



The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth

Laurie Flynn
Chief Legal Counsel

December 7, 2011
LAO/11-37

[REDACTED]

Dear [REDACTED]:

I have received your request for an advisory opinion with regard to lobbying in Massachusetts. See G.L. c. 3, § 41. Specifically, you requested an opinion concerning whether your organization is required to report meal expenditures paid on behalf of elected officials.

In the request, you stated that your organization hosted a breakfast/fundraiser that was attended by elected officials. The elected officials were provided with a meal at the event and were not required to make payment for that meal. Furthermore, you stated in the request that your organization did not directly pay for the meal expenditures, as it was underwritten by a donor. You have requested an opinion from this office as to whether your organization is required to report the value of the meal expenditures made on behalf of elected officials in attendance.

Pursuant to G.L. c. 3, § 47, an employer or lobbyist client is required to submit a semi-annual disclosure report to this office for the periods of January 1st through June 30th and July 1st through December 31st. The itemization of expenditures required for disclosure is defined in G.L. c. 3, § 43, which states in part:

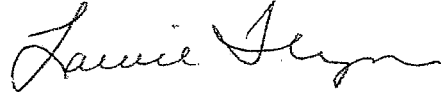
[A]ll expenditures made for or on behalf of statewide constitutional officers, officers and employees of such offices, members of the general court, officers and employees of the general court, officers and employees of the executive branch and officers and employees of an authority...

G.L. c. 3, § 43.

In your request, you stated that meal expenditures were made on behalf of elected officials. The request did not identify the specific category of elected officials for whom expenditures were made. However, your organization is required to disclose those meal expenditures within the appropriate semi-annual disclosure report if the elected officials for whom expenditures were made fall within any category of officials included within Section 43. Furthermore, the disclosure of expenditures made on behalf of any officers or employees of those elected officials may also be required.

You further stated within your request that the cost of the breakfast/fundraiser was underwritten by an unidentified donor. A lobbyist client submitting a disclosure report pursuant to G.L. c. 3, § 43 is not required to include the name and address of a person, group or organization from whom a contribution was received. However, the direct funding of an expenditure for which disclosure is required may be an issue of significant public interest. As a matter of full transparency, it is strongly advised that your organization include all relevant information identifying the donor and affiliated organization as it relates to the direct underwriting of an expenditure made on behalf of certain elected officials.

Very truly yours,



Laurie Flynn
Chief Legal Counsel