

MICHIGAN DEPARTMENT OF STATE

RICHARD H. AUSTIN

SECRETARY OF STATE

STATE TREASURY BUILDING



2-85-CO

LANSING
MICHIGAN 48913

October 21, 1985

John Thodis
Industrial Michigan
P.O. Box 20163
Lansing, Michigan 48901

Dear Mr. Thodis:

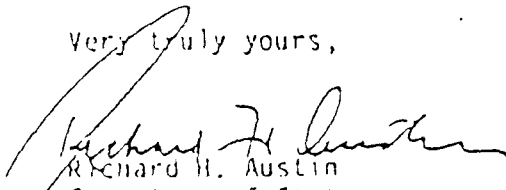
This is in response to your request for a declaratory ruling concerning the applicability of the Campaign Finance Act (the Act), 1976 PA 388, as amended, to the Industrial Michigan Political Action Committee (IMPAC). Specifically, you ask whether IMPAC may solicit and accept contributions from political and independent committees which are separate segregated funds.

Section 55 of the Act (MCL 169.255) allows a corporation to establish a separate segregated fund to be used for political purposes. In OAG, 1977-1978, No. 5344, p 549 (July 20, 1978), the Attorney General stated that a separate segregated fund is required to register with the Department of State either as a political committee or as an independent committee. However, section 55 prohibits a separate segregated fund established by one corporation from making contributions to another corporation's separate segregated fund.

You indicate that IMPAC is registered as an independent committee but is not a separate segregated fund. The committee is not affiliated with a corporation but is "sponsored and encouraged" by Industrial Michigan, an unincorporated association. An independent committee which is not a separate segregated fund is not governed by the restrictions found in section 55. Therefore, in answer to your question, IMPAC may solicit and accept contributions from separate segregated funds which are registered as political or independent committees.

This response is a declaratory ruling concerning the specific facts and questions presented.

Very truly yours,


Richard H. Austin
Secretary of State

RHA/cw