The Commonwealth of Massachusetts
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Public Records Division - Lobbyist Section

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I have received your December 1, 2009 correspondence requesting a lobbying advisory opinion on behalf of your client, ▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮. See G.L. c. 3, § 41 (2008 ed.). Specifically, you inquired whether a non-profit organization must register as a client or a lobbyist entity. The non-profit is a labor union, which will have three members lobby solely on its behalf in the 2010 registration year. Pursuant to our telephone conversation of December 15, 2009, registration of the non-profit as a client appears proper.

The definition of lobbyist entity, which is unchanged with the new legislation, is:

> an entity providing lobbyist services, consisting of at least 1 legislative or executive agent, including foreign or domestic corporation, association, sole proprietor, partnership, limited liability partnership or company, joint stock company, joint venture or any other similar business formation.

G.L. c. 3, § 39 (2008 ed.).

A client is defined as:

> any person, corporation, partnership, association, or other entity that contracts with another person, corporation, partnership, association, or other entity to receive lobbying services.
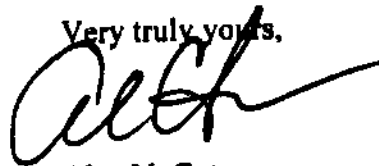
G.L. c. 3, § 39 (2008 ed.).

While the definition of client is refined with the new legislation, its revision does not substantially alter its previous meaning: "an individual or business entity that contracts with another individual or business entity to receive lobbyist services." G.L. c. 3, § 39 (2008 ed.).

The definition of "lobbyist entity" is unchanged, and the definition of "client" has undergone only a de minimis change as of January 1, 2010. Whereas the above-referenced definitions are substantially, if not entirely, the same, and whereas the individuals in question are salaried employees of the organization, who, in addition to other business activities, will engage in lobbying activities solely on the organization's behalf, this office accordingly finds that registration of the organization as a client and the individuals as lobbyists appears proper.

Very truly yours,

Alan N. Cote
Director