



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

May 2, 2013

Amanda Kaye, Treasurer  
Friends of Rashida Tlaib  
1031 Madison Street  
Birmingham, Michigan 48009

Dear Ms. Kaye:

The Department of State (Department) is writing to inform you of a complaint filed by Kim Jorns against the Friends of Rashida Tlaib Committee (Committee), which alleges that the Committee violated section 47(1) of the Michigan Campaign Finance Act (MCFA), 1976 PA 388, MCL 169.247(1), by failing to include an identification statement on a written fundraising solicitation. A copy of Ms. Jorns' complaint is provided as an enclosure with this letter.

The MCFA and corresponding administrative rules require a person who produces printed material that refers to a candidate 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 her complaint, Ms. Jorns provided a copy of a flyer which states "Please Join Representative Rashida Tlaib Appropriations – Democratic Vice Chair [f]or a breakfast reception" and "[p]lease make non-corporate checks payable to: Friends of Rashida Tlaib [.]". The flyer does not appear to contain any paid-for-by statement. The evidence presented by Ms. Jorns suggests that the Committee failed to include a complete identification statement on the fundraising solicitation in violation of section 47(1) of the MCFA.

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" if it determines that there may be a reason to believe that a violation of the Act has occurred. Pursuant to this authority 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 material that refers to Representative Tlaib's candidacy, consisting of the phrase "paid for by" followed by the full name and address of the committee. Note that all printed materials that refer to an election or her candidacy produced in the future must include this identification statement.

Please be advised that this notice has served to remind the Committee of its obligation under the Act to identify its 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).

Please note that Ms. Jorns' allegations regarding the possible corporate, labor union, or public body contributions have been dismissed without prejudice.

The Department now considers this matter closed and will take no further action against the Committee at this time. If you wish to contest the merits of Ms. Jorns' complaint, please notify the undersigned in writing.

Sincerely,

A handwritten signature in cursive script that reads "Lori A. Bourbonais". The signature is written in black ink and is positioned above the typed name.

Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State

c: Kim Jorns

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**Complaint Against:**

Friends of Rashida Tlaib  
Committee Identification Number: 513929  
P.O. Box 9380  
Detroit, MI 48209  
(313) 297-8800

Amanda Kaye, Treasurer  
1031 Madison Street  
Birmingham, MI 48009  
(313) 297-8800

**Complainant:**

Kim Jorns  
520 Seymour Street  
Lansing, MI 48933  
(517) 487-5413

**Dated:** April 24, 2013

Filed pursuant to MCL 169.215 and the Administrative Rules  
Michigan Department of State  
Legal and Regulatory Services Administration  
Treasury Building, 4th Floor  
430 W. Allegan  
Lansing, MI 48918

## COMPLAINT

Complainant Kim Jorns, whose address is 520 Seymour Street, Lansing, MI, 48933; telephone (517) 487-5413, declares to the Michigan Secretary of State the following:

### STATEMENT OF FACTS

1. The Friends of Rashida Tlaib is a candidate committee registered under the Michigan Campaign Finance Act ("MCFA").
2. Rashida Tlaib is a candidate for the State House of Representatives for the 6<sup>th</sup> House District.
3. According to the records of the Michigan Department of State, Amanda Kaye, whose address is 1031 Madison Street, Birmingham, MI 48009, is the Treasurer for the Friends of Rashida Tlaib.
4. Attached as **Exhibit 1** is a fundraising solicitation with checks made payable to the Friends of Rashida Tlaib.
5. At the bottom of the attached fundraising solicitation, it states: "Printed In-House. Labor Donated."
6. The attached fundraising solicitation does not indicate who paid for the fundraising solicitation or who paid for the fundraising event to be held on April 11, 2013.

### POSSIBLE ILLEGAL CORPORATE AND/OR LABOR UNION CONTRIBUTION

7. Section 54 of the MCFA (MCL 169.254) prohibits corporate or labor union contributions to the Friends of Rashida Tlaib.
8. Rule 35 of the Administrative Rules of the MCFA prevents the Respondent from receiving an illegal corporate contribution.
9. At the bottom of the attached fundraising solicitation to benefit the Friends of Rashida Tlaib (see **Exhibit 1**), it states: "Printed In-House. Labor Donated". In the event that this labor was donated by a corporation or a labor union, or the fundraising solicitation was printed in-house by a corporation or a labor union, then an illegal contribution to the Friends of Rashida Tlaib has occurred.

### POSSIBLE ILLEGAL PUBLIC BODY CONTRIBUTION

10. Section 57 of the MCFA (MCL 169.254) prohibits a public body from making a contribution to the Friends of Rashida Tlaib.

11. At the bottom of the attached fundraising solicitation to benefit the Friends of Rashida Tlaib (see **Exhibit 1**), it states: "Printed In-House. Labor Donated". In the event that this labor was donated by a public body, or the fundraising solicitation was printed in-house by a public body, then an illegal contribution to the Friends of Rashida Tlaib has occurred.

#### **FAILURE TO INCLUDE REQUIRED DISCLAIMER**

12. Section 47 of the MCFA (MCL 169.247) requires the Friends of Rashida Tlaib to include a disclaimer on printed matter, such as the attached fundraising solicitation (see **Exhibit 1**).
13. The attached fundraising solicitation (see **Exhibit 1**) lacks the disclaimer required pursuant to Section 47 of the MCFA.

#### **CONCLUSION**

14. Based on the foregoing, the Respondent may have violated MCL 169.254 by receiving illegal corporate or labor union contributions.
15. Based on the foregoing, the Respondent may have violated MCL 169.257 by receiving illegal public body contributions.
16. Based on the foregoing, the Respondent has violated MCL 169.247 by failing to include the required disclaimer on its printed matter.
17. Pursuant to MCL 169.254(4), each violation of this section is a felony and carries a maximum penalty for individuals of not more than a \$5,000 fine or imprisonment of not more than 3 years, or both, or if the person is not an individual, not more than a \$10,000 fine.
18. Pursuant to MCL 169.257(3), each violation of this section is a misdemeanor punishable, if the person is an individual, by a fine of not more than \$1,000, or imprisonment of not more than 1 year, or both, or if the person is not an individual, by one of the following, whichever is greater: (a) a fine of not more than \$20,000, or (b) a fine equal to the amount of the improper contribution or expenditure.
19. Pursuant to MCL 169.247(5), each violation of this section is a misdemeanor punishable by a fine of not more than \$1,000, or imprisonment of not more than 93 days, or both.

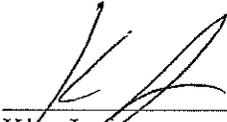
#### **REQUEST FOR ACTION BY THE SECRETARY OF STATE**

The Complainant requests that the Secretary of State immediately investigate these violations and determine as a matter of law that the Respondent has violated the MCFA and assess all

appropriate penalties for these violations. Further, the Complainant respectfully requests that the Secretary take all steps necessary to prevent future violations of the MCFA by the Respondent.

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

Respectfully submitted,



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Kim Johns

Dated: 4/24/13

# **EXHIBIT 1**

Please Join

# **Representative Rashida Tlaib**

**Appropriations – Democratic Vice Chair**

For a breakfast reception

**Thursday, April 11<sup>th</sup>, 2013  
8:00-9:30 a.m.**

at

## **Michigan Health & Hospital Association**

110 W. Michigan Avenue, Suite 1200  
Lansing, MI 48933

**Complimentary**

**Please make non-corporate checks payable to:**

*Friends of Rashida Tlaib*

*P.O. Box 9380*

*Detroit, MI 48209*

**R.S.V.P. to [rashida4rep@yahoo.com](mailto:rashida4rep@yahoo.com)**

Printed In-House. Labor Donated.



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

May 2, 2013

Kim Jorns  
520 Seymour Street  
Lansing, Michigan 49333

Dear Ms. Jorns:

The Department of State (Department) acknowledges receipt of the two complaints you recently filed pursuant to section 15(5) of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.215(5). The complaints are against Friends of Rashida Tlaib and the Committee to Elect Andrew J. Kandrevas (the Committees). This letter concerns the disposition of 2 of the allegations contained in each of your complaints.

The allegations concerned the possibility that the Committees accepted a contribution from either a corporation or labor union in violation of section 54 of the Act, or from a public body in violation of section 57 of the Act. The evidence that you provided in support of these allegations consisted of copies of fundraising solicitations printed by the Committees which stated either "Labor Donated \* Printed In-House" or "Printed In-House. Labor Donated [.]" You alleged that this labor may have been provided by, or the printing been done by, a corporation, labor union, or public body in contravention of the MCFA.

State law specifically requires that a complainant "shall identify all available evidentiary material," and it provides that the omission of evidentiary material is grounds for dismissal. Mich Admin Code R 169.52(2), 169.53. You did not provide any evidence that would support any conclusion as to who provided the labor or printing services. Based on the lack of evidence to substantiate your allegations, the Department is not authorized to pursue an investigation of these portions of your complaints at this time.

Therefore, these portions of your complaints are dismissed without prejudice, but may be resubmitted for the Department's consideration if you submit new signed complaints with all available evidentiary material that may assist the Department in its determination.

Sincerely,

Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State

c: Amanda Kaye  
James Golematis