

OCPF Reports



From the Director

Mike Sullivan

OCPF belongs to an important international organization called the **Council on Governmental Ethics Laws** (COGEL), and I'm serving a term as its president.

This December, COGEL's annual conference will be held at the Fairmont Copley Plaza Hotel in Boston, co-hosted by OCPF and the Massachusetts State Ethics Commission.

Several hundred professionals in the fields of ethics, campaign finance, FOIA, lobbying and elections from across the nation and Canada will be there. Attendees include city, state and federal regulators, as well as many private practitioners in these fields.

The conference is an excellent resource for interacting with other government agencies and private law firms to address issues such as Super PACs, disclosure rules and technological advances.

If you are interested in attending, please see the information on page four of this newsletter.

Changes

OCPF continues to implement the statutory changes that went into effect in 2015.

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On-line treasurer training has started

On-line treasurer training has begun for all treasurers whose committees file with OCPF, except for local party committees.

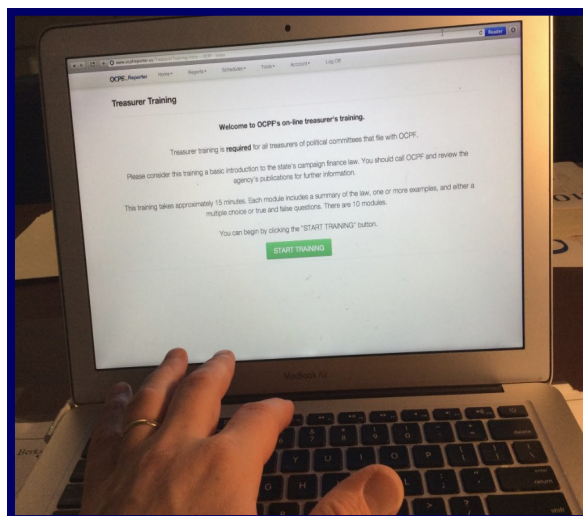
The on-line training program is a new statutory requirement that went into effect this year.

The training program takes 10 to 15 minutes to complete, covering the basics of campaign finance, including contribution limits, reporting requirements and expenditure guidelines.

Starting soon, treasurer training must be completed to access Reporter 6 (R6), OCPF's online e-filing system. Reports cannot be e-filed without using R6.

Training Steps

1. Log in at www.ocpfreporter.us/treasurertraining.
2. Enter the committee identification number and password, and the treasurer's e-mail address.
3. Click through the slides, answer the questions and print the certificate of completion.



www.ocpfreporter.us/treasurertraining

Legislative candidates will e-file mid-year reports

Legislative candidates who are organized with OCPF must file mid-year reports due July 20, covering Jan. 1 to June 30.



This will be the first campaign finance report filed by legislative candidates using R6, OCPF's updated e-filing system.

A short tutorial on how to file a campaign finance report using R6 is [available here](#).

All legislative candidates file mid-year reports — incumbents, new candidates running in 2016 and unsuccessful candidates who have not dissolved. PACs no longer file mid-year reports.

Mid-year reports can be filed any time between July 1 and July 20.

From Page One:

From the Director

One new requirement, on-line training for treasurers, is described on the front page. Please complete the training as soon as possible, if you're a treasurer who files with OCPF. Local party committee treasurers are not required to take the training. It takes about 15 minutes, and here's a hint: you can't fail.

We are also transitioning mayoral candidates in cities with populations of 40,000 or less from filing reports locally to e-filing with OCPF. We've been working with local election officials to ensure that every mayoral candidate who appears on a 2015 ballot e-files with OCPF, a process that will be ongoing throughout the summer.

We are also continuing to assist mayoral, city council and alderman candidates in cities with populations of 75,000 or more to transition into the depository system of reporting.

New Website Functions

Our tech team often receives requests to tweak one function or another on our website and database. I personally appreciate one of the latest improvements — the ability to export data to text, Excel and PDF formats.

From OCPF's [searchable database](#), a user can do a "search" for receipts or expenditures and then export the data by clicking the icons on the right side of the screen:

As always, please call us if you have questions and have a great summer.

Mike Sullivan



OCPF's tutorials for legislative & city candidates

For the first time, mid-year reports will be filed this summer by legislative candidates using OCPF's new R6 filing system.

Later this fall, mayoral candidates in cities of 75,000 and less will be doing the same.



OCPF has created several tutorials to

help candidates and committees file their reports using R6:

- How to create and e-file a campaign finance report using R6: [Click here](#).
- How to amend a campaign finance report: [Click here](#).
- How to report a reimbursement: [Click here](#).
- How to dissolve a candidate's campaign: [Click here](#). Candidates who don't plan on running for office in the future may want to dissolve. In addition to watching the above tutorial, please call OCPF to discuss the dissolution process.

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Recent Cases & 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 (below).

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.

Public Resolution Letters

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.

CPF-15-24: Building Billerica’s Future. Did not comply (receipts); 5/6/2015. A ballot question committee accepted in-kind contributions to promote municipal candidates on Facebook, totaling approximately \$50. Ballot question committees are prohibited from receiving anything of value for the purpose of influencing the nomination or election of a candidate. Because the committee received guidance from OCPF, no further action is warranted.

CPF-15-15: North Attleborough School Department. Did not comply (public resources); 5/15/2015. The school department used public resources (e-mail and staff time) to support a local ballot question. The school department received guidance from OCPF and the matter was closed.

CPF-15-23: Denise Dembkoski, Finance Director, Groveland. Did not comply (public resources); 5/20/2015. A newsletter was distributed to Groveland residents with their tax bills concerning an upcoming ballot question election. Public resources may not be used to distribute even “informational” material regarding a ballot question. The subject of the review received guidance from OCPF and the matter was closed.

CPF-15-22 / CPF-15-22: Rep. Joe Wagner and Mayor Richard Kos, Chicopee. No reason to believe (contributions); 6/9/2015. OCPF received a complaint alleging that the Kos Committee received unreported excess contributions from the Wagner Committee when the Wagner Committee commissioned and paid for a poll, and allegedly provided the mayor’s committee with the results. Based on a

review by OCPF, there was no evidence that the Wagner Committee provided the Kos Committee with poll results.

CPF-15-11: Elisa Zawadzkas, West Dennis. Did not comply (disclosure); 5/22/2015. The Zawadzkas Committee (state representative) did not originally disclose approximately \$9,173 in contributions and \$13,920 in expenditures. To resolve the matter, the candidate forgave \$2,500 in loans to the committee, and agreed to provide OCPF with copies of bank statements, contributor checks and credit card information, and committee bills and invoices through 2016.

CPF-15-26: Mass. Correction Officers Federated Union PAC. Did not comply (disclosure); 4/28/2015. During the recent transition of PACs into the depository system of reporting, the PAC filed a campaign finance report that differed from the balance reflected in the bank account. OCPF’s review of the discrepancy determined that the difference was caused primarily by the underreporting of receipts in reports starting in 2002. To resolve the issue, the PAC made a one-time adjustment to eliminate the balance discrepancy, and made a \$2,500 payment to the state’s general fund.

CPF-15-38: Life Underwriters PAC of MA. Did not comply (disclosure); 5/20/2015. During the recent transition of PACs into the depository system of reporting, the PAC filed a campaign finance report that differed from the balance reflected in the bank account. The PAC reviewed its records and determined that the discrepancy likely predates the current treasurer, who took over in 2000. To resolve the matter, the PAC amended its reports by making a one-time expense adjustment and made a \$1,000 payment to the state’s general fund.

CPF-15-37: Professional Fire Fighters of MA People’s Committee. Did not comply (disclosure); 5/20/2015. During the recent transition of people’s committees into the depository system of reporting, the committee filed a

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From Page 3: Recent Cases & Rulings

campaign finance report that differed from the balance reflected in the bank account. The discrepancy was due to reporting errors — overstating receipts by \$49,000 and failing to disclose deposits of \$7,800. The committee made a one-time balance adjustment and made a \$2,500 payment to the state's general fund.

CPF-15-36: Retired Public Employees PAC. Did not comply (disclosure); 5/20/2015. During the recent transition of PACs into the depository system of reporting, the committee filed a campaign finance report that differed from the balance reflected in the bank account. A review determined that large expenditures (\$79,000) for printing

and postage were not reported, as well as smaller expenditures. To resolve the matter, the PAC made a one-time expense adjustment and made a payment of \$4,000 to the state's general fund.

CPF-15-35: MA Optometric PAC. Did not comply (disclosure); 5/20/2015. During the recent transition of PACs into the depository system of reporting, the PAC filed a campaign finance report that differed from the balance in the bank. To resolve the matter, the PAC made a one-time expense adjustment and made a \$2,500 payment to the state's general fund.

Boston is hosting the 2015 COGEL conference

Boston is hosting the 2015 COGEL conference Dec. 6-9 at the Fairmont Copley Plaza Hotel. **COGEL** is the Council on Governmental Ethics Laws, the preeminent organization of government ethics administrators.

The conference will have thought-provoking plenary speakers, including Harvard Law Professor Lawrence Lessig, author of *Republic, Lost: How Money Corrupts Congress--and a Plan to Stop It,* who will share unique perspectives and insights. More than 40 break-out sessions will provide first-time attendees and those coming back with in-depth looks at hot button issues and far-



reaching survey sessions relating to each of the COGEL disciplines.

COGEL members work in the fields of governmental ethics, freedom of information, elections, lobbying and campaign finance. Members include governmental entities, educational institutions, organizations such as law firms and corporations, and honorary members.

More information about attending the conference is available at www.cogel.org.

[Click here](#) for the Boston 2015 welcome video.

Ballot question spending in last statewide election smashed records

Ballot question committees spent \$30.2 million on four propositions in 2014, shattering the previous record of \$16.1 million set in 1992, according to an OCPF review of ballot question fundraising and spending.

OCPF's review covered fundraising and spending for four questions that appeared on the 2014 statewide ballot:

Question 1: Eliminating gas tax indexing (passed).

Question 2: Expanding the beverage container deposit law (failed).

Question 3: Expanding prohibitions on gaming (failed).

Question 4: Earned sick time for employees (passed).

More than half of the \$30.2 million total was spent on **Question 3** to expand prohibitions on casino gaming. Two proponents and two opponents spent \$15,538,072 on the question, a new record for a single proposition. The previous record was set in 2006, when \$13 million was spent on a question regarding wine sales in grocery stores.

The bulk of spending on Question 3 came from a single ballot question committee, Coalition to Protect Mass. Jobs, which reported \$14.7 million in spending. The committee's top donors were gaming companies – Penn National Gaming (\$6.7 million); MGM Resorts International (\$5.3 million); and Wynn Resorts (\$3 million).

Supporters of Question 3 spent nearly \$700,000, led by the Repeal the Casino Deal Committee, which received most of its contributions from individuals.

More than \$10.7 million was spent to support or oppose **Question 2**, the bottle bill question. That is more than was spent on all three ballot questions in 2012.

The No on Question 2: Stop Forced Deposits Committee reported \$9.2 million in expenditures to oppose the question. The American Beverage Association was the primary donor, making \$8.2 million in contributions.

The Coalition for an Updated Bottle Bill Committee reported \$1.3 million in expenditures to support Question 2. Its top contributors were the Massachusetts Sierra Club (\$755,852);

and the ELM Action Fund (\$495,000).

A total of \$2.8 million was spent to support or oppose **Question 1**, concerning gas tax indexing.

Most of the expenditures on Question 1 were made by the No on One Committee, which reported \$2.7 million to oppose the question. The top contributors were the Construction Industries of Massachusetts (\$529,361); and the CIM Advancement Fund (\$300,000).

The Committee to Tank the Automatic Gas Tax Hikes reported \$63,048 in expenditures to support Question 1. It was funded mostly by individuals.

Committees supporting or opposing **Question 4** reported \$1.1 million in expenditures, most of which was reported by the Raise Up Massachusetts Committee (\$1,073,209), which supported the proposition. Various SEIU union organizations reported \$915,809 in contributions to the committee. On the opposing side, the No on 4 Committee reported \$47,500 in expenditures.

The figures in this study are based on reports filed by committees covering the period through Dec. 31, 2014, and are subject to change due to any subsequent corrections, deletions or additions made as a result of any review conducted by OCPF or amendments filed by committees.

In addition to the fundraising and spending reported by ballot question committees, businesses and other groups reported a total of \$254,128 in spending that was independent of any ballot question committee.

Reports filed by each of the committees may be found on OCPF's Electronic Filing System, a searchable database accessible on the office's website at www.ocpf.us.



Visit OCPF's YouTube

Channel at:

[OCPFReports](https://www.youtube.com/channel/UCQPFReports)

2015 Mayoral reporting periods

A mayoral candidate in a city with a population of 75,000 or less will file a pre-preliminary campaign finance report if he or she appears on the preliminary ballot. If a mayoral candidate does not appear on a preliminary ballot in 2015, his or her reporting period is Jan. 1 until Oct. 16.

All candidates who appear on the preliminary or general election ballot will file a pre-election report due Oct. 26.

City	Preliminary Date	Pre-Prelim Report Period	Pre-Prelim Report Due	PE Report Period
Woburn	Aug. 25	Jan. 1 to Aug. 7	Aug. 17	Aug. 8 to Oct. 16
Medford	Sept. 1	Jan. 1 to Aug. 14	Aug. 24	Aug. 15 to Oct. 16
Melrose	Sept. 1	Jan. 1 to Aug. 14	Aug. 24	Aug. 15 to Oct. 16
Revere	Sept. 1	Jan. 1 to Aug. 14	Aug. 24	Aug. 15 to Oct. 16
Greenfield	Sept. 8	Jan. 1 to Aug. 21	Aug. 31	Aug. 22 to Oct. 16
Amesbury	Sept. 15	Jan. 1 to Aug. 28	Sept. 8	Aug. 29 to Oct. 16
Attleboro	Sept. 15	Jan. 1 to Aug. 28	Sept. 8	Aug. 29 to Oct. 16
Braintree	Sept. 15	Jan. 1 to Aug. 28	Sept. 8	Aug. 29 to Oct. 16
Chicopee	Sept. 15	Jan. 1 to Aug. 28	Sept. 8	Aug. 29 to Oct. 16
Methuen	Sept. 15	Jan. 1 to Aug. 28	Sept. 8	Aug. 29 to Oct. 16
W. Springfield	Sept. 15	Jan. 1 to Aug. 28	Sept. 8	Aug. 29 to Oct. 16
Weymouth	Sept. 15	Jan. 1 to Aug. 28	Sept. 8	Aug. 29 to Oct. 16
Beverly	Sept. 22	Jan. 1 to Sept. 4	Sept. 14	Sept. 5 to Oct. 16
Fitchburg	Sept. 22	Jan. 1 to Sept. 4	Sept. 14	Sept. 5 to Oct. 16
Haverhill	Sept. 22	Jan. 1 to Sept. 4	Sept. 14	Sept. 5 to Oct. 16
Holyoke	Sept. 22	Jan. 1 to Sept. 4	Sept. 14	Sept. 5 to Oct. 16
Leominster	Sept. 22	Jan. 1 to Sept. 4	Sept. 14	Sept. 5 to Oct. 16
Malden	Sept. 22	Jan. 1 to Sept. 4	Sept. 14	Sept. 5 to Oct. 16
North Adams	Sept. 22	Jan. 1 to Sept. 4	Sept. 14	Sept. 5 to Oct. 16
Pittsfield	Sept. 22	Jan. 1 to Sept. 4	Sept. 14	Sept. 5 to Oct. 16
Taunton	Sept. 22	Jan. 1 to Sept. 4	Sept. 14	Sept. 5 to Oct. 16
Waltham	Sept. 22	Jan. 1 to Sept. 4	Sept. 14	Sept. 5 to Oct. 16
Westfield	Sept. 22	Jan. 1 to Sept. 4	Sept. 14	Sept. 5 to Oct. 16
Gloucester	Sept. 29	Jan. 1 to Sept. 11	Sept. 21	Sept. 12 to Oct. 16
Peabody	Sept. 29	Jan. 1 to Sept. 11	Sept. 21	Sept. 12 to Oct. 16
Gardner	Oct. 6	Jan. 1 to Sept. 18	Sept. 28	Sept. 19 to Oct. 16
Marlborough	Oct. 6	Jan. 1 to Sept. 18	Sept. 28	Sept. 19 to Oct. 16
Agawam	Oct. 6	Jan. 1 to Sept. 18	Sept. 28	Sept. 19 to Oct. 16
Easthampton	No Prelim			Jan. 1 to Oct. 16

All mayoral candidates in Massachusetts e-file with OCPF. However, mayoral candidates in cities with populations of more than 75,000 are in the [depository system](#) of reporting and file deposit reports twice monthly to disclose contributions. They are not subject to the schedules above. All reports are e-filed to OCPF's website at www.ocpf.us, or by [clicking here](#).