



Michigan Department of State
Campaign Finance Complaint Form

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

RECEIVED
MICHIGAN DEPARTMENT OF STATE
2022 NOV -9 PM 1:51

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 <i>Cindy N. Dingell</i>		Daytime Telephone Number	
Mailing Address <i>3360 Brookshire St.</i>			
City <i>Trenton</i>	State <i>MI</i>	Zip <i>48183</i>	
Email (optional) <i>Cindydingell@yahoo.com</i>			

Section 2. Alleged Violator			
Name <i>Troy Margoni</i>			
Mailing Address <i>150 Hope Mine Road</i>			
City <i>Crystal Falls</i>	State <i>MI</i>	Zip <i>49920</i>	
Email (optional)			

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

Section(s) of the MCFA alleged to be violated: *169.247 Sec. 47(1)*

Explain how those sections were violated:

Candidate placed ads in the 10/26/22 & 11/2/22 editions of the Iron County Reporter. The ads do not include the required disclaimer statement, no committee name or address.

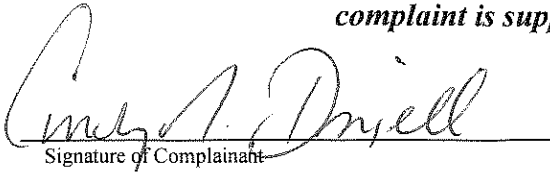
Evidence included with the submission of the complaint that supports the allegations:

See attachments

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

11/4/22
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:

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



Go to www.ire.com

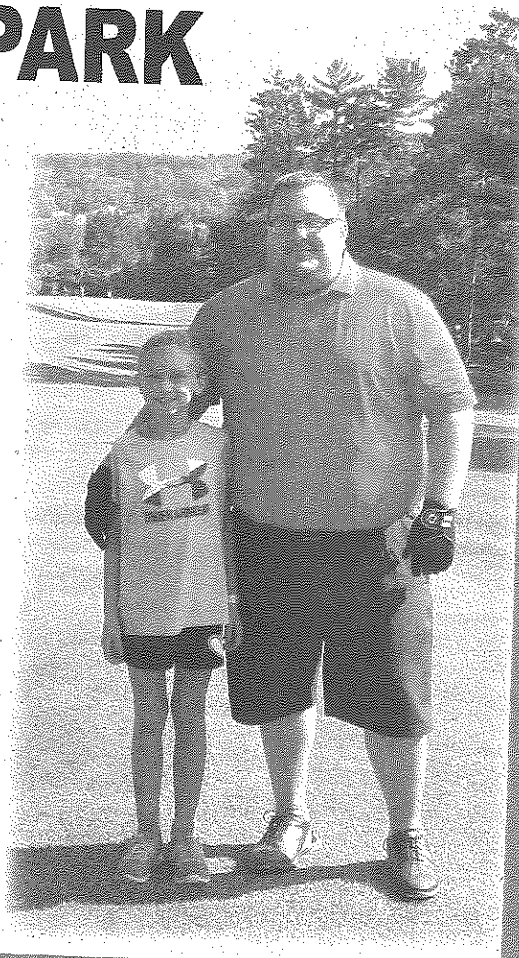
MORE THAN PRINTS!

VOTE FOR TROY MARGONI FOREST PARK SCHOOL BOARD

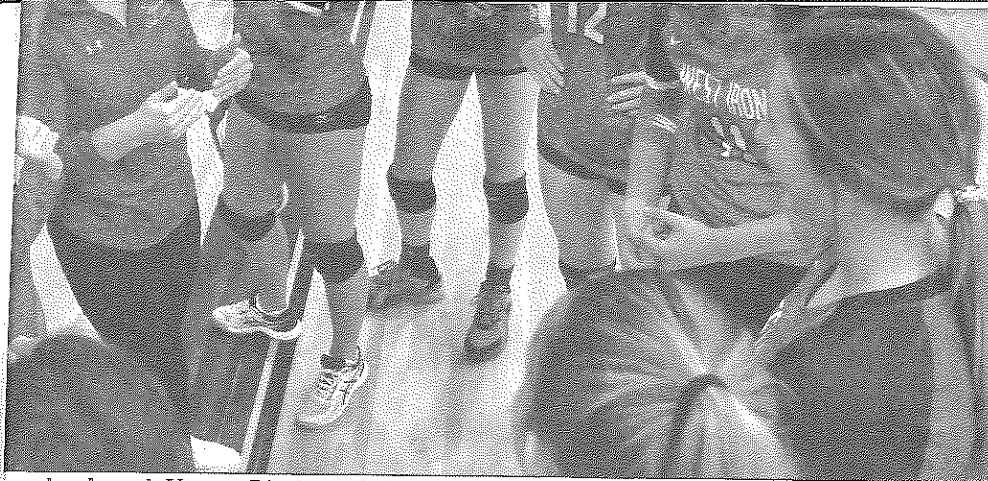
NOVEMBER 8, 2022

**A Candidate with
Values, Honesty,
Knowledge and
Common Sense**

**Promoting
Fairness
& Equality
in Education**



Paid for by Troy Margoni.



from head coach Konnor Bjorkman before heading back out to the court for their match up against with a 3-2 set victory.

VOTE FOR TROY MARGONI FOREST PARK SCHOOL BOARD

NOVEMBER 8, 2022

A Candidate with
Values, Honesty,
Knowledge and
Common Sense

Promoting
Fairness
& Equality
in Education

Paid for by Troy Margoni.



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

November 21, 2022

Troy Margoni
150 Hope Mine Rd.
Crystal Falls, MI 49920

Re: *Dingell v. Margoni*
Campaign Finance Complaint No. 2022 - 11 - 199 - 47

Dear Mr. Margoni:

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 an identification statement on campaign advertisements in the Iron County Reporter. Pictures were included with the complaint; a copy of the complaint is enclosed.

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 the materials fall within the ambit of the MCFA. Because the materials explicitly advocate for the election or defeat of a candidate, or for the passage or defeat of a ballot proposal, the materials contain express advocacy as defined by the Act. MCL 169.206(2)(j). As explained above, such materials must contain a "paid for by" statement listing the name and address of the committee purchasing the materials. However, the evidence shows that the materials at issue here omit part or all of that required statement. That absence supports the conclusion that a potential violation of the MCFA 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,

Regulatory Section
Bureau of Elections
Michigan Department of State

Enclosure
c: Cindy Dingell

MDOS-BOERegulatory

From: Julie Kezerle <JKezerle@ironmi.org>
Sent: Thursday, December 1, 2022 9:57 AM
To: MDOS-BOERegulatory; troymargoni02@hotmail.com
Subject: RE: Campaign finance complaint

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

Good Morning,

Thank you for your response. We absolutely had no intent to commit a violation. I did not know the address had to be included and will make sure moving forward to advise the candidates of such.

Thank you,

Julie

From: MDOS-BOERegulatory [mailto:MDOS-BOERegulatory@michigan.gov]
Sent: Thursday, December 1, 2022 8:51 AM
To: troymargoni02@hotmail.com
Cc: Julie Kezerle
Subject: Campaign finance complaint

Dear Mr. Margoni,

I wanted to follow up on our phone conversation on Tuesday. A campaign finance complaint was filed against you, alleging that you had failed to include on your yard signs the name and address of the person paying for those signs. You called to let me know that you had been advised by your county clerk that you did not have to include that information because you were running in a school district with fewer than 2,400 pupils. Ms. Kezerle also emailed the Department to inquire on that subject.

Ms. Kezerle is correct that the MCFA does not apply to candidates meeting that description in most cases—for instance, they are not required to file campaign finance statements unless they receive or spend more than \$1,000. [Section 5\(4\)](#) of the MCFA—provides that the term “elective office” does not apply to a candidate for school board in a district of 2,400 or fewer pupils except in two instances:

- For purposes of section 47, 54, and 55.
- If the candidate receives or expends more than \$1,000.

Because the omission falls under section 47, it is still a violation. The Department acknowledges that the omission was accidental, that there was no intent to commit a violation on your part, and that you have indicated that you will make the necessary change to your signs going forward.

Jenny McNerney
Regulatory Attorney
Regulatory Section
[Michigan Bureau of Elections](#)
Main: 517-335-3234
McNerneyJ1@michigan.gov