



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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March 6, 2024

James Morose
Danvers Republican Town Committee
20 Hardy Street
Danvers, MA 01923

Re: CPF-23-25

Dear Mr. Morose:

This office has completed its review of a complaint we received regarding the Danvers Republican Town Committee (the "DRTC") and its activity to oppose a question that appeared on the May 2, 2023 ballot in Danvers. Specifically, the complaint alleged that disclosure reports were not filed with the Danvers Town Clerk relative to a mailer distributed to voters by the DRTC opposing a ballot question to accept Community Preservation Act legislation in Danvers.

Once contacted by OCPF, you provided all relevant information and cooperated with OCPF's review. You confirmed that the DRTC made expenditures to oppose the May 2nd ballot question. A local party committee, such as the DRTC, may make expenditures to influence a ballot question. Additionally, a local party committee may raise money to support or oppose a ballot question, subject to the contribution limits imposed on local party committees. Further, the campaign finance law requires such a committee to file certain reports disclosing this activity.

You acknowledged that the DRTC raised funds, including \$250 from anonymous sources, for the ballot question initiative. Section 2 of the campaign finance law requires a committee to keep an account of the full name and residential address of all persons who have made a contribution to the committee regardless of the amount of the contribution. Section 18 requires political committees to report complete contributor information, including the name and address of each person making aggregate contributions in excess of \$50 during the reporting period. Anonymous contributions may not be accepted because the receipt of such contributions would make it impossible to keep the required information regarding contributors. M.G.L. c. 55, §§ 2 and 5; 970 CMR 1.04(5).

The DRTC files its campaign finance reports with OCPF. However, since expenditures were made by the DRTC to oppose a municipal ballot question, the DRTC was required to disclose its financial activity undertaken for this purpose by filing campaign finance reports (Form CPF M 102) with the Danvers Town Clerk. See M.G.L. c. 55, §18. A pre-election report was due the 8th day preceding the election and a post-election report was due the 30th day following the election



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with both reports complete as to the tenth day preceding the filing deadline. Therefore, the pre-election report disclosing the DRTC's financial activity that occurred through April 14, 2023 to influence the May 2nd election was required to be filed by April 24, 2023. The post-election report disclosing activity from April 15, 2023 through May 22, 2023 was due by June 1, 2023.

You stated that you were unaware of the reporting requirements relating to ballot questions and expected that the activity would be disclosed on the DRTC's regularly filed campaign finance reports with OCPF. With OCPF's assistance, the DRTC filed an amendment to its electronically filed 2023 year-end report to accurately reflect its activity to influence the May 2023 ballot question. This report discloses approximately \$2,000 in contributions received prior to making two expenditures totaling \$1,238 for post cards opposing the question. OCPF has provided a copy of this report to the Danvers Town Clerk, as this activity should have been disclosed by filing municipal campaign finance reports with the Town Clerk. Furthermore, the DRTC has made a payment of \$250 to the Commonwealth to purge the receipt of anonymous contributions received in 2023.

Based on the findings of our review, we have determined that the DRTC's receipt of anonymous contributions and its failure to file accurate and timely campaign finance reports with the Danvers Town Clerk did not comply with the campaign finance law. However, corrective action has occurred and because we believe that the guidance provided during the course of this review will ensure future compliance with the campaign finance law, we have determined that no further action is required and this matter may now be closed.

In accordance with the opinion of the Supervisor of Public Records, this letter is a public record. As such, it will be placed in the Committee's public file and a copy may be provided to the person(s) who brought this matter to our attention.

Sincerely,



William C. Campbell
Director

WCC/mj

cc: Catherine S. Ellsworth, Danvers Town Clerk