



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

November 15, 2016

Yvonne Neyer
262 East Red Wing Road
Mount Pleasant, Michigan 48858

Dear Ms. Neyer:

The Department of State (Department) received a formal complaint filed by Jerome Hilliard against you, alleging that you violated section 47(1) of the Michigan Campaign Finance Act (MCFA), 1976 PA 388, MCL 169.247(1), by failing to include a complete and correct identification statement on certain campaign materials. A copy of the complaint is provided as an enclosure with this letter.

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 his complaint, Mr. Hilliard provided a brochure which states, "ELECT YVONNE NEYER [,] UNION TOWNSHIP TRUSTEE [.]". The brochure seems to omit a proper paid-for-by statement.

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 the 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.

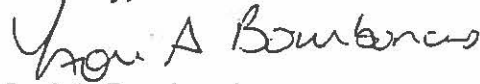
A copy of your reply will be provided to Mr. Hilliard, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all of the statements and materials provided by the parties, the Department will determine whether "there may be reason to believe that a violation of [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

Yvonne Neyer
November 15, 2016
Page 2

administrative hearing, or referring this matter to the Attorney General for enforcement of the criminal penalty provided in section 47(6) 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 that reads "Lori A. Bourbonais". The signature is written in a cursive, flowing style.

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Jerome Hilliard

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 <u>Jerome Hilliard ICDP Chair</u>		Daytime Telephone Number <u>989-317-0142</u>	
Mailing Address <u>P.O. Box 51</u>			
City <u>Mt Pleasant</u>	State <u>MI</u>	Zip <u>48858 48804</u>	

Section 2. Alleged Violator		
Name <u>Yvonne Meyer</u>		
Mailing Address <u>262 E. Red Wing Rd</u>		
City <u>Mt. Pleasant</u>	State <u>MI</u>	Zip <u>48858</u>

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

Section(s) of the MCFA violated:
section 47(1) (MCFA), 1976 PA 388

Explain how those sections were violated:
Yard signs and printed handout (enclosed)
that do not have a written
disclaimer visible.

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

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

Jeane C. Williams
Signature of Complainant

10-25-2016
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

ELECT YVONNE NEYER



UNION TOWNSHIP TRUSTEE

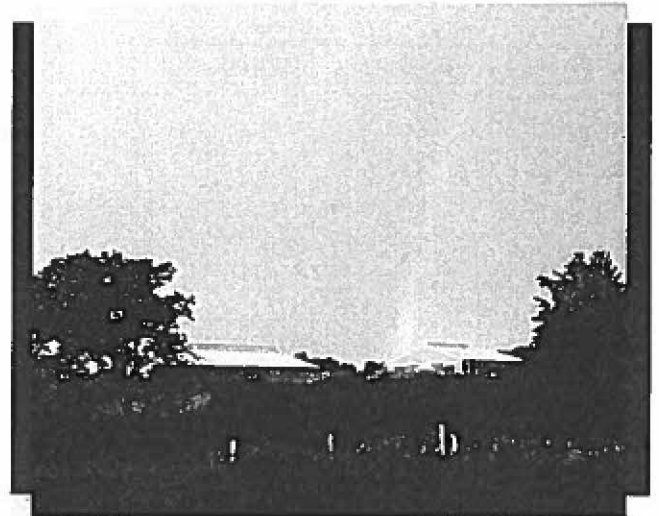
I believe our township should be well-managed and ensure all people are treated with the dignity and respect they deserve. If elected, I'll be an honest and trustworthy representative of the people with a dedication to a safer community.

QUALIFICATIONS

- ✓ Master of Science in Administration from Central Michigan University.
- ✓ 18+ years as the financial controller for a small business in Isabella County.
- ✓ Raised a family in Union Township with my husband, Bryan, for 24 years.
- ✓ Continue to operate and maintain our family farm in Union Township.



"My kids, my greatest accomplishments in life"



"Our family farm in Union Township"

***As Your Trustee,
I Promise To...***

- **Put the best interest of the people first.**
- **Serve with honor and integrity.**
- **Ensure that policies are fairly and consistently applied.**
- **Strive to ensure a safe community where people can live, work, and play.**



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

December 29, 2016

Jerome Hilliard
P.O. Box 51
Mt. Pleasant, Michigan 48804

Dear Mr. Hilliard:

The Department of State received a response to the complaint you filed against Yvonne Neyer, 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 cursive script that reads "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Daniel O'Neil

DANIEL R. O'NEIL
JEFFREY D. LYNCH

O'NEIL AND LYNCH, P.C.

ATTORNEYS AT LAW
300 SOUTH UNIVERSITY AVENUE
MT. PLEASANT, MICHIGAN 48858
TELEPHONE (989) 773-1114 AND (989) 772-3765
TELEFAX (989) 772-1512
www.oneilandlynch.com

2016 DEC -2 PM 2:48

November 29, 2016

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

Re: My Client: Yvonne Neyer

Dear Ms. Bourbonais:

Please be advised I will be representing Ms. Neyer, in the complaint filed by Jerome Hilliard (Isabella County Democratic Party Chair Person). If you need any further information, please do not hesitate to contact me.

The events regarding the complaint, are listed below, as well as a brief outline of Ms. Neyer's background. This was Ms. Neyer's first attempt at public office, and she ran her own campaign.

YARD SIGNS

The yard signs were always in compliance with statute. The appropriate disclaimers were pre-printed on the signs, by the printer.

FLYERS

The flyers in question were handed out on October 13th and 14th, to approximately 50 homes, in two sub-divisions.

Ms. Lori A. Bourbonais
November 29, 2016
Page 2

On October 14th, Ms. Neyer received a telephone call advising her that the flyers were not in compliance with the appropriate administrative rules. On October 15th, Ms. Neyer purchased a stamp (a copy of the receipt is enclosed), and each flyer was appropriately stamped and the problem resolved.

Ms. Neyer was unaware of this requirement.

MS. NEYER'S BACKGROUND

She is 46 years old, date of birth is January 13, 1970. She has been married to her husband, Brian, for 23 years. They have three sons, all currently attending college: Joshua, 22 (CMU); Dustin, 21 (Alma College); and Austin, 18 (Mid-Michigan Community College).

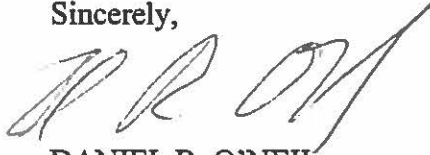
Ms. Neyer has worked for 18 years at Eldridge Packing. She basically runs the business.

Ms. Neyer is a high school graduate, earned her graduate and Masters Degrees at CMU. She advised she has never been in any trouble with the law.

CONCLUSION

I appreciate your attention and to reiterate, please contact me if any further information is needed. I can be contacted by phone at my office (989) 773-1114, and my cell (989) 330-4668.

Sincerely,

A handwritten signature in black ink, appearing to read 'D R O'NEIL', written in a cursive style.

DANIEL R. O'NEIL
Attorney at Law

DRO/jb

Enclosure

cc: Ms. Yvonne Neyer

STAPLES

2141 South Mission St
MT PLEASANT, MI 48858
(989) 772-7842

SALE 1781947 10 005 07763
310 10/15/16 20:14

Your Sales Associate Was:

Taylor S

QTY SKU PRICE

DUPLICATE COPY

Not Valid For Refund

REWARDS NUMBER 4086642412

***** Customer Order 2085930107 *****

1 BROTHER STAMP 1060 BLACK 18.99
712201
Your Rewards Price \$18.04 -0.95

Questions on Customer Order 2085930107

Call Customer Service at 1-800-3STAPLES

SUBTOTAL 18.04
Standard Tax 6.00% 1.08

TOTAL \$19.12

CHASE VISA USD\$19.12

Card No.: XXXXXXXXXXXX6630 [C] [U]

Auth No. 02578C

Chip Read

Mode.: Issuer

AID.: A0000000031010

TVR.: 0080008000

IAD.: E0FF02DDDB8E335E3030

TSI.: E800

ARC.: 3030

The Cardholder agrees to pay the Issuer
of the charge card in accordance with
the agreement between the Issuer and
the Cardholder.

Congratulations! You received special
pricing on this purchase because you are a
valued Staples Reward customer. Remember
to always use your rewards number to earn
rewards and save at Staples!

TOTAL ITEMS 1

DANIEL R. O'NEIL
JEFFREY D. LYNCH

O'NEIL AND LYNCH, P.C.

ATTORNEYS AT LAW
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TELEFAX (989) 772-1512
www.oneilandlynch.com

FILED
CLERK OF STATE
2017 APR 26 PM 3:35
ELECTIONS/GREAT SEAL

April 20, 2017

Ms. Lori A. Bourbonais
Bureau of Elections
Richard H. Austin Building First Floor
430 West Allegan, Lansing MI 48918

Re: Ms. Yvonne Neyer

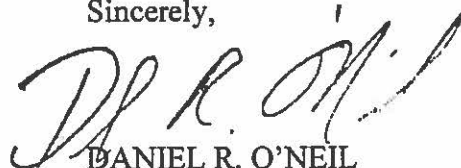
Dear Ms. Bourbonais:

Our last communication was early February.

Just wondering if any decision has been made.

Appreciate your attention.

Sincerely,


DANIEL R. O'NEIL
Attorney at Law

DRO:hs

cc: Ms. Yvonne Neyer



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

June 20, 2017

Daniel O'Neil
O'Neil and Lynch, P.C.
300 South University Avenue
Mount Pleasant, Michigan 48858

Dear Mr. O'Neil

The Department of State (Department) has completed its investigation of the complaint filed against Yvonne Neyer by Jerome Hilliard, which alleged that Ms. Neyer violated section 47(1) of the Michigan Campaign Finance Act (MCFA or Act), 1976 PA 388, MCL 169.247(1), by failing to include a complete and correct identification statement on certain campaign-related material. This letter concerns the disposition of Mr. Hilliard's complaint.

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), 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.

Mr. Hilliard filed his complaint on October 31, 2016, and you filed a written response on December 2, 2016. Mr. Hilliard did not file a rebuttal statement with the Department.

Mr. Hilliard alleged that Ms. Neyer failed to include a paid-for-by statement on her campaign flyers. In support of his complaint, Mr. Hilliard provided a copy of a flyer which stated, "ELECT YVONNE NEYER UNION TOWNSHIP TRUSTEE [.]". There did not appear to be a paid-for-by statement on the flyer.

In your response you stated that the flyers did not contain a paid-for-by statement, but when the issue was brought to Ms. Neyer's attention, she obtained a stamp and "each flyer was appropriately stamped and the problem resolved." As evidence, you provided a copy of the receipt for the stamp.

While the evidence tends to show that Ms. Neyer's campaign flyers failed to contain a complete and proper paid-for-by statement, section 15(10) of the MCFA requires the Department to "endeavor to correct the violation or prevent a further violation by using informal methods such

as a conference, conciliation, or persuasion [.]” The Department is satisfied that Ms. Neyer took appropriate corrective measures to bring her campaign material into compliance with the MCFA.

Additionally, the Department is advising Ms. Neyer that section 47(1) and R 169.36(2) require her 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 her committee. Note that all printed materials that refer to an election or Ms. Neyer’s candidacy produced in the future must include this identification statement.

Please be advised that this notice has served to remind Ms. Neyer of her obligation under the Act to identify her 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 now considers this matter closed and will take no further action against Ms. Neyer at this time.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori A. Bourbonais". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Jerome Hilliard