



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

October 12, 2012

Sharon Burgess
11497 9 Mile Road
Plainwell, Michigan 49080

Dear Ms. Burgess:

The Department of State (Department) received a formal complaint filed against you by Vicki Ritchie, 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 your campaign signs. A copy of Ms. Ritchie's 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), 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(5).

In support of her complaint, Ms. Ritchie provided a picture of a sign which states "ORANGEVILLE TWP SHARON BURGESS TREASURER [.]". It appears that there is no paid-for-by statement on the sign.

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 your receipt 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. Ritchie, 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(5) of the Act.

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

Sincerely,

A handwritten signature in cursive script, reading "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Vicki Ritchie

Michigan Department of State
Campaign Finance Complaint Form

Reset Form

BUREAU OF ELECTIONS
MI DEPT 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-5 169.201 et seq.).

Please print or type all information.

I allege that the MCFA was violated as follows:

Section 1. Complainant		
Your Name	Vicki Ritchie	Daytime Telephone Number
Mailing Address		(269) 664-5357
11539 9 mile Rd		
City	State	Zip
Plainwell	MI	49080

Section 2. Alleged Violator		
Name	Sharon Burgess	
Mailing Address		
11497 9 mile Rd		
City	State	Zip
Plainwell	MI	49080

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

Section(s) of the MCFA violated:

R 169.36 Rule 36

Explain how those sections were violated:

Printed sign does not have sect 47 of The act in place, and in a print clearly visible and readable by an observer, Does not include the words "Paid for by" followed by full name or committee

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

Copy and picture of sign 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

Vincent P. Ritala
Signature of Complainant

10-2-12
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 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

History: 1979 AC; 1982 AACS.

R 169.35 Contribution; corporate check.

Rule 35. A committee treasurer, other than a ballot question committee treasurer, shall not accept as a contribution a check written on a corporate account, except as provided in sections 54 and 55 of the act.

History: 1979 AC; 1982 AACS.

R 169.35a Contribution; partnerships; reporting.

Rule 35a. (1) A contribution drawn on a partnership account shall be attributed to the partners as individuals, and not to the partnership, if the contribution is accompanied by a written statement containing the name and address of each contributing partner and the amount of each partner's contribution. The statement shall include the occupation, employer, and principal place of business of each individual who is a member of the partnership and contributed \$200.01 or more for that election.

(2) A committee which receives a written statement attributing a partnership contribution to the partners as individuals shall report the contribution as if the committee had received a separate contribution from each individual.

History: 1979 AC; 1982 AACS.

~~R 169.36. Printed material or other campaign media; identification or disclaimer; exemption.~~

Rule 36. (1) Printed material having reference to an election, a candidate, or a ballot question shall bear the identification or disclaimer, or both, provided in section 47 of the act in a place and in a print clearly visible to and readable by an observer. Any other medium used for campaign purposes shall clearly and unequivocally include the identification or disclaimer, or both, provided in section 47 of the act.

(2) The identification required by section 47 of the act for printed material shall include the words "Paid for by," followed by the full name of the person or committee paying for the material and the person's or committee's street number or post office box, city or town, state, and zip code. A disclaimer shall be in the same form as an identification, except that it shall be preceded by the phrase "Not authorized by the candidate committee of (candidate's name)."

(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.

History: 1979 AC; 1982 AACS.

R 169.37 Cash or cash equivalents on hand following election; reporting.

Rule 37. (1) The cash on hand at beginning of accounting period shall be part of the aggregate receipts for the next ensuing election, but need not be further itemized.

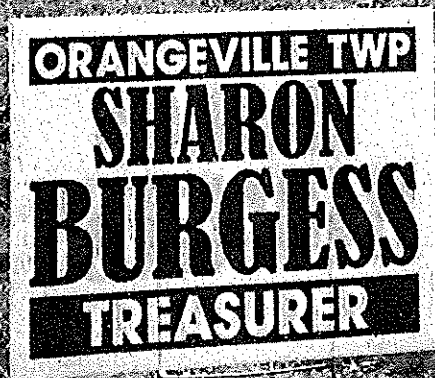
(2) A committee shall not qualify for a reporting waiver if the committee has cash on hand in excess of the amount specified in section 24(4) of the act.

History: 1982 AACS.

R 169.38 Petty cash fund.

Rule 38. (1) A committee treasurer may establish a petty cash fund.

(2) A petty cash fund shall be established only from funds withdrawn from a committee account.





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

October 26, 2012

Vicki Ritchie
11539 9 Mile Road
Plainwell, Michigan 49080

Dear Ms. Ritchie:

The Department of State received a response to the complaint you filed against Sharon Burgess, 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: Sharon Burgess

Sharon Burgess

11497 9 Mile Road ~ Plainwell, MI 49080
Home Phone 269-664-4262

BUREAU OF ELECTIONS
MI DEPT OF STATE

2012 OCT 25 PM 3:26

October 22, 2012

State of Michigan
Ruth Johnson Secertary of State
Lansing , Michigan


Response to Complaint:.

Dear Ms Bourbonais:

This is to inform you of the corrections of my signs and printed material. Please find enclosed a photo of corrected signs. All signs were corrected, (37)corrected (13) signs were taken or destoryed by someone (persons unknown) Report was made to Barry county Sheriffs Department. I have also enclosed printed material that has also been corrected. Plus stickers that was placed on both sides of my signs, to bring my campaign material in compliance with the MCFA.

I am sorry for the inconvenience of this matter. I should have researched it further before printing signs and material for my campaign. Please except my apology on this matter

Sincerely


Sharon Burgess



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

October 12, 2012

Sharon Burgess
11497 9 Mile Road
Plainwell, Michigan 49080

Dear Ms. Burgess:

The Department of State (Department) received a formal complaint filed against you by Vicki Ritchie, 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 your campaign signs. A copy of Ms. Ritchie's 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), 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(5).

In support of her complaint, Ms. Ritchie provided a picture of a sign which states "ORANGEVILLE TWP SHARON BURGESS TREASURER [.]". It appears that there is no paid-for-by statement on the sign.

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 your receipt 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. Ritchie, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing all of the statements and materials

Sharon Burgess
October 12, 2012
Page 2

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(5) of the Act.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Lori A. Bourbonais".

Lori A. Bourbonais
Bureau of Elections
Michigan Department of State

c: Vicki Ritchie

History: 1979 AC; 1982 AACS.

R 169.35 Contribution; corporate check.

Rule 35. A committee treasurer, other than a ballot question committee treasurer, shall not accept as a contribution a check written on a corporate account, except as provided in sections 54 and 55 of the act.

History: 1979 AC; 1982 AACS.

R 169.35a Contribution; partnerships; reporting.

Rule 35a. (1) A contribution drawn on a partnership account shall be attributed to the partners as individuals, and not to the partnership, if the contribution is accompanied by a written statement containing the name and address of each contributing partner and the amount of each partner's contribution. The statement shall include the occupation, employer, and principal place of business of each individual who is a member of the partnership and contributed \$200.01 or more for that election.

(2) A committee which receives a written statement attributing a partnership contribution to the partners as individuals shall report the contribution as if the committee had received a separate contribution from each individual.

History: 1979 AC; 1982 AACS.

~~R 169.36 Printed material or other campaign media; identification or disclaimer; exemption.~~

Rule 36. (1) Printed material having reference to an election, a candidate, or a ballot question shall bear the identification or disclaimer, or both, provided in section 47 of the act in a place and in a print clearly visible to and readable by an observer. Any other medium used for campaign purposes shall clearly and unequivocally include the identification or disclaimer, or both, provided in section 47 of the act.

(2) The identification required by section 47 of the act for printed material shall include the words "Paid for by," followed by the full name of the person or committee paying for the material and the person's or committee's street number or post office box, city or town, state, and zip code. A disclaimer shall be in the same form as an identification, except that it shall be preceded by the phrase "Not authorized by the candidate committee of (candidate's name)."

(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.

History: 1979 AC; 1982 AACS.

R 169.37 Cash or cash equivalents on hand following election; reporting.

Rule 37. (1) The cash on hand at beginning of accounting period shall be part of the aggregate receipts for the next ensuing election, but need not be further itemized.

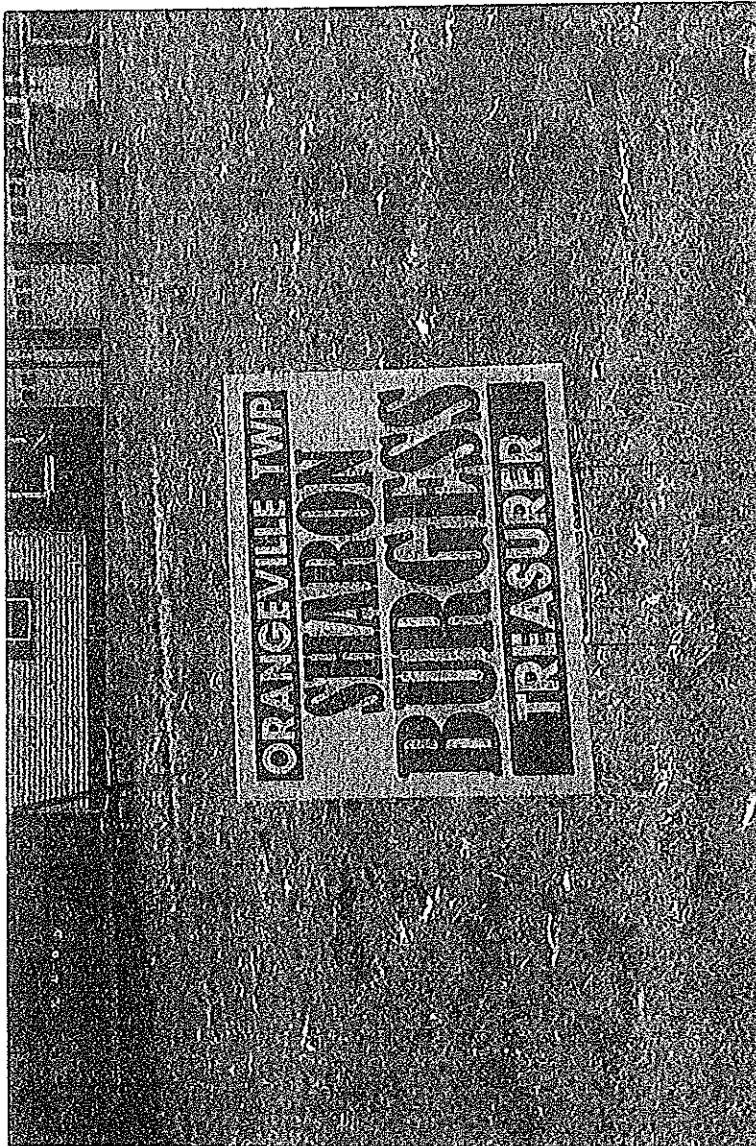
(2) A committee shall not qualify for a reporting waiver if the committee has cash on hand in excess of the amount specified in section 24(4) of the act.

History: 1982 AACS.

R 169.38 Petty cash fund.

Rule 38. (1) A committee treasurer may establish a petty cash fund.

(2) A petty cash fund shall be established only from funds withdrawn from a committee account.



Michigan Department of State
Campaign Finance Complaint Form

Reset Form

BUREAU OF ELECTIONS
MI DEPT OF STATE
2017 JUN 16 PM 3:16

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-5 169.201 et seq.).

Please print or type all information.

I allege that the MCFA was violated as follows:

Section 1. Complainant		
Your Name	Vicki Ritchie	Daytime Telephone Number
Mailing Address		(269) 664-5357
11539 9 mile Rd		
City	State	Zip
Plainwell	MI	49080

Section 2. Alleged Violator		
Name		
Sharon Burgess		
Mailing Address		
11497 9 mile Rd		
City	State	Zip
Plainwell	MI	49080

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

Section(s) of the MCFA violated:

R 169.36 Rule 36

Explain how those sections were violated:

Printed sign does not have sect 42 of The act in place. and in a print clearly visible and readable by an observer, Does not include the words "Paid for by" followed by full name or committee

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

Copy and picture of sign 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

Unke Pithue
Signature of Complainant

10-2-12
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 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

PAID FOR BY: SHARON BURGESS
11497 9-MILE RD
PLAINWELL, MI 49080

Sharon

Conducting Township business
where it should be...
at the Township Offices.
Taking care of business in a
Professional manner.

PAID FOR BY: SHARON BURGESS
11497 9-MILE RD., PLAINWELL, MI 49080

Burgess

Vote
November 6, 2012

Burgess

Treasurer
Orangeville Township
Sharon
Conducting Township business
where it should be...
at the Township Offices.
Taking care of business in a
Professional manner.

PAID FOR BY: SHARON BURGESS
11497 9-MILE RD., PLAINWELL, MI 49080

Treasurer
Orangeville Township

Sharon



Always there when
you need me.
Working for YOU!

Burgess

Vote
November 6, 2012

Treasurer
Orangeville Township
Sharon
Always there when
you need me.
Working for YOU!



Vote
November 6, 2012

Burgess

Treasurer Orangeville Township

Sharon



Burgess

Always there when you need
me. Working for YOU!

Vote
November 6, 2012

ORANGEVILLE TWP

PAID FOR BY: SHARON BURGESS
11497 9 MILE RD
PLAINVILLE, NJ 08860

**SHARON
BURGESS
TREASURER**



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

January 8, 2012

Sharon Burgess
11497 9 Mile Road
Plainwell, Michigan 49080

Dear Ms. Burgess:

The Department of State (Department) has completed its investigation of a complaint filed against you by Vicki Ritchie, 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 your campaign-related yard signs. This letter concerns the disposition of Ms. Ritchie'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(5).

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.

The complaint was filed by Ms. Ritchie on October 5, 2012, and you filed a written response on October 26, 2012. Ms. Ritchie did not file a rebuttal statement.

Ms. Ritchie alleged that your "printed sign . . . [did] not include the words 'Paid for by' followed by [the] full name of [your] committee." Ms. Ritchie provided as evidence a picture of a sign which stated "ORANGEVILLE TWP SHARON BURGESS TREASURER [.]". It appears that there is no paid-for-by statement on the sign.

In response, you filed a letter which stated that you corrected your signs and printed material. You provided as evidence an example of the stickers you used to correct your printed material. The stickers contain a complete and correct paid-for-by statement. You also provided a corrected postcard and flyer, and a picture of a corrected yard sign.

While the Department believes that the evidence tends to show that your printed 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 [.]". The Department is satisfied that

you took appropriate corrective measures to bring your campaign material into compliance with the MCFA.

Additionally, 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(5), 215(10).

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

Sincerely,



Lori Bourbonais

Bureau of Elections

Michigan Department of State

c: Vicki Ritchie