

AO-17



The Commonwealth of Massachusetts

Office of Campaign & Political Finance

One Ashburton Place, Boston 02108

727-8352

Dennis J. Duffin  
Director

December 2, 1985

AO-85-17

Ms. Naomi Goldstein  
Executive Office of  
Administration and Finance  
State House  
Boston, MA 02133

Dear Ms. Goldstein:

This is in response to your recent request for an advisory opinion concerning the application of G.L. c. 55, the campaign finance law, to certain activities. Specifically, you have inquired as to whether the campaign finance law would permit you to engage in fundraising activities on behalf of Amnesty International.

You are a person "employed for compensation" by the commonwealth. Section 13 of chapter 55 provides that, "No person employed for compensation, other than an elected officer, by the commonwealth or any county, city or town shall directly or indirectly solicit or receive any gift, payment, contribution, assessment, subscription or promise of money or other thing of value for the political campaign purposes of any candidate for public office or of any political committee, or for any political purpose whatever, but this section shall not prevent such persons from being members of political organizations or committees."

Therefore, persons such as yourself may not, directly or indirectly, solicit or receive anything of value for the political campaign purpose of any candidate for public office or of any political committee, or for any political purpose whatever. [emphasis supplied] Since the organizations in question are clearly not candidates for public office, nor political committees, as that term is used in c. 55, the issue presented is whether they are "political."

Your description of Amnesty International is as follows:

Amnesty International (AI) is a non-partisan, international organization with members in over 150 countries. AI was the recipient of the 1977 Nobel Peace prize. AI strives to apply impartially a single standard of human rights to every country in the world. Rather than supporting or condemning governments, AI focuses on governments' activities.

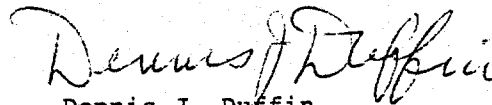
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AI opposes torture in all cases; works for fair and prompt trials for political prisoners; and works for release of prisoners of conscience - people imprisoned for their beliefs, color, sex ethnic origin, language, or religion, provided they have neither used nor advocated violence. To ensure impartiality and avoid partisan politics, AI members do not work on behalf of prisoners of conscience in their own countries.

Based on the information you have submitted, it is my opinion that the activities of Amnesty International are more humanitarian, rather than political, in nature. Therefore, the prohibition contained in Section 13 would not apply to fundraising activities on behalf of Amnesty International. The facts presented here are substantially similar to those presented in AO-85-09, relative to the question of an appointed public employee fundraising on behalf of Oxfam America. I concluded in that opinion, as I have here, that fundraising activities on behalf of an organization which focuses primarily on humanitarian, rather than political causes, is not prohibited by Section 13.

This opinion has been rendered solely on the basis of materials and facts presented by you. No independent investigation of this organization has been conducted.

Very truly yours,



Dennis J. Duffin  
Director