



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

December 4, 2013

Burke Cueny
1300 Nakomis Trail
Lake Orion, Michigan 48362

Dear Mr. Cueny:

The Department of State (Department) has concluded its review of the complaint you filed against Vote Yes Lake Orion, 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 Vote Yes Lake Orion failed to include a complete and correct identification statement on a campaign advertisement. 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).

You filed your complaint on August 12, 2013, and Patricia Keller filed an answer on behalf of Vote Yes Lake Orion on September 10, 2013. You did not file a rebuttal statement with the Department.

As evidence, you provided the Department two similar, but not identical, ads regarding the Lake Orion Community Schools bond proposal that was on the August 6th, 2013 ballot. One ad contained a paid-for-by identifier, and one did not.

In her response, Ms. Keller stated that the Vote Yes Lake Orion committee paid for the ad that contained a complete and correct paid-for-by identifier, but the committee did not pay for the other ad. Ms. Keller also included an invoice which indicates that the school district paid for the second ad. No evidence has been presented to the contrary.

After reviewing the evidence submitted by the parties, the Department has concluded that the Vote Yes Lake Orion committee did include a complete and correct paid-for-by statement on the

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ad that it paid for, and that the committee did not pay for the second ad. 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,

Lori A. Bourbonais
Bureau of Elections
Michigan Secretary of State

c: Patricia Keller