



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

February 29, 2016

Jeff Timmer
10018 East Grand River Avenue
Portland, Michigan 48875

Dear Mr. Timmer:

The Department of State (Department) has completed its investigation of the complaint filed by you against Interstate Informed Citizens Coalition, Inc. (IICCI), Robert and Cathy Haskin, Robert and Mona Albrecht, Cynthia and Sidney Thompson, Donna Ellis, and the Karen Flannagan Trust (Respondents), which alleged that Respondents violated the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* This letter concerns the disposition of your complaint against these Respondents. A separate letter regarding your complaint against Raymond Ellis is enclosed.

You filed your complaint on October 2, 2015. The Department received an answer from the Karen Flanagan Trust on October 23, 2015; from Sidney and Cynthia Thompson on November 5, 2015; and from the Interstate Informed Citizens Coalition and Raymond and Donna Ellis on November 6, 2015. You did not file a rebuttal statement with the Department.

Your complaint alleged that Respondents (1) failed to include a complete and proper paid-for-by statement on certain campaign material, and (2) either met the definition of a "committee" and failed to file a Statement of Organization and required campaign finance statements or failed to file independent expenditure reports with regard to certain campaign material.

In support of your complaint, you provided copies of several pictures of large signs which stated, "WIND ENERGY GET THE FACTS . . . VOTE **NO** IN NOVEMBER" and directed people to see www.iiccusa.org; a copy of a picture of a small lawn sign which stated GET THE FACTS iiccusa.org [;]" a copy of a mailer which stated "WIND ENERGY GET THE FACTS . . . VOTE **NO** IN NOVEMBER [;]" an affidavit sworn by Mary McCoy indicating that the signs were on property owned by Respondents; and an affidavit sworn by David Pridnia, President of Pridnia Design, indicating that the fair market value of the large signs is \$150.00 each, small lawn signs \$5.70 each, and the minimum cost of the mailer would be \$409.40, not including labor costs.

In its answer to the complaint, IICCI asserted that "[t]he IICC had no knowledge that its website was being listed on signs installed in and around Argyle and Moore Townships." It further asserted that while IICCI does not object to the printing of its website address on the signs, the action to put the address on the signs was taken without IICCI's knowledge or consent. Finally, IICCI denied that IICCI was consulted regarding the signs or mailings or that IICCI paid for any

Jeff Timmer
February 29, 2016
Page 2

signs or mailings, or made any in-kind contributions that would require IICCI to file campaign finance reports or statements.

Additionally the Department is in receipt of a sworn affidavit from Mr. Raymond Ellis in which he asserts that he is the treasurer of the Concerned Citizens of Argyle and Moore Township ballot question committee (CCAMT), which paid for and purchased the campaign material in question without any contribution from or the consent of IICCI. The Department is also in receipt of the Statement of Organization for CCAMT and CCAMT's 2015 Pre-Election statement filed on October 23, 2016. The pre-election statement discloses the costs for the signs and mailers in question.

Finally, the Department received answers from both the Karen Flanagan Trust and from Sidney and Cynthia Thompson. The Karen Flanagan Trust denied receiving contributions or making expenditures regarding the ballot question and denied paying for the sign on its property. Mr. and Mrs. Thompson denied purchasing any materials for the sign on their property and denied contributing any money to the campaign. No evidence has been offered to the contrary.

The Department has reviewed the campaign statement filed by CCAMT and concludes that the evidence supports a determination that CCAMT paid for the signs and mailers that were the subject of your complaint, and CCAMT properly filed as a ballot question committee and disclosed the in-kind contributions and expenditures for these signs and mailers. Because CCAMT produced and paid for the signs and mailer, these Respondents were not required to place a paid-for-by statement on the material, nor were they required to file independent expenditure reports.

Based on the above, your complaint against these Respondents is dismissed.

Sincerely,



Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Interstate Informed Citizens Coalition, Inc.
Robert and Cathy Haskin
Robert and Mona Albrecht
Cynthia and Sidney Thompson
Donna and Raymond Ellis
Karen Flanagan Trust