

STATE OF MICHIGAN Ruth Johnson, Secretary of State DEPARTMENT OF STATE Lansing

October 17, 2016

Jan Stevens 311 Alder Street P.O. Box 629 Howard City, Michigan 49329

Dear Ms. Stevens:

The Department of State (Department) received a formal complaint filed by Tina Porzondek 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 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).

Additionally, in Michigan, it is unlawful for a public body or an individual acting on its behalf to use or authorize the use of equipment, supplies, personnel, funds, or other public resources to make a contribution or expenditure. MCL 169.257(1). A person who knowingly violates this provision may be charged with a misdemeanor offense. MCL 169.257(4).

In support of her complaint, Ms. Porzondek provided an advertisement from the October 3, 2016 <u>River Valley Shopper</u>, which stated "Thank you for your vote, Jan Stevens" and "you will have to write in my name and fill in the oval next to it." It appears that the required paid-for-by statement is missing from the ad.

The Department notes that Ms. Porzondek also alleges that you have used Reynolds Township resources with regard to the ad in contravention of section 57 of the Act because your township email address appears in the ad. However, the mere writing of your township email address in the ad does not give rise to a contribution or expenditure by the township. In order for a violation of section 57 to occur, township funds must be spent or township equipment or resources must be used in furtherance of a candidate's nomination or election. No evidence has been provided that would allow the Department to determine such activity has occurred. Therefore, this portion of Ms. Porzondek's complaint is dismissed.

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.

Jan Stevens October 17, 2016 Page 2

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. Please include any evidence that reflects any corrective measures you have taken to bring your campaign material into compliance with the MCFA. 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 Ms. Porzondek, 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 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, Antonas

Lori¹A. Bourbonais Bureau of Elections Michigan Department of State

c: Tina Porzondek

Campaign Finance Complaint Form Michigan Department of State

2016 OCT -7 PH 3: 42

ITE.

This complaint form may be used to file a complaint alleging that someone violated the <u>Michigan</u> <u>Campaign Finance Act</u> (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		Daytime Telephone Number				
Tina Porzondek Mailing Address		231-414-4888				
11825 Gordon Rd.						
City	State	Zip				
Newaygo	MI	49337				
Section 2. Alleged Violator						
Name Stevens						
Jan Stevens Mailing Address						
311 Alder St. P.O. Box 62	9					
City	Shirt	Zip				
Howard City	MI	49329				
Section 3. Alleged Violations (Use additional sheet	t if more space is	needed)				
		Desites./				
Section(s) of the MCFA violated: Sections 47 and 57 of	the MCE	20				
	The TICK					
Explain how those sections were violated:						
Section 47 - paid advertising does not have an						
identification Statement. The words "paid for by"						
are excluded from the ad.						
Section 57- use of public funds for election of						
ASC OF DUDI		TOP CIECTION DE				
<u>a</u> candidate. Township em	al used	in ad.				
Evidence that supports those allegations (attach copies of pertinent documents and other information):						
Advertisement enclosed						

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

Sina M. Porsoncleb

10-5-16

Section 5. Certification without Evidence (Supplemental to Section 4)

<u>Section 15(6) of the MCFA</u> (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:

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

Revised: 01/16

MONDAY, Oct. 3, 2016 · RIVER VALLEY SHOPPER





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

November 1, 2016

Tina Porzondek 11825 Gordon Road Newaygo, Michigan 49337

Dear Ms. Porzondek:

The Department of State received a response to the complaint you filed against Jan Stevens, 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 <u>within 10 business days</u> 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, hin A Bourband Bureau of Elections Michigan Department of State

c: Jan Stevens

BUREAU OF ELECTIONS RICHARD H. AUSTIN BUILDING + 1ST FLOOR + 430 W. ALLEGAN + LANSING, MICHIGAN 48918 www.Michigan.gov/sos + (517) 373-2540



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STATE OF MICHIGAN RUTH JOHNSON, SECRETARY OF STATE 2016 0CT 26 PH 3: 13 DEPARTMENT OF STATE LANSING

ELECTICUS/CDELT CEN

October 17, 2016

Jan Stevens 311 Alder Street P.O. Box 629 Howard City, Michigan 49329

Dear Ms. Stevens:

The Department of State (Department) received a formal complaint filed by Tina Porzondek 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 and corresponding administrative rules require a person who produces printed material that relates to an election to include the phrase "Paid for by fname and address of the person who paid for the item]." MCL 169.247(1), Mich. Admin. R 169.36(2).

Additionally, in Michigan, it is unlawful for a public body or an individual acting on its behalf to use or authorize the use of equipment, supplies, personnel, funds, or other public resources to make a contribution or expenditure. MCL 169.257(1). A person who knowingly violates this provision may be charged with a misdemeanor offense. MCL 169.257(4).

In support of her complaint, Ms. Porzondek provided an advertisement from the October 3, 2016 River Valley Shopper, which stated "Thank you for your vote, Jan Stevens" and "you will have to write in my name and fill in the oval next to it." It appears that the required paid-for-by statement is missing from the ad.

The Department notes that Ms. Porzondek also alleges that you have used Reynolds Township resources with regard to the ad in contravention of section 57 of the Act because your township email address appears in the ad. However, the mere writing of your township email address in the ad does not give rise to a contribution or expenditure by the township. In order for a violation of section 57 to occur, township funds must be spent or township equipment or resources must be used in furtherance of a candidate's nomination or election. No evidence has been provided that would allow the Department to determine such activity has occurred. Therefore, this portion of Ms. Porzondek's complaint is dismissed.

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.

BUREAU OF ELECTIONS RICHARD H. AUSTIN BUILDING * 1ST FLOOR * 430 W. ALLEGAN * LANSING, MICHIGAN 48918 www.Michigan.gov/sos * (517) 373-2540

Jan Stevens October 17, 2016 Page 2

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. Please include any evidence that reflects any corrective measures you have taken to bring your campaign material into compliance with the MCFA. 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 thrmshed by the complainant.

A copy of your reply will be provided to Ms. Porzondek, 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 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. Lori A Bourbonais rbonas Bureau of Elections Michigan Department of State

c: Tina Porzondek



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Campaign Finance Complaint Form

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Campaign Finance Act (the MCFA, 1976 PA 388, as amended; MCL 169.2017*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:	(1/h01)25						
Section I, Complainant							
Your Name Tina Porzondek		Daytime Telephone Number 231 - 414 - 4888					
Mailing Address		031-717-7000					
11825 Gordon Rd.							
City State		Zip					
Newaygo	MI	49337					
Section 2. Alleged Violator							
Name Jan Stevens Mailing Address							
311 Alder St. P.O. Box 62	7						
City	State	Zip					
Howard City	MI	49329					
Section 3. Alleged Violations (Use additional shee	(to the second second						
Section 5: Anegeo violations (256 authona are	encircle space ist	reoner i					
Sections 47 and 57 of the MCFA							
Explain how those sections were violated:							
Section 47 - paid advertising does not have an							
identification Statement. The words " paid for 6y "							
are excluded from the ad.							
Section 57- use of public funds for election of							
a candidate. Township email used in ad.							
Evidence that supports those allegations (attach copies of pertinent do	cuments and other info	rmation):					
Advertisement enclosed		•					

	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.
ĸ	Signature of Complement
Section	n 5. Certification without Evidence (Supplemental to Section 4).
ection inder th	15(6) of the MCFA (MCL 169.215) requires that the signed certification found in 4 of this form be included in every complaint. However, if, after a reasonable inquiry are circumstances, you are unable to certify that certain factual contentions are supported
L L L	ence, 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:
2 } }	ence, 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
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. . .

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

Revised: 01/16

10/07/2016	CHECK 0002244 View Check	(\$83.70)	\$784.68
10/07/2016	CHECK 0002241 View Check	(\$50.00)	\$868.38
10/07/2016	ACH/GA@Brecks CHK# 2243 Payment	(\$10.00)	\$918 38
10/07/2016	DBT/WDR 000021310289 LEPPINKS FOOD CENTER HOWARD CITY MI 730 SHAW RD	(\$40 35)	\$928.38
10/07/2016	DBT/WDR 00406165778 HOWARD CITY AGO Q HOWARD CITY MI 130 N, ENSLEY	(\$16.39)	\$968.73
10/05/2016	ACH/AT&T SERVICES CHK# 2234 CHECKPAYMT	(\$83.00)	\$985.12
10/04/2016	DBT/WDR 000023687932 LEPPINKS PHARMACY HOWARD CITY MI 730 SHAW RD	(\$207.23)	\$1,068.12
10/04/2016	DBT/WDR 00404263327 HOWARD CITY AGO Q HOWARD CITY MI 130 N. ENSLEY	(\$24.71)	\$1,275.35
10/03/2016	DBT/WDR*00056791728 DTV*DIRECTV SERVICE 800-347-3288 CA 200 N SEPULVEDA BLVD	(\$82.22)	\$1,300.06
10/01/2016	DBT/WDR 00054292033 PIONEER GROUP INC 800-968-1114 MI 115 N MICHIGAN AVE	(\$100.00)	\$1,382.28
09/30/2016	Activity occurred on 10/01/16 SHARE DIVIDEND	\$0.04	\$1,482.28
09/30/2016	CHECK 0002233 View Check	(\$66.00)	\$1,482.24
09/30/2016	CHECK 0002230 View Check	(\$30.00)	\$1,548.24
09/30/2016	ACH/COLLECTIONS ETC. CHK# 2238 8473505610	(\$29.97)	\$1,578 24
09/30/2016	ATM/DEP 000000004360 COMMUNITY FIRST FCU HOWARD CITY MI 837 W SHAW ST	\$723.75	\$1,608.21
09/30/2016	DBT/WDR 20075550570 GA SCHOOL FUNDRAISIN 08002511542 TN 2451 ATRIUM WAY	(\$1.87)	\$884.46
09/29/2016	CHECK 0002220 View Check	(\$40.00)	\$886.33
09/29/2016	D87/WDR 08399535101 THE BEST OF RUSH STO 08183775300 CA 15260 VENTURA BLVD #	(\$30.10)	\$926.33
09/28/2016	CHECK 0002232 View Check	(\$45.00)	\$956.43
09/28/2016	D8T/WDR 00406059905 HOWARD CITY AGO Q HOWARD CITY MI 130 N. ENSLEY	(\$24.71)	\$1,001.43
09/27/2016	CHECK 0002236	(\$142.00)	\$1,026.14
09/27/2016	CHECK 0002237 View Check	(\$66.00)	\$1,168 14
09/27/2016	ATM/DEP 00000003868 COMMUNITY FIRST FCU HOWARD CITY MI 837 W SHAW ST	\$100.00	\$1,234.14
09/26/2016	CHECK 0002235 View Check	(\$75.00)	\$1,134.14
9/26/2016	Activity occurred on 09/25/16	(\$16.84)	\$1,209.14

https://www.itsme247.com/048/MyAccounts/AccountDetails?suffixId=19&sequence=0&... 10/21/2016

Enclosed ANN ney bankeng a page p acct. with rom mais Thes is where I paid ith my cu 0 on bi The . which ment Dis aleu 1 along with me on original 10 tely NO SUL to reie ip hus for th thank you in lan ynolds JA.



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

November 16, 2016

Jan Stevens P.O. Box 629 Howard City, MI 49329

Dear Ms. Stevens:

This letter concerns the complaint that was recently filed against you by Tina Porzondek, 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. Ms. Porzondek'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,

si A Brubaas

Lori A. Bourbonais Bureau of Elections Michigan Department of State

c: Tina Porzondek

Tina Porzondek 11825 Gordon Rd. Newaygo, MI 49337

November 5, 2016

MICHISAN DEPT CHISTATE 2016 NOV -9 PM 3:49 LLECHONS/GREAT SEAL

Bureau of Elections Lori A. Bourbonais Richard H. Austin Bldg. 1st Floor 430 W. Allegan St. Lansing, MI 48918

RE: Rebuttal statement regarding Jan Stevens Complaint of Violation of Sec. 47 of the Michigan Campaign Finance Act

Dear Ms. Bourbonais,

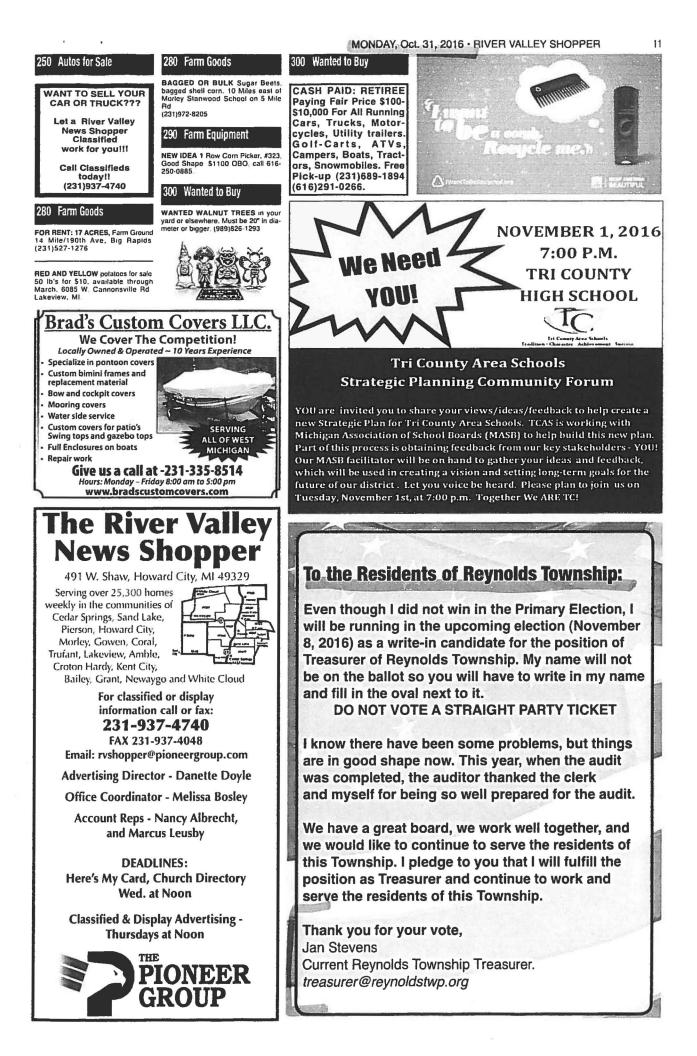
I have read Jan Stevens' response to my complaint of her campaign advertisement violating Sec. 47 of the Michigan Campaign Finance Act. In Ms. Stevens' statement regarding the complaint, she does not attempt to address the violation of Sec. 47 of the MCFA or identify the campaign committee. The identification statement is clearly excluded from her advertisement. Furthermore, after she received your letter dated October 17, 2016 making her aware of the complaint, she blatantly published more advertisements without the identifying statement required by law.

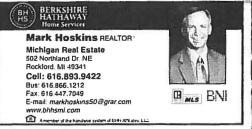
As Ms. Stevens states, she is the current treasurer. She has campaigned in the past. She is aware of the rules of the MCFA and even if she claims she is not aware of the MCFA, your office has alert her to the situation. Due to Ms. Stevens' insensible response and her complete disregard of the MCFA, I request that my complaint of the violation of Sec. 47 of the MCFA be pursued.

I wish to add and addendum to my complaint and include additional advertisements. All the enclosed advertisements support my original complaint and support the fact that she continually and purposely violates Sec. 47 of the MCFA.

Respectfully. Dina Porrale Tina Porzondek

Enclosures: Oct. 31, Oct. 24, Oct. 17 River Valley Shopper advertisements





Village of Howard City Voters

You will see my name on the November ballot for the Village trustee position. Due to a resolution recently passed by the current counsel, I am no longer allowed to run for this seat and remain a full-time employee. In fleu of this, I am endorsing Ronald Bassett, Vern Crater and Bruce MacTavish.

Thank you for your consideration,

Michael Van Wagner



To the Residents of Reynolds Township:

Even though I did not win in the Primary Election, I will be running in the upcoming election (November 8, 2016) as a write-in candidate for the position of Treasurer of Reynolds Township. My name will not be on the ballot so you will have to write in my name and fill in the oval next to it.

DO NOT VOTE A STRAIGHT PARTY TICKET

I know there have been some problems, but things are in good shape now. This year, when the audit was completed, the auditor thanked the clerk and myself for being so well prepared for the audit.

We have a great board, we work well together, and we would like to continue to serve the residents of this Township. I pledge to you that I will fulfill the position as Treasurer and continue to work and serve the residents of this Township.

Thank you for your vote, Jan Stevens Current Reynolds Township Treasurer. treasurer@reynoldstwp.org





991 Mega Market



across Michigan with nunity Papers of Michigan Phone 1-800-783-0267

NETWORK

Ads placed in Michigan Mega Mar ket Classified Network appear in free circulation community paper and shopping guides reaching the grass roots of Michigan. Your advertising can be delivered weekly to more than 1,561.534 house throughout the state. ONLY \$249 Call this paper to place a classified ad of 25 words or less and reach across the stat

Readers THIS PUBLICATION DOES NOT KNOWINGLY ACCEPT advertising which is deceptive, fraudulent, o which might otherwise violate the aw or accepted standards of taste However, this publication does no warrant or guarantee the accuracy of any advertisement, nor the quality of the goods or services advertised Readers are cautioned to thorough ly investigate all claims made in dvertisements, and to use goo judgment and reasonable care, par licularly when dealing with person unknown to you who ask for mone n advance of delivery of the goods services advertised

ADOPTION

A CHILDLESS MARRIED couple speks to adopt. Will be hands on doc-tor mom and devoted dad. Financial security. Expenses provided. Christine & Tom. (ask for Adam). 1-800-790-5260

AUCTIONS

LIVE ESTATE AUCTIONS Sat. Oct. 22, 2016 Vassar, MI Fairgrounds. An-liques; Tools; Comic Books, Household; General Merchandise. Details at Timsauctionservice.com 989-912-8701

LANDSCAPE COMPANY AUCTION, Saturday, October 22, 2016, 10 AM 3266 Dye Rd. Flint, MI, Vehicles: trailers: commercial lawn equipment guns; excavator: skid steer, CanAm sideXside. thurlowauctions.com click

auctionzip.com link 810-686-1445

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1-800-731-5703 to start your application today!

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1-877-296-6802.

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BUILT BEST BARNS Michigan's Largest Pole Barn Company, Best Quality, Best Service, Fall Specials 2 4 ' x 2 4 ' x 8 ' = S 7 4 9 5 . 0 0 2 4 ' x 3 2 ' x 8 ' = S 8 4 9 5 . 0 0 2 4 ' x 3 2 ' x 8 ' = S 10, 4 9 5 . 0 0 3 0 ' x 4 0 ' x 1 0 ' = S 1 1 . 4 9 5 . 0 0 3 0 ' x 4 0 ' x 1 0 ' = S 1 0 . 4 9 5 . 0 0 3 0 ' x 4 0 ' x 1 0 ' = S 1 0 . 4 9 5 . 0 0 Built, (Concrete Floor Optional) License/insured. 1-877-802-9591 (Office)

389-205-2534 (Cell) DIRECTV. NEL SUNDAY Ticket (FREE!) w/Choice All-Included Pack-age. \$60/mo for 24 months. No upfront costs or equipment to buy about next day installation! 1-Ask 800-917-3607

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WANTED TO BUY

WANTED: OLD GUITARS Guitar Collector Will Pay CASH for Old Fender, Martin, Gibson & More USA Made Guitars! Call Tony: 517-323-9848

MOTORCYCLES WANTED BE-FORE 1985. Running or not! Japanese British European American SCash\$ paid. Free appraisals! Call 315-569-8094. Email pictures or description to Cyclerestoration@aol.com



COME FOR THE FUN AT WHITEFISH LAKE GOLF & GRILL 2241 N BASS LAKE RD 616-636-5260

To the Residents of Reynolds Township:

Even though I did not win in the Primary Election, I will be running in the upcoming election (November 8, 2016) as a write-in candidate for the position of Treasurer of Reynolds Township. My name will not be on the ballot so you will have to write in my name and fill in the oval next to it.

DO NOT VOTE A STRAIGHT PARTY TICKET

I know there have been some problems, but things are in good shape now. This year, when the audit was completed, the auditor thanked the clerk and myself for being so well prepared for the audit.

We have a great board, we work well together, and we would like to continue to serve the residents of this Township. I pledge to you that I will fulfill the position as Treasurer and continue to work and serve the residents of this Township.

Thank you for your vote, **Jan Stevens** Current Revnolds Township Treasurer. treasurer@reynoldstwp.org

23





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

March 24, 2017

Jan Stevens P.O. Box 629 Howard City, Michigan 49329

Dear Ms. Stevens:

The Department of State (Department) has completed its investigation of the complaint filed against you by Tina Porzondek, which alleged that you 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 Ms. Porzondek'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.

Ms. Porzondek filed her complaint on October 7, 2016. You filed a written response on October 26, 2016, and Ms. Porzondek filed a rebuttal statement on November 9, 2016.

Ms. Porzondek alleged that you failed to include a paid-for-by statement on your campaign ad in the October 3, 2016 <u>River Valley Shopper</u>. In support of her complaint, Ms. Porzondek provided a copy of the ad which stated, "I will be running in the upcoming election (November 8, 2016) as a write in candidate for the position of Treasurer of Reynolds Township [,]" and "Thank you for your vote [.]" It appeared that the paid-for-by statement was omitted from your ad.

With your response you provided evidence that you paid for the advertisement.

While the Department believes that the evidence tends to show that your campaign material failed to contain a 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 [.]"

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The Department is advising you that section 47(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. Note that all printed materials that refer to an election or your candidacy produced in the future must include this identification statement.

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 now considers this matter closed and will take no further action against you at this time.

Sincerely,

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Lori A. Bourbonais Bureau of Elections Michigan Department of State

c: Jan Stevens