

## M I C H I G A N   D E P A R T M E N T   O F   S T A T E

RICHARD H. AUSTIN   •   SECRETARY OF STATE  
STATE TREASURY BUILDING



LANSING  
MICHIGAN 48918  
48918-2110

July 20, 1992

Eric E. Doster  
Foster, Swift, Collins & Smith. P.C.  
313 South Washington Square  
Lansing, MI 48933-2193

Re: Request for Declaratory Ruling: Corporate Donations to Building Fund

Dear Mr. Doster:

You have requested a declaratory ruling concerning the applicability of the Campaign Finance Act (the Act), 1976 PA 388, as amended, to corporate donations to be used to purchase or construct a headquarters building for the Michigan Republican State Committee (the MRSC). You state the MRSC is engaged in state election activity. You state,

"Consequently, even though the federal law expressly preempts the application of the Michigan Campaign Finance Act to the MSRC's proposed building fund, we respectfully request your interpretation as to whether the Michigan Campaign Finance Act is applicable to donations to the MSRC's proposed building fund. In other words, please verify that the Michigan Campaign Finance Act would not apply to the MSRC's proposed building fund even without the preemption of the Michigan Campaign Finance Act by federal law."  
(Emphasis added.)

Your question has been previously answered in an interpretive statement issued to David A. Lambert on October 31, 1984. A copy of the interpretive statement is enclosed. The letter states:

"The second issue you have raised is whether corporate funds may be used by political party committees in certain identified instances. Specifically, you asked:

'I would also like to know if a political party committee may use corporate contributions for any of the following:

\* \* \*

3. For the rental of or purchase of a party office/headquarters?'

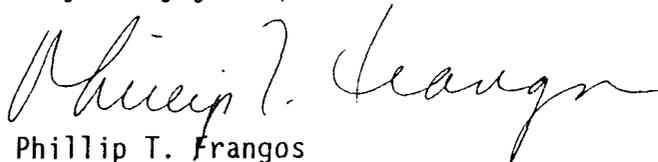
Corporate funds may be used for office supplies and expenses, if the supplies and expenses (telephone, heat, lights, etc.) are used or incurred exclusively for non-campaign purposes. Similarly, the rental or purchase of office space and the payment of attendant insurance premiums and property taxes may be made with corporate funds, provided the space is used only for non-campaign purposes. However, an office, a telephone or stationery which is used even occasionally for campaign purposes, such as soliciting support for a candidate or fundraising, which will be used for campaigning may not be purchased or rented with funds commingled with corporate money.

\* \* \*

In summary, political parties may receive and spend money from corporations for activity which is exclusively outside the Act."

Since your inquiry specifically requests the issue of federal preemption not be addressed in this response, your question is answered by the interpretive statement issued to David A. Lambert on October 31, 1984. Therefore, this response does not constitute a declaratory ruling or an interpretive statement.

Very truly yours,



Phillip T. Frangos  
Deputy Secretary of State  
State Services  
(517) 373-8141

Enc.

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