



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

ONE ASHBURTON PLACE, ROOM 411
BOSTON, MASSACHUSETTS 02108

MICHAEL J. SULLIVAN
DIRECTOR

TEL: (617) 727-8352
(800) 462-OCPF
FAX: (617) 727-6549

May 14, 2009

Representative Denis Guyer
Guyer Committee
55 Norwich Drive
Dalton, MA 01226

Re: CPF-08-93

Dear Representative Guyer:

This office has completed its review of a complaint we received alleging that your Committee held a fundraiser picnic in July 2008, for which no corresponding expenditures were disclosed. Upon our contacting your Committee regarding the complaint, you requested that OCPF review all of your Committee's financial activity from 2003-2008. The Committee provided all requested documentation to facilitate the review and fully cooperated with OCPF.

Based on the findings of our review, which included a complete reconciliation of the Committee's campaign finance reports to the Committee's bank statements and other documentation, the Committee has filed amended reports for 2003-2008. These amendments now accurately and completely disclose all of the Committee's financial activity.

We have concluded that the non-disclosure of expenditures did not comply with Section 18 of M.G.L. c. 55, the campaign finance law. Section 18 requires disclosure of all contributions, expenditures, and liabilities.

Although the Committee did not accurately disclose the expenditures for the picnic in 2008, the Committee's primary issue was the non-disclosure of various expenditures during the period covered by the seven reports filed by the Committee for 2006-2008. A review of the Committee's records indicated that approximately \$15,000 in expenditures was originally not reported in that time frame. This caused the Committee's reported ending balance to significantly differ from the checkbook balance. In addition, our review of the Committee's records also indicated the receipt of three money orders from one person in a calendar year, in the amount of \$100 each. Section 9 of the campaign finance law prohibits the receipt of money order contributions over \$50.

While OCPF has determined that the Committee maintained adequate records and that the errors made by the Committee were inadvertent in nature, the Committee, as well as OCPF, has indicated its concern that all subsequent reports provide accurate and complete disclosure. To ensure such disclosure, the Committee has agreed to the following enhanced reporting schedule from January 1, 2009 – December 31, 2011:



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<u>Filing Period</u>	<u>Type of Report</u>	<u>Due Date</u>
1/1/09 - 6/30/09	Paper Report	7/31/09
7/1/09 - 9/30/09	Paper Report	10/31/09
1/1/09 - 12/31/09	Electronic Report	1/20/10
1/1/10 - 4/30/10	Paper Report	5/31/10
1/1/10 - 8/27/10	Electronic Report	9/7/10
8/28/10 - 10/15/10	Electronic Report	10/25/10
10/16/10 - 12/31/10	Electronic Report	1/20/11
1/1/11 - 4/30/11	Paper Report	5/31/11
5/1/11 - 8/31/11	Paper Report	9/30/11
1/1/11 - 12/31/11	Electronic Report	1/20/12

In addition to the enhanced reporting above, the Committee will provide OCPF with copies of its bank statements and all checks received and deposited with each report. The Guyer Committee will also provide any further documents requested by OCPF within 10 business days.

To resolve the money order issue discussed above, the Committee has purged the \$250 excess contribution by making a payment for that amount to the Commonwealth. You will also personally make a \$1,500 payment to the Commonwealth for costs incurred during OCPF's review. The \$1,500 payment will be made in 6 increments of \$250 each. The payments will be due on May 22, July 1, September 1, November 2, January 4 of 2010, and March 1 of 2010.

In accordance with the opinion of 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

MJS/sh