



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

September 19, 2012

Harry Moore
7018 North Cochran Road
Charlotte, Michigan 48813

Dear Moore:

The Department of State (Department) has concluded its review of the complaint you filed against Richard Wagner, concerning an alleged violation of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* This letter concerns the disposition of your complaint.

You alleged that Mr. Wagner failed to include a complete and correct identification statement on several of his campaign signs. 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).

Mr. Wagner filed a written response to your complaint dated July 30, 2012. You did not file a rebuttal statement with the Department.

As evidence, you provided the Department a copy of one campaign sign which stated "WAGNER FOR COUNTY DRAIN COMMISSIONER [.]". It appeared from that picture that there was no paid-for-by statement on the sign.

In his response, Mr. Wagner provided copies of 4 pictures of that same campaign sign. The pictures provided by Mr. Wagner were taken from different angles and different distances. The paid-for-by statement on the bottom left-hand corner of the sign is visible in 3 of the 4 pictures. Mr. Wagner also stated that "[a]ll of [his] other signs throughout the county also have the proper language" either handwritten, printed on the sign, or on a sticker on the sign.

After reviewing the evidence submitted by the parties, the Department has concluded that the sign you submitted as evidence of a section 47 violation by Mr. Wagner does bear the proper identification statement, and the Department does not have a reason to believe that Mr. Wagner

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violated section 47 of the MCFA. As a result, your complaint is dismissed. The Department's file in this matter has been closed and no further enforcement action will be taken.

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 "B".

Lori A. Bourbonais
Bureau of Elections
Michigan Secretary of State

c: Richard Wagner