



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

November 18, 2025

Library Green Conservancy
ATTN: Hannah Stocker
1405 Lutz Ave.
Ann Arbor, MI 48103

Re: *Robbins v. Library Green Conservancy*
Campaign Finance Complaint No. 25-044

Dear Hannah Stocker:

The Department of State (Department) has finished investigating the campaign finance complaint filed against your client by Andrew Robbins alleging that you violated the Michigan Campaign Finance Act (MCFA or Act). This letter concerns the disposition of that complaint.

The complaint alleged that Library Green Conservancy was actively campaigned against two ballot initiatives that appeared on the August 2025 ballot in Ann Arbor. The campaign materials urged voters to "Vote on August 5" and opined that the proposals were not needed to get a new library. Additionally, the flyer indicated that "The park we voted for is under attack" coupled with urging a no vote on the proposals.

You responded to the complaint. In your response, you claimed the Library Green Conservancy is a 501(C)(3) non-profit organization that was formed by Ann Arbor residents in 2012 and not in response to the proposals. The communications regarding Proposal A and B were strictly factual and should be considered issue advocacy based on previous decisions issued by the Department.

Andrew Robbins provided a rebuttal statement. In that statement, Robbins contends that Library Green Conservancy used both "Vote Against" and "Vote No" in their campaign against the Ann Arbor Library proposals. Those phrases are considered express advocacy and subject to the regulations of the Michigan Campaign Finance Act.

Under the Act, express advocacy is advocacy that "in express terms advocate[s] for the election or defeat of a clearly identified candidate." MCL 169.206(2)(j). The definition is intended "to restrict the application of this act to communications containing express words of advocacy of election or defeat, such as 'vote for,' 'elect,' 'support,' 'cast your ballot for,' 'Smith for governor,' 'vote against,' 'defeat,' or 'reject.'" *Id.* The express advocacy standard originated with *Buckley v Valeo*, 424 US 1, 44 (1976), where the U.S. Supreme Court held that federal

campaign finance laws, "must be construed to apply only to expenditures for communications that in express terms advocate the election or defeat of a clearly identified candidate for federal office." As the *Buckley* Court explained, "[t]his construction would restrict the application of §608(e)(1) to communications containing express words of advocacy of election or defeat, such as 'vote for,' 'elect,' 'support,' 'cast your ballot for,' 'Smith for Congress,' 'vote against,' 'defeat,' 'reject.'" *Id.* at n. 52. The MCFA adopted the *Buckley* standard through Section 6 of the Act. MCL 169.206(2)(j).

Based on the above, the Department concludes that the evidence is sufficient to determine that there may be reason to believe that a violation of the Act occurred. The Library Green Conservancy used "vote against" and "vote no" on printed materials opposing the Ann Arbor ballot proposals which constituted express advocacy. The express advocacy by Library Green Conservancy required them to either register a ballot questions committee under Section 24 or file and independent expenditure report under Section 25 with the appropriate filing official. Upon making this determination, the Act requires the Department to "endeavor to correct the violation or prevent a further violation by using informal methods [.]", and if the Department is unable to correct or prevent additional violations, it must ask the Attorney General to prosecute if a crime has been committed. MCL 169.215(10)(a). The objective of an informal resolution is "to correct the violation or prevent a further violation [.]" *Id.*

Please be advised that if the Department is unable to resolve this informally, it is required by MCL 169.215(10)-(11) to refer to the Department of Attorney General with a request that her office prosecute for the criminal penalties and/or conduct an administrative hearing to enforce the civil penalties. If the Department conducts an administrative hearing, MCL 169.215(11) authorizes the Secretary of State to seek a civil fine of triple the amount outlined plus up to \$1,000.00 for each violation of the Act.

Please contact the undersigned at BOERegulatory@Michigan.gov by **Monday, April 6th, 2026**, to discuss a resolution to matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "James Biehl", written in a cursive style.

James Biehl, Regulatory Attorney
Regulatory Division
Bureau of Elections
Michigan Department of State

C: Andrew Robbins