



March 21, 1978

Honorable Kerry Kammer  
Michigan State Senate  
State Capitol  
Lansing, Michigan 48909

Dear Senator Kammer:

This is in response to your inquiry concerning P.A. 388 of 1976 ("the Act"). You asked whether you may use funds in your officeholder's expense fund to finance a district office to be used for Senate business. You indicated it is your intention to have your name associated with the office in the following manner: "State Senator Kerry Kammer, District Office."

Section 49 of the Act (MCLA § 169.249) permits an elected public official to establish an officeholder's expense fund. The fund may be used for expenses incidental to the person's office. The fund may not be used to make contributions and expenditures to further the nomination or election of the officeholder.

It is the obligation of an elected public official to serve effectively his or her constituents. The providing of governmental services and information to the electorate is an integral part of an officeholder's duties and responsibilities. The presence of an office in a public official's district for making available such services and information is incidental to the office of the public official.

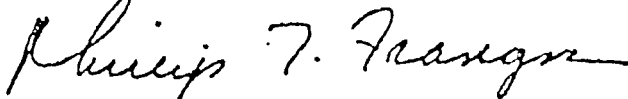
Consequently, as an elected State Senator who intends to maintain a district office for purposes similar to those cited, you may use your officeholder's expense fund to finance the office. Moreover, the association of your name with the office in the manner described is proper for purposes of the Act.

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Prior to closing, however, a note of caution should be introduced. No portion of the district office, while financed from your officeholder's expense fund, should be used for activities related to or promoting your renomination or reelection.

This response may be considered as informational only and not as constituting a declaratory ruling.

Very truly yours,



Phillip T. Frangos, Director  
Office of Hearings and Legislation

PTF:pk