



The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Public Records Division - Lobbyist Section

Alan N. Cote
Director

Marie D. Marra
Supervisor, Lobbyist Section

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LAO/10-23

[REDACTED]
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Dear [REDACTED]

I have received your May 12, 2010 email correspondence requesting an advisory opinion. See G.L. c. 3, § 41 (2008 ed.). Specifically, you inquired about the portion of G.L. c. 3, § 44 that exempts organizations from registering with the Secretary thereunder. In particular, you questioned whether a staff person is considered a "member" for the exemption requirement that an organization "does not pay a salary or fee to any member for any activities performed for the benefit of the group or organization."

Absent further guidance from the legislature or the court, it is the opinion of this office that the term "member" as used in the context of the exemptions under Section 44 includes staff persons. If staff persons or members of an organization were to receive compensation for activities performed for the benefit of the organization, then such activity may trigger registration as a lobbyist (and registration by the lobbyist entity or client that employs the lobbyist) opposed to registration by their organization under Section 44, as the definitions of both executive and legislative agent include 'a person who for compensation or reward engages in... lobbying.'

Please note that while there are exceptions to Section 44, it should be noted that a group or organization must meet all criteria in order to be exempted from registering under this section. Id.

Very truly yours,

Alan N. Cote
Director