Fall election draws pool of 301 House, Senate candidates

OCPF schedules campaign seminars

As campaigns across the state rev their campaign engines for the fall elections this summer, OCPF is preparing to track all 301 legislative candidates to ensure they are accurately disclosing their campaign spending and fundraising for the September and November contests.

Candidates must file pre-primary campaign finance reports by Sept. 8 covering the Jan. 1 to Aug. 29 reporting period, and an Oct. 27 report covering campaign finance activity from Aug. 30 to Oct. 17.

To prepare campaigns for political finance reporting requirements, OCPF is inviting candidates for all offices to educational seminars in July and August at four locations — Springfield, Bridgewater, Natick and Peabody (a full schedule can be found on page three).

OCPF is also tracking campaign finance activity for depository candidates on ballots this year, including Governor’s Council, register of probate and county commissioners and treasurers.

All candidates with active committees are also required to file year-end reports on Jan. 20, 2009, even if they are not on the 2008 ballot.

Shallow candidate pool

<table>
<thead>
<tr>
<th>Year</th>
<th>Senate</th>
<th>House</th>
<th>Total</th>
<th>Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>65</td>
<td>265</td>
<td>330</td>
<td>$11,013,392</td>
</tr>
<tr>
<td>2002</td>
<td>61</td>
<td>311</td>
<td>372</td>
<td>$11,976,712</td>
</tr>
<tr>
<td>2004</td>
<td>81</td>
<td>309</td>
<td>390</td>
<td>$17,640,644</td>
</tr>
<tr>
<td>2006</td>
<td>70</td>
<td>269</td>
<td>339</td>
<td>$11,877,069</td>
</tr>
<tr>
<td>2008</td>
<td>55</td>
<td>246</td>
<td>301</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Note: Candidate totals from 2000 to 2006 include write-in candidates

Hundreds of local party committees organize

Nearly 700 ward, town and city political party committees have organized with the Office of Campaign and Political Finance.

The local party committees organize every four years following the presidential primary.

As of June 11, 390 Democratic ward, town and city committees formed, while Republicans had organized 280. The Green Rainbow Party has one committee in Amherst. Newly elected members of the local party committees were required to meet and organize between 31 and 40 days of the presidential primary election on Feb. 1. After that period, the state committees could step in and help organize the groups, which the parties consider important grassroots organizations.

The state organization may continue to form committees, potentially boosting the total.

Local party committees disclose their campaign spending three times annually in an election year if they spend or raise more than $100 during any one of the three reporting periods. They report once in a non-election year if they spend or raise more than $100 during the year.
OCPF to launch new search engine this summer

OCPF is launching an upgraded search engine to enhance the disclosure of political finance information — an open-government policy at the heart of the campaign finance law.

The updated "Electronic Filing System" also makes it easier for candidates and other political committees to file their periodic reports.

The system allows the public to see how much money is raised and spent, and who donates to candidates and other political committees.

Here are some of the new features:

• Contributions can be sorted by zip code in addition to being sorted by city or town, allowing the public to see who is giving money in their communities.

• The appearance of the filing system will match the new OCPF Web site, which was launched in the spring.

• Political committee reports are sorted by year. Previously, all reports were listed in one group.

• Individual reports can be transported to a Microsoft Excel spreadsheet with the click of a button.

• Special windows open when the cursor is placed on a candidate’s name, revealing the candidate’s address and name of his or her treasurer.

The new EFS system was created by Al Grimes, OCPF’s information technology manager, and Tracey Dano, the office's business systems analyst.

It is scheduled to launch later this summer.

People’s Committees spend more than $200,000 on political activities, candidates

People’s Committees spent more than $200,000 last year, mostly in contributions to state and local candidates.

The top spender last year at $67,294 was the Sheet Metal Workers Local 17 People’s Committee followed by the Professional Firefighters of Massachusetts at $53,587.

People’s Committees are relatively new to Massachusetts Politics — legislation creating the committees was passed in 1994. People’s Committees are used by large groups with common ties — such as an employer or professional trade — to make donations for political purposes.

Only individuals may give to people’s committees and they are limited to $147 annually. Political action committees, on the other hand, can accept donations up to $500 from individuals and organizations.

There is a cap on how much some state candidates can accept from PACs. For example, state representatives can only accept an aggregate of $7,500 a year from PACs. But there is no aggregate cap on how much money candidates can accept from people’s committees.

### 2007 People’s Committees by the numbers

<table>
<thead>
<tr>
<th>People’s Committee</th>
<th>Receipts</th>
<th>Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheet Metal Workers Local 17</td>
<td>$42,828</td>
<td>$67,294</td>
</tr>
<tr>
<td>Professional Firefighters of MA</td>
<td>$60,595</td>
<td>$53,587</td>
</tr>
<tr>
<td>Eastern MA Brick Layers</td>
<td>$44,006</td>
<td>$31,993</td>
</tr>
<tr>
<td>MA Dental Society</td>
<td>$52,853</td>
<td>$28,163</td>
</tr>
<tr>
<td>Elevator Constructors Local 4</td>
<td>$20,210</td>
<td>$7,996</td>
</tr>
<tr>
<td>Industrial &amp; Office Properties</td>
<td>$8,685</td>
<td>$7,564</td>
</tr>
<tr>
<td>UFCW Local 1459</td>
<td>$8,290</td>
<td>$6,185</td>
</tr>
<tr>
<td>Brockton Fire Fighters</td>
<td>$4,929</td>
<td>$4,159</td>
</tr>
<tr>
<td>Nonprofit Housing Agencies Affordable Housing</td>
<td>$0</td>
<td>$194</td>
</tr>
<tr>
<td>Total</td>
<td>$242,396</td>
<td>$207,133</td>
</tr>
</tbody>
</table>

Personnel Update

OCPF receptionist Claire McCarthy, who greeted and helped guests for a decade, retired in May.

OCPF staffer Harleigh Billian left in June to become a legislative aide for state Rep. Richard Ross, R-Wrentham. She is a 2007 Boston College graduate.

The 2008 Randolph High School valedictorian, Jessi Fixsen, was hired as a summer intern. She will attend Brandeis University in the fall.

Wisdom of Public Disclosure

“Sunlight is said to be the best of disinfectants.”

U.S. Supreme Court Justice Louis Brandeis
CAMPAIGN FINANCE REPORTING DATES FOR NON-DEPOSITORY FILERS

Pre-Primary Report
Campaign Finance Report Due: Monday, Sept. 8, 2008
Reporting Dates: Jan. 1 - Aug. 29, 2008*
*The pre-primary report period begins on the day following the ending date of any previous report filed for that candidate or committee.

Pre-Election Report
Campaign Finance Report Due: Monday, Oct. 27, 2008

Year-End Report
Campaign Finance Report Due: Tuesday, Jan. 20, 2009

Note: Late reports result in fines of $10 daily up to $2,500

OCPF Seminars
Weekly Workshops
OCPF hosts one-hour seminars each Wednesday at 2 p.m. for candidates, the public and the media.

The seminars focus on the needs of the attendees, from using the electronic filing system to answering questions about general campaign finance rules.

The seminars are in the OCPF conference room. Reservations are not required.

Candidate Seminars
OCPF is hosting four seminars for candidates who are appearing on the September and November ballots. All seminars are from 6 to 8 p.m.

- Peabody: July 22, West Branch Library, 603 Lowell St.
- Springfield: July 31, City Hall, Rm. 220
- Natick: Aug. 7, Morse Institute Library, 14 E. Central St.
- Bridgewater State College: Aug. 11, Moakley Center, Room 307
OCFP audits all campaign finance reports and reviews complaints alleging violations of the campaign finance law. These audits and reviews may result in enforcement actions or rulings such as public resolution letters, disposition agreements or referral to the Office of the Attorney General for further action.

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.

A disposition agreement is a voluntary written agreement entered into between the subject of a review and OCPF in which the subject agrees to take certain specific actions.

OCFP 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

CPF-08-06: New Leadership Fund PAC. Did not comply (PACs controlled by candidates, excess contribution); 04/17/08. A group organized to identify, train and endorse new candidates (excess contribution); 04/17/08. A group organized to identify, train and endorse new candidates (excess contribution); 04/17/08. A group organized to identify, train and endorse new candidates (excess contribution); 04/17/08.

CPF-08-07: Timothy McMullen. Did not comply (corporate contributions, recordkeeping and reporting, depository accounts); 04/25/08. McMullen, a Plymouth County Commissioner, failed to file a timely statement of organization when he decided to run for Plymouth County Treasurer. After being notified, McMullen also filed a new appointment of depository bank form with his depository bank to ensure that his bank reports timely to OCPF. McMullen also included his business e-mail account and fax machine number on campaign letterhead. Business corporations may not directly or indirectly contribute anything of value to a campaign committee.

CPF-08-23: Dr. Charlie Schlegel. Did not comply (public resources); 06/02/08. Wayland Middle School, with authorization from Principal Schlegel, used its computer server and e-mail list to send e-mails advocating for the passage of an override. Public resources, namely the use of the school server, e-mail list and the time of school staff, were used to distribute the documents.

CPF-08-31: Rep. Harold Naughton. Did not comply (disclosure and reporting); 06/02/08. Naughton’s committee understated receipts and expenditures annually from 2003 to 2006, resulting in a $6,000 discrepancy for that time period. The committee has agreed to an enhanced reporting schedule from Jan. 1, 2008, to Dec. 31, 2010, and has made a $2,000 payment to the Commonwealth for costs incurred during the course of the review.

CPF-08-22: UMass Memorial Health Care. No further action (public resources: entities subject to prohibition); 06/04/08. A complaint stated that the CEO of UMass Memorial Health Care was coercing employees to contribute to candidates. No credible evidence was found to support the conclusion that the CEO violated Section 16B of the campaign finance law, which prohibits any person employed for compensation from being under any pressure to contribute to a candidate or political committee.

CPF-08-09: Ernest Mendrala. Did not comply (disclosure of receipts, expenses and liabilities); 06/20/2008. Mendrala failed to report receipts, expenses and liabilities in a timely manner related to an Aug. 16, 2007 campaign event at a function hall during his campaign for Chicopee alderman.

CPF-08-05: State Rep. Sean Garballey of Arlington. Did not comply (receipt of corporate contributions, timely disclosure of expenditures); 06/23/2008. The Garballey Committee used telephones and offices provided by a corporation in March, 2008, for campaign purposes, amounting to an in-kind corporate contribution. The committee took appropriate remedial action by reimbursing the corporation $534. The committee also did not report expenditures for banners in a timely manner by not listing the costs of the banners as a liability on its pre-primary report.

Advisory Opinions

AO-08-02: A candidate’s political committee may make expenditures to pay for the travel of a candidate who is also a delegate to a national political convention. The Federal Election Commission, however, has issued regulations relating to contributions to and expenditures by delegates to national conventions. The regulations indicate that funds received and disbursed made for travel expenses to the convention may be subject to restrictions under federal law since they “would be for the purpose of influencing a federal election.” A group of delegates raising and spending money to pay for travel to a national convention would be considered a “delegate committee” that would have to comply with special rules for such committees issued by the FEC. (Ruben Kantor, chief of staff for Boston City Councilor Mike Ross).

AO-08-03: A candidate may set up an account to solicit and receive funds solely to pay legal fees associated with being certified to be on a ballot. Donations would not count toward an individual’s annual contribution limit, and other limits and restrictions of the campaign finance law would not apply. The funds that are deposited into the separate account may not, however, be used to reimburse a campaign account for legal expenditures already made from the campaign account. (Rep. Carl Sciortino, Medford).

From the Director

From page 1

completely different look. We hope you will also discover that your ability to search, view and file campaign finance information has greatly improved. We are currently in the process of testing the changes and they should be up and running by mid-August for everyone. Don’t worry about having to upgrade your system – if you are using Reporter 4, your system will automatically upgrade when you return to the software. If you are still using Reporter 3, you may want to give us a call to help you upgrade. We will be meeting with bank representatives to instruct them on the changes to Bank Reporter. Web Reporter has been redesigned to be more user-friendly, but OCPF still believes that using Reporter 4 is a better option than Web Reporter for most committees. Reporter 4 has much more functionality for the user.

As I write this, we are in Day 3 of our new phone system and we are working out the bugs. This system provides enhanced voice mail capability and will cut our phone bill by close to 50% - a priority during the current economic conditions. We have been working closely with ITD to ensure as seamless a transition as possible.

Oh, and in case you think I forgot, there’s an election this fall for 200 legislative seats, various county positions, and the potential of three statewide ballot questions. We’ll be holding seminars in locations across the commonwealth, as well as continuing our weekly workshops on Wednesdays at 2 p.m. in our Boston office. Please drop by to ask any questions you might have.

Mike Sullivan
Director

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