



THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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December 8, 2020

Steven Geyster  
Preservation Without Taxation  
50 Canton Avenue  
Milton, MA 02186

Re: CPF-20-117

Dear Mr. Geyster:

This office has completed its review of a complaint we received regarding Preservation Without Taxation (the "Committee"). The Committee advocated a vote against adopting the Community Preservation Act in Milton, a question on the ballot in the November 3, 2020 election. The complaint alleged that the Committee did not organize or disclose financial activity in a timely manner with the Milton Town Clerk. Specifically, the complaint cited a website that solicited funds and the lack of disclosure for newspaper advertisements and lawn signs.

Based on our review, we have determined that the Committee did not comply with M.G.L. c. 55, the campaign finance law, because it did not organize or disclose its financial activity in a timely manner as required by the statute.

M.G.L. c. 55, § 1 defines a ballot question committee as "...a political committee which receives or expends money or other things of value for the purpose of favoring or opposing the adoption or rejection of a specific question or questions submitted to the voters including, without limitation, a charter change, an initiative or referendum question or a constitutional amendment." Under the campaign finance law, if an individual or group solicits and receives money, or more than one person pools their resources (monetary or in-kind) to influence a ballot question, such persons are acting as a ballot question committee. *See* IB-90-02.

A ballot question committee must organize by filing a Form CPF M101 BQ: Statement of Organization with the Town Clerk before it receives contributions or engages in any financial activity. *See* M.G.L. c. 55, § 5. In addition to requiring timely organization of ballot question committees, the campaign finance law also requires ballot question committees to file timely campaign finance reports, disclosing all contributions received, expenditures made, or any liabilities incurred.

Municipal ballot question committees must file a pre-election campaign finance report (Form CPF M102), complete through the 18<sup>th</sup> day prior to the election due eight days prior to the election. *See* M.G.L. c. 55, § 18 and IB-90-02. Financial activity that occurred through October 16, 2020 to influence the November 3<sup>rd</sup> election was required to be disclosed by October 26, 2020.

Once contacted by OCPF, the Committee filed both the Statement of Organization and the pre-election report with the Milton Town Clerk on November 2, 2020. The report disclosed \$3,275 in contributions received and \$1,600 in expenditures for ads in the Milton Times. However, the Committee's report listed October 25, 2020 as the ending period and did not disclose expenditure information relating to lawn signs. Subsequently, with OCPF's assistance, the Committee filed an amended pre-election report on November 24, 2020 to correct the reporting period and to disclose a \$810 liability to Printing Unlimited for lawn signs. Additionally, the amended report shows a \$200 liability to the Milton Times for the final ad payment.

Please note, now that the ballot question has been decided by the voters, you should be preparing to dissolve the Committee. Once the liabilities have been paid, any remaining funds must be disposed of, in accordance with the residual funds clause. See M-07-02 (enclosed). The dissolution report (Form CPF M102) should then be filed with the Milton Town Clerk. If this report is submitted by December 31, 2020, the Committee will have no further filing requirements. However, if the liabilities are outstanding, or if a cash balance remains as of December 31<sup>st</sup>, the year-end report is required to be filed by January 20, 2021.

Based upon our review, we have concluded that the Committee's late filing of its Statement of Organization and pre-election report did not comply with the campaign finance law. However, since you fully cooperated with our review and filed the required pre-election report with the Milton Town Clerk, we have determined that this matter may be closed at this time. We fully expect that the guidance provided in the course of this review will result in future compliance with the campaign finance law.

In accordance with the opinion of the Supervisor of Public Records, this letter is a matter of public record. A copy is being provided to the person(s) who brought this matter to our attention.

Sincerely,



Michael J. Sullivan  
Director Pro Tem

MJS/mj

cc: Susan M. Galvin, Milton Town Clerk

Enc.