

MICHIGAN DEPARTMENT OF STATE

RICHARD H. AUSTIN

SECRETARY OF STATE

STATE TREASURY BUILDING



LANSING  
MICHIGAN 4891

March 21, 1978

Honorable R. Robert Geake  
Michigan State Senate  
State Capitol  
Lansing, Michigan 48909

Dear Senator Geake:

This is in response to your letter in which you asked whether monies in an officeholder's expense fund, as provided in P.A. 388 of 1976 ("the Act"), may be used to purchase tickets to testimonial dinners and similar fund raising affairs of other candidates for political office.

Section 49 of the Act (MCLA § 169.249) enables an elected public official to establish an officeholder's expense fund. The fund may be used for expenses incidental to the person's office.

As you point out in your letter, it is an obligation for incumbent public officials to purchase tickets to the fundraising affairs of other candidates for political office. It may be observed that the expenditure of monies for this purpose by an officeholder is necessitated by, and therefore incidental to, the person's office. In enacting the language authorizing establishment of an officeholder's expense fund, the Legislature manifested its cognizance of this political tradition.

In requiring the recording and reporting of receipts to and disbursements from an officeholder's expense fund, Section 49(2) uses the term "expenditures." "Expenditure" is defined in Section 6 of the Act (MCLA § 169.206) as "a payment...in assistance of...the nomination or election of a candidate..." It may be concluded that tickets to testimonial dinners and similar fund raising affairs of other candidates may be purchased with monies from an officeholder's expense fund.

This response may be considered informational only and not as constituting a declaratory ruling.

Very truly yours,

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

Phillip T. Frangos, Director  
Office of Hearings and Legislation

PTF:pk