

DISPOSITION AGREEMENT

This Disposition Agreement ("Agreement") entered into on February 17, 2009 by and between the Office of Campaign and Political Finance (OCPF) and the Campaign for Our Children's Future ballot question committee (the "Committee"), and by Andrew Tripp (the "Treasurer") in his capacity as Treasurer of the Committee, in which the parties mutually agree, for the purposes of this Agreement only, as follows:

I. INTRODUCTION

1. The Committee, at all times relevant to this Agreement, was a ballot question committee subject to the provisions of M.G.L. c. 55, the Massachusetts campaign finance law.
2. OCPF has the authority to review and investigate the legality, validity, completeness and accuracy of all reports required to be filed and all actions required to be taken by political committees, candidates, campaign treasurers and any other person pursuant to M.G.L. c. 55 or any other laws of the commonwealth relative to campaign contributions and expenditures.
3. The political contributions, expenditures and other activities noted in this Agreement are subject to the provisions of M.G.L. c. 55 and the regulations issued by this office in accordance with M.G.L. c. 55.

II. FACTS

1. Section 18 of the campaign finance law requires that the treasurer of a ballot question committee file periodic reports of contributions, expenditures and liabilities with OCPF. These reports are due (1) when the committee organizes; (2) on or before the 60th day prior to the election; (3) on the 5th and 20th day of each month in an election year, after the report filed 60 days before the election, up to and including November 20th; and (4) on the twentieth day of January each year complete as of December 31 of the prior year. The campaign finance law provides that a civil penalty of \$10.00 per day be assessed against the treasurer of a committee if a report is not filed when due. Failure to file a required report may also result in referral to the Attorney General.
2. The Committee filed its Statement of Organization with OCPF on August 3, 2005. It then filed campaign finance reports to disclose financial activity undertaken during 2005 and 2006 to support Question 3 on the November 2006 State ballot. As of January 1, 2007, the Committee reported a balance in its account of \$70,834.37. Since the Committee remained in existence in 2007, it was required to file a 2007 year-end report in January 2008.

3. On December 27, 2007, OCPF notified the Treasurer of the requirement that the Committee file a 2007 year-end report on or before January 22, 2008. When no report was filed, OCPF sent additional notices to the Committee on January 23, February 21, March 24, and April 30, 2008. The Committee was then referred to the Attorney General by OCPF for further enforcement action relating to the non-filing of the 2007 year-end campaign finance report, on August 12, 2008. After referral, the Office of the Attorney General sent an additional notice to the Committee, and then, after that notice was sent, the Committee filed its 2007 year-end report on December 15, 2008.

4. As ultimately filed, the 2007 year-end report disclosed a substantial level of financial activity. Specifically, it disclosed that the Committee made \$32,815.98 in expenditures during 2007. The largest expenditure was a single \$31,395.29 payment to Dewey Square Group, made on February 7, 2007, and the Committee listed the purpose of the expenditure as "consulting." The Committee has acknowledged that the services provided by Dewey Square Group and the other vendors paid in 2008 were provided to the Committee in 2006.

5. Although the services of Dewey Square Group and other vendors were incurred prior to the election in 2006, the Committee failed to disclose them as liabilities on any of the periodic reports filed in 2006 or in the 2006 year-end report filed in January 2007.

6. The Committee, as of December 31, 2008, reported a balance of \$38,034.30.

III. CONCLUSION

OCPF has concluded that the Committee violated M.G.L. c. 55, § 18 by failing to accurately disclose the Committee's financial activity in a timely manner. In addition, the liabilities incurred in 2006 were not originally disclosed, and the Committee's year-end 2007 campaign finance report was filed eleven months late.

IV. RESOLUTION

In order to resolve the matter now before OCPF, the parties agree, pursuant to 970 CMR 3.07(1) and M.G.L. c. 55, § 3, as follows:

1. Upon execution of this Agreement, the Committee agrees to simultaneously pay \$5,000 to the Commonwealth of Massachusetts in the nature of a civil forfeiture in satisfaction of all penalties associated with this Committee.

2. Upon execution of this Agreement, the Committee will file an amendment to its 2006

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campaign finance reports to disclose its liabilities, and will file a dissolution report to disclose the expenditure of all funds remaining in the Committee's account, in accordance with the Residual Funds Clause of the campaign finance law. See M.G.L. c. 55, § 18.

3. OCPF agrees not to refer the Committee or any officer of the Committee to the Office of the Attorney General for the violations of the provisions of M.G.L. c. 55 referenced in this Agreement.

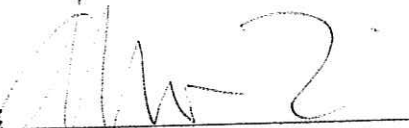
4. OCPF may, at any time, review compliance with this Agreement. Notwithstanding any payments made by the Committee according to this Agreement, OCPF may proceed with any action consistent with M.G.L. c. 55 or otherwise authorized by law if it believes that this Agreement or any related requirement thereof has been violated.

5. This Agreement shall be binding upon OCPF, the Committee and all officers of the Committee.

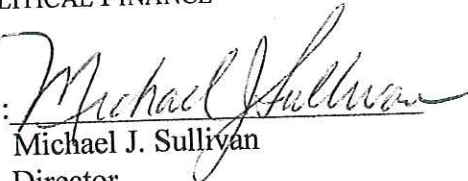
6. The parties have entered into this Agreement, knowingly and voluntarily, in an effort to resolve all matters set forth in the Agreement.

7. This Agreement is a public record under M.G.L. c. 4, § 7 and shall be subject to public inspection as required by M.G.L. c. 66, § 10.

CAMPAIGN FOR OUR CHILDREN'S FUTURE

By:  2/13/09
Andrew Tripp, Treasurer

OFFICE OF CAMPAIGN AND
POLITICAL FINANCE

By: 
Michael J. Sullivan
Director