

# OCPF Reports



## From the Director

**Mike Sullivan**

Let's highlight some important issues and changes at OCPF.

### Mid-Year Report

It's an odd-numbered year, which means all candidates organized for the House or Senate will file a mid-year report, due July 20 and covering the first six months of 2017. We will send a filing notice by e-mail a few weeks before the deadline.

### Public Employees and Social Media

As most of you know (I hope), the campaign finance law prohibits public employees from soliciting or receiving campaign contributions at any time.

What does that mean for social media use?

The public employee law, which was created in the 1800s at about the time Thomas Edison was tinkering with light bulbs, still applies today — but I don't think lawmakers at that time considered Facebook and Twitter.

OCPF has and will continue to consider the impact of the campaign finance law on social media.

I'm working with our attorneys now to develop clear guidelines for public employees who use social media for political purposes. Watch our [Twitter account](#) for when these guidelines are issued.

### Personnel Changes

**Shane Slater** will be promoted to audit director this summer. Shane is a senior auditor, assisting candidates with last names starting with A to D. Those candidates will be assigned to

## OCPF is working with local election officials to identify city candidates

OCPF is in the process of contacting local election officials to collect the names of individuals who will appear on 2017 city election ballots.

OCPF garners candidate lists from cities after nomination papers are due. This ensures that everyone who is supposed to file with OCPF actually does (the process started in May and will continue through August).

If a local election official tells OCPF that a person made the ballot, but the candidate has not yet organized, OCPF will reach out to that individual to educate them on their campaign finance filing requirements.

### Larger Cities

Mayoral and city council candidates in cities with populations of more than 75,000 e-file with OCPF in the depository system. In this system, a candidate itemizes contributions by filing deposit reports, and the candidate's bank files reports twice month to

itemize expenditures and provide a summary total of deposits.

### Smaller Cities

Mayoral candidates in cities with populations of less than 75,000 also file with OCPF, but in the non-depository system.

The non-depository system requires a mayoral candidate to file a pre-preliminary report eight days before the preliminary election, if the candidate's name appears on the preliminary ballot. All mayoral candidates, even those who did not appear on a preliminary ballot, file the pre-election report eight days before the election.

**Tips and other information** for municipal candidates are available throughout this newsletter.

The best advice for municipal candidates who have questions is to look on page six of this newsletter where OCPF auditor information is listed — then call them.

## 26 CITIES WITH POPULATIONS OF 75,000 OR LESS WILL ELECT MAYORS IN 2017

Agawam

Beverly

Everett

Gardner

Holyoke

Medford

North Adams

Salem

West Springfield

Amesbury

Chicopee

Fitchburg

Gloucester

Leominster

Methuen

Northampton

Taunton

Woburn

Attleboro

Easthampton

Framingham

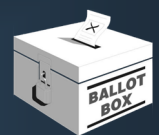
Haverhill

Marlborough

Newburyport

Peabody

Westfield



[Click here](#) for a short tutorial on how to e-file using Reporter 6

## CONTINUED: From the Director

**Alanna Kelly**, an auditor who started with OCPF in April.

Shane will replace **Tricia Jacobson**, who will step into a new role as director of financial investigations. Tricia was audit director for 21 years.

In our IT department, **Xiaoyi An** joined the team as a web developer in April.

### Town Elections

Many towns have already held their annual elections. A reminder — all candidates who appeared on the town ballot must file a post-election report, win or lose, due 30 days after the election.

If a candidate has no committee, did not raise or spend money, and has no liabilities or balance, he or she can simply sign [this form, the CPF M102-0](#).

Have a great summer.

Mike Sullivan



## SPECIAL ELECTION SCHEDULE

### Special Senate Election: 4th Middlesex

Pre-Primary Report Due: June 19

Primary: June 27

Pre-Election Report Due: July 17

Election: July 25

Post Election Report Due: Aug. 24

### Special Senate Election: Bristol & Norfolk

Mid-Year Report Due: July 20

Pre-Primary Report Due: Sept. 11

Primary: Sept. 19

Pre-Election Report Due: Oct. 10

Election: Oct. 17

Post Election Report Due: Nov. 16

**In a city election, who must file a pre-preliminary campaign finance report?**

**Candidates\* whose names appear on a preliminary ballot are required to file pre-preliminary reports, due eight days before a preliminary election.**

***\*Non-depository candidates only. Depository candidates\*\* do not file pre-preliminary reports.***

***\*\*Mayoral and city council candidates in cities with populations of more than 75,000.***

# **PUBLIC EMPLOYEES AND SOCIAL MEDIA**

**Public employees should not use social media to invite people to fundraising events, or to ask individuals to contribute to campaigns (MGL Chapter 55, Section 13).**

**Public employees, on their own time, can support or oppose candidates on social media in other ways, so long as fundraising is not involved.**

# MUNICIPAL SEMINARS

**Seminars are for mayoral, city council, school committee and other candidates and committees. The training covers campaign finance requirements, as well as a demonstration of Reporter 6, OCPF's e-filing system. It lasts for about one hour.**

Framingham Town Hall	June 6	6:30 p.m.
Methuen City Hall	June 8	6:30 p.m.
Revere City Hall	June 27	6 p.m.
Salem City Hall	June 29	6 p.m.
Marlborough Public Library	July 26	6 p.m.
Cambridge City Hall Annex	July 27	6:30 p.m.
Amesbury City Hall	Aug. 2	6:30 p.m.
Chicopee City Hall	Aug. 15	6:30 p.m.
North Adams City Hall	Aug. 16	8 a.m.

**Statewide candidates in the 2018 election may be eligible for limited public financing.**

**Questions about the state's public financing system can be directed to Mike Joyce at 617-979-8300.**



# 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. Disposition agreements are matters of public record once cases are concluded.*

*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-17-20: Scott Vecchi, Plymouth.** Did not comply (expenditures); 3/31/2017. During the candidate’s 2016 race for sheriff, committee expenditures were made outside the depository bank account (the candidate used his personal credit card to make campaign expenditures totaling approximately \$21,300). The campaign finance law specifies that all campaign finance activity must take place through a designated depository account and be disclosed in a timely manner. To resolve the matter, the committee amended its reports and the candidate agreed not to seek reimbursement from the committee for the expenditures that were made using his personal credit card.

**CPF-17-24: Emily Norton, Newton.** No further action (ballot question fundraising); 4/10/2017. The Norton Committee raised \$8,793 in the days before and at a fundraiser in August, 2016. The invitation to the fundraiser asked supporters to contribute to the candidate’s committee for the purpose of defeating a ballot question. After the fundraiser, the committee spent \$4,115 to design, print and distribute a citywide mailer opposing the ballot question. A candidate’s committee may spend money to influence a ballot question if such an expenditure enhances the candi-

date’s political future. However, a candidate’s committee should not solicit funds to influence a ballot question without first organizing a separate ballot question committee and depositing all receipts into it. To ensure accurate disclosure of all activity relating to the ballot question, the ballot question committee organized to oppose the question must disclose the \$4,115 in expenditures made by the Norton Committee as an in-kind contribution.

**CPF-17-29: Rep. Michelle DuBois, Brockton.** No further action (credit card contributions); 5/3/2017. The committee raised money by credit card on a website, but did not require contributors to affirmatively certify that contributors would be responsible for paying all charges incurred in using the credit or debit cards to make contributions, and that the contributors’ personal funds would be the true source of the contribution. In response to OCPF’s review, the committee emailed the contributors and requested the required information.

**CPF-17-33: Marc McGovern, Cambridge.** No further action (credit card contributions); 5/16/2017. In December 2016, the McGovern Committee created an Eventbrite page to sell tickets to its fundraising event, raising \$1,580. The committee inadvertently transferred the funds into the candidate’s personal PayPal account. The candidate, in an effort to redirect the money into the committee’s account, inadvertently deposited \$5,172 into the committee account, containing personal funds and the \$1,580 intended for the committee. That money was then directed to the candidate’s personal checking account by the bank. The candidate contacted OCPF for guidance and was advised to issue a personal check for \$1,580 to the committee, and to file a deposit report disclosing the actual contributors from the Eventbrite receipts.

# **60 Seconds with OCPF provides quick answers to common campaign finance questions**

**Click Below for the Latest Questions and Answers**

- [Does my committee have a filing responsibility with the IRS?](#)
- [How do candidates change the type of office they are seeking?](#)
- [What is an in-kind contribution?](#)
- [How can local party committees provide financial assistance to candidates?](#)
- [Why did I get an audit letter from OCPF?](#)



## **60 SECONDS WITH OCPF**

## **HOW TO CONTACT YOUR OCPF AUDITOR**

EACH CANDIDATE ORGANIZED WITH OUR AGENCY IS ASSIGNED TO AN OCPF AUDITOR BASED ON THE FIRST LETTER OF HIS OR HER LAST NAME. PACs AND LOCAL PARTY COMMITTEES ALSO HAVE AUDITORS.

OCPF AUDITORS ASSIST CANDIDATES AND COMMITTEES WITH REPORTING, REGULATIONS AND E-FILING. THEY ALSO REVIEW THE REPORTS FILED BY CANDIDATES AND COMMITTEES.

<b>Candidate Last Name</b>	<b>Auditor</b>	<b>E-Mail</b>
A-D	Shane Slater	sslater@cpf.state.ma.us
E-L	Jeff Tancreti	jtancrreti@cpf.state.ma.us
M	Tricia Jacobson	pjacobson@cpf.state.ma.us
N-Z	Anne Bourque	abourque@cpf.state.ma.us
PACs (80500 to 89998):	Caroline Paras	cparas@cpf.state.ma.us
PACs (80000 to 80499):	Michael Joyce	mjoyce@cpf.state.ma.us
Local Parties:	Sheila Cole	scole@cpf.state.ma.us





OCPF  
Treasurer  
Training



**COMMITTEE TREASURERS:** The next time you log onto Reporter 6, you may be prompted to take online treasurer training, even if you completed training in 2015 or 2016. Campaign finance regulations require treasurers who file with OCPF to take training each odd-numbered year. Treasurers who have completed the training since January 1, 2017, will not need to take it again until 2019.

Can I buy doughnuts with my campaign funds?



Office hours at the senior center



Sugar rush for the morning commute

A candidate can use campaign funds to enhance his or her political future, so long as the expenditure is not primarily personal.

# How to add users to your R6 account

Some committees have several individuals entering data into Reporter 6. To identify who enters information, a committee can create “additional user” accounts. The data entered into R6 will be linked to that unique user.

**STEP 1:** From the Reporter 6 homepage, choose the “Account” tab and select “Manage Users”



OCPF Reporter Home Reports Schedules Tools Account Log Off

Welcome to the OCPF Reporter 6

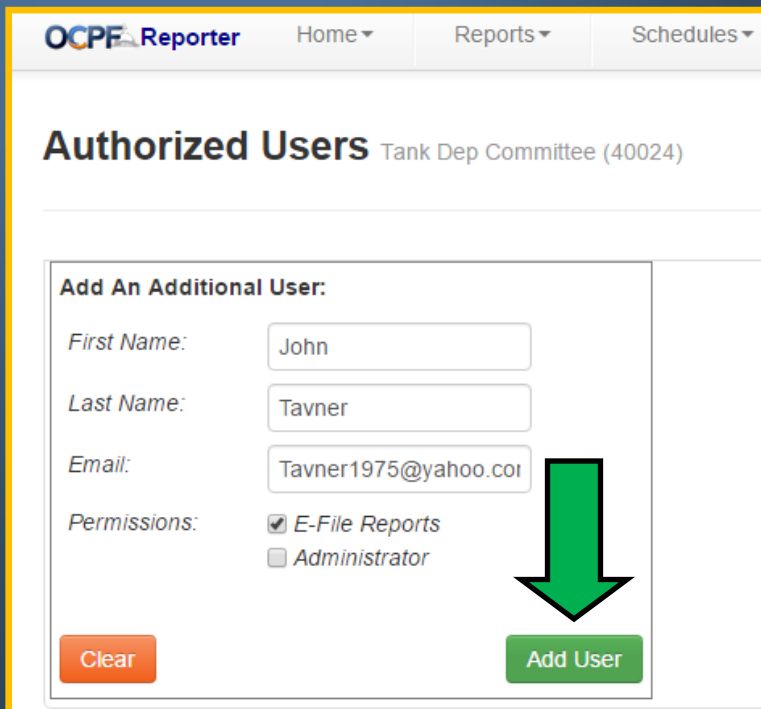
The Massachusetts Office of Campaign & Political Finance  
Tank Dep Committee (40024)

**Reporter 6 Resources**

- Getting Started**  
Get information about the two reporting systems and see videos on how to get started using Reporter 6.
- OCPF Reporter Support**  
Visit this page to review the frequently asked questions about Reporter 6.
- OCPF Reporter Help Videos**  
Browse the OCPF library for video demonstrations of the new reporting software.
- EFS Data Migration**  
Filers' information has been migrated from the EFS to Reporter 6, with [some exceptions](#).



**STEP 2:** Add the additional user and click the “Add User” button.



OCPF Reporter Home Reports Schedules

**Authorized Users** Tank Dep Committee (40024)

**Add An Additional User:**

First Name: John

Last Name: Tavner

Email: Tavner1975@yahoo.co

Permissions: ☒ E-File Reports ☐ Administrator

Clear Add User

## Reminder for 2017 Mayoral Candidates

**If a mayoral\* campaign committee receives and deposits a contribution of \$500 or more within 17 days of an election, a late contribution report is due within three days (LCRs are not required if the funds are received or deposited within three days of an election).**

**Click the link for a tutorial on how to e-file a late contribution report. [Tutorial](#)**

*\*City Council candidates in cities with populations of more than 75,000 must also file late contribution reports, if deposit reports are not filed within three days.*



**LEARN HOW  
TO PAC**

[Click here](#) to watch a short PAC tutorial

### OCPF

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Twitter: @OCPFReports

YouTube: OCPFReports

# MEMBERSHIP COMMUNICATIONS ARE NOT SUBJECT TO DISCLOSURE REQUIREMENTS

Communications from a membership organization to its members and their families, on any subject, are not reported on campaign finance reports. The membership communication exemption does not apply to corporations, LLCs, LLPs and partnerships.

**EXAMPLE:** An organization that supports wildlife conservation sends a glossy mailing to its dues-paying members. The mailing supports a slate of candidates who are in favor of preserving wildlife. The candidates are not required to report an in-kind contribution. Additionally, the organization is not required to report that it spent money on the mailing.

## **There are three steps to organizing a committee for city council or mayor in communities of larger than 75,000 in population.**

- 1. File the organizational form (CPF 101)**
- 2. Appoint a bank (CPF D103 form).**
- 3. File an initial report.**



[Click here](#) to watch a one-minute tutorial on how to organize.

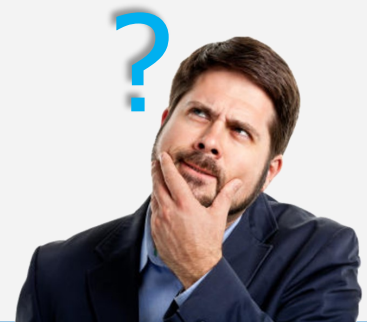
[Click here](#) for forms and guides.

[Click here](#) for a tutorial on how to file an initial report.

The cities include Boston, Brockton, Cambridge, Fall River, Lawrence, Lowell, Lynn, Newton, New Bedford, Quincy, Somerville, Springfield and Worcester.

## **Does your committee have filing responsibilities with the IRS?**

[Click here](#) for our 60-second answer to tax questions.



**As of May 1, 2017, Section 6113 of the Internal Revenue Code requires political committees whose gross annual receipts normally exceed \$100,000 to include a special notice on solicitations informing persons being solicited that their contributions are not tax deductible. Contact the IRS for more information.**

IRS Building, Washington, D.C.