



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

September 21, 2012

Jamie Solka
19290 Copper Ridge Road
Houghton, Michigan 49931

Dear Ms. Solka:

The Department of State (Department) received a formal complaint against you filed by Sandra Luoma, 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 on a campaign-related postcard. A copy of Ms. Luoma's 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), 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. Luoma provided a copy of a postcard which states "Vote for JAMIE SOLKA [.]". It appears that there is no paid-for-by statement on the postcard.

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 this complaint, you are required to do so within 15 business days of your receipt 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. Luoma, 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

Jamie Solka
September 21, 2012
Page 2

administrative hearing, or referring this matter to the Attorney General for enforcement of the criminal penalty provided in section 47(5) of the Act.

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: Sandra Luoma

**Michigan Department of State
Campaign Finance Complaint Form**

Reset Form

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.*).

Please print or type all information.

I allege that the MCFA was violated as follows:

2012 SEP 17 PM 3:22
 BUREAU OF ELECTIONS
 MI DEPT OF STATE

Section 1. Complainant			
Your Name Sandra Luoma		Daytime Telephone Number 906-482-5730	
Mailing Address 20689 Hongisto Rd			
City Chassell	State MI	Zip 49916	

Section 2. Alleged Violator		
Name Jamie Solka		
Mailing Address 19290 Copper Ridge Road		
City Houghton	State MI	Zip 49931

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

Section(s) of the MCFA violated: **Appendix J of the Campaign Finance Act-Identification requirement**

Explain how those sections were violated:

post cards sent to voters did not contain required "Paid for by" or committee address

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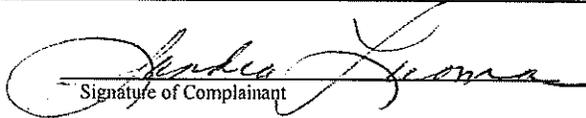
post cards sent to voters did not contain required "Paid for by" or committee address

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

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

September 10, 2012

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 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

Jamie Solka

Portage Township Clerk

the change we need.

The Current Clerk - Sandy Louma:

- ◆ Voted to spend in excess of \$50,000 of tax payer money in lawsuits with nothing gained!
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Vote for Jamie Solka if you want
YOUR Township Clerk to:

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- ◆ Avoid, not encourage, lawsuits
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Vote for taking back your Township on August 7th!

Vote for JAMIE SOLKA

Primary Election

Tuesday, August 7th





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

October 3, 2012

Sandra Luoma
20689 Hongisto Road
Chassell, Michigan 49916

Dear Ms. Luoma:

The Department of State received a response to the complaint you filed against Jamie Solka, 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: Jamie Solka

September 27, 2012

Michigan Dept of State
Bureau of Elections
Richard H Austin Building 1st Floor
Attn: Ms. Lori A. Bourbonais
430 West Allegan St
Lansing, MI 48918

DEPT OF STATE
2012 OCT -1 A 3:43
BUREAU OF ELECTIONS

Dear Ms. Bourbonais:

Response to Complaint

I am in receipt of your letter dated September 21, 2012 regarding a complaint filed by Ms. Sandra Luoma dated September 10, 2012. I received your letter on September 26, 2012 and please accept this as my written response to the allegations set forth in Ms. Luouma's complaint.

I deny that my postcards did not have a "paid for by statement." The copy that Ms. Luoma provided the Department is of extremely poor quality, and I believe, is intentionally so. First, Ms. Luoma copied only 1 side of the post card. The other side had mailing information and a USPS postmark. The true original of the postcard that Ms. Luoma used to make her copy that she included with the complaint could easily be subpoenaed or obtain through voluntary compliance if requested of the actual holder of the card. However, the quality of the copy, the lack of a complete copy, the lack of an original post card, and the subsequent proof I will describe below all indicates that this complaint was designed to harass and cause investigation, rather than remedy a violation of the MCFA.

Enclosed for your review are several documents which prove that my mailers indeed had a "paid for by Jamie Solka" statement on them. The proof is as follows:

- 1) **Original Postcard.** Obtained from recipient showing the Paid for by Jamie Solka statement, including USPS Postmark.
- 2) **Source Document.** This is a screenshot of the front and back of the computer program and actual file that created the postcards. Note the date the document was last modified. This shows the showing the Paid for by Jamie Solka statement.
- 3) **Master copy.** From the source document the attached master copy is the postcard sheet prior to cutting. This shows the showing the Paid for by Jamie Solka statement.
- 4) **Copies.** The next 6 documents are copies of each prior copy going back to the master copy. The purpose of the copies is my attempt to replicate Ms. Luoma's copy where there is no visible "Paid for by Jamie Solka" statement. Even after 6 copies of copies, the statement is still visible. To me this is evidence that Ms.

Luoma knowingly certified a false complaint because of the great lengths one would have to go to in order to make the statement not visible. This is truly the most disturbing part of her complaint, and the toughest to explain.

Formal Complaint against Sandra Luoma

Also enclosed with this response is a formal complaint against Luoma for the same violation she alleged against me, as well as an additional allegation which I have supported with evidence describe and provided above in my response as well as the following:

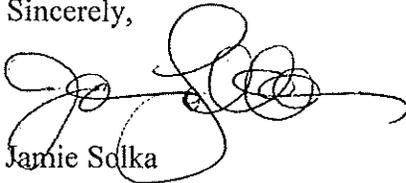
- 1) Actual photos of Luoma campaign signs that do not have the address of the committee taken September 27, 2012
- 2) A copy of her complaint against me for failing to provide a paid for by statement and address.
- 3) A copy of the handout from the township board on September 10th 2012 at a regular board meeting.

I would ask Ms. Luoma for the original postcard that served as the original for this compromised or fraudulently manipulated copy. If she is not willing to provide a true original then that can be taken to mean her bitterness over losing the primary election for clerk of the township has led to her to lose her credibility and moral compass.

In closing, I will say that I sent only one batch of these postcards in July of 2012 to about 200 residents out of about 1800 voters, and since winning the primary election I have no plan to send more postcards. However if I do any more campaigning in print, I will make the statement bolder, and include my mailing address as I have since found out is a requirement as well from Luoma at the meeting on September 10th, some 6 weeks after my mailing.

If you have any further questions or comments on my response please feel free to contact me at your convenience. As for the complaint, I look forward to receiving Luoma's response.

Sincerely,



Jamie Solka

Jamie So

Portage Township Clerk

The Current Clerk — Sandy Loura:

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EX 1
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- ◆ and control spending
- ◆ Avoid, not encourage, lawsuits
- ◆ Keep the public informed on meetings and township happenings

Vote for taking back your Township on August 7th!

Vote for JAMIE SOLKA

Primary Election

Tuesday, August 7th

Primary Election

Tuesday August 7, 2012
Hurontown Fire Hall
Portage Township Office
Tapiola Senior Citizen Center

MICHAEL WILMERS
19390 W Calverley St
Houghton, MI 49931

Jamie Solka

Portage Township Clerk

Source Document Front

Type a question for help

Jamie Solka Postcard 2 Properties

General | Summary | Statistics | Contents | Custom

Jamie Solka Postcard 2

Type: Microsoft Office Publisher Document
 Location: C:\Documents and Settings\javidw\My Desktop\Campaign
 Size: 210KB (215,552 bytes)

MS-DOS name: JAMIES-2.PUB
 Created: Thursday, July 19, 2012 3:30:13 PM
 Modified: Thursday, July 19, 2012 4:24:43 PM
 Accessed: Thursday, September 27, 2012 11:26:45 AM

Attributes: Read only Hidden
 Archive System

OK Cancel

Custom size
5.5 x 4.25"

Change Page Size...

See also
 Publisher Tasks

Start | Inb... | Micros...

Help | 190% | [Navigation icons]

EX 2
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Jamie Solka

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The change we need.

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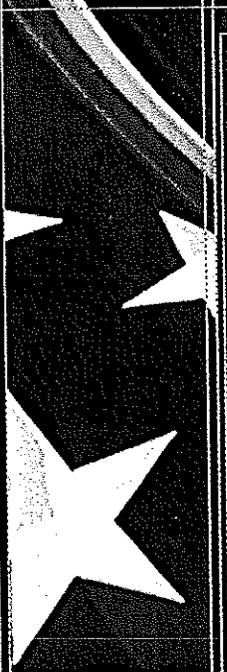
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Tuesday, August 7th



1 2 | Welcome - Ri... | My Documents | Complaint.pdf... | Campaigning | Jamie Solka P... | Publication2 - ... | 11:27 AM

General Summary Statistics Contents Custom
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Tuesday August 7, 2012
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Custom size
5.5 X 4.25"
Change Page Size...

See also
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EX 3

Master Copy

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Ex 4
 Copies 6 pgs

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Vote for taking back your Township on August 7th

Vote for JAMIE SOLKA

Primary Election

Tuesday, August 7th

Jamie Solka

Portage Township Clerk

The change we need

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BUREAU OF ELECTIONS
MI DEPT OF STATE

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

2012 OCT 29 PM 2:09

October 3, 2012

Sandra Luoma
20689 Hongisto Road
Chassell, Michigan 49916

Dear Ms. Luoma:

The Department of State received a response to the complaint you filed against Jamie Solka, 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,

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Jamie Solka

October 15, 2012

Attn: Ms Bourbonais

I am responding to the complaint filed against me by Jamie Solka claiming that I knowingly failed to provide address of candidate committee, and that I certified a complaint known to be false or misleading.

The post card I sent to the Bureau for investigation was the only copy I found available as it was after the August election and recipients of the card had thrown them out. The card came into the Township office by someone complaining of the actions of "this group running for a Township position". As clerk, and the person whose character was libeled, I thought the complaint should be taken seriously. I could not find on this copy I received, who this political slam came from and in fact on the photo that you sent me with the complaint, I still couldn't find it. I did not alter the card in any way, but I do submit that the print was chosen so small for a purpose. The Act we all quote for identification requirements states that "the print must be in a place and in a print CLEARLY visible to and readable by an observer" and that "the person paying for the material and the person's street number and city and state and zip must be included. Through investigation it was discovered that the card was sent by the Chamber of Commerce through their mass mailing and that it was paid for by Moyle INC. (who is a members of the chamber) not Jamie Solka. So if Moyle paid for the mailing of the cards and/or the cards, shouldn't that information also be included on the post card? The Chamber of Commerce has since changed their by-laws to prevent this kind of political slamming from happening again through their offices.

Jamie Solka also states in her complaint that I gave out a hand out at the Township Board meeting of September 10th. I did not. The tapes of the meetings clearly state I did not. Complaints/inquiries were coming into the Township office regarding the number of political signs, their position on the roadways, the wording and so, as clerk, I called the bureau of elections and the county clerk and together we came up with the Act that covers this. I made a copy of the rules for the people who inquired about this but I did not pass it out at the board meeting. I did not file a complaint on the candidate signs, ALL of which (including Jamie Solka's) did not have the address on them or paid for by etc. To this day the remaining candidate signs still have issues with the readability factor (small stickers were put on the back with "paid for" and "address") and can't be read clearly or easily.

Solka's complaint against me states it is for the same violation I filed. When the pictures of my signs were taken on September 27th the August 7th election was over and the signs were all in my yard on a dead end road that no one passes. The signs do have "paid for etc" on them and the committee is on file at the County Clerk's office with my address and phone number. The signs had by then become lawn decoration and deer deterrents. I did not know my signs could still violate the law in my yard after the election. As I stated previously, all the rules for the signs were not researched until September 10th.

This is a very contentious election. I don't have a big complaint on the signs but the trashing of my character on a post card with lies and half truths is dirty politics. I have not lost "my moral compass" as Ms Solka states; it has guided me to the belief that if abuse of the election process is not at least investigated then the abuse will continue to be a problem. I believed I was correct in my complaint, the decision is yours.


Sandra Luoma



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

January 3, 2012

Jamie Solka
19290 Copper Ridge Road
Houghton, Michigan 49931

Dear Ms. Solka:

The Department of State (Department) has completed its investigation of a complaint filed against you by Sandra Luoma, 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 identification statement on your campaign postcard. This letter concerns the disposition of Ms. Luoma'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(5).

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.*

The complaint was filed by Ms. Luoma on September 17, 2012, and you filed a written response on October 1, 2012. On October 29, 2012, Ms. Luoma filed an answer to the complaint you filed against her. Because this answer addressed her allegation against you, the Department considered this letter to also be a rebuttal statement for this complaint.

Ms. Luoma alleged that your campaign-related postcard did not include a complete and correct identification statement. Ms. Luoma provided as evidence a copy of a postcard which states "Vote for JAMIE SOLKA Primary Election Tuesday, August 7th [,]" It appeared that there was no paid-for-by statement on the postcard. It now appears that this copy was only one side of a two-sided postcard.

In response, you filed a letter in which you denied that the postcard omitted the paid-for-by statement. You provided as evidence an original postcard, the master copy, and several copies of the postcard. The evidence provided by you shows that the postcard contained an identification statement that stated "Paid for by Jamie Solka [,]" You also stated that you "sent only one batch of these postcards in July of 2012 [,]" and that "if [you] do any more campaigning in print, [you]

will make the statement bolder, and include [your] mailing address [.]” You also noted that that the mailing information for your committee was included on the other side of the postcard.

Ms. Luoma alleged in her rebuttal statement that someone other than your committee paid for the postcards. However, the Department finds that there is no evidence to support this allegation.

While the Department believes that the evidence tends to show that the identification statement on your postcard omitted your committee’s address and was incomplete, the Department does note that the committee’s address was on the other side of the postcard. The omission of the address in the paid-for-by statement is a technical violation of the MCFA. However, 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 this was not a knowing violation and you are now aware of your obligation under the Act to provide a complete identification statement on all printed campaign material.

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(5), 215(10).

The Department now considers this matter closed and will take no further action against you at this time.

Sincerely,



Lori Bourbonais
Bureau of Elections
Michigan Department of State

c: Sandra Luoma