



**LAWRENCE KESTENBAUM  
COUNTY CLERK / REGISTER OF DEEDS**

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May 13, 2019

Andy LaBarre  
Treasurer  
Yes to Our Mental Health and Public Safety  
2411 Meadowridge Ct.  
Ann Arbor, MI 48105

Mr. LaBarre,

We've received your letter dated May 6, 2019 requesting a waiver or reduction of late filing fees owed by the Yes to Our Mental Health and Public Safety ballot question committee.

These late filing fees were assessed by the Washtenaw County Clerk/Register Elections Division in accordance with the Michigan Campaign Finance Act (MCFA).

As you acknowledged in your correspondence the ballot question committee failed to file several statements in a timely manner that were required by the MCFA. These are:

| <u>STATEMENT</u>                  | <u>DUE DATE</u>   | <u>DATE RECEIVED</u> |
|-----------------------------------|-------------------|----------------------|
| Post-Election Statement (General) | December 7, 2017  | August 24, 2018      |
| 2017 Annual Statement             | January 31, 2018  | August 24, 2018      |
| 2018 February Quarterly Statement | February 15, 2018 | August 24, 2018      |
| 2018 April Quarterly Statement    | April 25, 2018    | August 24, 2018      |
| 2018 July Quarterly Statement     | July 25, 2018     | August 24, 2018      |

Late filing fees were assessed for each of these statements as prescribed by the MCFA. These late filing fees remain unpaid by the committee.

MCL 169.215 authorizes a County Clerk to waive late filing fees for "good cause" only under certain circumstances. Specifically, a waiver may be granted when a deadline was missed due to incapacitating physical illness, hospitalization, accident involvement, death, incapacitation for medical reasons, or when a statement could not be submitted as a result of the loss or unavailability of records due to a fire, flood, theft or similar reason, difficulties in the transmission of the filing because of bad weather or strikes involving transportation.

The statute specifically excludes circumstances "stemming from a negligent act or non-action".

Based on the information you provided, the committee was not affected by any of those exigent circumstances. Hence, I am not authorized to waive or reduce the late filing fees in this case.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence Kestenbaum".

Lawrence Kestenbaum  
Washtenaw County Clerk/Register