



**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

June 9, 2010  
LAO/10-24

[REDACTED]

Dear [REDACTED]

I have received your May 14, 2010 correspondence requesting an advisory opinion. See G.L. c. 3, § 41 (2008 ed.). Specifically, you inquired whether your organization needs to register with the Lobbyist Section. You indicated that your organization consists of various members who may lobby on its behalf but are not compensated by the organization for their efforts.

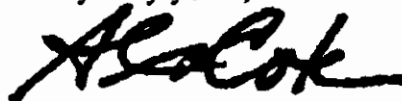
Whereas your members are not compensated for their lobbying efforts, they do not fall within the definition of executive or legislative agents. See G.L. c. 3, s. 39 (2008 ed.). That is, they are not those who for "compensation or reward" engage in lobbying. Id. However, there is lobbying activity occurring from which your organization aims to benefit. Therefore, there is a public interest in ascertaining what lobbying efforts are made and what expenditures are incurred in connection therewith. As such, the legislature enacted G.L. c. 3, s. 44, which mandates that any organization that does not employ lobbyists but expends in excess of two hundred and fifty dollars (\$250.00) during a calendar year on lobbying efforts register with the Lobbyist Section by filing the appropriate reporting statements. 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. G.L. c. 3, s. 44 (2008 ed.).

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In conclusion, even if uncompensated individuals who lobby on behalf of an organization may not meet the criteria of being a legislative or executive agent, if the board in question spends more than two hundred and fifty dollars (\$250.00) during a calendar year on lobbying efforts, then accordingly, the non-profit board may be required to register with the Lobbyist Section pursuant to G.L. c. 3, s. 44.

Very truly yours,

A handwritten signature in black ink, appearing to read "Alan N. Cote", written in a cursive style.

Alan N. Cote  
Director