale Twing March 23, 2017 Page 2

While the Department believes that the evidence tends to show that your advertisement failed to contain a complete paid-for-by statement and a technical violation of the Act occurred, 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 measures to bring your future material into compliance with the Act.

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(6), 215(10).

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

Sincerely,

Lori A. Bourbonais Bureau of Elections

Michigan Department of State

c: Jamie Baker