



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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February 3, 2009

James Marzilli
15 Stevens Terrace
Arlington, MA 02476

RE: Disclosure of campaign finance activities; CPF-08-83

Dear Mr. Marzilli:

This office has completed its review of the campaign finance reports filed by your political committee (the Committee) during 2007 and 2008. The Committee cooperated with OCPF's review.

Based on this review, we have determined that the Committee, as discussed below, did not comply with the disclosure requirements of Section 18 of the Massachusetts campaign finance law, M.G.L. c. 55. The Committee, however, has now amended its campaign finance reports as required by OCPF to disclose the missing information.

As initially filed, the campaign finance reports failed to accurately and completely disclose the Committee's financial activity in 2007 and did not comply with the campaign finance law for the following reasons:

Disclosure of contributions

- The reports did not disclose \$5,125 (of a total of \$115,265) in contributions received in 2007. These additional contributions were identified by the Committee's Treasurer while he was reviewing the Committee's records to respond to OCPF's inquiries regarding balance discrepancies in the reports.
- The Committee inadvertently reported certain contributions twice – both in the itemized section of the contribution listing, and also in the unitemized contribution section. This inflated total receipts in the report by \$8,605.
- The reports failed to initially disclose the receipt of contributions from two PACs, in the total amount of \$800, identified by OCPF based on reports that had been filed by PACs.
- The reports did not disclose the required occupation and employer information for 88 contributors who gave \$200 or more to the Committee during 2007.

Disclosure of expenditures

- The reports did not include the specific purpose for \$2,790.15 in expenditures over \$50.00, including expenditures to pay the amounts due on the Committee's credit card (\$2,706.15).



- The reports did not include completed Reimbursement Forms (Form R-1) to disclose information regarding expenditures, in the amount of \$895.41 made by persons being reimbursed by the Committee.
- The Committee did not accurately disclose a joint expenditure made with three other candidate committees.

Disclosure of liabilities

- The reports did not accurately describe liabilities, since liabilities owed to the Candidate were disclosed as being owed to the Candidate's wife. In addition, liabilities were not consistently carried over from one report to the next.

In addition to not disclosing campaign finance activity as required by Section 18 of the campaign finance law, the Committee also received certain prohibited contributions:

Receipt of prohibited contributions in 2007

- The Committee received two contributions (in the amounts of \$500 and \$150) in December 2007 from political committees not registered in Massachusetts. The campaign finance law prohibits the receipt of such contributions.
- The Committee received a \$1,000 contribution from an individual in November 2007. The campaign finance law prohibits the receipt of contributions of more than \$500 during a calendar year from an individual.

In each of the instances described in this letter where amendments were required, the Committee filed appropriate amendments in response to OCPF's inquiries, and where prohibited contributions were received, the Committee made the appropriate refunds. In addition, the Committee has cooperated with OCPF's review. Finally, I note that you have forgiven your personal loan of \$6,000.00 to your Committee, and that you have dissolved the Committee.

Because the appropriate remedial action has been taken and you have dissolved the Committee, no further action will be taken by OCPF at this time. To ensure future compliance, you have agreed that if you decide to seek public elective office in the future, you will, on a quarterly basis, provide OCPF with copies of all Committee records relating to contributions received and expenditures made.

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

Sincerely,

Michael J. Sullivan
Director