

Commonwealth of Massachusetts
Office of Campaign and Political Finance

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**OCPF, Rep. Walsh sign disposition agreement
concerning excess contributions from PACs**

The Office of Campaign and Political Finance announced today that it has entered into a disposition agreement with state Rep. Martin J. Walsh of Dorchester regarding the receipt of contributions from political action committees that exceeded the aggregate annual limit over three years.

M.G.L. Chapter 55, Section 6A limits the total amount that candidates for certain offices may receive in the aggregate from PACs in a calendar year. The limits vary according to the office sought by a candidate; the annual limit for candidates for the Massachusetts House is \$7,500.

The agreement states that from 2001 through 2003, the Committee to Elect Martin J. Walsh received a total of \$45,040 in PAC contributions, just over twice the aggregate legal limit for the three years of \$22,500. The Committee had, therefore, accepted \$22,540 over the legal limit during this period.

In 2001, the Committee received approximately \$10,550 in PAC contributions, resulting in the issuance of refund checks totaling \$3,050 after notification by OCPF.

In 2002, the Committee received approximately \$15,090 in PAC contributions, leading the Committee to refund a total of \$7,590 to PACs after the completion of OCPF's audit in 2003. When OCPF contacted the Committee accountant to follow up on the status of the 2002 refunds in October 2003, he stated that the Committee had already exceeded the \$7,500 PAC limit for the current year and would begin issuing refund checks for the excess PAC contributions.

In November 2003, Rep. Walsh told OCPF that he believed the Committee had already refunded excess PAC contributions received in 2003 and had also implemented new procedures and accounting measures to ensure compliance with M.G.L. c. 55, § 6A in the future.

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In all, the Committee received approximately \$19,400 in PAC contributions in 2003. Despite the Committee's representations that excess contributions were refunded, its 2003 year-end report filed in January 2004 disclosed that the Committee had failed to refund approximately \$7,500 in excess contributions in 2003. OCPF contacted Rep. Walsh, who stated that he believed that the Committee's accountant had refunded the 2003 excess PAC contributions prior to the end of the calendar year. When this turned out to not be the case, Rep. Walsh provided OCPF with complete access to the Committee's records in order to determine what, if any, remedial action should be taken.

Despite the Committee's issuance of refund checks, it appeared that checks totaling only \$17,390 were in fact cashed by PACs. Rep. Walsh agreed to disgorge the \$5,150 remaining from the amount that was to be refunded and on October 13, the Committee made payments totaling that amount to two separate scholarship funds.

In the agreement, Rep. Walsh agreed to make a payment of \$2,500 from Committee funds to the Commonwealth in the nature of a civil forfeiture. He and the Committee also agreed to fully comply with M.G.L. c. 55, § 6A and its related regulations in the future by not depositing in its account any PAC contributions received in a calendar year after the Committee reaches the \$7,500 limit. Any and all such contributions will instead be returned in their original form, namely, the original check.

The agreement was signed by Rep. Walsh and OCPF Director Michael J. Sullivan. Copies are available from OCPF.

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