



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

Alan N. Cote
Director

May 18, 2010
LAO/10-13

Marie D. Marra
Supervisor, Lobbyist Section

Mr. Steven A. Burk
Quarles & Brady LLP
411 East Wisconsin Avenue
Milwaukee, WI 53202

Dear Mr. Burk:

I have received your January 14, 2010 email request for an advisory opinion regarding disclosure requirements of the new lobbying legislation effective January 1, 2010. See G.L. c. 3, § 41 (2008 ed.).

Your inquiry concerns whether a corporation that retains a registered lobbyist must report on its semi-annual disclosure statements payments made to an entity for "public relations" purposes. See G.L. c. 3, § 47 (2008 ed.). In your scenario, though the corporation has an interest in changing a particular law, there is no legislation proposed or pending, and its lobbyist is not engaged in lobbying on the matter. The corporation does, however, retain a public relations expert, so as to influence general public opinion regarding the issue via various media sources. While the campaign seeks to influence public opinion, there is no lobbying effort that urges the public to contact government officials.

Whereas there is no "act to promote, oppose, influence or attempt to influence legislation, or to promote, oppose or influence the governor's approval or veto thereof..." in question, there is no legislative lobbying occurring. G.L. c. 3, § 39 (2008 ed.). Given that there is no lobbying occurring, it is the opinion of this office that the type of expense related to the public relations expert in this instance is not of the type that is contemplated under G.L. c. 3, § 47, as it is not an expense "in connection with promoting, opposing or influencing legislation." G.L. c. 3, § 47 (2008 ed.).

Very truly yours,

A handwritten signature in black ink, appearing to read "Alan N. Cote".

Alan N. Cote
Director