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of Massachusetts

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Office of Campaign and Political Finance

One Ashburton Place, Room 411

Boston, MA 02108

Advisory Opinion

July 6, 2000

AO-00-14

Harris Gruman, Campaign Director
Neighbor to Neighbor
8 Beacon Street, 4th floor
Boston, MA 02108

Re: Membership communications

Dear Mr. Gruman:

This letter is in response to your request to Brad Balzer for an opinion regarding expenditures by Neighbor to Neighbor (the organization), a group “Organizing For Working Families & Grassroots Democracy.”

The organization would like to pay a staff member to:

- (a) Escort a candidate for state office, who has been endorsed by the organization, to the homes of members.
- (b) Go to the homes of members (without the candidate) to discuss the organization’s endorsement of the candidate.
- (c) Organize a membership meeting for the purpose of inviting the candidate to address members.

Question: Does a “contribution” take place if the organization pays a staff member to provide these services, or would the costs be associated with “membership communications?”

Answer: The costs associated with these activities would not be “contributions,” but instead would be costs associated with communicating with the organization’s members and their families.

Discussion: The campaign finance law states “communications from a membership organization, not including a corporation subject to section eight, to its members and their families on any subject shall not be deemed to be a contribution or expenditure.” See M.G.L. c. 55, § 1. Because Neighbor to Neighbor is a membership organization, costs associated with communicating with the organization’s members generally are not considered “contributions” or “expenditures” and are not subject to the contribution or expenditure limits or the reporting requirements of the campaign finance law. For example, no reportable “contribution” or “expenditure” takes place if the organization were to distribute a newsletter to members that endorses candidates.

Although the exception is most frequently applied to newsletters or other written correspondence to members, the statute does not limit its application to such communications. Also, the statute does not limit the method of transmitting a communication. The campaign finance law does not define the word “communication.” Generally, however, it may be broadly defined as “the transmission of information.” See *Webster’s New World Dictionary* (1989). Consistent with that definition, the office has advised that the costs associated with a membership organization sending a PAC contribution envelope to members was not a “contribution” to the PAC because by sending the envelope the membership organization was providing information to members, i.e., it was conveying its support of the PAC and encouraging members to make a contribution. See AO-98-22.

Similarly, each of the activities described in your letter involves an activity by the organization associated with providing information to the organization’s members and their families. So long as the staff member does not provide information to persons beyond the scope of the members and their families, the costs associated with such activity would be within the exception, and would therefore not involve the making of “contributions” or “expenditures” to benefit the candidate.

This opinion is issued within the context of the Massachusetts campaign finance law and is provided solely on the basis of representations in your letter and in your conversations with OCPF staff as set forth herein. Please contact us if you have further questions.

Sincerely,

A handwritten signature in cursive script that reads "Michael J. Sullivan". The signature is written in black ink and is positioned to the left of a vertical line.

Michael J. Sullivan
Director