

OCPF Reports



From the Director

Mike Sullivan

Mayoral Elections

Much of OCPF's focus will be on cities this year.

There will be 27 mayoral elections in cities with populations of 65,000 or less, and seven in larger cities this year.

That's 34 total cities where OCPF will be assisting mayoral candidates with their campaign finance reporting requirements.

We anticipate about 65 mayoral candidates, who will spend approximately \$3.5 million, based on past municipal election years when Boston mayoral candidates were not on the ballot.

Also, please see page 8 of this newsletter for a listing of campaign finance educational seminars for municipal candidates.

Filing on Time

When candidates and committees don't file campaign finance reports, they are fined \$25 a day, and can eventually be referred to the Attorney General for further action.

OCPF tracks the non-filers electronically. That list is posted to our website, [here](#).

Continued on the Next Page

Reminder: Mid-year reports are due July 22 for all individuals organized as House and Senate candidates.

Towns top list in 2018 per capita contributions

The top fundraising town in Massachusetts in 2018 was Weston, according to an OCPF [review](#) of per capita contributions to candidates.

Weston's contribution average per resident was \$33.27, followed by Dover at \$26.87 and Cohasset at \$21.15.

Of the top 30 communities, only two were cities — Newton and Boston, seventh and 30th respectively.

On the other end of the spectrum, residents in two towns did not report contributing any money — Gosnold and Monroe. Gosnold has 75 residents and Monroe has 121, according to the latest US Census.

Among towns with any contributions reported, Florida has the lowest per capita average at six cents per resident.

Among cities, Chicopee had the lowest per capita average — 91 cents per resident.

Boston, with more than 600,000 residents, made the most contributions to candidates in 2018, totaling almost \$9 million — a per capita average of \$14.51.

Candidates who file with OCPF reported a total of \$33,883,538 in contributions from Massachusetts individuals in 2018.

The per capita average for the state is \$4.91.

Individuals are permitted to contribute up to \$1,000 per calendar year to a candidate. Candidates are not required to itemize contributions of \$50 or less.

TOP PER CAPITA CONTRIBUTIONS IN 2018

Community	Total	Per Capita	Population*
Weston	\$374,646	\$33.27	11,261
Dover	\$150,156	\$26.87	5,589
Cohasset	\$159,532	\$21.15	7,542
Winchester	\$436,528	\$20.42	21,374
Swampscott	\$246,385	\$17.87	13,787
Nahant	\$58,016	\$17.01	3,410
Newton	\$1,439,002	\$16.90	85,146
Norwell	\$175,980	\$16.75	10,506
Boxford	\$133,331	\$16.74	7,965
Milton	\$438,594	\$16.24	27,003
Longmeadow	\$248,122	\$15.72	15,784
Wellesley	\$431,630	\$15.43	27,982

*2010 US Census.

NOTE: [Click here](#) for the full list of all 351 cities and towns.

Continued: From the Director

We encourage everyone to file on time to avoid fines, and also to comply with the spirit of the law — disclosure.

Getting an EIN

It might be the most frequent call we get — how do I get an EIN number to open a campaign bank account?

We usually refer the caller to the IRS because it's their EIN process.

However, we thought it would be helpful to provide some guidance in [this memo](#). We still recommend calling the IRS for all other tax questions.

Thank you for reading and we hope you have a great spring.

Mike Sullivan, Director

Director



ON-LINE TREASURER TRAINING

The state's campaign finance law requires treasurers to complete on-line training each odd-numbered year.

OCPF will launch 2019's treasurer training portal this spring and will send e-mails as a reminder.

Please complete the training prior to July 1.

On-line training takes about 15 minutes to complete and addresses issues related to receipts, expenditures, in-kind contributions, limits, and public employees.

Training is required only if a candidate or committee files with OCPF. Local party committees are exempt.



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). 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-18-95: Evandro Carvalho, Dorchester.

Did not comply (reporting); 2/6/2019. In 2017, while Carvalho was an incumbent state representative, his committee did not disclose \$7,500 in contributions, filed inaccurate reports by duplicating many contributions, and did not disclose approximately \$2,650 in expenditures. In 2018, Carvalho ran for Suffolk County District Attorney and his political committee began reporting in the depository system of disclosure. The Carvalho Committee did not disclose contributions in a timely manner while running for District Attorney, and the Committee did not initially respond to OCPF’s requirement to clarify three expenditures made in May and August of 2018.

CPF-18-121: Sen. Patrick O’Connor, Weymouth.

No reason to believe (true source); 2/6/2019. OCPF reviewed a complaint that contributions were made to the O’Connor Committee by individuals who were reimbursed by their employer. Based on a review of committee and contributor bank records, there was no evidence

that individual contributors were reimbursed for the contributions they made.

CPF-18-120: Gen Andrade, Fall River. Did not comply (public employee); 2/13/2019. Andrade was a municipal public employee when, in 2018, she asked six individuals to buy tickets to a fundraiser for State Rep. Alan Silvia. Andrade then contacted OCPF prior to actually distributing the tickets and was informed that public employees are prohibited from soliciting or receiving contributions for any political purpose.

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OCPF has created a new tutorial on how depository candidates and committees should report credit and debit card contributions. [Click here for the video.](#)

How to report bounced checks



**DEPOSITORY CANDIDATES AND COMMITTEES
FILE DEPOSIT REPORTS SHORTLY AFTER MAKING
A DEPOSIT.**

**SOMETIMES, AFTER FILING THE DEPOSIT
REPORT, A CHECK BOUNCES.**

STEPS:

- 1. DON'T AMEND THE DEPOSIT REPORT SHOWING THAT IT BOUNCED.**
- 2. INSTEAD, THE COMMITTEE'S BANK WILL SHOW AN EXPENDITURE FOR THE AMOUNT OF THE BOUNCED CHECK. THE PURPOSE OF THE EXPENDITURE SHOULD BE "CHECK RETURNED FOR INSUFFICIENT FUNDS."**
- 3. THE DONOR MAY TRY TO MAKE ANOTHER CONTRIBUTION. IN THAT CASE, DEPOSIT THE CHECK AND FILE ANOTHER DEPOSIT REPORT. ON THIS SECOND DEPOSIT REPORT, PLEASE LABEL THE CONTRIBUTION AS A "RE-DEPOSIT."**

[CLICK HERE](#) FOR A SHORT TUTORIAL ON HOW TO REPORT A BOUNCED CHECK.

Local party committees reported \$861,707 in expenditures in 2018

Marlborough GOP tops spending list at \$186,426, followed by Worcester Dems

TOP 25 LOCAL PARTY COMMITTEES IN 2018 BY EXPENDITURES

	Receipts	Expenditures
Marlborough REPC	\$148,036	\$186,426
Worcester DEMCC	\$37,453	\$34,094
Brookline DEMTC	\$16,281	\$23,701
Bourne REPTC	\$18,330	\$19,970
Lynn DEMCC	\$17,115	\$19,893
Sutton REPTC	\$9,300	\$19,112
Newton DEMCC	\$14,004	\$18,416
Gloucester DEMCC	\$13,784	\$17,026
Northborough REPTC	\$13,000	\$13,000
Quincy DEMCC	\$8,656	\$11,773
North Andover REPTC	\$11,216	\$11,114
Cambridge DEMCC	\$12,780	\$11,072
Marblehead DEMTC	\$10,380	\$10,592
Longmeadow DEMTC	\$9,755	\$9,423
Barnstable DEMTC	\$7,978	\$8,180
Brockton DEMCC	\$6,089	\$7,888
Lexington DEMTC	\$4,107	\$7,476
Chatham REPTC	\$4,615	\$7,407
Ipswich DEMTC	\$3,923	\$6,768
Billerica REPTC	\$7,064	\$6,530
Easton DEMTC	\$4,085	\$6,412
Somerville DEMCC	\$1,877	\$6,293
Taunton DEMCC	\$5,885	\$6,255
Sturbridge DEMTC	\$5,001	\$6,187
Boxborough REPTC	\$5,789	\$6,149

The 354 local party committees that e-filed with OCPF in 2018 reported spending \$861,707 in the calendar year.

Party committees also reported raising \$728,221. The receipts total is lower than the expenditures total because many local party committees started the year with a balance.

The Marlborough Republican City Committee reported the highest amount of expenditures — \$186,426. That represents 26 percent of all local party committee expenditures.

The 154 Republican party committees that e-filed with OCPF reported \$313,347 in receipts and \$378,535 in expenditures.

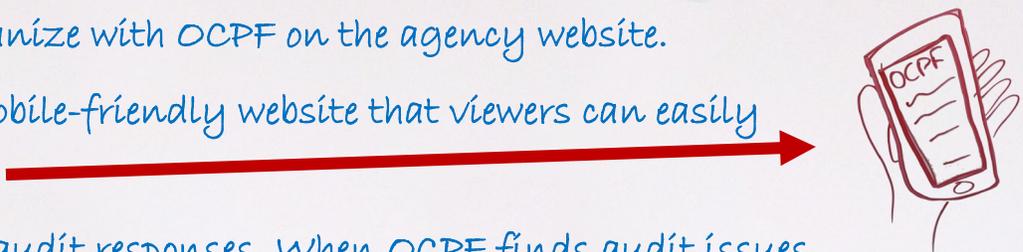
The 200 Democratic party committees that e-filed with OCPF reported \$414,874 in receipts and \$483,171 in expenditures.

Some local party committees with minimal activity filed paper reports with OCPF. Their activity is not included in this report.

[Click here](#) for the full list, sorted by city or town.

LOOKING AHEAD: OCPF'S TECH PROJECTS

IT DEPARTMENT PROJECTS FOR 2019

1. Online organization. Candidates and committees will be able to organize with OCPF on the agency website.
2. Create a mobile-friendly website that viewers can easily navigate. 
3. Electronic audit responses. When OCPF finds audit issues, candidates and committees can answer and track the issues using Reporter 7. (win-win for OCPF's auditors and committees).
4. R7 version 7.1: Will include at least two dozen updates based on user feedback, such as a page where a user can view items across reports.

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Who files the mid-year report?

Individuals organized as House and Senate candidates

PERIOD: Jan. 1—June 30

DUE: July 22

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2018 Ballot Question Spending Report

Ballot question committees report \$42.6 million in expenditures, the second highest total ever

Seven ballot question committees spent \$42.6 million on three propositions in 2018, the second highest total ever recorded, according to an [OCPF review](#) of ballot question fundraising and spending.

Question 1, concerning patient-to-nurse limits, accounted for 86 percent of all statewide ballot question spending in 2018. The question failed. The Coalition to Protect Patient Safety ballot question committee, which opposed Question 1, broke the spending record for a single committee, reporting \$24,733,966 in expenditures. The previous record of \$21.6 million was set in 2016 by the Great Schools Massachusetts Committee concerning charter schools.

Statewide Ballot Question Expenditures

2010 to 2018			
Year	# of Questions	# of Committees	Total Spent
2010	3	9	\$9,098,307
2012	3	13	\$9,554,909
2014	4	14	\$30,193,266
2016	4	15	\$57,477,775
2018	3	7	\$42,640,899

OCPF’s review of ballot question activity covered fundraising and spending in 2017-18 for three questions that appeared on the 2018 statewide ballot:

Question 1: Patient-to-nurse limits (failed)

Question 2: Commission on limiting election spending and corporate rights (passed)

Question 3: Repeal of transgender bill (passed, meaning the current law remains)

The two committees organized for **Question 1** – one in support and one in opposition – reported a total of \$36.9 million in receipts and \$36.8 million in expenditures, in addition to \$2.5 million in in-kind contributions (such as donated staff time).

The Massachusetts Nurses Association (MNA) was the primary donor to the Committee to Ensure Safe Patient Care Committee, which supported the question. The MNA contributed \$10,498,403, or 87 percent of the committee’s total receipts in support of the question.

The committee in opposition to the question, the Coalition to Protect Patient Safety, received 99 percent of its funding from the Massachusetts Health and Hospital Association – \$24,573,500.

The question failed, 1,858,483 to 787,511. The average spent per vote in opposition was \$15.29, and \$13.31 for every vote in favor.

Question 2 had the least amount of financial activity in 2018. Two committees were formed, one in support and one in opposition, but only the question’s supporters spent money.

The People Govern, Not Money Committee reported \$214,189 in receipts and \$213,932 in expenditures. The opposition group, the No on Two for Freedom of Speech Committee, reported no receipts or expenditures. The question, which created a citizen’s commission concerning campaign finance issues, passed 1,871,989 to 751,447.

Question 3 was a referendum on an existing law concerning gender identity. A “yes” vote maintained the current law. The committee supporting no change, the Freedom for All Massachusetts Committee, raised \$5.2 million and spent the same amount. The committee supporting repeal of the law, the Keep Massachusetts Safe Committee, raised \$464,664 and spent \$462,389.

The question passed, 1,806,742 to 857,401.

OCPF SEMINARS

Training for candidates and local parties

Springfield / City Hall / March 26 / 6:30 p.m.
 Somerville / Central Library / April 22 / 6 p.m.
 Lynn / City Hall / May 21 / 6:30 p.m.
 Greenfield / City Hall / May 29 / 4 p.m.
 Chicopee / City Hall / May 29 / 6:30
 Winthrop / EB Newton Cultural Center / June 3 / 6:30 p.m.
 Brockton / City Hall/ June 6 / 6:30 p.m.
 Framingham / City Hall / June 11 / 6:30 p.m.
 Revere / City Hall / June 18 / 6 p.m.

Candidates and committees from surrounding communities may also attend.

DRAFT REGULATIONS

OCPF has received and is reviewing written and verbal comments concerning draft regulations that were issued on Feb. 1.

Final regulations will be issued around May 1 and posted to the OCPF website.

The draft regulations, [available here](#), define when an entity – including unions – must organize as a political committee. The final version may be different.

OCPF has issued [instructions](#) on how to get an IRS EIN number to open a campaign bank account

1. Go to [this IRS link](#).
2. When asked for the type of organization, check the bottom button for "additional" types of organizations.
3. On the next page, select "Political Organization." Ballot question committees should select "Other Non-Profit/Tax-Exempt Organizations."
4. When asked for the reason, select "Banking Purposes."
5. The responsible person is an "individual" who should be the treasurer. The individual's social security number may be used.
6. When asked, the person should indicate that he or she is an authorized officer.
7. Use the committee's name as the legal name

Most independent expenditure "super" PAC spending supported the incumbent governor in 2018

Independent Expenditure "Super" PACs (IEPACs) in Massachusetts reported \$6,843,672 in expenditures to support or oppose candidates in the 2018 state election, 97 percent of which supported incumbent Gov. Charles Baker, according to an OCPF review of campaign finance report disclosures.

The remaining three percent of independent expenditures supported or opposed legislative candidates. IEPACs did not spend money to support Jay Gonzalez, Baker's general election opponent.

Of the nine IEPACs active in the 2018 election, the Commonwealth Future IEPAC reported spending the most, nearly \$6.2 million. All of Commonwealth Future's expenditures supported Baker.

Commonwealth Future was almost entirely funded by the Republican Governors Association (RGA) located in Washington, D.C. Of the \$6.6 million in receipts, only \$20,000 came from sources other than the RGA.

IEPACs are committees that only make independent expenditures and do not contribute funds directly to candidates. Independent expenditures are goods or services that expressly advocate for or against candidates, such as mailings and TV advertisements, but without coordinating with candidates or committees.

IEPACs are required to file campaign finance reports shortly after making an expenditure that supports or opposes candidates. The reports also disclose contributions received by the IEPAC.



Independent Expenditure "Super" PAC Totals 2018 Calendar Year

	RECEIPTS	EXPENDITURES*
Commonwealth Future	\$6,645,001	\$6,169,740
Patients for Affordable Drugs Action	\$510,000	\$479,717
Massachusetts Realtor	\$169,774	\$84,890
Democrats for Education Reform	\$1,050	\$35,680
Massachusetts Teachers Association	\$0	\$30,681
Environmental League of Massachusetts	\$27,500	\$27,172
Jobs First	\$43,396	\$10,647
Priorities for Progress	\$6,635	\$3,387
Global Warming Solutions	\$25,342	\$1,758
TOTALS	\$7,428,698	\$6,843,672

***The totals represent only "independent expenditures," and not administrative costs reported by the committees. Administrative costs are disclosed on year-end reports due each January.**

MUNICIPAL CANDIDATES* WHO FILE WITH THEIR LOCAL ELECTION OFFICIALS CAN USE **REPORTER 7** TO CREATE CAMPAIGN FINANCE REPORTS

R7 Benefits:

1. Keeps your records
2. Does the math
3. Alphabetizes contributions, expenditures, in-kind contributions and liabilities
4. Ensures legible reports

To register for **R7**, contact Jason Tait at jtait@cpf.state.ma.us

* Includes such candidates as school committee, city council in cities with populations of less than 65,000, zoning board, planning board, town treasurer, etc.

**CLICK FOR ALL
R7 VIDEOS**



We have a guide for what businesses can and can't do in Massachusetts campaigns

[CLICK HERE](#) FOR THE GUIDE