

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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July 27, 2009

Senator Kenneth J. Donnelly
12 Grandview Rd.
Arlington, MA 02476

Re: United Food and Commercial Workers (UFCW);
CPF-09-07

Dear Senator Donnelly:

During the course of an OCPF-initiated review of contributions made by the United Food and Commercial Workers Active Ballot Club Massachusetts Political Action Committee (the PAC) for 2006 to 2008, OCPF learned that the PAC disclosed the making of contributions to several political committees. In fact, these contributions were actually made by UFCW's federal PAC. Among the contributions made by the federal PAC was a contribution in the amount of \$5,000 made to the Donnelly Committee (the Committee) on November 5, 2007.

The campaign finance law states that Massachusetts candidates and political committees other than ballot question committees may not receive funds from any federal political committee. *See* M.G.L. c. 55, § 7 and OCPF Interpretive Bulletin IB-82-01.

The contribution was reported by the Committee as having been received from UFCW's general treasury, not from UFCW's federal PAC. The Committee was not notified by UFCW that the funds were actually from the UFCW federal PAC, and the Committee had no reason to believe that the contribution was from a prohibited source. The check from the federal PAC to the Committee did not identify the source of funds as the federal PAC, stating instead that the check was from the "Active Ballot Club General Fund."

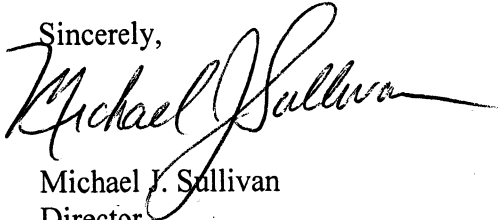
To resolve this matter, UFCW has paid the Commonwealth \$3,500 and has agreed to dissolve its state PAC. UFCW has also agreed to not make contributions to the Committee during 2009, and during 2010, UFCW's general treasury will limit its contributions to the Committee to \$500. In addition, the UFCW federal PAC will make no further contributions to the Committee. A copy of the Agreement between UFCW and OCPF resolving this matter is enclosed, for information.



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Due to the remedial actions taken by UFCW, this office has determined that this matter may be closed at this time. We expect that the review and guidance provided by this office will result in compliance with the campaign finance law in the future.

In accordance with this office's procedures and an opinion issued by the Supervisor of Public Records, this letter is a public record. If you have any questions regarding this letter or any other campaign finance matter, please do not hesitate to contact this office.

Sincerely,

Michael J. Sullivan
Director

Enclosure
MJS/gb