

OCPF Reports



From the Director

Mike Sullivan

Educational opportunities will happen early and often next year in preparation for what is expected to be a busy state election.

All statewide candidates are invited to schedule one-on-one discussions with OCPF about campaign finance fundraising and reporting rules—and we've also scheduled a special session for all statewide campaigns on Jan. 6 here at One Ashburton Place in Boston. Please call or e-mail us if you'd like to attend (ocpf@cpf.state.ma.us).

Our staff will also conduct evening seminars in each region of the state in the late spring and early summer for all legislative candidates on the 2014 state ballot (local party committees and PACs can also attend). Dates and places for the seminars will be announced next year.

Campaign finance activity is highly regulated, and we believe that education is important to helping candidates and committees comply with the law.

We also encourage candidates to follow us on Twitter @OCPFreports. Our office will Tweet election information and reminders through the year.

2013 Municipal Election

Congratulations to the 2013 municipal election winners. Our office looks forward to working with you

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Boston mayoral finalists report spending \$5.6 million, break records

Outside groups also report spending \$3.8 million to support finalists

The two mayoral finalists in Boston reported spending \$5,607,226 in the 2013 campaign, smashing previous records set in 2009 by Mayor Thomas Menino and Michael Flaherty. Menino and Flaherty reported \$4,091,893 in expenditures for the calendar year—a record at the time.

John Connolly, a Boston city councilor, reported the highest spending total in 2013, but not by much. One of two finalists, Connolly spent \$2,831,684 from Jan. 1 to Nov. 15, compared to \$2,775,542 spent by the eventual winner, Martin Walsh, a state representative.

Connolly's spending total is a new record for any Massachusetts mayoral candidate, breaking Menino's 2009 record of \$2,676,589

(calendar year total).

Two other candidates topped \$1 million in spending — Daniel Conley (\$1.8 million) and Michael Ross (\$1 million).

Overall, all 12 Boston mayoral candidates in 2013 reported \$10.5 million in expenditures, covering Jan. 1 to Nov. 15.

Outside groups also reported \$3,837,805 in independent expenditures to support the two finalists. Independent expenditures can be made without limit to support or oppose candidates, provided the expenditure is not coordinated with any candidate campaigns.

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Boston Mayoral Candidates: 2013 Activity (Jan. 1 to Nov. 15)

Name	Receipts	Expenditures	Independent Expenditures
Felix Arroyo	\$291,103	\$351,720	\$40,933
John Barros	\$234,783	\$232,276	\$0
Charles Clemons	\$10,947	\$10,464	\$0
Daniel Conley	\$1,003,594	\$1,769,837	\$0
John Connolly (finalist)	\$2,812,096	\$2,831,684	\$1,342,271
Rob Consalvo	\$641,655	\$710,154	\$0
C. Golar Richie	\$402,206	\$377,471	\$0
Mike Ross	\$813,091	\$1,042,029	\$14,556
William Walczak	\$342,283	\$339,715	\$72,000
Martin Walsh (winner)	\$2,817,632	\$2,775,542	\$2,495,534
David J. Wyatt	\$50	\$103	\$0
Charles Yancey	\$38,108	\$35,917	\$15,379
Totals	\$9,407,548	\$10,476,912	\$3,980,673

Disposition Agreement

A disposition agreement is a voluntary written agreement entered into between the subjects of a review and OCPF and/or the Attorney General's office, in which the subjects agree to take certain specific actions. Disposition agreements are posted to the OCPF website at <http://ocpf.cloudapp.net/Legal/AgencyActions>

Former Lt. Gov. Murray paid \$80,000 to resolve allegations of receiving unlawfully solicited campaign contributions

This information was taken from press releases distributed by the Attorney General's Office.

Former Lt. Gov. Timothy Murray and his campaign committee paid a total of \$80,000 to the state's general fund to resolve allegations that he accepted contributions unlawfully solicited by state employees on his behalf, according to a joint dissolution agreement he signed with Attorney General Martha Coakley and the Office of Campaign and Political Finance.

In the disposition agreement, Murray admitted that he did not exercise proper oversight to prevent two different public employees from soliciting campaign contributions on his behalf in connection with fundraising events in the Merrimack Valley and Worcester area. The illegal contributions uncovered during the investigation and allegedly received by his committee totaled approximately \$50,000.

Under the terms of the agreement, the Murray Committee paid \$70,000 to the state's general fund. Murray also paid \$10,000 to the state from his personal funds.

In January 2012, allegations surfaced that Michael McLaughlin, the former Chelsea House Authority director, had engaged in illegal fundraising for the benefit of the Murray campaign. Murray wrote to OCPF requesting that it investigate the allegations. In September 2012, OCPF referred allegations of violations of campaign finance law to the AG's office, which began its own investigation.

As part of the agreement, Murray acknowledged that during his 2006 campaign for lieutenant governor, he actively sought the support of Michael McLaughlin. As a compensated public employee, McLaughlin was barred from fundraising activities. Regardless, McLaughlin became a field representative and liaison for the Murray campaign. The AG's investigation determined that McLaughlin helped organize three separate fundraisers held in Methuen between 2008 and 2010, introducing Murray to supporters and ultimately soliciting tens of thousands of dollars.

In addition, the Murray campaign acknowledged that a supervisory

employee of the Department of Transportation helped organize and solicit donations as part of three fundraisers in the Worcester area between 2008 and 2010. As a result of those fundraisers, numerous DOT employees made contributions to Murray's campaign.

The agreement with Murray was signed Aug. 29.

McLaughlin has been indicted for unlawfully soliciting contributions from state employees and other individuals to support multiple campaigns, including Murray's campaign.

From Page One: From the Director

in the years to come.

Unsuccessful municipal candidates and incumbents who are leaving office can dissolve their committees. Please see page four of this newsletter for more information about dissolving, or contact our office for assistance.

Please call or e-mail us with any questions or concerns you may have, and have a happy holiday season.

Mike Sullivan, Director

From Page One: Boston Mayoral Race

Such groups reported spending \$2.5 million to support Walsh and \$1.3 million to support Connolly.

The 12 Boston candidates also reported raising \$9.4 million from Jan. 1 to Nov. 15, 2013. The receipts total is lower than the expenditures total because candidates also spent existing money that was raised prior to 2013.

OCPF will issue a comprehensive study next year on campaign finance activity for all mayoral candidates in Massachusetts, including Boston.

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).

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-12-40: Judith Kurland, Brookline. Did not comply (public employee); 7/9/2013. Judith Kurland, a state employee, was listed on a fundraising invitation for a Boston mayoral candidate, which she brought to OCPF’s attention. The campaign finance law prohibits public employees from soliciting or receiving campaign contributions, directly or indirectly.

CPF-13-12: Plymouth County Democratic League Political Action Committee. Did not comply (recordkeeping, reporting); 8/7/2013. The committee did not maintain adequate records and did not accurately disclose receipts and expenditures during the 2012 reporting cycle. The committee’s year-end report disclosed a negative ending balance of \$2,556, which was \$3,157 less than what was in the committee’s bank account. The committee also accepted cash contributions but did not record the source of the contributions. To resolve the issues, the committee made a payment of \$2,292 to the state’s general fund and agreed to file supplemental disclosure reports with OCPF until December, 2015. The payment includes the amount that the committee purged for accepting anonymous contributions and \$1,000 to reimburse OCPF for the cost of its review.

CPF-13-45: Winchester Public Schools. Did not comply (public resources); 8/13/2013. The Winchester Public Schools’ email network

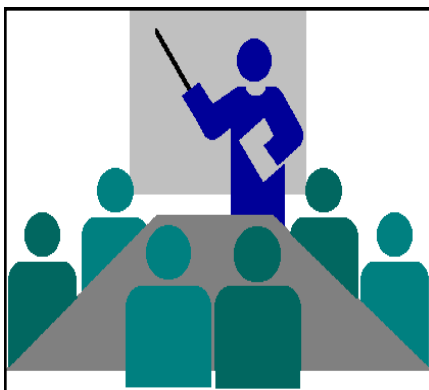
was used to distribute a memo regarding the special election override ballot question. Governmental entities are prohibited from using public resources to distribute political campaign communications.

CPF-13-42: George Simolaris, Billerica. No further action (disclosure); 9/19/2013. The campaign did not initially report the receipt of Red Sox tickets as an in-kind contribution. The four tickets were donated to the campaign and offered by the candidate to voters as part of an on-line contest. The candidate, running for municipal office, filed an amendment with the town clerk to disclose the in-kind contribution.

CPF-13-61: Framingham Democratic Town Committee. Did not comply (timely disclosure, anonymous contributions); 10/30/2013. The committee collected approximately \$5,500 in anonymous contributions, and filed its 2012 year-end report more than eight months late. To resolve the issues, the committee will make a \$700 contribution to a charity or charities, and will provide OCPF with receipt records on a quarterly basis until December, 2016.

CPF-13-39: Maureen Bastardi and William Roche, Somerville: Did not comply (public employee); 11/20/2013. William Roche, Somerville’s director of personnel and a public employee, was one of three people named on an invitation to host a fundraiser on behalf of a local candidate, Maureen Bastardi. Approximately \$8,330 was raised at the event. Public employees are prohibited from soliciting or receiving contributions for a candidate for any political purpose. To resolve the issue, Roche made a payment of \$1,000 and the Bastardi Committee made a payment of \$2,500, both to the state’s general fund.

Candidates & Political committees are invited to an OCPF campaign finance seminar



Campaign finance seminars are offered each Wednesday at 2 p.m. in the OCPF conference room (Room 411, One Ashburton Place, Boston).

No RSVP is required.

Topics: Organizing, reporting requirements, fundraising regulations and electronic filing.

Town and City

Unsuccessful municipal candidates can dissolve after the election

Unsuccessful candidates who ran for municipal office this year have one of two choices concerning campaign finances — dissolve the account or maintain it for a future run.

Unsuccessful candidates typically dissolve their committees. To do so, the campaign balance must be at zero and there can be no liabilities.

After paying off liabilities, and if a balance remains, those funds must be donated to one of four entities: charity (including a religious entity), a scholarship fund, a city or town, or the state. Please call OCPF for more information on the restrictions for donating to charities and scholarship funds.

To file a dissolution report with a local election official, simply check the “dissolution” box at the top of the CPF M102 form. Mayoral candidates who file with OCPF in cities with populations of 40,000 to 100,000 file the dissolution report electronically.

Another option for unsuccessful candidates is to keep the account open for the possibility of a future campaign.

If a candidate decides to keep his or her campaign active, they will continue to file year-end campaign finance reports with local election officials or with OCPF.

Nearly 90 percent of 2013 mayoral candidates filed on time

Of the 46 mayoral candidates in cities with populations of 40,000 to 100,000, 40 filed their pre-election reports by the Oct. 28 due date — an 87 percent success rate.

Candidates who file campaign finance reports past the due date are subject to fines of \$25 a day up to \$5,000.

Only 27 candidates were required to file pre-preliminary reports in 2013, and of those, 24 filed on time for a rate of 89 percent. Candidates are only required to file pre-preliminary campaign finance reports if their names appear on a preliminary ballot.

The 2013 election is only the second cycle in which mayoral candidates in cities with populations of 40,000 to 100,000 filed electronically with OCPF. These cities include Attleboro, Brockton, Chicopee, Everett, Fall River, Fitchburg, Haverhill, Lawrence, Leominster, Lynn, Medford, Methuen, New Bedford, Newton, Peabody, Pittsfield, Quincy, Salem, Somerville, Taunton and Westfield.

Campaign finance reports for these candidates are available at [this link](#).

Mayoral candidates in smaller cities continue to file on paper with local election officials.

Legislative Seats: What are the 2014 filing requirements?

Candidates running for state representative or senator in 2014 will file at least three reports with OCPF.

Pre-Primary: Due Sept. 2, seven days before the Sept. 9 primary election, covering all activity from Jan. 1 until Aug. 22

Pre-Election: Due Oct. 27, eight days before the Nov. 4 election. This report covers all activity from Aug. 23 until Oct. 17.

Year-End: Due Jan. 20, 2015, covering activity from Oct. 18 until Dec. 31.

OCPF will send filing notices to all candidates shortly before a report is due.

All incumbents and challengers organized in calendar year 2013 will also file a year-end report by Jan. 21, 2014, to disclose activity from July 1 to Dec. 31, 2013.

To organize with OCPF, a candidate establishes a political committee by filing the [CPF 101 form](#).

Since the year 2000, an average of 360 candidates each cycle have run for the state’s 200 legislative seats. The highest number of candidates in that period was 433 in 2010. The low was 311 in 2008.



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