



OCPF Reports

From the Director

As you see from the chart on this page, we had a busy 2010.

But it doesn't end there. Our audit department's work really starts in the year after a state election.

Our office reviews all campaign finance reports after they are filed, electronically or by paper. In 2010, more than 23,000 reports were filed. In the year after the election — right now — our team of auditors conduct complete reviews of those reports.

Mid-year reports

House and Senate candidates will file mid-year reports for the first time this year. The reports will cover from Jan. 1 to June 30, and are due by July 20.

PACs are also required to file mid-year reports.

As always, please call if you need any assistance with filing mid-year reports.

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More than 23,000 campaign finance reports filed with OCPF in election year

A record number of campaign finance reports were filed with the Office of Campaign and Political Finance in calendar year 2010.

The 2,608 committees registered with OCPF filed 23,020 electronic reports, a 57 percent increase from 2009. The previous high was 18,764 set in 2006, which was the last statewide election year prior to 2010.

All campaign finance reports filed with OCPF are reviewed for accuracy and compliance. The totals do not include paper reports or independent expenditure and electioneering communication disclosures.

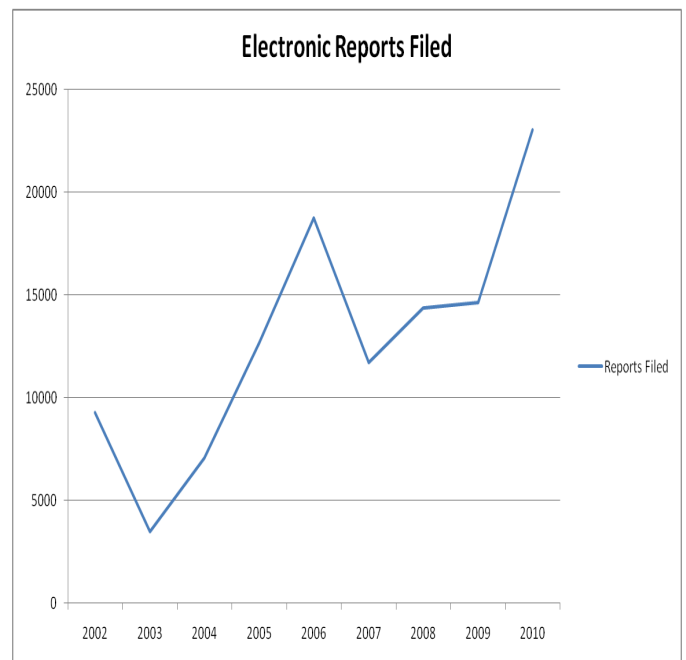
More committees were also organized last year.

A total of 2,608 candidates and committees were registered with OCPF at the end of 2010, including 1,047 candidates, 302 political action committees, 18 ballot question committees, three state party committees and 1,241 local party committees. The aggregate figure is an increase of 208 over 2009.

The following is a break-down by category:

Candidates: Of the 1,047 candidates, 369 were in the depository system, candidates for statewide and county office, the Governor's Council, and mayor or city councilor in Boston, Cambridge, Lowell, Springfield and Worcester.

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All party committees to re-organize

Every four years, all ward, town and city party committees must re-organize — a process that begins this summer with signature gathering on nomination papers, and culminates with the presidential primary election in early 2012.

There are currently more than 1,200 ward, town and city party committees organized with OCPF. When new committees are elected in the presidential primary early next year, the database is wiped clean, and the organizational process begins from scratch.

After the presidential primary, during which local party committees are elected, newly elected members are required by law to organize within 40 days.

Within 10 days of organizing,

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We're on the Web @
www.mass.gov/ocpf

From the Director

Posting Reports

Across the state, city and town election officials have posted campaign finance reports filed by local candidates to their web-site.

I've seen several of these web pages, and many are presented in user-friendly formats that accomplish the primary goal of the campaign finance law — disclosure.

State law now requires city and town clerks to post the reports to their municipal websites if the reports contain receipts, expenditures or liabilities of \$1,000 or more. The law requires the reports to be posted within 30 days of the report's due date.

Summer Seminars

We plan to travel the state again this summer to do municipal candidate seminars. The seminars last up to 90 minutes, and we stay afterward to answer any questions.

The seminars are helpful for candidates running at all levels of municipal government — including candidates for mayor in cities with populations between 40,000 and 100,000, who now file electronically with us. We'll let you know when the places and dates are set.

Please call with any questions.

Michael Sullivan, Director

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Mayoral candidates in Everett, Fitchburg will file with OCPF

Starting with the preliminary elections in September, mayoral candidates in Everett and Fitchburg will file campaign finance reports with OCPF because the populations in those cities exceeded the 40,000 mark in the new 2010 census.

All mayoral candidates in cities with populations between 40,000 and 100,000 file electronically with OCPF, in the same system used by House and Senate candidates.

Everett's census total was 41,667, and Fitchburg's population increased to 40,318.

Twenty-five cities now fall within that population range.

Mayoral candidates in medium-sized cities first filed electronically with OCPF this year with the year-end report due on Jan. 20, 2011.

This year, as candidates decide to run for mayor in the fall elections, they will organize with OCPF and file three reports (pre-preliminary, pre-election and year-end).

Organizational papers for mayoral incumbents and candidates are available at



Everett

the OCPF website at: <http://www.efs.state.ma.us/orgformsbyofficetype.aspx>.



Fitchburg City Hall

The other 23 communities in the 40,000 to 100,000 range are Attleboro, Brockton, Chicopee, Fall River, Haverhill, Lawrence, Leominster, Lynn, Malden, Medford, New Bedford, Newton, Peabody, Pittsfield, Quincy, Revere, Salem, Somerville, Taunton, Waltham, Westfield and Weymouth.

Continued: 2010 reports and committees totals

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There were 678 candidates in the non-depository system, which are legislative candidates and mayoral candidates in cities with populations between 40,000 and 100,000.

PACs: A total of 302 political action committees, including eight people's committees, were registered. That figure is a decrease of six from the year before.

Ballot Question Committees: Eighteen BQ committees were registered, one more than in 2009.

State Party Committees: Three parties organized — Democratic, Republican and Libertarian.

Local Party Committees: A total of 1,241 local party committees were active with OCPF. The ward, town and city party committees organize every four years following the presidential primary.

Most **municipal candidates** in cities and towns organize and file campaign finance reports with their respective city and town halls, and their reports are posted to municipal websites if they exceed \$1,000 in activity in a reporting period. Most municipal candidates do not file with OCPF, but are subject to the state campaign finance law.

Committees by the Numbers in 2010

Candidates	1,047
PACs	302
BQs	18
Parties	1,241
Campaign finance reports filed:	23,020

Recent Cases and Rulings

OCPF audits all campaign finance reports and reviews all complaints alleging violations of the campaign finance law. These audits and reviews may result in enforcement actions or rulings such as public resolution letters, disposition agreements or referral to the Office of the Attorney General for further action. All resolution letters are posted under the [Agency Actions](#) tab at the agency website, www.mass.gov/ocpf.

A **disposition agreement** is a voluntary written agreement entered into between the subject of a review and OCPF, in which the subject agrees to take certain specific actions.

A **public resolution letter** may be issued in instances where the office found “no reason to believe” a violation occurred; where “no further action” or investigation is warranted; or where a subject “did not comply” with the law but, in OCPF’s view, the case is able to be settled in an informal fashion with an educational letter or a requirement that some corrective action be taken. A public resolution letter does not necessarily imply a wrongdoing on the part of a subject and does not require agreement by a subject.

OCPF does not comment on any matter under review, nor does the office confirm or deny that it has received a specific complaint. The identity of any complainant is kept confidential. Public resolution letters and disposition agreements are matters of public record once cases are concluded.

An **advisory opinion** is a response from OCPF to a specific question asked by an individual, political committee, group, company or organization concerning the campaign finance law.

Public Resolution Letters

CPF-10-108: Worcester Police Officials Union IBPO Local 504 PAC. Did not comply (negative check-off); 2/8/2011. The union was using a “negative check-off” to automatically deduct contributions from members for its PAC, unless a member opted out. The campaign finance law prohibits the use of a negative check-off to fund a PAC. To resolve the matter, the PAC made a \$1,000 pay-

ment to the state’s general fund and a \$1,000 payment to charity. The PAC also agreed to dissolve.

CPF-10-109: Rep. Michael Costello, Newburyport. No reason to believe (expenditures); 2/10/2011. Rep. Costello’s campaign committee paid rent for a campaign and district office in the same building where he also practices law. Costello practices law in one room, and his campaign and district office is located another room. The expenditure of campaign funds to pay rent for the campaign and district office space is consistent with the campaign finance law.

CPF-10-111: Michael Motzkin, Wakefield. Did not comply (reporting); 2/18/2011. Motzkin’s campaign committee for state representative did not disclose an expenditure to pay a liability in 2006, which created a balance discrepancy in the committee’s 2007 year-end report.

CPF-10-91: Robert Norton, DivorceRacket.org, Westborough. Did not comply (independent expenditure); 3/2/2011. Norton, the administrator of the website DivorceRacket.org, paid for flyers opposing a senator’s re-election campaign. The costs for the flyers were not disclosed, as required by state campaign finance law.

CPF-11-08: Thomas Chambers, Hanson. Did not comply (reporting); 3/29/2011. The candidate’s committee for Plymouth County sheriff did not disclose contributions and other activity, including contributions of \$1,050, a \$1,875 newspaper ad paid for using the candidate’s personal funds, an in-kind contribution of \$403 for lawn signs and a liability of \$523. With assistance from the OCPF audit department, the committee filed the required deposit reports and made amendments to its year-end report to address the issues.

Advisory Opinions

AO-11-02: The website www.fairdistricts.org may accept corporate contributions to fund its efforts concerning non-party redistricting issues.

OCPF’s Weekly Seminar

Each Wednesday, 2 p.m., OCPF Conference Room

A 1-hour seminar that reviews reporting requirements and demonstrates how to use OCPF’s reporting software. All campaign committees are invited, including municipal candidates running in the 2011 elections.

OCPF is located on the fourth floor at One Ashburton Place near the Statehouse.



Continued: Local party committees

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state law requires the secretary of each local party committee to file a statement of organization with OCPF, the Secretary of the Commonwealth, the state party committee headquarters and with their local election official.

After local party committees organize, they file campaign finance reports with OCPF to disclose their financial activity.

If a committee is not elected or organized after the presidential primary, *OCPF will not automatically register the committee.*

Local party committees organize, generally, to represent their party on the neighborhood level, promote the party's platform, and work for the nomination and election of candidates.

Recently Organized PACs

Three Political Action Committees were organized recently. A PAC is an organization or other group of people that raises or spends money for the *primary* purpose of influencing the election of candidates.

Republican Victory PAC of Central Massachusetts, Uxbridge, 2/8/2011.

Greater Blackstone Valley Dems PAC, Milford, 3/1/2011.

Berkshire Greens PAC, Pittsfield, 3/15/2011.

Personnel File

Special projects intern joins OCPF for spring, summer

Suffolk University senior **Jeff Tancreti** has joined the Office of Campaign and Political Finance staff for a spring and summer internship, focusing on special projects.

Jeff will graduate from Suffolk University with a degree in political science and finance.

He is president of the Suffolk Collegiate Investors Association, and is a Suffolk University Student Government Senator.

Question and Answer

Can we collect donations for my campaign by "passing the hat" at my backyard BBQ fundraiser?

No. Anonymous contributions are prohibited. Campaigns are required to account for every dollar received (name and address of donor).

I'm an elected town official and I want to run for state representative. Do I need to register with OCPF?

Yes. You would file a change of purpose form and organize with OCPF, then use the ending balance from the town campaign account as your beginning balance for the state campaign.

Is there a fine for not filing campaign finance reports by the due date?

Yes. The fine is \$25 a day up to \$5,000 for all candidates, PACs, ballot question committees and party committees.

Can my campaign hold a raffle fundraiser?

No. Political committees are not among the groups permitted by state law to hold raffles.

Can federal political action committees and federal candidates donate money to Massachusetts candidates on the state, county and municipal levels?

No. The state campaign finance law prohibits such contributions.

I'm a part-time employee at the local public school district and my friend is running for town selectman. Can I work on his campaign?

Yes, in a non-fundraising capacity. Public employees, both full and part time, are prohibited from soliciting or receiving campaign contributions, directly or indirectly.

Can a business owned by a sole proprietor donate to my candidate campaign?

Yes. The campaign finance law does not prohibit sole proprietor's from contributing to candidates. Corporations, LLCs, LLPs and business partnerships *are* prohibited from making contributions to candidate campaigns.