



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

July 28, 2016

Neil Ahrens
5200 West Lake Street
Harbor Springs, Michigan 49740

Dear Mr. Ahrens:

The Department of State (Department) received a formal complaint filed by Larry Cassidy 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 your campaign signs. 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. Cassidy provided a picture of a sign which states, "AHRENS County Commissioner August 2/District 2 [.]". There does not appear to be a paid-for-by statement on the sign.

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. 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.

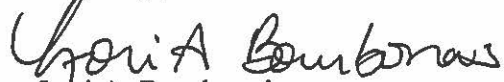
A copy of your reply will be provided to Mr. Cassidy, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all of the statements and materials provided by the parties, the Department will determine whether "there may be reason to believe that a violation of [the MCFA] has occurred [.]". MCL 169.215(10). Note that the Department's

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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(6) 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: Larry Cassidy

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.**

I allege that the MCFA was violated as follows:

Section 1. Complainant		
Your Name <i>LARRY CASSIDY</i>	Daytime Telephone Number <i>231. 347. 6656</i>	
Mailing Address <i>2362 RED SCHOOL RD</i>		
City <i>BRUTUS</i>	State <i>MI</i>	Zip <i>49716</i>

Section 2. Alleged Violator		
Name <i>NEIL AHRENS</i>		
Mailing Address <i>5200 W. LAKE ST</i>		
City <i>HARBOR SPRINGS</i>	State <i>MI</i>	Zip <i>49740</i>

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

Section(s) of the MCFA violated:

47

Explain how those sections were violated:

*NEIL Ahrens political signs do NOT include
The disclaimer of who paid for the signs.*

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

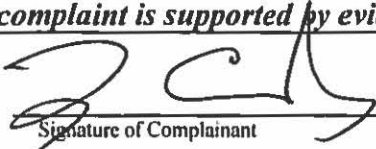
SEE ATTACHED photo of the signs.

RECEIVED/FILED
 MICHIGAN DEPT OF STATE
 ELECTIONS/GREAT SEAL
 2016 JUL 21 AM 9:51

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

7/13/2016
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:

X

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 with an **original signature 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

AHRENS

County

Commissioner

August 2 / District 2



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

August 9, 2016

Larry Cassidy
2362 Red School Road
Brutus, Michigan 49716

Dear Mr. Cassidy:

The Department of State received a response to the complaint you filed against Neil Ahrens, 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,

A handwritten signature in cursive script that reads "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Neil Ahrens

The Committee to Elect Neil W. Ahrens

5200 West Lake St.

Harbor Springs, MI

49740

231-881-6607 (Cell) 231-242-4076 (home)

2016 AUG -9 AM 10: 16

2016 AUG -9 AM 10: 16

8/3/16

Ms. Bourbonais,

Thanks for your letter of July 28th.

In reference to Mr. Cassidy's complaint, my campaign signs were corrected before you probably saw his completed complaint form on your desk. As a first time campaigner, I omitted the committee name.

I will not make that mistake again, but like I said - it was corrected quickly, and all signs are in compliance to my knowledge.

I appreciate this lesson in civic participation and elections, and in the future will strive to help educate others myself before involving the State.

Please contact me with any other requirements or questions you may have, attached is a picture of my corrected sign, and a compliance committee sticker that was applied to both sides of my 25 (in total) signs.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil W. Ahrens", followed by a horizontal line extending to the right.

Neil W. Ahrens

AHRENS

County

Commissioner

August 2 / District 2

Paid for by the Committee to
elect Neil W. Ahrens, 5200
West Lake St. Harbor Springs,
MI 49740

NEIL W. AHRENS
5200 WEST LAKE ST.
HARBOR SPRINGS, MI 49740
PH: 231-326-1111



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

November 22, 2016

Neil Ahrens
5200 West Lake Street
Harbor Springs, Michigan 49740

Dear Mr. Ahrens:

The Department of State (Department) has completed its investigation of the complaint filed against you by Larry Cassidy, 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. Cassidy'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. Cassidy filed his complaint on July 21, 2016, and you filed a written response on August 9, 2016. Mr. Cassidy did not file a rebuttal statement with the Department.

Mr. Cassidy alleged that you failed to include a paid-for-by statement on your campaign signs. In support of his complaint, Mr. Cassidy provided a picture of a sign which stated, "AHRENS County Commissioner [.]". There did not appear to be a paid-for-by statement on the sign.

In your response you stated that once the omission was brought to your attention you printed stickers with a complete and correct paid-for-by statement and affixed the stickers to each of your signs. You provided a copy of a picture of a sign with the sticker. It appears that the sign contained a complete and correct paid-for-by statement.

While the Department believes that the evidence tends to show that your campaign material failed to contain a 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

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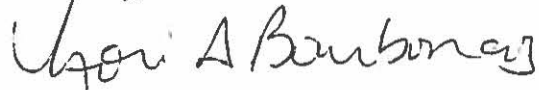
appropriate corrective measures to bring your campaign material into compliance with the MCFA.

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(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: Larry Cassidy