



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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July 21, 2009

William C. Walpert
Brotherhood of Locomotive Eng. Legis. Board MA PAC
1370 Ontario Street, Mezzanine
Cleveland, OH 44113-1702

Re: CPF 09-01

Dear Mr. Walpert:

This office has completed its review of the Brotherhood of Locomotive Engineers Legislative Board MA PAC's Massachusetts political activity and the Brotherhood's federal PAC campaign finance reports, as they relate to Massachusetts political activity.

The campaign finance law prohibits the "transfer of funds or assets from any federal political committee" to any candidate or candidate committee organized in accordance with the Massachusetts campaign finance law. See M.G.L. c. 55, § 7, and IB-82-01, in which the office stated that a non-Massachusetts political committee must establish a separate Massachusetts committee and register with OCPF if it wishes to contribute to Massachusetts PACs or candidates.

The Brotherhood's state PAC did not keep its Massachusetts funds separate and distinct from other accounts. In addition, by using the Brotherhood's federal PAC account to make contributions to Massachusetts candidates, it did not comply with the Massachusetts campaign finance law. Although the contribution checks to Massachusetts candidates were written out of the federal PAC account, none of the contributions to Massachusetts candidates made exceeded the \$500 contribution limit that may be made by Massachusetts PACs. See M.G.L. c. 55, §6. In addition, the Brotherhood's federal PAC maintained separate records for Massachusetts contributions and expenditures distinct from the federal PAC's other activity.

As a result of our review, the Brotherhood PAC has agreed to the following: (a) the Brotherhood's state PAC will open a separate segregated Massachusetts PAC bank account, (b) the Brotherhood's state PAC may receive, in a one time transfer of funds from the Brotherhood's federal PAC up to the \$7,000 disclosed in the ending balance reported to OCPF as of December 31, 2008,¹ (c) the Brotherhood's state PAC shall provide OCPF with copies of its bank statements and all checks received and deposited with each campaign finance report filed until January 20, 2012, and (d) the Brotherhood's state PAC will print the CPF ID# assigned to the Massachusetts PAC by OCPF on its checks.

¹ This letter is limited in scope to offering guidance solely within the context of the Massachusetts campaign finance law. OCPF would allow this one time transfer from the federal PAC to the state PAC, unless the Federal Elections Campaign Act would not allow such a transaction.

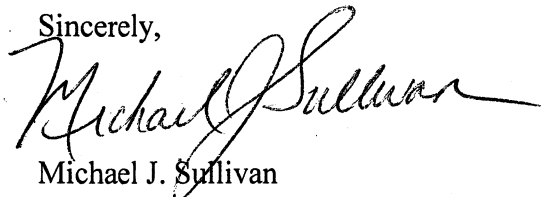


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The Brotherhood's state PAC did disclose its Massachusetts campaign finance activity in accordance with the schedule for a Massachusetts PAC and its Massachusetts activity was within the limits imposed by the Massachusetts campaign finance law. It has now established a segregated bank account for its Massachusetts activity. For these reasons, we have concluded that this matter may be closed at this time. We believe that the guidance provided in the course of this review will result in future compliance with the campaign finance law.

In accordance with an opinion of the Supervisor of Public Records, this letter is a public record. Thank you for your cooperation in resolving this matter. If you have any questions about this letter or any other campaign finance matter, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Sullivan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael J. Sullivan
Director

MJS/sh