

## MICHIGAN DEPARTMENT OF STATE

RICHARD H. AUSTIN • SECRETARY OF STATE

STATE TREASURY BUILDING

LANSING  
MICHIGAN 48918

April 20, 1990

Dean D. Alan  
 Committee to Elect Dean D. Alan  
 21900 Chalon  
 St. Clair Shores, Michigan 48080

Dear Mr. Alan:

This is in response to your request for an exemption from the identification requirements of section 47 of the Campaign Finance Act, 1976 PA 388, as amended. Your original request was received on February 22, 1990. On February 23, 1990, you were informed that additional information was needed to respond to your request. You submitted this information on March 2, 1990.

On March 5, 1990, your request for an exemption was made available to the public as required by section 15(2) of the Act (MCL 169.215). There have been no written comments submitted by interested persons as provided in that section.

Section 47 of the Act (MCL 169.247) states, in pertinent part:

"Sec. 47. (1) A billboard, placard, poster, pamphlet, or other printed matter having reference to an election, a candidate, or ballot question, shall bear upon it the name and address of the person paying for the matter."

Rule 36(2) of the administrative rules promulgated to implement the Act provides the identification statement must include the words "Paid for by" followed by the name and complete address of the payor. However, section 47(3) of the Act authorizes the Secretary of State to exempt certain items if their size makes it unreasonable to add an identification statement.

You have requested an exemption for a mint candy wrapper which measures 1/2" by 1 1/4". (The sample wrapper included with your letter, however, is 1 1/4" by 2 1/4".) You indicate the outside of the wrapper will state "Alan for Judge", and the candy will often be passed out with printed campaign materials that include the identification statement required by the Act.

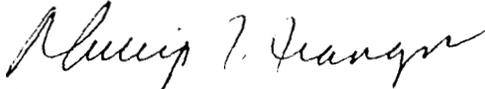
The Department has previously interpreted the Act as exempting a number of items due to their size, including campaign stickers measuring 2 3/4" by 1". The candy wrapper which is the subject of your request is of a comparable size or smaller. It would be unreasonable to include an identification statement or

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disclaimer on such a small item. Therefore, the Department has determined that a candy wrapper which is no more than 1 1/4" by 2 1/4" is exempt from the requirements of section 47 of the Act.

This response is informational only and does not constitute a declaratory ruling.

Very truly yours,



Phillip T. Frangos  
Director  
Office of Hearings and Legislation

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