



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

May 18, 2018

Jeff Sieting
225 Spruce Street
Kalkaska, Michigan 49646

Re: *Smith v. Sieting*
Campaign Finance Complaint
2018-05-002-47

Wales v. Sieting
Campaign Finance Complaint
2018-05-003-47

Dear Mr. Sieting:

The Department of State (Department) has received multiple complaints alleging that you have violated MCL 169.247 of the Michigan Campaign Finance Act (MCFA) by failing to include a complete and correct identification statement on certain campaign-related material.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), R 169.36(2). A knowing violation constitutes a misdemeanor offense punishable by a fine of up to \$1,000.00, imprisonment for up to 93 days, or both. MCL 169.247(6).

The Act also 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 [.]" MCL 169.215(10). The objective of an informal resolution is "to correct the violation or prevent a further violation [.]" *Id.*

The Department has received two complaints: The first was filed by Harley Wales on May 8, 2018, and the second was filed by James Smith, Jr. on May 8, 2018. Both complaints alleged that you failed to include a paid-for-by statement on your campaign sign. In support of their complaint, a picture of the sign was included which states, "Keep Jeff Sieting Vote ~ May 8." It appears the paid-for-by statement was omitted from the sign. A copy of the picture of the sign sent to our office is enclosed.

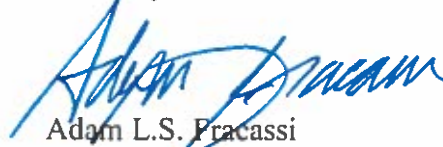
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Given that it appears the paid-for-by statement is omitted, the Department is hereby advising you that MCL 169.247(1) and R 169.36(2) require you to print a complete and accurate identification statement on all campaign materials, consisting of the phrase "paid for by" followed by the full name and address of your committee. Note that all printed materials that refer to an election or your candidacy produced in the future must include this identification statement. If this information was included on the sign but not provided, please submit such evidence to this office at the address listed above.

Please be advised that this notice has served to remind you of your obligation under the Act to identify your printed matter 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 that reads "Adam L.S. Fracassi". The signature is fluid and cursive, with the first name "Adam" being particularly prominent.

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

c: James Smith, Jr.
Harley Wales

Campaign Finance Complaint Form
Michigan Department of State

RECEIVED/FILED
MICHIGAN DEPT OF STATE
2018 MAY -8 AM 9:13

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	JAMES H. SMITH JR.	
Daytime Telephone Number	231.564.3581	
Mailing Address	611 N. WALNUT STREET	
City	State	Zip
KALKASKA	MI	48116416

Section 2. Alleged Violator		
Name	JEFF SIETING	
Mailing Address	225 SPRUCE	
City	State	Zip
KALKASKA	MI	48116416

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

Section(s) of the MCFA violated:

MCL 164.247(1), 131691.36(2)

Explain how those sections were violated:

THERE WERE NO SUCH PAID FOR STATEMENTS ON ANY CAMPAIGN SIGNS.

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

PICTURE OF SIGN

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 James H. Smith Jr. 5.1.18
Signature of Complainant 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

★ KEEP ★

Jeff

SIEETINGS

VOTE ~ MAY 8

