

MICHIGAN DEPARTMENT OF STATE

RICHARD H. AUSTIN

SECRETARY OF STATE

STATE TREASURY BUILDING



20-CI-81

LANSING

MICHIGAN 48918

October 28, 1981

Mr. Alan V. Reuther
Assistant General Counsel
International Union
United Automobile, Aerospace & Agricultural
Implement Workers of America
8000 East Jefferson Avenue
Detroit, Michigan 48214

Dear Mr. Reuther:

This is in response to your letter requesting an interpretation of the Campaign Finance Act ("the Act"), 1976 PA 388, as amended, with respect to certain contributions the Michigan UAW Political Action Committee (Michigan PAC) wishes to make.

You indicate Michigan PAC wishes to contribute to various campaigns for state and local office by paying printers directly for printed matter to be used in a campaign. This payment would be in lieu of a contribution of money to the committees which would in turn purchase campaign materials.

Your proposal would have the printed matter prepared and ordered by the candidates. The candidates would be solely responsible for disseminating the printed material. Michigan PAC's only involvement would be payment of the bill.

Further, you state payments for the printed material would be reported by Michigan PAC as in-kind contributions to the respective candidates. The candidates would also list the payments as in-kind contributions on their reports. You indicate there would be full disclosure of the transactions.

You go on to suggest that printed matter contributed in this matter by Michigan PAC will meet the requirements of the Act for identification of printed matter used in an election campaign if it bears only the name and address of the candidate's committee. Section 47(1) of the Act (MCL 169.247) provides:

"A billboard, placard, poster, pamphlet, or other printed matter having reference to an election, a candidate, or ballot question, shall bear upon it the name and address of the person paying for the matter."

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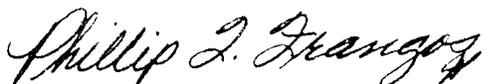
In support of your contention, you submit that requiring the name and address of Michigan PAC to appear on the printed matter "would give the misleading impression that Michigan PAC was responsible for preparation of the literature."

Adoption of the interpretation of section 47(1) that you suggest requires interpretation of the phrase "person paying for the matter" as meaning "the person on behalf of whom the matter was purchased." Such an interpretation would dilute the clear legislative intent as expressed in unambiguous language, to identify written material with the entity which provides the funding for its publication.

Therefore, the Department declines to interpret section 47(1) of the Act in the manner you have suggested.

This response is informational only and does not constitute a declaratory ruling.

Very truly yours,



Phillip T. Frangos, Director
Office of Hearings and Legislation

PTF/cw