

## Campaign Finance Complaint Form Michigan Department of State

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:

<b>Section 1. Complainant</b>			
Your Name	YANI WARDA	Daytime Telephone Number	682-703-0589
Mailing Address	PO BOX 180275		
City	UTICA	State	MI
		Zip	48317

<b>Section 2. Alleged Violator</b>			
Name	Michael MacDonald		
Mailing Address	13335 15-Mile, Box 323		
City	Sterling Heights	State	MI
		Zip	48312

<b>Section 3. Alleged Violations (Use additional sheet if more space is needed.)</b>
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Section(s) of the MCFA violated:            MCFA 169.247 SEC. 47 (1)

Explain how those sections were violated:

The individual in good faith attempted with "paid for by the committee to elect mike macdonald" of the yard sign but had forgotten the remaining portion including the address of whom it was paid for by.

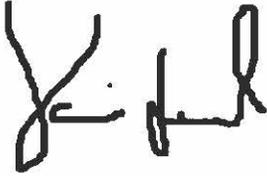
Evidence that supports those allegations (attach copies of pertinent documents and other information):

Exhibit 1 – Photograph of Political Yard 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



Signature of Complainant

7/23/2018

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 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

Exhibit 1



A black and white photograph of a campaign sign. The sign is rectangular and divided into three horizontal sections. The top section is a dark band with the word "REPUBLICAN" in white, spaced-out, uppercase letters. The middle section is white and features the name "Mike MacDonal" in a large, bold, sans-serif font, with "Mike" in a smaller font above "MacDonal". The bottom section is a dark band with the text "FOR STATE SENATE" in white, spaced-out, uppercase letters. Below this text is a horizontal row of seven white stars. At the very bottom of the sign, the website address "WWW.ELECTMIKEMACDONALD.COM" is printed in white, uppercase letters. A small, faint line of text at the bottom center reads "PAID FOR BY THE COMMITTEE TO ELECT MIKE MACDONALD".

REPUBLICAN

Mike  
**MacDonal**

FOR STATE SENATE

★ ★ ★ ★ ★ ★ ★

WWW.ELECTMIKEMACDONALD.COM

PAID FOR BY THE COMMITTEE TO ELECT MIKE MACDONALD



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

July 24, 2018

Michael MacDonald  
13335 15-Mile, Box 323  
Sterling Heights, Michigan 48312

Re: *Warda v. MacDonald*  
Campaign Finance Complaint  
No. 2018-07-041-47

Dear Mr. MacDonald:

The Department of State (Department) has received a formal complaint alleging 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 materials.

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.*

Submitted with the complaint was a picture of a campaign sign which says "REPUBLICAN Mike MacDonald FOR STATE SENATE." At the bottom of the sign is a paid for by statement reading "PAID FOR BY THE COMMITTEE TO ELECT MIKE MACDONALD."

Upon review, it appears that the paid for by statement is incomplete in violation of MCL 169.247. Given this, 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.**

Mike MacDonald  
July 24, 2018  
Page 2

Note that all printed materials that refer to an election or your candidacy produced in the future must include this identification statement. For any and all materials currently in circulation that refer to your candidacy, the full paid for by statement must be corrected/included. If this information has been included on your website or campaign flyers, please provide this office evidence demonstrating the proper paid for by statements.

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, appearing to read "Adam L.S. Fracassi".

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

c: Yani Warda