

## MICHIGAN DEPARTMENT OF STATE

RICHARD H. AUSTIN • SECRETARY OF STATE

STATE TREASURY BUILDING



LANSING

MICHIGAN 48918

October 10, 1988

Mr. John R. Monaghan  
 Monaghan for Probate Judge Committee  
 604 Lincoln  
 Port Huron, Michigan 48060

Dear Mr. Monaghan:

This is in response to your letter of September 14, 1988, requesting an exemption from the identification requirements set forth in the Campaign Finance Act (the Act), 1976 PA 388, as amended. As stated in your letter, you intend to have a message favoring your candidacy printed on "grippers," which are used to assist in removing jar lids.

Section 47(3) of the Act, MCL 169.247, states that "printed matter having reference to an election, . . . shall bear upon it the name and address of the person paying for the matter." This section goes on to state:

"The size and placement of the disclaimer 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."

Pursuant to this provision in the Act, the Department has promulgated rules 36(3), 1979 AC R169.36(3):

"(3) A campaign item, the size of which makes it unreasonable to add an identification or disclaimer, or both, as designated by the secretary of state, is exempted from this rule."

An inspection of the sample you provided shows that the size and makeup of the gripper makes it unreasonable to add an identification or disclaimer.

Based on the above, the Department of State finds that a waiver is appropriate in the fact situation presented for grippers which are 5 inches or less in diameter.

Very truly yours,

A handwritten signature in cursive script that reads "Phillip T. Frangos".

Phillip T. Frangos, Director  
 Office of Hearings and Legislation

(517) 373-8141

PTF/cw