

Dems probe tax campaign violations charges

BY SANDRA ARMBRUSTER
STAFF WRITER

Possible violations of Michigan campaign laws may turn into a showdown between the governor's Republican administration and state Democratic leaders just weeks before the March 16 vote on Proposal A.

At issue is a series of three articles supporting the proposal, which would cut property taxes and increase the sales tax from 4 to 6 percent. Under study is how far state officials can go in calling for approval of the ballot proposal.

State Sen. Michael Bouchard, R-Birmingham, calls the maneuvering a "politically motivated diversionary attack" that is "chasing shadows."

But Speaker of the House Dennis Hertel, D-Detroit, is asking for an investigation by Secretary of State Richard Austin, a Democrat, and by state Attorney General Frank Kelley, also a Democrat, on one of articles.

That article by state treasurer Douglas Roberts, dated Jan. 28, is titled: "It's a matter of tax fairness."

"I believe that using an increase in the sales tax to fund schools is more fair than using an increase in the income tax," it reads in part.

Charges leveled

In a Feb. 17 press release, Hertel charges that the article was sent to all Michigan addresses and "suggests" there has been a violation of the state code governing use of taxpayer money in a campaign.

"It is altogether apparent that the letter was not mailed for the purpose of providing useful information to the voters. . . . Rather, it constitutes political advertising at public expense by the Engler administration," Hertel said in the news release.

Hertel is asking the attorney general to initiate a civil action against the administration. He also is charging that it violates campaign finance disclosure laws.

John Truscott, Gov. John Engler's press secretary, denied that there had been any wrongdoing and insisted Friday afternoon that the attorney general had ruled there was no basis to Hertel's complaint.

However, in a subsequent call to Chris DeWitt, press secretary for the attorney general, the Engler administration said that the matter was still under investigation.

"We're still working on it," DeWitt said. "John Truscott does not speak for this office."

Two more articles

The article was one of three faxed to offices of the Engler administration. Two other articles also mailed to the Engler offices were:

■ An article by Patricia A. Wood-

worth, director of the Michigan Department of Management and Budget. The article is titled "The Sales Tax Proposal: Better for Taxpayers." It is printed on state stationery and lacks a disclaimer on how it was paid for.

"Voters should say yes to a better future, and vote yes on March 16," Woodworth concludes in the article.

Woodworth's article was a general mailing to Michigan newspapers, according to her press secretary, Maureen McNulty. She said management and budget's legal department had been in touch with the attorney general's office and was discussing how the article should be paid for.

But Truscott described the article as "routine, not out of the ordinary at all."

"It's routine for appointed officials to send letters to the editor explaining (a position), just as it is for elected officials to do so," Truscott. He said that Woodworth's article was a "public information piece sent as an option" for newspapers to publish.

■ A third article by Doug

Rothwell, chief executive officer of the Michigan Jobs Commission, a quasi-governmental organization, declares "The March 16 Ballot Proposal (is) a Clear Win for Jobs." It is printed on commission stationery.

The article concludes " . . . keep both your money and your job. Vote 'Yes' on March 16."

Truscott said the article was sent out to "correct misinformation" distributed by a legislator and is the same type of article that could be seen in such newspapers as the New York Times.

"It outlines why (Proposal A) is better for the state," Truscott continued. "There is no precedent that says you can't do this."

Campaign rules

Web Buell, director of campaigns and rules division in the Secretary of State's office, said "there is a series of attorney general's rules over the years that you can't use (public funds) for political . . . But there is no agency appointed to police that."

However, he said it is OK for a government agency, such as the

civil rights department, to take a position on an issue and let it be known.

While the attorney general's office is reviewing the issue "as quickly as possible," according to DeWitt, state legislators Bouchard and state Rep. Barbara Dohb, a Republican whose district includes West Bloomfield, have yet to see the articles.

Noting that it's the administration's "job to comment on how the proposal affects us and whether they support it," Dohb added that "we have to be very careful as legislators" during campaigns. She said, however, that she didn't know if ballot issues were different.

Bouchard said that "No one should use state funds to advocate a position, (but) it's a little fuzzer when it's a letter to the editor about a political proposal. He added that it would be wrong to use taxpayer funds for a mass mailing advocating an issue, but if it were a letter to the editor, the situation would be different."

"I'd try to err on the safe side," he said.

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