

**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 48918RECEIVED/FILED  
MICHIGAN DEPT OF STATE

2021 OCT 13 AM 10:13

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		Daytime Telephone Number	
Mark Liss			
Mailing Address			
426 9th Street			
City	State	Zip	
Royal Oak	MI	48067	
Email (optional)			
MarkLiss@gmail.com			

Section 2. Alleged Violator			
Name			
Likely, Save The Veterans Memorial			
Mailing Address			
1505 N Main Street			
City	State	Zip	
Royal Oak	MI	48067	
Email (optional)			

**Section 3. Allegations (Use additional sheets if more space is needed.)**Section(s) of the MCFA alleged to be violated: MCL 169.247

Explain how those sections were violated:

An advertisement in the Royal Oak Review for  
October 6, 2021, on page 7A, encouraged people to  
'Vote Yes for the Memorial on November2,' without  
a disclaimer or attribution of sponsorship. Attached.

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

Advertisement attached from the Royal Oak Review.

**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



Signature of Complainant

October 7, 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

www.cdnphoto.com

ROYAL OAK REVIEW, October 6, 2021 -- 7A



**Wendland Park is aptly named for a local veteran who lost his life in 1918, one month before World War I ended.**

**The designated memorial area is sacred and the most appropriate place to honor him and the rest of our Royal Oak veterans.**

**Veteran Memorials in communities across Michigan are the only hallowed link to those who never made it home.**

**Royal Oak must support preserving the memorial for our veterans.**

**Veterans fought in court – and judges agreed – Telling THE TRUTH that Royal Oak citizens have the final say on the Memorial.**

**TRUST VETERANS.**

**VOTE YES FOR THE MEMORIAL ON NOVEMBER 2.**



To view a High Resolution & Color copy of this fax:

1. Go to [www.hellofax.com/HighRes](http://www.hellofax.com/HighRes)
2. Login or create a HelloFax account

3. Enter Access Code:

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City Royal Oak	State MI	Zip 48067	
Email (optional) MarkLiss@gmail.com			

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Name Likely, Save The Veterans Memorial			
Mailing Address 1505 N Main Street			
City Royal Oak	State MI	Zip 48067	
Email (optional)			

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**TRUST VETERANS. NOT THE ROYAL OAK CITY COMMISSION.  
VOTE YES FOR THE MEMORIAL ON NOVEMBER 2.**





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

November 8, 2021

Save the Veterans Memorial  
1505 N Main Street  
Royal Oak, Michigan 48067

Dear Save the Veterans Memorial:

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 alleges that you have distributed campaign material that did not include a proper paid for by statement. A picture of the campaign material is 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 material specifically uses words of express advocacy as defined by the Act. MCL 169.206(2)(j). Because it urges voters to vote for you using words of express advocacy and was published by your committee, the materials are covered by the ambit of the Act and must include the paid for by statement outlined under section 47. MCL 169.206(2)(j). However, the signs 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: Mark Liss