



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

October 27, 2016

Robin Moore, Treasurer
Responsible Government Committee
42204 Hartford Court
Canton, Michigan 48187

Dear Ms. Moore:

The Department of State (Department) received a formal complaint filed by Geraldine Kilsdonk against the Responsible Government Committee (Committee), alleging the Committee violated the Michigan Campaign Finance Act (MCFA), 1976 PA 388, MCL 169.201 *et seq.* A copy of the complaint is provided as an enclosure with this letter.

The MCFA requires a person who produces a television ad that contains a reference to a candidate to bear a disclaimer indicating whether it was authorized by any candidate(s) by stating, "Not authorized by any candidate" or "Authorized by [name of candidate(s) or candidate committee(s)]." MCL 169.247(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 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 Ms. Kilsdonk, 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 administrative hearing, or referring this matter to the Attorney General for enforcement of the criminal penalty provided in section 47(6) of the Act.

Robin Moore, Treasurer
Responsible Government Committee
October 27, 2016
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If you have any questions concerning this matter, you may contact me at (517) 241-0395.

Sincerely,

A handwritten signature in black ink that reads "Lori A. Bourbonais". The signature is written in a cursive style with a large initial "L" and "A".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Geraldine Kilsdonk

Campaign Finance Complaint Form
Michigan Department of State

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2016 OCT -5 PM 3:04
ELECTIONS/GREAT SEAL

I allege that the MCFA was violated as follows:

Section 1. Complainant

Geraldine S. Kilsdonk
734-354-0840
375 Red Ryder Dr
Plymouth, MI 48170

Section 2. Alleged Violator

Moore Robin L
35951 Joy Road
Westland, MI 48185

Responsible Government Committee
42204 Hartford Court
Canton, MI 48187

Section 3. Alleged Violations

Section(s) of the MCFA violated: 169.247 Sec. 47(2)

Explain how those sections were violated:

A cable television campaign advertisement was broadcast on the night of Monday, September 26 on Fox News, during the Presidential Debate. This advertisement stated, "Canton. What a great place to live. Let's keep Canton a great place to live. Vote November 8th, Pat Williams for Township Supervisor, Linda Obrec for Township Clerk, Melissa McLaughlin for Township Treasurer, John Anthony, Geoffry Boltach, Darian Moore, and Tom Yack for Township Trustees." At the bottom of the page, the statement, "Paid for by Responsible Government Committee" was listed.

169.247 Sec. 47(2)(a)

If the television paid advertisement, which relates to numerous candidates, is an independent expenditure, the advertisement is required to contain the following disclaimer: "Not authorized by any candidate," but it did not have such a disclaimer.

Or, 169.247 Sec. 47(2)(b)

The advertisement used words and references in a communication that expressly advocated (or its functional equivalent) for the election of seven candidates. If the advertisement is not an independent expenditure but is paid for by a person other than the candidate to which it is related, the advertisement shall contain the following disclaimer: "Authorized by (name of candidate or name of candidate committee). No candidates provided this statement in the advertisement.

Continuing to blur the lines between whether it was an independent expenditure or not, four of the candidates expressly advocated for posted the video on the internet prior to it airing, claiming ownership of the advertisement.

1. Pat Williams posted the video to his Committee facebook page at 6:48 am with the statement "Canton Voters please consider this Team of dedicated professionals. Linda Obrec, Darian Moore for Canton Twp Trustee, Geoff Boltach for Trustee, Melissa McLaughlin 4 Canton Treasurer, John Anthony, and Tom Yack."
2. Geoff Boltach posted the video to his Committee facebook page at 7:38 am with the statement "Here is our tv ad scheduled to run during tonight's debate. Please consider voting for these great Republican candidates Nov. 8th. Pat Williams for Canton Township Supervisor, Linda Obrec, Darian Moore for Canton Twp Trustee, Melissa McLaughlin 4 Canton Treasurer, John Anthony, and Tom Yack."
3. Darian Moore then shared Geoff Boltach's post at 7:51 am with the statement "Take a look at our ad which will be running during tonights debate!"
4. Melissa McLaughlin posted the Video at 11:28 am to her Campaign facebook with the statement: "Canton voters, please consider Pat Williams for Supervisor, Linda Obrecfor Clerk, Re-elect Melissa McLaughlin for Treasurer; Tom Yack, John Anthony, Geoff Boltach and Darian Moore for our Trustees. All Proven Leaders, all committed to Canton's future, all committed to One Canton." This was also in the middle of a workday, while she was performing her duties as a fulltime employee of the township, campaigning. Your local government, is the government closest to the people. We are down the ballot, please look for us!"

Section 2 of the United States Code subsection 110.11(a)(2) clearly states that "All public communications...by any person that expressly advocate the election or defeat of a clearly identified candidate" must include disclaimers. Accordingly, 169.247 Section 47(2) of the Michigan Campaign Finance Act of 1976 requires that all television advertisements comply with Federal Communication Commission guidelines. This advertisement does not.

Evidence:

See the attached images of facebook posts and video

Section 4. Certification

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.

Geraldine S. Kilsdonk

Oct. 3, 2016

Signature of Complainant

Date

Section 5. Certification without Evidence

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:

Complaint Certifiable
Evidence Provided

Geraldine S. Kilsdonk

Oct. 3, 2016

Signature of Complainant

Date

Melissa McLaughlin
September 26 at 9:00pm · Canton · 🌐
<https://www.facebook.com/MelissaMcLaughlin4Treasurer/posts/205104346569368>



Canton Final

This is "Canton Final" by on Vimeo, the home for high quality videos and the people who love them.

VIMEO.COM | BY KEVIN KREIS

👍 Like 💬 Comment ➦ Share

Pat Williams for Canton Township Supervisor
September 26 at 6:48am · 🌐

Canton Voters please consider this Team of dedicated professionals
Linda Obrec, Darian Moore for Canton Twp Trustee, Geoff Boltach for Trustee, Melissa McLaughlin 4 Canton Treasurer, John Anthony, and Tom Yack



Canton Final

This is "Canton Final" by on Vimeo, the home for high quality videos and the people who love them.

VIMEO.COM | BY KEVIN KREIS

👍 Like 💬 Comment ➦ Share

Darian Moore for Canton Twp Trustee shared **Geoff Boltach for Trustee's** post
September 26 at 7:51am · 🌐

Take a look at our ad which will be running during tonight's debate!

Geoff Boltach for Trustee 👍 Like Page
September 26 at 7:38am · 🌐

Here is our tv ad scheduled to run during tonight's debate. Please consider voting for these great Republican candidates Nov. 8th
Pat Williams for Canton Town

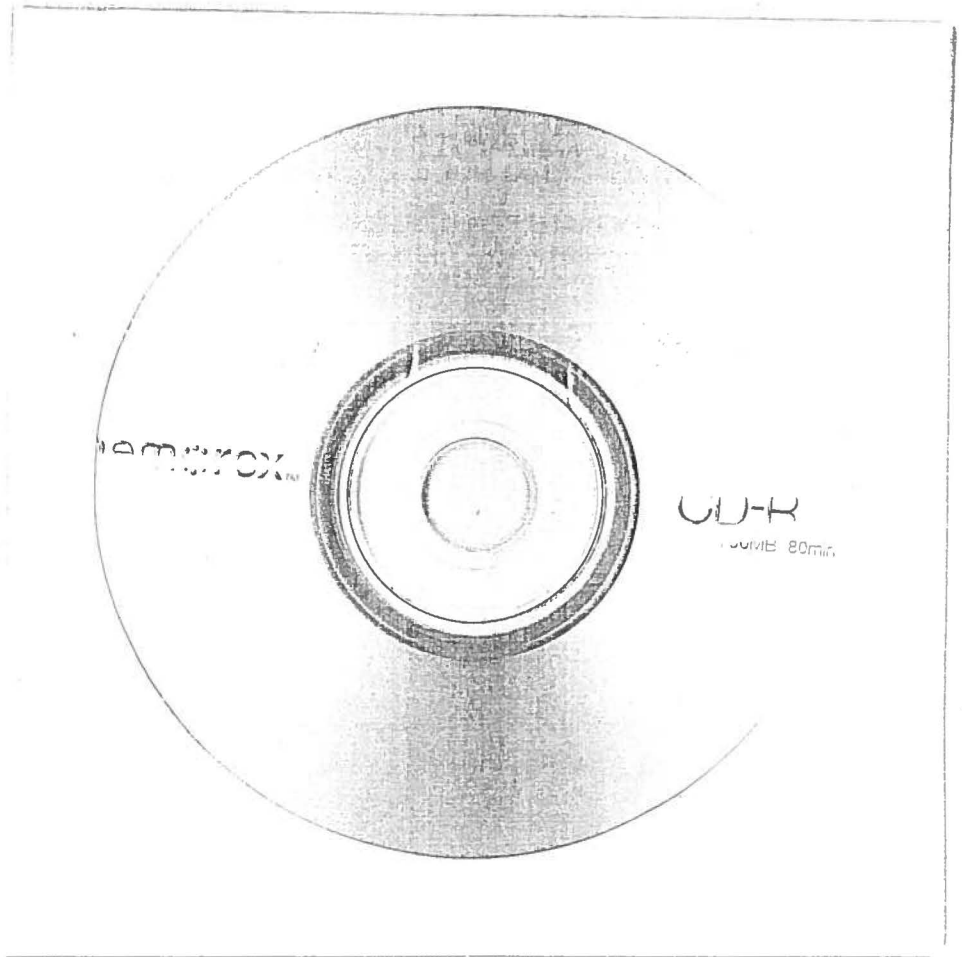
See More



Canton Final

This is "Canton Final" by on Vimeo, the home for high quality videos and the people who love them.

VIMEO.COM | BY KEVIN KREIS





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

November 18, 2016

Geraldine Kilsdonk
375 Red Ryder Drive
Plymouth, Michigan 48170

Dear Ms. Kilsdonk:

The Department of State received a response to the complaint you filed against Robin Moore, 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: Robin Moore

Responsible Government Committee

42204 Hartford Court
Canton, Michigan 48187

November 14, 2016

Lori A. Bourbonais
State of Michigan
Department of State
Bureau of Elections
430 W. Allegan, 1st Floor
Lansing, Michigan 48918

RE: Formal Complaint Against Responsible Government Committee

Dear Ms. Bourbonais:

Thank you for your letter dated October 27, 2016 informing us of the Complaint filed by Geraldine Kilsdonk.

It is correct that the advertisement in question did not say "not authorized by any candidate." It was an unintentional mistake because we relied upon the advice of the advertising agent of the local Comcast cable office.

The advertisement in question was produced for and run on local Comcast & ATT cable channels only. At the time we produced the advertisement, we were advised by the agent that we needed only to run a written disclaimer for 4 seconds which provided the committee's name. We were not aware of the need to also provide the statement "not authorized by any candidate."

Once we received the notice of the Complaint we took appropriate corrective measures with each advertisement we subsequently produced. I am providing a copy of that for your review.

Our committee is not and has not been operated by or related to any candidate committee in any election, and is truly a distinct entity that has a history of participating in elections throughout southeast Michigan since July, 2015.

Please let us know if any other remedial actions need to be taken. It is our desire and intent to fully comply with the applicable requirements of the Michigan Campaign Finance Act.

Thank you for your letter and consideration.

Sincerely,



Robin L. Moore
Treasurer
Responsible Government Committee



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

October 27, 2016

Robin Moore, Treasurer
Responsible Government Committee
42204 Hartford Court
Canton, Michigan 48187

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2016 NOV 17 PM 3:47
ELECTIONS/GREAT SEAL

Dear Ms. Moore:

The Department of State (Department) received a formal complaint filed by Geraldine Kilsdonk against the Responsible Government Committee (Committee), alleging the Committee violated the Michigan Campaign Finance Act (MCFA), 1976 PA 388, MCL 169.201 *et seq.* A copy of the complaint is provided as an enclosure with this letter.

The MCFA requires a person who produces a television ad that contains a reference to a candidate to bear a disclaimer indicating whether it was authorized by any candidate(s) by stating, "Not authorized by any candidate" or "Authorized by [name of candidate(s) or candidate committee(s)]." MCL 169.247(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 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 Ms. Kilsdonk, 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 administrative hearing, or referring this matter to the Attorney General for enforcement of the criminal penalty provided in section 47(6) of the Act.

Robin Moore, Treasurer
Responsible Government Committee
October 27, 2016
Page 2

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

Sincerely,

A handwritten signature in black ink that reads "Lori A. Bourbonais". The signature is written in a cursive style with a large initial "L".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Geraldine Kilsdonk



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

April 20, 2017

Robin Moore, Treasurer
Responsible Government Committee
42204 Hartford Court
Canton, Michigan 48187

Dear Ms. Moore:

The Department of State (Department) has completed its investigation of the complaint filed against you by Geraldine Kilsdonk, which alleged that you violated section 47(2) of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.247(1), by failing to include a disclaimer on a campaign ad. This letter concerns the disposition of Ms. Kilsdonk's complaint.

The MCFA requires a person who produces a television ad that contains a reference to a candidate to bear a disclaimer indicating whether it was authorized by any candidate(s) by stating, "Not authorized by any candidate" or "Authorized by [name of candidate(s) or candidate committee(s)]." MCL 169.247(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.*

Ms. Kilsdonk filed her complaint on October 5, 2016, and you filed a written response on November 17, 2016. Ms. Kilsdonk did not file a rebuttal statement with the Department.

Ms. Kilsdonk alleged that you omitted a disclaimer from a television advertisement which encouraged viewers to vote for Pat Williams, Linda Obrec, Melissa McLaughlin, John Anthony, Geoff Boltach, Darian Moore, and Tom Yack. In support of her complaint, Ms. Kilsdonk provided the advertisement. The ad did not appear to include a disclaimer indicating whether it was authorized by any candidate.

In response to the complaint you admitted that the disclaimer stating "not authorized by any candidate" was missing from the ad.

While the Department believes that the evidence tends to show that this campaign television ad failed to contain a disclaimer, section 15(10) of the MCFA requires the Department to "endeavor

Robin Moore, Treasurer
Responsible Government Committee
April 20, 2017
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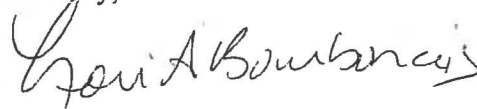
to correct the violation or prevent a further violation by using informal methods such as a conference, conciliation, or persuasion [.]”

The Department is advising you that section 47(2) and R 169.36(2) require you to include a complete and accurate disclaimer on any television ad that references a candidate, consisting of the phrase “Not authorized by any candidate” or “Authorized by [name of candidate(s) or candidate committee(s)]. Note that all television ads that reference a candidate produced in the future must include this disclaimer statement.

Please be advised that this notice has served to remind you of your obligation under the Act to include a disclaimer on your campaign ads, 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: Geraldine Kilsdonk