



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

February 11, 2015

Shari Dick, Treasurer  
Grand Rapids Area Chamber  
Of Commerce Ballot Committee  
111 Pearl Street NW  
Grand Rapids, Michigan 49503

Dear Ms. Dick:

The Department of State (Department) received a formal complaint filed by Scott Tillman against the Grand Rapids Area Chamber of Commerce Ballot Committee (Committee), alleging that the Committee violated the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* The investigation and resolution of this complaint is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* A copy of the complaint and supporting documentation is enclosed with this letter.

The MCFA requires the reporting of a late contribution within 48 hours of its receipt. MCL 169.232(1). The failure to timely file a late contribution report may result in late filing fees. MCL 169.232(4). The failure to timely file a late contribution report may also result in a civil fine in an amount up to \$1,000.00.

Mr. Tillman alleges that the Committee received a \$10,000.00 contribution on October 30, 2014 and failed to file a late contribution report for this 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 this 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, 1<sup>st</sup> 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. Tillman, 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

Shari Dick, Treasurer

February 11, 2015

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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 cursive script that reads "Lori A. Bourbonais".

Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State

c: Scott Tillman

Scott Tillman  
2600 W Walton, Waterford, MI 48329  
1/30/2015

Michigan Department of State  
Bureau of Elections  
Richard H. Austin Building – First Floor  
430 West Allegan Street, Lansing, MI 48918

Disclosing to voters the source of campaign funding before they cast votes in an election is the essential justification behind all campaign finance laws. For this reason, Michigan law requires all donations received three days prior to an election to be reported before the election. Protect Your Vote GR ignored this law. Three days before the election, the committee had received \$27,690 but only reported receiving \$13,535. They chose to keep over half of their funding secret (\$14,155) until after ballots were cast and votes were counted. The only question that remains is whether the committee's leaders concealed the funding intentionally or accidentally.

The Grand Rapids Area Chamber of Commerce Ballot Committee also violated the rule applying to 48 hour reports, by not reporting a \$10,000 donation from Amway Corporation on October 30, 2014. It does seem suspicious to consider the GR Area Chamber BQC received only three donations in the three months leading to the November 4, 2014 election, (\$2500.00, \$1000.00, and \$10,000.00), and they made only three expenditures, three donations to the Protect Your Vote GR ballot question committee (\$2500.00, \$1005.00, and \$9850.00). Pass through donations are illegal under MCFA so we are left to assume they solicited these donations to support other ballot questions, despite reports indicating they only donated to the Protect Your Vote GR BQC.

There are also significant discrepancies in the dates donations were recorded between these two committees. Protect Your Vote BQC reports they received the \$2,500.00 donation on October 3, 2014 and the GR Area Chamber BQC reports making that donation on October 27, 2014. Protect Your Vote BQC reports they received the \$1,005.00 donation on October 14, 2014 and the GR Area Chamber BQC reports making that donation on October, 20, 2014.

These violations are significant. The unreported \$14,155.00 represents 26.2% of all the funds raised on both sides of this ballot question. The largest donation on either side of this campaign was hidden. The GR Chamber Committee's \$9,850.00 donation on October 30, 2014, was not reported as required by MCFA Section 169.232. In total \$54,020.62 was raised by committees to advocate for and against this ballot question. Over a quarter of the money raised was not reported before the election as required by law.

This is particularly flagrant because the timing of the omitted reporting made it impossible to correct in a way that would have informed voters prior to casting ballots. The individuals and groups responsible for these donations and reporting have been politically active in many past election cycles and are expected to continue to be active in campaigns in the future. Ignoring these violations will encourage contempt for MCFA and create the appearance of a double standard in enforcement.

Sincerely,

Scott Tillman

Enclosures;

9 Campaign Finance Complaint Forms  
Protect Your Vote GR Pre-Election Statement  
Protect Your Vote GR Post-Election Statement

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

**Reset Form**

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:

<b>Section 1. Complainant</b>		
Your Name <b>Scott Tillman</b>	Daytime Telephone Number <b>231.282.1167</b>	
Mailing Address <b>2600 W Walton Blvd</b>		
City <b>Waterford</b>	State <b>MI</b>	Zip <b>48329</b>

<b>Section 2. Alleged Violator</b>		
Name <b>GRAND RAPIDS AREA CHAMBER OF COMMERCE BALLOT COMMITTEE, Committee ID 516266</b>		
Mailing Address <b>111 PEARL STREET NW</b>		
City <b>Grand Rapids</b>	State <b>MI</b>	Zip <b>49503</b>

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

Section(s) of the MCFA violated: **Section 169.232**

**Explain how those sections were violated:**

The GR Chamber Ballot Committee received \$10,000.00 on 10/30 from AMWAY CORPORATION and no late contribution report was filed.

MI reporting requires a pre-election to be filed covering up to 10/19 and a post-election to be filed covering up to 11/24.

Donations of \$2,500 & greater that come after 10/19 report up to 3 days prior to the election (11/1/14) are required to be reported in a late filing report within 48 hours of receipt.

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

**POST-GENERAL CS(e) filed 12/5/2014 by,**

**GRAND RAPIDS AREA CHAMBER OF COMMERCE BALLOT COMMITTEE,**


**Treasurer SHARI M DICK, Committee ID 516266, BOE Link provided**

**[http://miboecfr.nictusa.com/cgi-bin/cfr/com\\_det.cgi?com\\_id=516266#DOC](http://miboecfr.nictusa.com/cgi-bin/cfr/com_det.cgi?com_id=516266#DOC)**

**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

1-31-15  
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:*

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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







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

March 12, 2015

Scott Tillman  
2600 West Walton Boulevard  
Waterford, Michigan 48329

***Via Email:*** [tillmanscott26@yahoo.com](mailto:tillmanscott26@yahoo.com)

Dear Mr. Tillman:

The Department of State received a response to the complaint you filed against the Grand Rapids Area Chamber of Commerce Ballot Committee, 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, 1<sup>st</sup> Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

A handwritten signature in black ink that reads "Lori A. Bourbonais".

Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State

c: Shari Dick



**GRAND RAPIDS AREA  
CHAMBER OF COMMERCE**

February 23, 2015

Ms. Lori A. Bourbonais  
Bureau of Elections  
Michigan Dept. of State  
Richard H. Austin Bldg., 1st Floor  
430 West Allegan Street  
Lansing, Michigan 48918

**Re: Tillman v. Grand Rapids Area Chamber of Commerce Ballot  
Committee**

Dear Ms. Bourbonais:

This is a response to the complaint dated January 30, 2015 that Mr. Scott Tillman filed against the Grand Rapids Area Chamber of Commerce Ballot Committee ("Committee"). The complaint alleges that the Committee failed to file a late contribution report for a \$10,000 contribution received on October 30, 2014.

Before receiving your letter dated February 11, 2015 notifying the Committee of the complaint, the Committee received a Notice of Late Filing Fee Due from the Secretary of State's office assessing a \$1,525.00 late fee for the failure to file the late contribution report that is the subject of Mr. Tillman's complaint.

Enclosed is a copy of the check for the full payment of the late fee assessed by the Secretary of State that resolves this matter.

The failure to file the late contribution report was inadvertent. The Committee underwent staff turnover shortly before the 2014 general election, as evidenced by the Amendment to the Statement of Organization filed on October 24, 2014 changing the treasurer. The Committee is undergoing training and putting in place procedures that will ensure compliance with all filing obligations moving forward.

Please let me know if you have any questions.

Very Truly Yours,

Shari Dick, Treasurer



1678-22821-1

Obligat'n Description	Vendor number	Amount
43271 ID# 516266-4	344	1,525.00
*** Total ***		1,525.00

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

**Grand Rapids Area  
Chamber of Commerce**

The Waters Building • 616.771.0300  
111 Pearl Street NW • Grand Rapids, MI 49503-2831

THE HUNTINGTON NATIONAL BANK  
GRAND RAPIDS, MI 49503  
74-347724

022821

1678-22821-1

02/24/2015 \*\*\*\*\*1,525.00

\*\* One Thousand Five Hundred Twenty Five Dollars and 00 Cents \*\*

STATE OF MICHIGAN  
BUREAU OF ELECTIONS  
430 W ALLEGAN  
LANSING MI 48915

TWO SIGNATURES REQUIRED IF OVER 5,000

⑈022821⑈ [REDACTED] ⑈

*✓ was signed By  
Rick Baker...*

*copy*



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

March 26, 2015

Shari Dick, Treasurer  
Grand Rapids Area Chamber  
of Commerce Ballot Committee  
111 Pearl Street NW  
Grand Rapids, Michigan 49503

Dear Ms. Dick:

This letter concerns the complaint that was recently filed against the Grand Rapids Area Chamber of Commerce Ballot Committee by Scott Tillman, which relates to a purported violation of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* The Department of State has received a rebuttal statement from the complainant, a copy of which is enclosed with this letter.

Section 15(10) of the MCFA, MCL 169.215(10), requires the Department to determine within 60 business days from the receipt of the rebuttal statement whether there is a reason to believe that a violation of the Act has occurred. Mr. Tillman's complaint remains under investigation at this time. At the conclusion of the review, all parties will receive written notice of the outcome of the complaint.

Sincerely,

A handwritten signature in black ink that reads "Lori A. Bourbonais".

Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State

c: Scott Tillman

3/24/15

Lori Burbonais  
Bureau of Elections  
Michigan Department of State  
Richard H Austin Building, 1<sup>st</sup> Floor  
430 W Allegan St,  
Lansing, MI 48918

BUREAU OF ELECTIONS  
MI DEPT OF STATE

2015 APR -2 AM 10: 26

Thank you for allowing me to respond to the letters you received from Protect Your Vote GR and the Grand Rapids Area Chamber Ballot Question Committee.

We should get rid of the Michigan Campaign Finance Act (MCFA). It's too complicated and it doesn't serve any real purpose. When Grand Rapids citizens put term limits on the ballot last year, they were opposed by a group of political insiders. The ironically-named insider group Protect Your Vote was funded by connected lobbyists, politicians and local developers. Overall, the committee reported spending \$33,301.98 over four months in its failed bid to defeat term limits.

Disclosing to voters the source of campaign funding before they cast votes in an election is the essential justification behind Michigan's campaign finance laws. For this reason, Michigan law requires all donations received up to three days prior to an election to be reported before the election. According to their original filings, Protect Your Vote GR and the Grand Rapids Area Chamber Ballot Committee ignored this law. Three days before the election, protect your vote had received \$27,690 in reportable donations but only reported receiving \$13,535. They kept over half of their funding secret (\$14,155) until after ballots were cast and votes were counted. As a resolution to the majority of these omissions Glen Barkan the treasurer simply changed the dates, and the elections board is taking him at his word with no investigation (despite his original false reports). The GR Area Chamber committee had received \$12,500 they were required to report but only disclosed \$2,500. They were fined \$1525.00 which they quickly paid ending further investigation.

The MCFA requires everyone spending money in Michigan elections to file and follow Bureau of Election rules. The same level of compliance is expected from career politicians, lobbyists, attorneys, and even political first timers who decide to put an ad in the paper for or against a local millage increase. It doesn't even matter if you spend nothing. I personally was fined \$50 for being two days late reporting a committee had raised nothing and spent nothing, ever. Once you file a statement of organization and indicate you intend to try to raise money you're on the hook to file every quarter whether or not you raised money.

I'm not a genius but I figured it out after being fined one time. However, these rules are more difficult for some. The anti-term limit group treasurer Glen Barkan holds a Ph.D, is a retired dean and has been a Professor of Political Science at Aquinas College for over 40 years. Dr. Barkan, who is considered an expert on Michigan elections and politics, has written countless

op-eds and appeared on many TV and news programs to offer his political expertise, and he couldn't figure out how to comply with the MCFA. Former city commissioner Mary Alice Williams, the committee's lead spokesperson and organizer, has been active in a PAC, city council races, and ballot questions and was unable to help Dr. Barkan figure out the MCFA. The Grand Rapids Area Chamber CFO (Chief Financial Officer) Sherri Dick had the same problem. The MCFA is obviously too complicated.

If the MCFA is not overly complicated, we would be left to believe these Grand Rapids area experts and leaders intentionally hid large campaign contributions from voters before the term limits election.

In October Protect Your Vote GR used unreported funds to send out mailers warning voters that term limits were "hijacking the democratic process." They outspent the term limits campaign over 2-1 and voters still approved term limits. Campaign finance laws do not stop connected insiders from gaming the system and hiding donations. Campaign finance laws intimidate and discourage outsiders from becoming active in politics. Campaign finance laws hijack the democratic process and the legislature should repeal or simplify the MCFA.

Sincerely,  
Scott Tillman



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

June 18, 2015

Shari Dick, Treasurer  
Grand Rapids Area Chamber  
of Commerce Ballot Committee  
111 Pearl Street NW  
Grand Rapids, Michigan 49503

Dear Ms. Dick:

The Department of State (Department) has concluded its investigation of the complaint filed by Scott Tillman against the Grand Rapids Area Chamber of Commerce Ballot Committee (Committee), which alleged that the Committee violated the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* This letter concerns the disposition of Mr. Tillman's complaint, which was filed on February 4, 2015. You filed an answer to the complaint on March 4, 2015, and Mr. Tillman filed a rebuttal statement with the Department on March 25, 2015.

The MCFA requires the reporting of a late contribution within 48 hours of its receipt. MCL 169.232(1). A late contribution to a ballot question committee means "contributions from the same contributor with a cumulative total of \$2,500.00 or more received after the closing date of the last campaign statement required to be filed before an election." MCL 169.232(7). The failure to timely file a late contribution report may result in late filing fees. MCL 169.232(4). The failure to timely file a late contribution report may also result in a civil fine in an amount up to \$1,000.00. MCL 169.215(15).

The Act also provides that if Department determines there may be "reason to believe that a violation of this act has occurred[,] the Department is required by law to "endeavor to correct the violation or prevent a further violation by using informal methods." MCL 169.215(10).

Mr. Tillman alleged that the Committee failed to file a late contribution report for October 30, 2014. A review of the Committee's 2014 Post-Election campaign statement indicates that it received a contribution of \$10,000.00 from the Amway Corporation on October 30, 2014.

According to its 2014 Post-Election campaign statement, the Committee received a contribution of \$10,000.00 on October 30, 2014, which was after the closing date for its 2014 Pre-Election campaign statement and before the November 4, 2014 election. The Department has determined that you were required to file a late contribution report for that date within 48 hours of receipt of the contribution. Instead, this contribution was not disclosed until December 5, 2014 -- 21 business days after the report was due and more than a month after the November 4, 2014 election.

Shari Dick, Treasurer  
Grand Rapids Area Chamber  
of Commerce Ballot Committee  
June 18, 2015  
Page 2

On February 5, 2015 the Department issued a Late Contribution Notice and a Notice of Late Filing Fee Due directing the Committee to pay a late filing fee in the amount of \$1,525.00 for failing to timely file a late contribution report for the October 30, 2014 contribution. The Committee paid this fee in full on March 9, 2015.

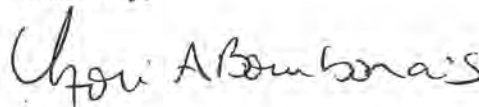
The Department finds that the evidence supports a reason to believe that the Committee violated the Act by failing to file a late contribution report for the \$10,000.00 contribution it received on October 30, 2014. While the Committee has paid the statutory late-filing fee due, the Act also provides that a person who violates the Act may be subject to a civil fine of up to \$1,000.00. MCL 169.215(15).

Having found a violation, the Department must now "endeavor to correct the violation or prevent a further violation by using informal methods." MCL 169.215(10). The Department offers to resolve Mr. Tillman's complaint against the Committee through execution of the enclosed conciliation agreement, which requires that you pay a civil fine to State of Michigan in the amount of \$1,000.00.

**If you are inclined to execute the conciliation agreement, please return the original signed document to this office on or before July 17, 2015, along with a check or money order payable to the State of Michigan in the amount of \$1,000.00.** Please include the notation, "Conciliation Agreement, Attn: Bureau of Elections" on your check or money order made payable to the State of Michigan.

Please be advised that if the Department is unable to resolve this complaint informally, it is required by MCL 169.215(10)-(11) to commence an administrative hearing to enforce the civil penalties provided by law. "If after a hearing the secretary of state determines that a violation of this act has occurred, the secretary of state may issue an order requiring the person to pay a civil fine equal to triple the amount of the improper contribution or expenditure plus not more than \$1,000.00 for each violation." MCL 169.215(11).

Sincerely,



Lori A. Bourbonais  
Bureau of Elections  
Michigan Department of State

Enclosure