



Commonwealth of Massachusetts

# Form CPF M101 BQ: STATEMENT OF ORGANIZATION BALLOT QUESTION COMMITTEE MUNICIPAL FORM

## Office of Campaign and Political Finance

File with: City / Town Clerk or Election Commission

NOTICE IS HEREBY GIVEN in accordance with the provisions of General Laws, Chapter 55, of the organization of a ballot question committee as follows:

<b>1.</b> Name (See note 1):	_____
<b>2.</b> Committee mailing address:	_____
City/State/Zip:	_____
E-mail Address:	_____ Phone #: _____
<b>3.</b> Purpose / specific issues and interests (See note 2):	<div style="border: 1px solid black; height: 40px;"></div>
<b>4.</b> Topic of question & question no., if known:	<div style="border: 1px solid black; height: 30px;"></div>
<b>5.</b> This committee is formed to (check one):	<input type="checkbox"/> support or <input type="checkbox"/> oppose the question.

<b>6. OFFICERS:</b>	
<b>Chairman:</b> _____ Residential Address: _____ City / State / Zip: _____ Phone #: _____	<b>Treasurer*:</b> _____ Residential Address: _____ City / State / Zip: _____ Phone #: _____ E-mail: _____ <small>*A public employee may not serve as treasurer of any political committee (see reverse).</small>
Other Officer/Title: _____ Residential Address: _____ City / State / Zip: _____ Phone #: _____	Other Officer/Title: _____ Residential Address: _____ City / State / Zip: _____ Phone #: _____
(Complete and attach a Form CPF M A 101, if necessary, with other officers and finance committee, if any.)	

The chairman and treasurer of a political committee should be aware that provisions of M.G.L. c. 55 specify that each treasurer of a political committee shall keep and preserve detailed accounts, vouchers and receipts for a period of six years from the date of the relevant election. Chapter 55 also specifies that no expenditures shall be made for, or on behalf of, a political committee without the authorization of the chairman or treasurer, or their designated agents; and, that all funds of a political committee shall be kept separate from any personal funds of any officers, members or associates of such committee.

I hereby accept the office of Chairman of the above-named committee.  
SIGNED UNDER THE PENALTIES OF PERJURY:

Date: \_\_\_\_\_  
\_\_\_\_\_  
Chairman's signature

I hereby accept the office of Treasurer of the above-named committee. I affirm that I am not a public employee as defined by M.G.L. c. 55, s. 13. I understand that: 1) I am subject to certain duties and liabilities under M.G.L. c. 55, including the timely filing of campaign finance reports and keeping detailed accounts and records of all campaign finance activity for a period of six years from the date of the relevant election; and 2) if after my acceptance of this office I become an appointed public employee, I must resign this position and notify OCPF of my resignation.

SIGNED UNDER THE PENALTIES OF PERJURY:  
  

Date: \_\_\_\_\_  
\_\_\_\_\_  
Treasurer's signature

## NOTES FOR COMPLETING THIS FORM

**NOTE 1.** M.G.L. c. 55, s. 5 and 5B require that the full name of a political committee:

- (i) include the full words represented by any abbreviations, initials or acronyms in the name;
- (ii) clearly identify the economic or other special interest, if identifiable, of a majority of its contributors or organizers;
- (iii) if a majority of its contributors or organizers share a common employer that identifies the employer; and
- (iv) if the committee is organized, financed, controlled or maintained by an individual, the name or phrase identifies said individual.

**NOTE 2.** M.G.L. c. 55, s. 5 and 5B require that the statement of purpose for which a political committee is organized include a list of specific issues in which the committee takes an interest, and a list of specific interests, including but not limited to business, charitable, educational, or other interests represented by the committee, or by a significant proportion of its officers, members or donors.

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### DEFINITION OF A PUBLIC EMPLOYEE

M.G.L. Chapter 55, Section 13 states that a person who is employed for compensation by the Commonwealth or any county, city or town (other than an elected official) may not directly or indirectly solicit or receive political contributions. Such persons may not serve as treasurers of any political committee. If you are unsure of your status, please contact OCPF for further guidance.

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### SELECTED EXTRACTS FROM M.G.L. C. 55

**Section 1** defines a ballot question committee:

*"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."*

**Section 3** requires the director to:

*"assess a civil penalty for any [late filed] report ... of twenty-five dollars (\$25) per day ... [up to \$5,000 per report] ... the civil penalty shall be assessed against the treasurer of the [ballot question] committee ..."*

**Section 5** outlines statements of organization of political committees:

*Each political committee shall organize by filing with the director or, if organized for the purpose of a city or town election only, with the city or town clerk, a statement of organization.*

*The statement of organization shall include: (1) the full name of the political committee ... which, if not organized on behalf of a candidate, shall include the full words represented by any abbreviations, initials or acronyms in said name; ... (2) the address of the political committee; (3) a statement of the purpose for which the political committee is organized which shall include, ..., a list of specific issues in which the committee takes an interest, and a list of specific interests, including but not limited to business, charitable, educational, or other interests represented by the committee, or by a significant proportion of its officers, members or donors; (4) the name and residential address of the chairman and the treasurer; (5) the name, residential address, and position of other principal officers, including officers and members of the finance committee, if any ..."*

*Any change in information previously submitted in a statement of organization shall be reported to the director, or if organized for the purpose of a city or town election only, to the city or town clerk, within ten days following the change.*

*Each political committee shall have a treasurer who shall qualify for his office by filing a written acceptance thereof with the director, or if organized for the purpose of a city or town election only, with the city or town clerk. Said treasurer shall remain subject to all the duties and liabilities imposed by this chapter until his written resignation of the office is received or his successor's written acceptance is filed as aforesaid. No person acting under the authority of, or on behalf of, any political committee shall receive any money or anything of value, or expend or disburse the same, or incur expenses while it has no treasurer qualified as aforesaid ..."*

*Each treasurer of a political committee shall keep and preserve detailed accounts, vouchers and receipts as prescribed for a candidate by the provisions of section two. Each treasurer of a political committee shall keep said records for a period of six years following the date of the relevant election ..."*

*No expenditure shall be made for, or on behalf of, a political committee without the authorization of the chairman or treasurer, or their designated agents ..."*

*All funds of a political committee shall be kept separate from any personal funds of officers, members or associates of such committee.*

**Section 5B.** (a) Every political committee, other than a political party committee or a candidate's committee, shall name and identify itself in its organizational statement pursuant to section five by using a name or phrase that:

- (i) clearly identifies the economic or other special interest, if identifiable, of a majority of its contributors; and
- (ii) if a majority of its contributors share a common employer, that identifies the employer.

(b) If the economic or other special interest or common employer are not identifiable under subsection (a), every such political committee shall name and identify itself in its organizational statement using a name or phrase:

- (i) that clearly identifies the economic or other special interest, if identifiable, of a majority of its organizers; and
- (ii) if a majority of its organizers share a common employer, that identifies the employer; and
- (iii) if the committee is organized, financed, controlled or maintained by an individual, that identifies said individual.

(c) No political committee shall use any name other than the name included in its organizational statement.