

MICHIGAN DEPARTMENT OF STATE

RICHARD H. AUSTIN SECRETARY OF STATE
STATE TREASURY BUILDING



MAY 31 1979 2 PM

LANSING
MICHIGAN 48918

May 30, 1979

Honorable George Montgomery
Michigan House of Representatives
State Capitol
Lansing, Michigan 48909

Dear Representative Montgomery:

You ask whether a corporation, which contributes to a ballot question committee, is subject to all reporting requirements of the Campaign Finance Act ("the Act"), P.A. 388 of 1976, as amended.

Section 54 of the Act (MCLA §169.254) prescribes the manner in which a corporation may make political contributions or expenditures. Section 54(3) permits a corporation to contribute up to \$40,000.00 to a ballot question committee for the qualification, passage, or defeat of a particular ballot question.

Section 3(4) of the Act (MCLA §169.203(4)) defines "committee" as "a person who receives contributions or makes expenditures for the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of a candidate, or the qualification, passage, or defeat of a ballot question, if contributions received total \$200.00 or more in a calendar year or expenditures made total \$200.00 or more in a calendar year."

"Person" is defined in Section 11(1) (MCLA §169.211(1)) to include several entities among which is a corporation.

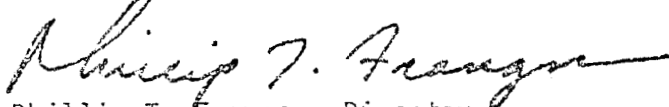
Section 2(2) (MCLA §169.202(2)) defines "ballot question committee" to mean "a committee acting in support of, or in opposition to, the qualification, passage, or defeat of a ballot question but which does not receive contributions or make expenditures or contributions for the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of a candidate."

In view of the definitions stated in Sections 3(4) and 11(1), a corporation which makes a contribution or expenditure in the amount of \$200.00 or more in a calendar year pursuant to the provisions of Section 54(3) is subject to all the registration and reporting requirements of the Act. The corporation has to register as a ballot question committee.

Honorable George Montgomery
May 30, 1979
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This letter is informational and does not constitute a declaratory ruling as your letter did not present a precise statement of facts. Moreover, since unofficial information contrary to the position expressed in this letter was provided previously by this office, the Department is applying this interpretation prospectively in enforcement of the Act.

Very truly yours,



Phillip T. Frangos, Director
Office of Hearings and Legislation

PTF/smh

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RICHARD H. AUSTIN

SECRETARY OF STATE

STATE TREASURY BUILDING



MAY 31 1979 2 PM

LANSING

MICHIGAN 48918

May 30, 1979

Mr. John G. Thodis, President
Michigan Manufacturers Association
124 E. Kalamazoo Street
Lansing, Michigan 48933

Dear Mr. Thodis:

You ask whether a corporation, which contributes to a ballot question committee, is subject to all reporting requirements of the Campaign Finance Act ("the Act"), P.A. 388 of 1976, as amended.

Section 54 of the Act (MCLA §169.254) prescribes the manner in which a corporation may make political contributions or expenditures. Section 54(3) permits a corporation to contribute up to \$40,000.00 to a ballot question committee for the qualification, passage, or defeat of a particular ballot question.

Section 3(4) of the Act (MCLA §169.203(4)) defines "committee" as "a person who receives contributions or makes expenditures for the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of a candidate, or the qualification, passage, or defeat of a ballot question, if contributions received total \$200.00 or more in a calendar year or expenditures made total \$200.00 or more in a calendar year."

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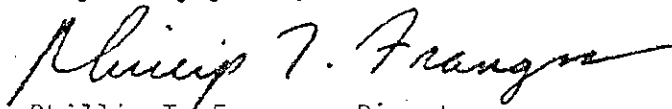
Section 2(2) (MCLA §169.202(2)) defines "ballot question committee" to mean "a committee acting in support of, or in opposition to, the qualification, passage, or defeat of a ballot question but which does not receive contributions or make expenditures or contributions for the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of a candidate."

In view of the definitions stated in Sections 3(4) and 11(1), a corporation which makes a contribution or expenditure in the amount of \$200.00 or more in a calendar year pursuant to the provisions of Section 54(3) is subject to all the registration and reporting requirements of the Act. The corporation has to register as a ballot question committee.

Mr. John G. Thodis
May 30, 1979
Page 2

This letter is informational and does not constitute a declaratory ruling as your letter did not present a precise statement of facts. Moreover, since unofficial information contrary to the position expressed in this letter was provided previously by this office, the Department is applying this interpretation prospectively in enforcement of the Act.

Very truly yours,

A handwritten signature in cursive script, reading "Phillip T. Frangos". The signature is written in dark ink and is positioned above the typed name and title.

Phillip T. Frangos, Director
Office of Hearings and Legislation

PTF/smh