



Michigan Department of State  
Campaign Finance Complaint Form

BUREAU OF ELECTIONS • RICHARD H. AUSTIN BUILDING - 1<sup>st</sup> Floor  
430 W. ALLEGAN STREET • LANSING, MICHIGAN 48918

RECEIVED/FILED  
MICHIGAN DEPT OF STATE

2021 JUN -7 PM 12:38

ELECTIONS/GREAT SEAL

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (MCFA). For instructions on how to complete this form, see the Campaign Finance Complaint Guidebook & Procedures document. All spaces are required unless otherwise indicated.

Section 1. Complainant			
Your Name John Caron		Daytime Telephone Number 586-777-0611	
Mailing Address 21700 Chalon			
City St Clair Shores	State MI	Zip 48080	
Email (optional)			

Section 2. Alleged Violator			
Name Mark A Fuga			
Mailing Address 22694 Wildwood			
City St Clair Shores	State MI	Zip 48081	
Email (optional)			

Section 3. Allegations (Use additional sheets if more space is needed.)
---

Section(s) of the MCFA alleged to be violated: 47(1) - MCL 169.247(1)

Explain how those sections were violated:

Mark Fuga, along with his son Joseph Fuga, has a campaign banner that does not have a disclaimer that says which candidate paid for the banner.

Evidence included with the submission of the complaint that supports the allegations:

picture of banner included.

**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

John Caron  
Signature of Complainant

6-5-2021

Date

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

If, after a reasonable inquiry under the circumstances, you are unable to certify that certain factual contentions are supported by evidence as indicated above, you may 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:*

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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.

**Section 6. Submission**

Once completed, mail or hand deliver the complaint form with your evidence to the address below. The complaint is considered filed upon receipt by the Bureau of Elections.

Michigan Department of State  
Bureau of Elections  
Richard H. Austin Building – 1st Floor  
430 West Allegan Street  
Lansing, Michigan 48918



**ST. CLAIR  
SHORES  
CITY COUNCIL**

**FUGA**





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Section 3. Allegations (Use additional sheets if more space is needed.)

Section(s) of the MCFA alleged to be violated: 47(1) - MCL 169.247(1)

Explain how those sections were violated:

Mark Fuga, with his son Joseph Fuga, has campaign signs that do not have a disclaimer to say which candidate paid for the campaign signs

Evidence included with the submission of the complaint that supports the allegations:

pictures of sign included.

**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.*

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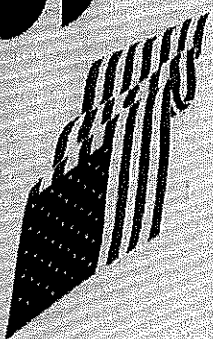
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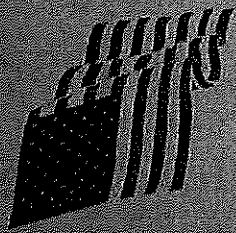


**ST. CLAIR**  
**SHORES**  
**CITY COUNCIL**  
**FEUGA**





**ST. CLAIR  
SHORES**



**CITY COUNCIL**

**FUGA**



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Name <u>Mark A Fuga</u>			
Mailing Address <u>22694 Wildwood</u>			
City <u>St Clair Shores</u>	State <u>MI</u>	Zip <u>48081</u>	
Email (optional)			

**Section 3. Allegations** (Use additional sheets if more space is needed.)

Section(s) of the MCFA alleged to be violated: 47(1) - MCL 169.247(1)

Explain how those sections were violated:

Mark Fuga, with his son Joseph Fuga, ran  
this ad in the Shores Sentinel on May 26, 2021  
It did not have a disclaimer saying which  
candidate paid for this ad.

Evidence included with the submission of the complaint that supports the allegations:

Copies of ad included.



**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

John Caron  
Signature of Complainant

6-5-2021

Date

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www.candgnews.com

ST. CLAIR SHORES SENTINEL, May 26, 2021 — 13A

## SMOOTH RIDES START AT THE LIBRARY

**Solar-powered bicycle maintenance station installed**

BY KRISTYNE E. DEMSKE

kdemske@candgnews.com

**HARRISON TOWNSHIP** — A local company and library are teaming up to help local bicyclists keep their equipment running smoothly.

The Harrison Township Public Library, 38255 L'Anse Creuse Sr., is now home to the first solar-powered bicycle maintenance station in the state, thanks to ESPAS Inc., of Clinton Township. The station, which features solar lighting, a solar-powered air pump, hanger arms for easy repair, various tools and a USB-charger for phones, was installed at no cost to the library May 14.

Library Director Melissa Goins said she was inspired by a trip to New Orleans to seek out a bicycle repair station for the library.

"We had stopped at a public library in New Orleans, and they had a bicycle repair station, and I just thought that was a great idea to have that available for the public," she said.

See BICYCLES on page 24A



Photo by Deb Jacques

Phil Partner, president of ESPAS Inc., of Clinton Township, and Harrison Township Public Library Director Melissa Goins stand by the newly installed bicycle maintenance station at the library May 14.

## Mark Fuga & Joseph Fuga Two candidates on the August ballot For City Council

Welcome you to join them for the  
**Memorial Day Parade Sunday, May 30th**

Come and visit for a chat and a hot dog  
while watching the parade at  
**25225 Jefferson near 10 Mile Rd.**

These two candidates are a  
**PERFECT FIT** for our **SCS City Council**

**Spring Lawn Mower BLOWOUT!**

**Early Bird Special**  
**LAWN MOWER**  
**TUNE UP**  
**\$59.00** Plus Parts

• Rebuild Carburetor • Sharpen Blade  
• New Spark Plugs • Oil Change  
WITH COUPON • EXP. 5/30/21

**Gas Scooter** starting at **\$1,199**

**Mini Bikes** starting at **\$699** AND UP

**Gas Weed Wacker or Gas Blowers** starting at **\$99**

**Lawn Mowers** starting out at **\$189**

**Commercial Worldlawn** 32" Walk Behind **\$1,599**

**586-756-8040**  
**3970 9 Mile Rd. • Warren**  
Located on 9 Mile Rd. Between Ryan & Dequindre

**Howard's**  
Outdoor Power Equipment  
EST. 1991  
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As your local agent, I will work to help:

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- Get you all the discounts you deserve on home and auto insurance
- Explain your insurance, answer your questions and put your mind at ease



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Carole A. Bellestri  
cabellestri@aaamichigan.com

or

Fara Randazzo-Jury  
fmrandazzo-jury@aaamichigan.com  
586-465-1240



Insurance underwritten by one of the following companies: Auto Club Insurance Association, Mercator Select Insurance Company, Auto Club Group Insurance Company, Auto Club Property-Casualty Insurance Company, Auto Club South Insurance Company, Auto Club Insurance Company of Florida, or non-affiliated insurance companies. Life Insurance underwritten and annuities sold by our affiliate AIA Life Insurance Company, Lincoln, MA. AIA Life is licensed in all states except NY. Products and their features may not be available in all states. AIA 50164-611-101 17-1A-2019 12-14-17

0046-1

**AUTOMOTIVE**

**REAL ESTATE**

**Section B Classified**



# Mark Fuga & Joseph Fuga Two candidates on the August ballot For City Council

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Memorial Day Parade Sunday, May 30th

Come and visit for a chat and a hot dog  
while watching the parade at  
25225 Jefferson near 10 Mile Rd.

These two candidates are a

**PERFECT FIT** for our **SCS City Council**

0111-2122

**Smith, Jessica (MDOS)**

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**From:** John Caron <keepcarononcouncil@att.net>  
**Sent:** Saturday, June 5, 2021 9:46 AM  
**To:** SOS, Disclosure  
**Subject:** Re: Campaign Finance Violations - Not Listing Disclaimers  
**Attachments:** Mark Fuga - Lacking Disclaimer - Banner.pdf; Mark Fuga - Lacking Disclaimer - Campaign Signs.pdf; Mark Fuga - Lacking Disclaimer - Newspaper Ad.pdf

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**CAUTION: This is an External email. Please send suspicious emails to [abuse@michigan.gov](mailto:abuse@michigan.gov)**

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Please see the attached forms and evidence of violations of MCFA Section 47(1) - MCL 169.247(1) Mark Fuga, candidate for City Council in the City of St Clair Shores.

On Thursday, May 27, 2021, 04:32:36 PM EDT, SOS, Disclosure <[disclosure@michigan.gov](mailto:disclosure@michigan.gov)> wrote:

Thank you for your email. The Michigan Campaign Finance Act and corresponding administrative rules require that a complaint be signed by the complainant, contain the alleged violator(s) name(s) and address(es), and contain the following certification statement, "I certify that the statements set forth above are true to the best of my knowledge and belief." Additionally, all available evidence must be submitted with a complaint.

I have enclosed a form that you may use to resubmit your complaint, if you so choose together with an explanation of the process. Use of the form is not mandatory, but use of the form does help to ensure your complaint contains all of the required information. The form is also available on our website here: [https://www.michigan.gov/sos/0,4670,7-127-1633\\_8723\\_64390---,00.html](https://www.michigan.gov/sos/0,4670,7-127-1633_8723_64390---,00.html)

You may submit a copy of this form and evidence by mail or by email.

Should you have any questions, please do not hesitate to contact this office.

**From:** John Caron <keepcarononcouncil@att.net>  
**Sent:** Wednesday, May 26, 2021 11:51 AM  
**To:** SOS, Disclosure <[Disclosure@michigan.gov](mailto:Disclosure@michigan.gov)>  
**Subject:** Campaign Finance Violations - Not Listing Disclaimers



CAUTION: This is an External email. Please send suspicious emails to [abuse@michigan.gov](mailto:abuse@michigan.gov)

To whom it may concern,

2 candidates for St Clair Shores City Council placed an ad in the St Clair Shores Sentinel, a publication of C&G Newspapers. No campaign finance disclaimer appears in the ad. I have attached pictures of the ad as well as the whole page on which it appeared.

The 2 committees are:

CTE Joseph M. Fuga (ID 140088)

Mark Alan Fuga (140079) - this is the actual name as well as the candidate name.

Both file with the Macomb County County Clerk and they recommended I send this complaint to your office.

Thanks,  
John Caron  
St Clair Shores City Council

>  
>

www.candnews.com

ST. CLAIR SHORES SENTINEL, May 26, 2021 — 13A

## SMOOTH RIDES START AT THE LIBRARY

Solar-powered bicycle maintenance station installed

BY KRISTYNE E. DEMSKE  
kdemsko@candnews.com

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Library Director Melissa Goins said she was inspired by a trip to New Orleans to seek out a bicycle repair station for the library.

"We had stopped at a public library in New Orleans, and they had a bicycle repair station, and I just thought that was a great idea to have that available for the public," she said.

See BICYCLES on page 2AA



Photo by Deb Jacques

Phil Pertner, president of ESPAS Inc., of Clinton Township, and Harrison Township Public Library Director Melissa Goins stand by the newly installed bicycle maintenance station at the library May 14.

## Mark Fuga & Joseph Fuga Two candidates on the August ballot For City Council

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These two candidates are a  
**PERFECT FIT** for our **SCS City Council**

**Spring Lawn Mower BLOWOUT!**

**Early Bird Special**  
**LAWN MOWER**  
**TIME UP**  
**\$59.00** Plus Parts  
• Rebuild Carburetor • Sharpen Blade  
• New Spark Plug • Oil Change  
WITH COUPON • EXPIRES 5/31/21

**Gas Scooter** starting at **\$1,199**

**Mini Bikes** starting at **\$699** AND UP

**Lawn Mowers** starting out at **\$189**

**Commercial Worldlawn** 32" Walk Behind **\$1,599**

**Gas Weed Wacker** or Gas Blower starting at **\$99**

**586-756-8040**  
3970 9 Mile Rd. • Warren  
Located on 9 Mile Rd. between Ryan & Berquadre



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- Get you all the discounts you deserve on home and auto insurance
- Explain your insurance, answer your questions and put your mind at ease



Helping protect all you hold dear.  
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Carole A. Bellestri  
cabellestri@aaamichigan.com

or  
Fara Randazzo-Jury  
fmrandozzo-jury@aaamichigan.com

568-485-1240



Insurance is underwritten by one of the following companies: Auto Club Insurance Association, Motorbudd Insurance Company, Auto Club Group Insurance Company, Auto Club Property-Casualty Insurance Company, Auto Club South Insurance Company, Auto Club Insurance Company of America, or by an affiliated insurance company. Life insurance and annuities are underwritten by one of the following companies: American Mutual Life Insurance Company, American Mutual Life Insurance Company of New York, or by an affiliated insurance company. All insurance is licensed in all states except NY. Products and their amounts may not be available in all states. AAAMICHIGAN.COM 05/26/21 10:51

05/26/21

**AUTOMOTIVE | REAL ESTATE**

**Section B Classifi**



See BICYCLES on page 24A  
Library Director Melissa Goins stand by the newly installed bicycle maintenance station at the library May 14.

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- Ensure
- Get you
- Explain

H  
C



Insurance  
Auto Club  
Auto Club

>  
>  
> Thanks, John



STATE OF MICHIGAN  
JOCELYN BENSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

June 23, 2021

Mark Fuga  
22694 Wildwood Street  
St. Clair Shores, Michigan 48081

Re: *Caron v. Fuga*  
Campaign Finance Complaint  
No. 2021-06-12-247

Dear Mr. Fuga:

The Department of State (Department) has received a formal complaint alleging you have violated MCL 169.247 of the Michigan Campaign Finance Act (MCFA) by failing to include a complete and correct identification statement on certain campaign-related materials. A copy of the complaint is enclosed.

The complaint was submitted to the Department on June 7, 2021 and alleges that you have distributed a banner, yard signs, and newspaper advertisement that did not include a proper paid for by statement. Pictures of the banner, yard signs, and advertisement are included with the complaint.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election 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).

Upon review, the evidence submitted supports the conclusion that a potential violation of the Act has occurred. From the outset, the Department must consider whether it is an expenditure covered by the MCFA. The banner and signs specifically state "St. Clair Shores City Council Fuga," which use words of express advocacy as defined by the Act. MCL 169.206(2)(j). The advertisement states "Mark Fuga [and] Joseph Fuga [t]wo candidates on the August ballot [f]or City Council." The advertisement invites the public to join the candidates for "a chat and a hot dog" at a Memorial Day parade. It concludes by stating "[t]hese two candidates are a perfect fit for our SCS City Council," which also uses words of express advocacy as defined by the Act. MCL 169.206(2)(j). Because these materials use words of express advocacy by stating the candidates' names and the office they sought, and the materials were published by your committee, the materials are covered by the ambit of the Act and must include the paid for by



Mark Fuga  
June 23, 2021  
Page 2

statement outlined under section 47. MCL 169.206(2)(j). However, these materials have completely omitted the required paid for by statement. Since this phrase is absent, the evidence supports the conclusion that a potential violation has occurred.

After reaching this conclusion, the Act 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.*

Given this, the Department concludes that a formal warning is a sufficient resolution to the complaint and is hereby advising you that MCL 169.247(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 referencing you or your candidacy produced in the future must include this identification statement. For all materials currently in circulation, the paid for by statement must be corrected. If this information has been included in your materials and you wish to rebut the Department's conclusion, you must respond in writing to the Department within 15 business days of the date of this letter otherwise the Department will treat the complaint as resolved.

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).

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Fracassi", written in a cursive style.

Adam Fracassi  
Bureau of Elections  
Michigan Department of State

Enclosure  
c: John Caron