



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

October 23, 2012

Paul Hramiec
2080 Rivage Drive
Harbor Springs, Michigan 49740

Dear Mr. Hramiec:

The Department of State (Department) received a formal complaint against you filed by Reed Galvin, 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 certain campaign-related material. A copy of Mr. Galvin'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).

Mr. Galvin alleges that you "sent out a card to voters without any disclaimer on the card." In support of his complaint, Mr. Galvin provided a copy of a card which states "Please write-in and re-elect Republican Emmet County Commissioner PAUL HRAMIEC." (Emphasis supplied.) It appears that there is no paid-for-by statement on the card.

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.

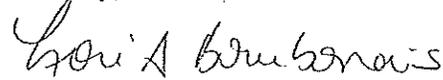
If you wish to file a written response to this complaint, you are required to do so within 15 business days of the date of this letter. Please include any evidence that reflects any corrective measures you have taken to bring your campaign material into compliance with the MCFA. Your response may include 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 Mr. Galvin, 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(5) of the Act.

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

Sincerely,



Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Reed Galvin

BUREAU OF ELECTIONS
MI DEPT OF STATE

Michigan Department of State Campaign Finance Complaint Form

Reset Form

2012 OCT 15 AM 9:10

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:

Section 1. Complainant			
Your Name	Reed Galvin		Daytime Telephone Number
Mailing Address	2421 Chippewa TR		
City	Alanson	State	MI Zip 49706

Section 2. Alleged Violator			
Name	PAUL Hramiec		
Mailing Address	2080 Rivage DR		
City	Harbor Springs	State	MI Zip 49740

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

Section(s) of the MCFA violated: 169.247 Printed matter shall bear upon it the name and address of the person paying for it.

Explain how those sections were violated:
Mr Hramiec sent out a card to voters without any disclaimer on the card.

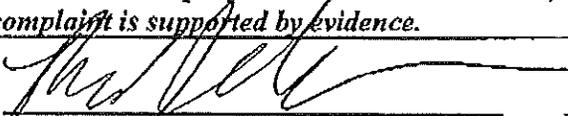
Mr Hramiec is running as a write in for Emmet County
Evidence that supports those allegations (attach copies of pertinent documents and other information): County Commissioner District 3

see attached

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

10-15-2012
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

Revised 06/03/2011

Emmet County Commissioner PAUL HRAMIEC

Received Time Oct. 16, 2012 8:18AM No. 6069

I am not on your ballot because this past August I ran for County Treasurer in the Republican Primary and did not prevail despite garnering 47% of the vote.

FRONT →

With your help, I would like to continue to champion the cause of Emmet County on a local, regional, and state level as County Commissioner.

1) low taxes 2) robust, suitable economic development 3) long term strategic planning for Emmet County

Please write-in and re-elect Republican Emmet County Commissioner PAUL HRAMIEC.

Thank you! - PH

BACK →





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

November 21, 2012

Reed Galvin
2421 Chippewa Trail
Alanson, Michigan 49706

Dear Mr. Galvin:

The Department of State received a response to the complaint you filed against Paul Hramiec, 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
Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Paul Hramiec

November 9, 2012

BUREAU OF ELECTIONS
MI DEPT OF STATE

Bureau of Elections

Department of State

2012 NOV 19 PM 2:59

Richard H. Austin Building, 1st Floor

430 West Allegan Street

Lansing, MI 48918

Upon receiving the complaint from the Bureau of Elections dated October 23, 2012, no mailings were sent out of any kind that didn't include the "Paid for by...". Subsequent mailings include ~~A campaign~~ the phrase "Paid for by the Committee to Re-Elect Paul Hramiec 6915 M-119, Harbor Springs, MI 49740."

The Candidate Committee Manual (CER-160), page 9, mid-page, reads "The Candidate Committee of a candidate whose name appears on a ballot for an election must file a Pre-Election Campaign Statement and a Post-Election Campaign Statement."

Since my name was not to appear on the ballot, I mistakenly believed the above quote meant an organized candidate committee wasn't required. In the past I have set up two campaign committees for myself in two previous elections and realize it is a fairly simple task with little paperwork involved. Were it not for my misinterpretation of this rule, the correct procedure would have been applied.

This write-in campaign was a first for me.

Please feel free to contact me for any further clarification or questions.

Thanks!

Paul Hramiec

Paul Hramiec
2080 Rivage Drive
Harbor Springs, MI
49740

(h) 231-526-2628

Write in and re-elect Republican Commissioner

Harbor Springs, Little Traverse Township, Precinct 1 - Bear Creek Township

PAUL HRAMIEC

- Long term strategic planning for Emmet County
- Robust, suitable economic growth

Paid for by the Committee to Re-Elect Paul Hramiec
6915 M-119, Harbor Springs, MI 49740

Presorted
First-Class Mail
U.S. Postage Paid
Petoskey, MI
Permit No. 110

Place in wallet or purse

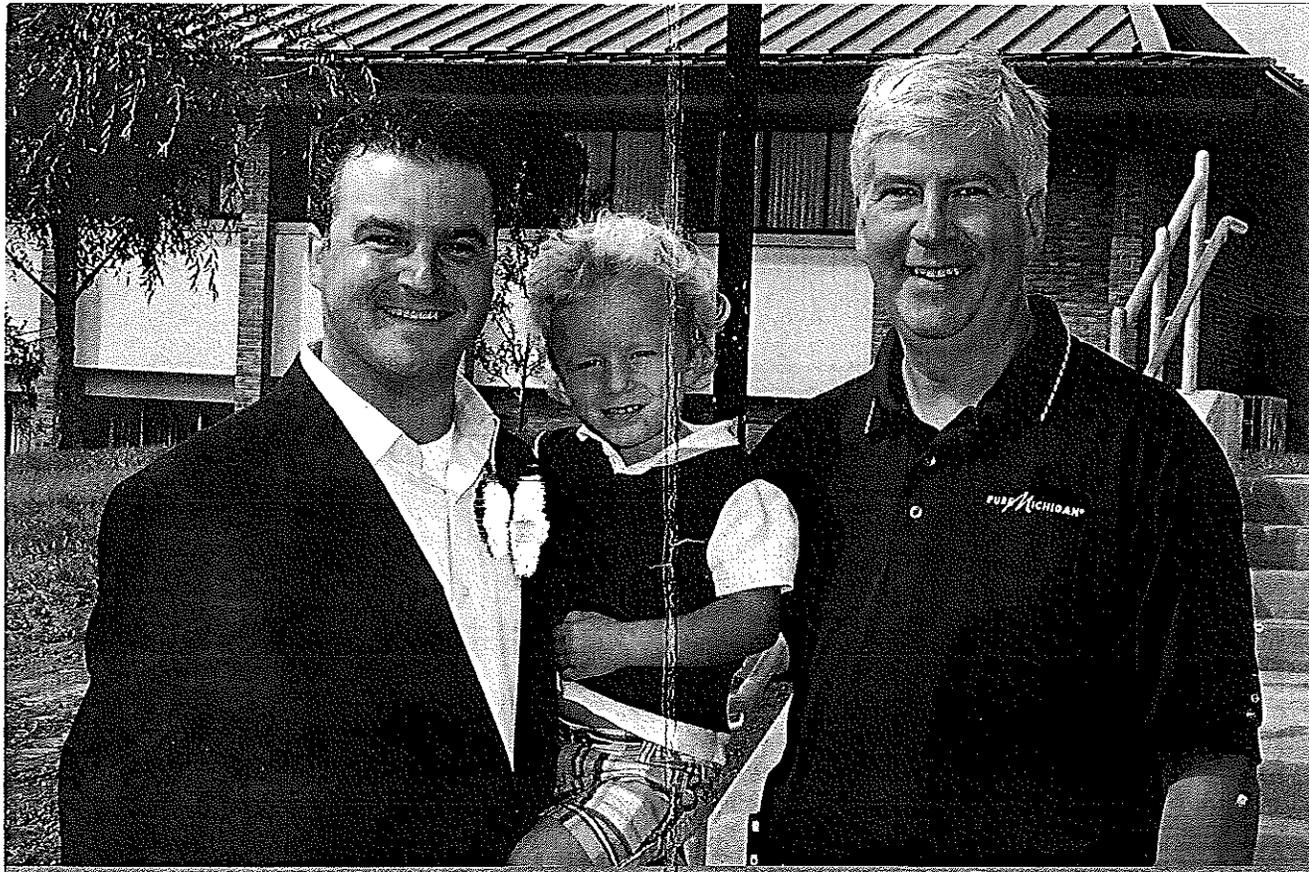
November 6th
Write in and re-elect
Emmet County Commissioner

PAUL HRAMIEC



Place in wallet or purse

CURRENT REGISTERED VOTER(S) AT 2 2 522
2080 RIVAGE DR
HARBOR SPRINGS, MI 49740-9528



Emmet County Commissioner Paul Hramiec, John Paul Hramiec, and Governor Rick Snyder.



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

February 12, 2013

Paul Hramiec
2080 Rivage Drive
Harbor Springs, Michigan 49740

Dear Mr. Hramiec:

The Department of State (Department) has completed its investigation of a complaint filed against you by Reed Galvin, 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 and correct identification statement on certain campaign-related material. This letter concerns the disposition of Mr. Galvin'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 Mr. Galvin on October 14, 2012, and you filed a written response on November 19, 2012. Mr. Galvin did not file a rebuttal statement.

Mr. Galvin alleged that you failed to include a paid-for-by statement on certain campaign material. As evidence, Mr. Galvin provided a copy of a campaign card which states "Please write-in and re-elect Republican Emmet County Commissioner PAUL HRAMIEC." It appears that the card does not contain a paid-for-by statement.

In response, you filed a letter which stated that this was the first time that you had run a write-in campaign and that you mistakenly believed that the committee requirements did not apply. You further stated that after you received notice of the complaint, no materials were sent out that did not contain a complete and correct paid-for-by statement. As evidence, you provided a campaign card which contains a complete and correct paid-for-by statement.

While the Department believes that the evidence tends to show that your campaign material failed to contain a paid-for-by statement, 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

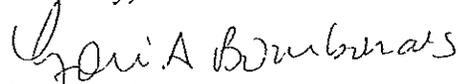
as a conference, conciliation, or persuasion [.]” The Department is satisfied that you took appropriate corrective measures to bring your campaign material into compliance with the MCFA.

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 the person paying for the material. 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: Reed Galvin