

M I C H I G A N   D E P A R T M E N T   O F   S T A T E

RICHARD H. AUSTIN   •   SECRETARY OF STATE

STATE TREASURY BUILDING



LANSING

MICHIGAN 48918

March 29, 1978

Ms. Cindy Sage, Treasurer  
Republican Women's Federation of Michigan  
134 East State Street  
Hastings, Michigan 49058

Dear Ms. Sage:

This is in response to your request for a declaratory ruling concerning the applicability of P.A. 388 of 1976 ("the Act") to the Republican Women's Federation of Michigan ("the RWF").

You state the RWF is organized for the purpose of educating members in the political process, party principles, and current issues facing the community, county, and state. The organization is a recognized committee of the Michigan Republican Party. You also indicate the RWF is local in nature with members organized in the various recognized political subdivisions. Local units assess members for operating monies. If the local organizations desire affiliation with the state and national organizations, additional monies are assessed and forwarded to the state organization for operating purposes only. The state organization is responsible for forwarding the local clubs' national dues. You state it has not been the practice of the RWF to contribute to political campaigns or ballot issues; however, in the past, local clubs have contributed to political campaigns or issues.

You ask whether the RWF must file reports pursuant to the Act?

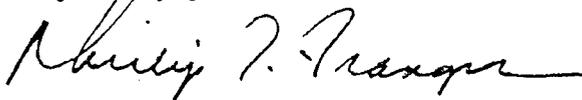
The determination of whether the RWF is subject to the Act's provisions is contingent on whether the state organization or any of the local organizations is a "committee" as defined in the Act. Section 3 of the Act (MCLA § 169.203) defines a "committee" as a person who receives contributions or makes 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 the Act as including an association, committee, or any other organization or group of persons acting jointly.

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Therefore, any RWFm organization which receives "contributions" or makes "expenditures," in the amount of \$200.00 or more in a calendar year, is subject to the provisions of the Act. As such, the organization must file reports, including a statement of organization and campaign statements.

In view of the fact your letter was general in nature and lacked the specificity required by Section 63 of the Michigan Administrative Procedures Act (MCLA § 169.263), which establishes the criteria for requesting and issuing a declaratory ruling, this response may be considered as informational only and not as constituting a declaratory ruling.

Very truly yours,



Phillip T. Frangos, Director  
Office of Hearings and Legislation

PTF:pk