



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

June 6, 2018

Wade Stevenson, Treasurer
Rizzo Environmental Services PAC
6200 Elmridge
Sterling Heights, Michigan 48313

Dear Mr. Stevenson:

The Department of State (Department) received a formal complaint filed by Sean O'Neil against the Rizzo Environmental Services PAC (Rizzo PAC), alleging that the Rizzo PAC violated the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* This letter concerns the disposition of the complaint.

The MCFA requires filed campaign finance statements and reports to be complete and accurate. MCL 169.233. A candidate or treasurer who knowingly files an incomplete or inaccurate statement or report may be subject to a civil fine of up to \$1,000.00. MCL 169.233(10). A candidate or treasurer who knowingly omits or underreports a contribution or expenditure may be subject to a civil fine of up to \$1,000.00, or the amount of the undisclosed contribution or expenditure, whichever is greater. MCL 169.233(11).

Mr. O'Neil filed a complaint on October 17, 2017 alleging that you have attributed a contribution on the Rizzo PAC's Amended 2016 October Quarterly campaign finance statement to Mr. O'Neil, and he did not make the contribution. You filed a response which was received on December 5, 2017 indicating that it was an error and there was no record of Mr. O'Neil having contributed to the Rizzo PAC. You subsequently amended the report and refiled.

Based on your admission that the Committee accepted a contribution from a prohibited source and the Department's review of the Committee's 2016 April Quarterly statement, the Department concludes that the evidence supports a reason to believe a violation has occurred.

Upon making this determination the Department is required by law to attempt to resolve the matter informally. MCL 169.215(10). The Act 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, and if the Department is unable to correct or prevent additional violations, it must ask the Attorney General to prosecute if a crime has been committed. MCL 169.215(10)(a). The objective of an informal resolution is "to correct the violation or prevent a further violation [,]" *Id.*

Wade Stevenson, Treasurer
Rizzo Environmental Services PAC
June 6, 2018
Page 2

The Department first notes that it was a technical violation of the MCFA to file an inaccurate statement or report. However, based upon your response to the complaint, subsequent remedial measures appear to have been taken to avoid such conduct from occurring in the future. Additionally, the inaccurate statement has been corrected and refiled to properly reflect no contributions by Mr. O'Neil. Because of these measures and based upon your admission, the Department believes this warning letter is a sufficient resolution to the matter.

Please be advised that this notice serves to remind you of your obligation under the Act to correctly file complete and accurate reports 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(6), 215(10).

The Department considers the instant action closed and resolved.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam L.S. Fracassi", is written over a faint, circular official stamp.

Adam L.S. Fracassi
Bureau of Elections
Michigan Department of State

c: Sean O'Neil



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

January 12, 2018

Sean O'Neil
61720 Mustang Drive
S. Lyon, MI 48178

Dear Mr. O'Neil:

The Department of State received a response to the complaint you filed against Rizzo Environmental Services PAC, 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,

A handwritten signature in black ink, appearing to read "David Foster".

David Foster
Bureau of Elections
Michigan Department of State

c: Wade Stevenson

BUREAU OF ELECTIONS

2017 DEC -5 P 2: 40

DEPT OF STATE

Lori A Bourbonais

Bureau of Elections

We received the complaint regarding Mr Sean O'Neil regarding a mistake on our contributions filing of amended October 2016 report, per review of our current MERTS database file we do not have his contribution listed on our current MERTS file and he is correct we have no record of a contribution from him. We do not know how this was included on report unless it was an inadvertent clone copy, we will amend the report and refile accordingly. We apologize for this error and let us know what other action we need to do to amend accordingly. I have included a copy of our current database that reflects we do not have a contribution listed from him. Thanks for your understanding.



Wade Stevenson

Rizzo Environmental Services PAC

**Campaign Finance Complaint Form
Michigan Department of State**

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2017 OCT 10 PM 1:33
ELECTIONS/GREAT SEAL

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.*). All information on the form must be provided along with an original signature and evidence. Please print or type all information.

I allege that the MCFA was violated as follows:

Section 1. Complainant		
Your Name	SEAN O'NEIL	
	Daytime Telephone Number (734) 649-8577	
Mailing Address	61720 MUSTANG DR.	
City	State	Zip
S. LYON	MI	48178

Section 2. Alleged Violator		
Name	RIZZO ENVIRONMENTAL SERVICES PAC (Comm. I.D.#516398)	
Mailing Address	6200 ELMRIDGE	
City	State	Zip
STERLING HEIGHTS	MI	48313

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

Section(s) of the MCFA violated:
SEC 169.241, SEC 169.233

Explain how those sections were violated:

A CONTRIBUTION, TO THIS "PAC", WAS MADE IN MY NAME. I WAS MADE AWARE OF THIS ON 10/2/17, AND THERE HAVE BEEN SEVERAL ATTEMPTS MADE TO CONTACT THE COMMITTEE, TO NO AVAIL. I DO NOT KNOW IF THIS WAS DONE IN ERROR OR INTENTIONALLY. I BELIEVE IT VIOLATES THE MCFA AS NOTED ABOVE. I ASK THAT THIS BE INVESTIGATED AND CORRECTED.

Evidence that supports those allegations (attach copies of pertinent documents and other information):

(DOC. SEQ# 420030) REC'D 4/1/16

BUREAU OF ELECTIONS
2017 DEC -5 P 2:40
DEPT OF STATE



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

October 20, 2017

Wade Stevenson, Treasurer
Rizzo Environmental Services PAC
6200 Elmridge
Sterling Heights, Michigan 48313

Dear Mr. Stevenson:

The Department of State (Department) received a formal complaint filed by Sean O'Neil against the Rizzo Environmental Services PAC (Rizzo PAC), alleging that the Rizzo PAC violated the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* A copy of the complaint and supporting documentation is provided as an enclosure with this letter.

The MCFA requires filed campaign finance statements and reports to be complete and accurate. MCL 169.233. A candidate or treasurer who knowingly files an incomplete or inaccurate statement or report may be subject to a civil fine of up to \$1,000.00. MCL 169.233(10). A candidate or treasurer who knowingly omits or underreports a contribution or expenditure may be subject to a civil fine of up to \$1,000.00, or the amount of the undisclosed contribution or expenditure, whichever is greater. MCL 169.233(11).

Mr. O'Neil alleges that you have attributed a contribution on the Rizzo PAC's Amended 2015 October Quarterly campaign finance statement to Mr. O'Neil, and he did not make the contribution.

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 the complaint, you are required to do so within 15 business days of the date of this letter. 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. O'Neil, 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

Wade Stevenson, Treasurer
Rizzo Environmental Services PAC
October 20, 2017
Page 2

enforcement powers include the possibility of entering a conciliation agreement or conducting an administrative hearing.

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

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 a long, sweeping tail on the "s".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Sean O'Neil

**Campaign Finance Complaint Form
Michigan Department of State**

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MICHIGAN DEPT OF STATE
2017 OCT 10 PM 1:33
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Your Name	SEAN O'NEIL		Daytime Telephone Number (734) 649-8577
Mailing Address	61720 MUSTANG DR.		
City	S. LYON	State	MI Zip 48178

Section 2. Alleged Violator			
Name	RIZZO ENVIRONMENTAL SERVICES PAC (Comm. I.D.#516398)		
Mailing Address	6200 ELMRIDGE		
City	STERLING HEIGHTS	State	MI Zip 48313

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

Section(s) of the MCFA violated:
SEC 169.241, SEC 169.233

Explain how those sections were violated:

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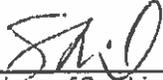
Evidence that supports those allegations (attach copies of pertinent documents and other information):

(DOC. SEQ# 420030) REC'D 4/1/16

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

10/6/17
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 with an original signature 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

COMPLAINT PROCESS

Section 15 of the MCFA governs the filing and processing of complaints. If you believe someone has violated the MCFA, you may file a written complaint. The complaint **must** include all of the following:

- Your name, address and telephone number.
- The alleged violator's name and address.
- A description in reasonable detail of the alleged violation, including the section or sections of the MCFA you believe were violated, an explanation of how you believe the MCFA was violated, and any other pertinent information.
- Evidence which supports your allegations.
- A certification that:

To the best of your knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of the complaint is supported by evidence.

- If after a reasonable inquiry under the circumstances, you are unable to certify that certain specifically identified factual contentions of the complaint are supported by evidence, you may also certify that:

To the best of your knowledge, information, or belief, there are grounds to conclude that those specifically identified factual contentions are likely to be supported by evidence after a reasonable opportunity for further inquiry.

- Your signature immediately after the certification or certifications.

WARNING: Section 15(8) of the MCFA (MCL 169.215) provides that a person who files a complaint with a false certification is responsible for a civil violation of the MCFA. Under section 15(16) of the MCFA (MCL 169.215), the Secretary of State may require a person who files a complaint with a false certification to:

- Pay the Department some or all of the expenses incurred by the Department as a direct result of the filing of the complaint.
- Pay the alleged violator some or all of the expenses, including, but not limited to, reasonable attorney fees, incurred by that person as a direct result of the filing of the complaint.
- Pay a civil fine of up to \$1,000.00.

A complaint may be dismissed if any required information is not included, or if the complaint is determined to be frivolous, illegible, or indefinite. All parties are notified of dismissed complaints.

When a complaint meets the above requirements, the Department notifies the alleged violator that a complaint has been filed and provides a copy of the complaint. The alleged violator will have an opportunity to file a response. The complaint filer will have an opportunity to file a rebuttal to any response. All parties receive periodic reports concerning the actions taken by the Department on a complaint.

If the Department finds no reason to believe that the allegations are true, the complaint will be dismissed.

If the Department finds that there may be reason to believe your allegations are true, the Department must attempt to correct the violation or prevent further violations by informal methods such as a conference, conciliation, or persuasion, and may enter into a conciliation agreement with the alleged violator.

If the Department is unable to correct the violation or prevent further violations informally, an administrative hearing may be held to determine whether a civil violation of the MCFA has occurred, or the matter may be referred to the Attorney General for the enforcement of criminal penalties. An administrative hearing could result in the assessment of a civil penalty. Such a hearing would be conducted in accordance with the Michigan Administrative Procedures Act. An order issued as a result of such a hearing may be appealed to the appropriate circuit court.

Accepted complaints and all supporting documentation including responses and rebuttal statements are made available on the Department's website as required by the MCFA at the conclusion of the process.

Questions? Contact us at:

Michigan Department of State
Bureau of Elections
Richard H. Austin Building – 1st Floor
430 West Allegan Street
Lansing, Michigan 48918
Phone: 517-373-2540
Email: Disclosure@Michigan.gov

SOS Home (<http://www.michigan.gov/sos>) Contact the Secretary of State (<http://www.michigan.gov/sos/0,3269,7-127--25634--,00.html>)



Ruth Johnson, Secretary of State Department of State

Michigan

(<http://www.michigan.gov/sos/0,1607,7-127--,00.html>)

Michigan Campaign Statement Contributions

- Committee Name: RIZZO ENVIRONMENTAL SERVICES POLITICAL ACTION COM
- Statement Type: AMENDED OCTOBER QUARTERLY CS
- Statement Year: 2015
- Schedule: ALL

Matches 1 – 9 of 9

Receiving Committee	Committee ID-Type	Schedule Type	Description	Received From	City State Zip	Date	Amount	Cumul
RES PAC (https://cfsearch.nictusa.com/committees/516398)	516398-IND	DIRECT		CHUCK RIZZO 6200 ELMRIDGE CEO RIZZO ENVIRONMENTAL RIZZO MANAGEMENT	STERLING HEIGHTS MI 48313	08/14/2015	\$12,000.00	\$79,200.00
RES PAC (https://cfsearch.nictusa.com/committees/516398)	516398-IND	DIRECT		CHUCK RIZZO 6200 ELMRIDGE CEO RIZZO ENVIRONMENTAL RIZZO MANAGEMENT	STERLING HEIGHTS MI 48313	10/08/2015	\$8,300.00	\$100,300.00
RES PAC (https://cfsearch.nictusa.com/committees/516398)	516398-IND	DIRECT		CHUCK RIZZO 6200 ELMRIDGE CEO RIZZO ENVIRONMENTAL RIZZO MANAGEMENT	STERLING HEIGHTS MI 48313	09/21/2015	\$4,000.00	\$89,400.00
RES PAC (https://cfsearch.nictusa.com/committees/516398)	516398-IND	DIRECT		CHUCK RIZZO 6200 ELMRIDGE CEO RIZZO ENVIRONMENTAL RIZZO MANAGEMENT	STERLING HEIGHTS MI 48313	10/14/2015	\$4,000.00	\$104,300.00
RES PAC (https://cfsearch.nictusa.com/committees/516398)	516398-IND	DIRECT		SEAN O'NEIL 28181 GREAT PLAINS DR	SOUTH LYON MI 48178	10/20/2015	\$3,800.00	\$3,800.00
RES PAC (https://cfsearch.nictusa.com/committees/516398)	516398-IND	DIRECT		CHUCK RIZZO 6200 ELMRIDGE CEO RIZZO ENVIRONMENTAL RIZZO MANAGEMENT	STERLING HEIGHTS MI 48313	08/20/2015	\$3,200.00	\$82,400.00
RES PAC (https://cfsearch.nictusa.com/committees/516398)	516398-IND	DIRECT		CHUCK RIZZO 6200 ELMRIDGE CEO RIZZO ENVIRONMENTAL RIZZO MANAGEMENT	STERLING HEIGHTS MI 48313	08/05/2015	\$3,000.00	\$67,200.00
RES PAC (https://cfsearch.nictusa.com/committees/516398)	516398-IND	DIRECT		CHUCK RIZZO 6200 ELMRIDGE CEO RIZZO ENVIRONMENTAL RIZZO MANAGEMENT	STERLING HEIGHTS MI 48313	09/01/2015	\$3,000.00	\$85,400.00

Michigan Campaign Statement Contributions

Receiving Committee	Committee ID-Type	Schedule Type	Description	Received From	City State Zip	Date	Amount	Cumul
RES PAC (https://cfsearch.nictusa.com/committees/516398)	516398-IND	DIRECT		CHUCK RIZZO 6200 ELMRIDGE CEO RIZZO ENVIRONMENTAL RIZZO MANAGEMENT	STERLING HEIGHTS MI 48313	09/30/2015	\$2,600.00	\$92,000.00

Matches 1 – 9 of 9

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[FOIA \(http://www.michigan.gov/sos/0,4670,7-127-357908--,00.html\)](http://www.michigan.gov/sos/0,4670,7-127-357908--,00.html)
[Transparency \(http://www.michigan.gov/openmichigan/0,4648,7-266-58520--,00.html\)](http://www.michigan.gov/openmichigan/0,4648,7-266-58520--,00.html)
[Office of Regulatory Reinvention \(http://www.michigan.gov/lara/0,4601,7-154-35738--,00.html\)](http://www.michigan.gov/lara/0,4601,7-154-35738--,00.html)
[Forms \(http://www.michigan.gov/sos/0,1607,7-127-1640_11777--,00.html\)](http://www.michigan.gov/sos/0,1607,7-127-1640_11777--,00.html) [FAQ \(http://www.michigan.gov/sos/0,1607,7-127-12539---F,00.html\)](http://www.michigan.gov/sos/0,1607,7-127-12539---F,00.html)
[Online Services \(https://onlineservices.michigan.gov/ExpressSOS\)](https://onlineservices.michigan.gov/ExpressSOS) [SOS Home \(http://www.michigan.gov/sos\)](http://www.michigan.gov/sos)
[Contact the Secretary of State \(http://www.michigan.gov/sos/0,4670,7-127-25634--,00.html\)](http://www.michigan.gov/sos/0,4670,7-127-25634--,00.html)
[State Web Sites \(http://www.michigan.gov/sos/0,1607,7-127---A,00.html\)](http://www.michigan.gov/sos/0,1607,7-127---A,00.html)
[Michigan.gov Home \(http://www.michigan.gov\)](http://www.michigan.gov) [Michigan News \(http://www.michigan.gov/minewswire\)](http://www.michigan.gov/minewswire)
[Policies \(http://www.michigan.gov/sos/0,4670,7-127-281460--,00.html\)](http://www.michigan.gov/sos/0,4670,7-127-281460--,00.html)

**Campaign Finance Complaint Form
Michigan Department of State**

RECEIVED/FILED
MICHIGAN DEPT OF STATE

2017 OCT 17 AM 9:18

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All information on the form must be provided along with an original signature and evidence.

Please print or type all information.

I allege that the MCFA was violated as follows:

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Your Name	SEAN O'NEIL	Daytime Telephone Number (734) 649-8577
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City	State MI	Zip 48178

Section 2. Alleged Violator		
Name	RIZZO ENVIRONMENTAL SERVICES PAC (Comm. I.D.#516398)	
Mailing Address	6200 ELMRIDGE	
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Section(s) of the MCFA violated:

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Explain how those sections were violated:

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Evidence that supports those allegations (attach copies of pertinent documents and other information):

(DOC. SEQ# 420030) REC'D 4/1/16

1000

1000

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Accepted complaints and all supporting documentation including responses and rebuttal statements are made available on the Department's website as required by the MCFA at the conclusion of the process.

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Ruth Johnson, Secretary of State Department of State

michigan.g

(<http://www.michigan.gov/sos/0,1607,7-127----,00.html>)

Michigan Campaign Statement Contributions

- ☑ **Committee Name:** RIZZO ENVIRONMENTAL SERVICES POLITICAL ACTION COM
- ☑ **Statement Type:** AMENDED OCTOBER QUARTERLY CS
- ☑ **Statement Year:** 2015
- ☑ **Schedule:** ALL

Matches 1 – 9 of 9

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RES PAC (https://cfrsearch.nictusa.com/committees/516398)	516398-IND	DIRECT		CHUCK RIZZO 6200 ELMRIDGE CEO RIZZO ENVIRONMENTAL RIZZO MANAGEMENT	STERLING HEIGHTS MI 48313	09/01/2015	\$3,000.00	\$85,400.00

Michigan Campaign Statement Contributions

Receiving Committee	Committee ID-Type	Schedule Type	Description	Received From	City State Zip	Date	Amount	Cumul
RES PAC (https://cfrsearch.nictusa.com/committees/516398)	516398-IND	DIRECT		CHUCK RIZZO 6200 ELMRIDGE CEO RIZZO ENVIRONMENTAL RIZZO MANAGEMENT	STERLING HEIGHTS MI 48313	09/30/2015	\$2,600.00	\$92,000.00

Matches 1 – 9 of 9

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FOIA (<http://www.michigan.gov/sos/0,4670,7-127--357908--,00.html>)
 Transparency (<http://www.michigan.gov/openmichigan/0,4648,7-266-58520---,00.html>)
 Office of Regulatory Reinvention (<http://www.michigan.gov/lara/0,4601,7-154-35738--,00.html>)
 Forms (http://www.michigan.gov/sos/0,1607,7-127-1640_11777---,00.html) FAQ (<http://www.michigan.gov/sos/0,1607,7-127-12539—F,00.html>)
 Online Services (<https://onlineservices.michigan.gov/ExpressSOS>) SOS Home (<http://www.michigan.gov/sos>)
 Contact the Secretary of State (<http://www.michigan.gov/sos/0,4670,7-127--25634--,00.html>)
 State Web Sites (<http://www.michigan.gov/sos/0,1607,7-127---A,00.html>)
 Michigan.gov Home (<http://www.michigan.gov/>) Michigan News (<http://www.michigan.gov/minewswire>)
 Policies (<http://www.michigan.gov/sos/0,4670,7-127--281460--,00.html>)

