



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

August 5, 2016

Tim Slot
9987 Burlingame SW
Byron Center, Michigan 49315

Dear Mr. Slot:

The Department of State (Department) received a formal complaint filed by Rick Hesselink against you, alleging that you 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 prohibits a candidate committee from making a "contribution to or an independent expenditure in behalf of another candidate committee." MCL 169.244(2). A knowing violation of section 44 is a misdemeanor punishable by a fine, imprisonment, or both. MCL 169.244(5).

Additionally, the MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), Mich. Admin. 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).

Mr. Hesselink alleges that your candidate committee paid for a mailer which endorsed Audrey Nevins Weiss, Joel Hondorp, Carol Houseman, Bill DeBoer, and Jan Koens for township office in contravention of section 44 of the Act. Mr. Hesselink further alleges that you failed to include a paid-for-by statement on the Byron Township Shines website.

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, 1st 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.

Tim Slot
August 5, 2016
Page 2

A copy of your answer will be provided to Mr. Hesselink, 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 enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement of the criminal penalties provided in section 57(4) of the Act.

If you have any questions concerning this matter, you may contact me at (517) 241-0395.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori A. Bourbonais", with a stylized flourish at the end.

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Rick Hesselink

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:

Section 1. Complainant

Your Name <i>Rick Hesse Link</i>		Daytime Telephone Number <i>(616) 249-9310</i>
Mailing Address <i>1090 64th St SW</i>		
City <i>Byron Center</i>	State <i>MI</i>	Zip <i>49315</i>

Section 2. Alleged Violator

Name <i>Tim Slot</i>		
Mailing Address <i>9987 Burlingame SW</i>		
City <i>Byron Center</i>	State <i>MI</i>	Zip <i>49315</i>

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

Section(s) of the MCFA violated:

169.244 (2)

Explain how those sections were violated:

The committee to Elect Tim Slot paid for and distributed a mailing (attached) that advocated for the election of 5 other candidates for the Byron Township Board, excluding 2 candidates. Mailing was sent to registered voters

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

Copies attached

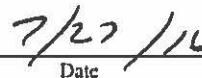
Section 4. Certification (Required)

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



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

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

RECEIVED
MICHIGAN DEPT. OF STATE
2016 AUG -1 AM 11:56

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 <i>Rick Hesselink</i>	Daytime Telephone Number <i>616-249-93-10</i>	
Mailing Address <i>2090 64th St SW</i>		
City <i>Byron Center</i>	State <i>MI</i>	Zip <i>49315</i>

Section 2. Alleged Violator		
Name <i>Tim Slot</i>		
Mailing Address <i>9987 Burlingame SW</i>		
City <i>Byron Center</i> MI	State <i>MI</i>	Zip <i>49315</i>

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

Section(s) of the MCFA violated:
169.247.1 and/or 169.247(5)

Explain how those sections were violated:

The committee to Elect Tim Slot paid for and distributed to registered Byron Township voters a mailing list. In writing a website www.ByronTownshipLines.info. Said website reports the candidates mailing in total, but does not disclose who paid for the establishment of the website or whether it was authorized by the candidate

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

Copy attached

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

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

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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

BYRON TOWNSHIP

A GREAT PLACE TO LIVE, WORK AND RAISE OUR FAMILIES



Experienced

Conservative

Leadership



Paid for by
Tim Slot for Trustee
9987 Burlingame Ave SW
Byron Center MI 49315



We Ask You to Please Elect the Following for:

Your Byron Township Board

☒ **Audrey Nevins Weiss**

Township Supervisor

☒ **Joel Hondorp**

Township Clerk

☒ **Carol Houseman**

Township Treasurer

☒ **Tim Slot**

Township Trustee

☒ **Bill DeBoer**

Township Trustee

☒ **Jan Koens**

Township Trustee



Absentee or At
The Polls on
Tuesday
August 2, 2016

www.ByronTownshipShines.info

Please Bring this to the Polls on Tuesday August 2nd

MICHIGAN CAMPAIGN FINANCE ACT (EXCERPT)

Act 388 of 1976

169.244 Prohibited contributions or expenditures; delivery or return of contribution; joint fund-raiser; violation as misdemeanor; penalty.

Sec. 44. (1) A contribution shall not be made by a person to another person with the agreement or arrangement that the person receiving the contribution will then transfer that contribution to a particular candidate committee.

(2) A candidate committee shall not make a contribution to or an independent expenditure in behalf of another candidate committee. This subsection does not prohibit the purchase of tickets to another candidate committee's fund-raising event that does not exceed \$100.00 per candidate committee in any calendar year.

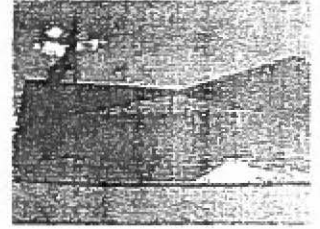
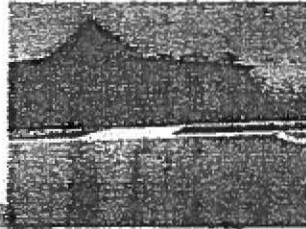
(3) An individual, other than a committee treasurer or the individual designated as responsible for the record keeping, report preparation, or report filing for a committee, who obtains possession of a committee's contribution for the purpose of delivering the contribution to another committee shall deliver the contribution to that committee, that committee's treasurer, or that committee's agent, or return the contribution to the payor, not later than 10 business days after obtaining possession of the contribution.

(4) Two or more persons, other than individuals, may hold a joint fund-raiser if the receipts and expenses of the fund-raiser are shared proportionately.

(5) A person who knowingly violates this section is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00, or imprisonment for not more than 90 days, or both.

History: 1976, Act 388, Eff. June 1, 1977;—Am. 1989, Act 95, Imd. Eff. June 21, 1989;—Am. 1994, Act 411, Imd. Eff. Dec. 29, 1994.

Byron Township Shines. Info



A Great Place to Live, Work and Raise Our Families

Election of Township Officials

The ByronTownshipShines gives a big thank you to our excellent township Officials and Trustees listed below.

We Ask You to Please Elect the Following for:

Your Byron Township Board

☒ **Audrey Nevins Weiss**

Township Supervisor

☒ **Joel Hondorp**

Township Clerk

☒ **Carol Houseman**

Township Treasurer

☒ **Tim Slot**

Township Trustee

☒ **Bill DeBoer**

Township Trustee

☒ **Jan Koers**

Township Trustee



Absentee or At
The Polls on
Tuesday
August 2, 2016

www.ByronTownshipShines.info

Please bring ID to the polls on Tuesday, August 2nd, 2016.

Local Websites Help Make the Shine Even Brighter

(Click to view websites)

Churches:

Government and Community

- [Main Byron Township Website](#)
- [Byron Days Festival, July 28-31](#)
- [Byron Center Public Schools](#)
- [Byron Township Fire Department](#)
- [Byron Center Chamber of Commerce](#)
- [Cutlerville-Gaines Chamber of Commerce](#)
- [Facebook: Byron Center Farmers Market](#)
- [Facebook: Byron Township Recreation](#)
- [Facebook: Byron Township Whistlestop Park](#)
- [Facebook: Byron Township Cutler Park](#)
- [Facebook: Byron Township Bicentennial Park](#)
- [Facebook: Byron Center Fire Department](#)
- [Facebook: Cutlerville Fire Department](#)
-

- [Banner of Christ Church](#)
- [Byron Center Protestant Reformed Church](#)
- [Byron Center Baptist Church](#)
- [Byron Center Bible Church](#)
- [Byron Center Methodist Church](#)
- [Carisle United Methodist Church](#)
- [Compass Church](#)
- [Corinth Reformed Church](#)
- [Covenant United Reformed Church](#)
- [First Christian Reformed Church](#)
- [First Cutlerille Christian Reformed Church](#)
- [First Reformed Church](#)
- [Friendship Christian Reformed Church](#)
- [Frontline Bible Church](#)
- [Heritage Christian Reformed Church](#)
- [Highpointe Community Church](#)
- [InSpirit Church](#)
- [Pathway Church](#)
- [River of God Church](#)
- [Rush Creek Bible Church](#)
- [Second Christian Reformed Church](#)
- [South Harbor Church](#)
- [St. Sebastian Catholic Church](#)
- [The Oasis Church](#)
- [Woodhaven Reformed Church](#)
- [Woodward Baptist Church](#)

Site under construction

<http://www.ByronTownshipShines.info>



MICHIGAN CAMPAIGN FINANCE ACT (EXCERPT)
Act 388 of 1976

169.247 Printed matter or radio or television paid advertisement having reference to election, candidate, or ballot question; name and address; identification or disclaimer; size and placement; rules; exemption; statement that payment made "with regulated funds"; communication exempted under section 6(2)(j); violation as misdemeanor; penalty; prerecorded telephone message.

Sec. 47. (1) Except as otherwise provided in this subsection and subject to subsections (3) and (4), a billboard, placard, poster, pamphlet, or other printed matter having reference to an election, a candidate, or a ballot question, shall bear upon it an identification that contains the name and address of the person paying for the matter. Except as otherwise provided in this subsection and subsection (5) and subject to subsections (3) and (4), if the printed matter relating to a candidate is an independent expenditure that is not authorized in writing by the candidate committee of that candidate, in addition to the identification required under this subsection, the printed matter shall contain the following disclaimer: "Not authorized by any candidate committee". An individual other than a candidate is not subject to this subsection if the individual is acting independently and not acting as an agent for a candidate or any committee. This subsection does not apply to communications between a separate segregated fund established under section 55 and individuals who can be solicited for contributions to that separate segregated fund under section 55.

(2) A radio or television paid advertisement having reference to an election, a candidate, or a ballot question shall identify the sponsoring person as required by the Federal Communications Commission, bear an identification that contains the name of the person paying for the advertisement, and be in compliance with subsection (3) and, except as otherwise provided by subsection (5), with the following:

(a) If the radio or television paid advertisement relates to a candidate and is an independent expenditure, the advertisement shall contain the following disclaimer: "Not authorized by any candidate".

(b) If the radio or television paid advertisement relates to a candidate and is not an independent expenditure but is paid for by a person other than the candidate to which it is related, the advertisement shall contain the following disclaimer:

"Authorized by.....".
(name of candidate or name of candidate committee)

(3) The size and placement of an identification or disclaimer required by this section shall be determined by rules promulgated by the secretary of state. The rules may exempt printed matter and certain other items such as campaign buttons or balloons, the size of which makes it unreasonable to add an identification or disclaimer, from the identification or disclaimer required by this section.

(4) Except for a communication described in subsection (5) and except for a candidate committee's printed matter or radio or television paid advertisements, each identification required by this section shall also indicate that the printed matter or radio or television paid advertisement is paid for "with regulated funds". Printed matter or a radio or television paid advertisement that is not subject to this act shall not bear the statement required by this subsection.

(5) A communication otherwise entirely exempted from this act under section 6(2)(j) is subject to both of the following:

(a) Must contain the identification required by subsection (1), (2), or (7) if that communication references a clearly identified candidate or ballot question within 60 days before a general election or 30 days before a primary election in which the candidate or ballot question appears on a ballot and is targeted to the relevant electorate where the candidate or ballot question appears on the ballot by means of radio, television, mass mailing, or prerecorded telephone message.

(b) Is not required to contain the disclaimer required by subsection (1) or (2).

(6) A person who knowingly violates this section is guilty of a misdemeanor punishable by a fine of not more than \$1,000.00, or imprisonment for not more than 93 days, or both.

(7) A prerecorded telephone message that in express terms advocates the election or defeat of a clearly identified candidate, or the qualification, passage, or defeat of a ballot question, shall bear an identification that contains the name and telephone number, address, or other contact information of the person paying for the prerecorded telephone message, and shall be in compliance with subsection (4). A prerecorded telephone message subject to this subsection is not required to contain a disclaimer.

History: 1976, Act 388, Imd. Eff. June 1, 1977;—Am. 1978, Act 348, Imd. Eff. July 12, 1978;—Am. 1996, Act 225, Imd. Eff. May 30, 1996;—Am. 2001, Act 250, Imd. Eff. Mar. 22, 2002;—Am. 2012, Act 277, Imd. Eff. July 3, 2012;—Am. 2013, Act 232, Imd. Eff. Dec. 27, 2013;—Am. 2015, Act 269, Imd. Eff. Jan. 6, 2016.

Compiler's note: Section 2 of Act 225 of 1996, which amended this section, provides:

"Section 2. If any portion of this amendatory act or the application of this amendatory act to any person or circumstance is found to be invalid by a court, the invalidity does not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if those remaining portions are not determined by the court to be inoperable. To this end, this amendatory act is declared to be severable."



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

August 23, 2016

Rick Hesselink
2090 64th Street SW
Byron Center, Michigan 49315

Dear Mr. Hesselink:

The Department of State received a response to the complaint you filed against Tim Slot, 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, 1st 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: Phillip Slot

SLOT LAW GROUP, PLLC
77 Monroe Center NW, Suite 700
Grand Rapids, MI 49503

Ph: (616) 456-5457- Direct: (616) 288-0181- Fax: (616) 456-5434- pslot@slotlaw.com
www.slotlaw.com

FAX TRANSMISSION COVER SHEET

DATE: August 23, 2016

TO: Attn: Ms. Lori A. Bourbonais
Michigan Department of State
Bureau of Elections
Richard H. Austin Building, 1st Floor
430 West Allegan Street
Lansing, Michigan 48918

PHONE:

FAX: (517) 373-0941

FROM: Phillip B. Slot, Esq. (Slot Law Group, PLLC)

RE: *Complaint against Timothy Slot for alleged violation of the Michigan Campaign Finance Act filed by Rick Hesselink*

You should receive 3 page(s) including this cover sheet. If you do not receive all of the pages, please call (616) 288-0181

The information contained in the facsimile is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received the communication in

SLOT LAW GROUP, PLLC
77 Monroe Center NW, Suite 700
Grand Rapids, MI 49503

Ph: (616) 456-5457 - Direct: (616) 288-0181 - Fax: (616) 456-5434 - pslot@slotlaw.com
www.slotlaw.com

August 23, 2016

Via US Mail and Facsimile (517) 373-0941

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

Re: *Complaint against Timothy Slot for alleged violation of the Michigan Campaign Finance Act filed by Rick Hesselink*

Dear Ms. Bourbonais,

This firm represents Timothy Slot in the matter of the complaint filed against him by Rick Hesselink alleging violations of the Michigan Campaign Finance Act (MCFA). The complaint alleges two violations of the MCFA: that the Committee to Elect Tim Slot paid for and distributed a flyer advocating for the election of other candidates in violation of MCL 169.244(2) and that a website listed on the aforementioned mailing republished the flyer without disclosing who paid for the website or whether the website was authorized by Tim Slot.

The flyer urges recipients to elect the six candidates listed on the flyer. Approximately 1100 flyers were sent out stamped with "Paid for by Tim Slot for Trustee". This suggests that the Committee to Elect Tim Slot incurred independent expenditures on behalf of the other candidates' committees in violation of MCL 169.244(2). In actuality all six candidates agreed to prepare and circulate the flier and agreed to split the costs of designing, printing, and mailing the flyer evenly. Therefore, no candidate incurred expenditures on behalf of any other candidates' committees. Finally, Tim Slot's campaign was entirely self-funded. No third party contributions were received by Mr. Slot. Because the financial cost of the mailer was borne equally by all six candidates, there can be no "contribution to or independent expenditure in behalf of another candidate committee" within the meaning of MCL 169.224(2).

The second allegation is that the flyer listed a website: www.byrontownshipshines.info, which reprinted the flyer but did not indicate whether the candidate authorized the placement of

August 23, 2016

Page 2

the flyer on the website nor did it disclose who paid for the website. The complaint alleges that such failure to list is a violation of MCL 169.247(1) and/or MCL 169.247(5).

Tim Slot had no involvement with the posting on the website. The flyer is no longer posted on the website. Tim Slot has no knowledge of who owns the website nor who authorized the placement of the flyer on the website. As of August 18, 2016, the website, at the very bottom, states that it is "developed as a public service by volunteer Byron Township residents who are interested in maintaining our upbeat community image." It appears that one of the resident-volunteers who is involved with the website posted this flyer on the website. MCL 169.247(1) provides, in part, that "An individual other than a candidate is not subject to this subsection if the individual is acting independently and not acting as an agent for a candidate or any committee." The person who posted the flyer on the website was not acting as an agent for Tim Slot. Tim Slot cannot say with any certainty whether this individual was acting as an agent for one of the other candidates listed on the flyer. Notwithstanding that fact, Mr. Slot contests the applicability of MCL 169.247(1) in this case because, among other things, the statute does not appear to apply to digital media.

Although none of the violations of the MCFA alleged in the complaint appear valid, for purposes of clarity, the flyers should have contained a statement acknowledging that the flyers were paid for by all six candidates' committees. If the department is not satisfied with the explanation and analysis in this letter, I would be interested in reviewing a statement outlining the department's position, and then we can further discuss a possible conciliation agreement.

Thank you for taking the time to read this response. Do not hesitate to contact me if you have any further questions, concerns, or requests for clarification or further information.

Very Truly Yours,
SLOT LAW GROUP, PLLC



Phillip B. Slot

PBS/nsk



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

September 12, 2016

Tim Slot
9987 Burlingame SW
Byron Center, MI 49315

Dear Mr. Slot:

This letter concerns the complaint that was recently filed against you by Rick Hesselink, 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 45 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. Hesselink'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 cursive script that reads "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Rick Hesselink

Lori A. Bourbonais
Michigan Department of State
Richard H. Austin Building 1st Floor
430 west Allegan Street
Lansing, Michigan 48918

August 31, 2016

Re: Rebuttal statement in the charges filed against Mr. Timothy Slot

Dear Ms. Bourbonais,

The following is a rebuttal statement to the letter that I received from the Slot Law Group, PLLC. As stated in my original complaint dated July 27, Mr Slot's election committee mailed a campaign post card to Byron Township voters which advocated that voters vote for five other candidates besides himself in the August 2 election. This is a clear violation of campaign finance law MCL 169.244(2). The mailing clearly stated that this was paid for by "Tim Slot for Trustee," no other candidate committees were mentioned in the mailing as paying for the distribution.

In his August 23 letter responding to the complaint Mr. Slot's attorney alleges that all of the candidates named in the mailing shared in the creation and expense of the mailing, despite the fact that none of the other candidate committees are identified as paying for the mailing.

If true, all of the other candidates who acted in concert with Mr. Slot (Audrey Nevins-Weiss, Carol Houseman, Joel Hondorp, Bill DeBoer, and Jan Koens) would be guilty of the same offense as Mr. Slot (financially assisting other candidates) and I would amend my original complaint to ask that they each be investigated for their role in this mailing.

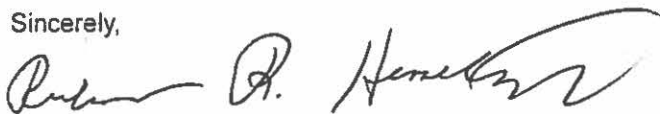
Also if true, I believe this to be a further violation of campaign finance law, one which commingles funds from multiple candidates with the potential of circumventing financial disclosure rules.

The second violation occurred when the mailing directed voters to the website "ByronTownshipShines.info", which further advocated for certain selected candidates without revealing a candidate committee responsible for its funding and authorization. By including this directive on his mailing Mr Slot assumed responsibility to know the origins, owner, and content of the website, which would have revealed that the website was in violation of MCL 169.247(1) and/or MCL 169.247(5). Mr Slot's claim that he did not know such specifics of the website stands in direct contrast to the fact that he advertised the website in his mailing.

In fact, a link on the website (www.whois.com/whois/byrontownshipshines.info) provides easy access to such information Mr. Slot claims to be unaware of. The website is registered to Michel Hill of 2143 Creekside Dr., Byron Center, MI. Mr Hill is a member of the Byron Center Downtown Development Authority, an appointed position recently assigned by the incumbent Township Board Members including Slot, Nevins-Weiss, Houseman, Hondorp, and DeBoer. Mr Hill is well known to Mr. Slot.

Honesty, Integrity and Transparency are very important character traits to qualify for elected office. The voters of Byron Township deserve to know if any of their elected officials violated campaign laws while seeking their votes. If your investigation reveals that any campaign laws were in fact violated, we seek a public censure of the offending candidates rather than a monetary fine.

Sincerely,



Richard R. Hesselink

2016 SEP -8 PM 5:17
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/20/2016 BY 60322 UCBAW



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

February 3, 2017

Rick Hesselink
2090 64th Street
Byron Center, Michigan 49315

Dear Mr. Hesselink:

The Department of State (Department) has concluded its review of the complaint you filed against Tim Slot, concerning an alleged violation of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.201 *et seq.* This letter concerns the disposition of your complaint.

You alleged that Mr. Slot's committee paid for a mailer which endorsed Audrey Nevins Weiss, Joel Hondorp, Carol Houseman, Bill DeBoer, and Jan Koens (slate of candidates) for township office in contravention of section 44 of the Act. You further alleged that Mr. Slot failed to include a paid-for-by statement on the Byron Township Shines website.

You filed your complaint on August 1, 2016. Phillip Slot filed an answer on Tim Slot's behalf on August 23, 2016. You filed a rebuttal statement on September 8, 2016.

The MCFA prohibits a candidate committee from making a "contribution to or an independent expenditure in behalf of another candidate committee." MCL 169.244(2). A knowing violation of section 44 is a misdemeanor punishable by a fine, imprisonment, or both. MCL 169.244(5).

Additionally, the MCFA and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), Mich. Admin. 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).

In support of your allegation that Tim Slot's committee made an improper contribution to or independent expenditure in behalf of another candidate committee, you provided a copy of a postcard which endorsed the slate of candidates. The postcard indicated that it was paid for by Tim Slot for Trustee.

In the answer to the complaint, Phillip Slot admitted that 1100 flyers were mailed with "Paid for by Tim Slot for Trustee" stamped on them, suggesting that Tim Slot's committee made independent expenditures in behalf of the other candidates. However, Phillip Slot asserted that, "all six candidates agreed to prepare and circulate the flier and agreed to split the costs of designing, printing, and mailing the flyer evenly [,]" and "no candidate incurred expenditures on behalf of any other candidates' committees."

The Department notes that it received a complaint filed against Carol Houseman that contained the identical postcard, except that it indicated that it was paid for by the Committee to Elect Carol Houseman. This postcard supports Phillip Slot's assertion that each candidate split the costs to produce and mail the postcard. A copy of the postcard is enclosed.

You indicated in your rebuttal statement that you believed the admission that the candidates split the costs with the postcard supports your allegation that a violation of section 44 occurred. However, that is not a correct statement of law.

Candidates may produce "slate cards" as long as each candidate pays his or her proportionate share of the cost, either directly to the vendor, or by reimbursing another candidate who paid the vendor. This does not give rise to a contribution to the receiving committee or an independent expenditure in behalf of the receiving committee. Any reimbursement for costs would be recorded by the receiving committee as an "other receipt," and not a contribution.

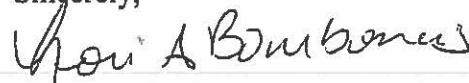
In the absence of evidence to the contrary, the Department takes Mr. Slot at his word that each candidate evenly split the costs of designing, printing, and mailing the postcard. Because each candidate paid his or her proportionate share, no contribution to or independent expenditure was made by Tim Slot's committee to another candidate committee with regard to the postcard. Therefore, this portion of your complaint is dismissed.

In support of your allegation that Tim Slot failed to include a paid-for-by statement on the Byron Township Shines website, you provided a print out of the website which included a copy of the postcard asking readers to vote for the slate of candidates. It appeared from this printout that there was no paid-for-by statement on the website.

In the answer to your complaint, Phillip Slot stated that, "Tim Slot had no involvement with posting on the website[,]" and that "Tim Slot has no knowledge of who owns the website nor who authorized the placement of the flyer on the website." No evidence has been provided to the contrary. You admitted that the postcard was mailed to registered voters in Byron Township, meaning any one of those voters could have provided the postcard to the producer or administrator of the website.

The Department has determined that the evidence provided is insufficient support a reason to believe that Tim Slot produced the Byron Township Shines website. Therefore, this portion of your complaint is also dismissed.

Sincerely,



Lori A. Bourbonais
Bureau of Elections
Michigan Secretary of State