

MICHIGAN DEPARTMENT OF STATE

RICHARD H. AUSTIN

SECRETARY OF STATE

STATE TREASURY BUILDING



LANSING

MICHIGAN 48918

August 21, 1979

Mr. Michael Farrell, Chairman
Ingham County Democratic Party
Committee
Office of Senator William Faust
State Capitol
Lansing, Michigan

Dear Mr. Farrell:

This is in response to your inquiry regarding the applicability of the Campaign Finance Act ("the Act"), P.A. 388 of 1976, as amended, to the cost of a mailed newsletter supporting candidates for the Lansing Community College Board of Trustees.

You state the Ingham County Democratic Party Committee may support candidates for the Lansing Community College Board of Trustees by sending a newsletter to eligible voters. You inquire as to how the cost of this newsletter must be reported.

The proper method for reporting the cost of the newsletter is contingent on the manner of formulation and distribution of the newsletter. If the newsletter is printed or distributed with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or committee of such candidate, the cost of printing and distribution is an in-kind contribution made by the Ingham County Democratic Committee and must be reported as an expenditure on the Committee's regular reporting statements. The candidate committees of the candidates for the Lansing Community College Board of Trustees must also report their receipt as an in-kind contribution on their individual reporting forms.

If the cost of printing or distribution is not made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or committee of such candidate, the printing and mailing is an independent expenditure by the Ingham County Democratic Party Committee and must be reported as an independent expenditure on the regular reporting statements. However, in this latter situation, the candidate committees of the Lansing Community College Board of Trustees have nothing to report.

This response is informational only and does not constitute a declaratory ruling.

Very truly yours,

A handwritten signature in cursive script that reads "Phillip T. Frangos".

Phillip T. Frangos, Director
Office of Hearings & Legislation