

By Mr. Ahearn of Norwood, petition of John R. Buckley and other members of the House relative to legislative counsels and agents and requiring them to file certain information with the Attorney General. State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

AN ACT RELATIVE TO LEGISLATIVE COUNSELS AND AGENTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 3 of the General Laws is hereby
2 amended by inserting after section 45 the following two sec-
3 tions:—

4 *Section 45A.* Within thirty days after March thirty-first,
5 June thirtieth, September thirtieth and December thirty-first
6 of each year, every legislative counsel or agent shall render to
7 the attorney general a detailed statement, on oath, of all ex-
8 penditures incurred in furtherance of the objectives of any
9 employer of his in dealing with the executive or legislative
10 branch, or of any authorities created thereby in promoting
11 or opposing legislation or enforcement or interpretation of
12 the general laws. Such statement shall include every expen-
13 diture in the amount of ten dollars or more. Such itemized
14 accounting shall include, but not be limited to, specific expen-
15 ditures for: meals, gifts, campaign contributions however
16 made, transportation, testimonials or any substitute therefor,
17 entertainment, advertising, public relations, printing, mailing
18 and telephone. Such legislative counsel or agent shall report
19 the total salary or retainer paid by every such employer, and
20 the percentage of such salary or retainer as is allocated to the
21 function counsel or agent.

22 *Section 45B.* Every group or organization, however, con-
23 stituted, which as part of an organized effort, involving more
24 than five people, and having expenditures in excess of one
25 hundred dollars, attempts to effect the outcome of matters

26 under consideration by the executive or legislative branch or
27 pertaining to any authority, shall, within thirty days after the
28 prorogation of the general court, render to the attorney gen-
29 eral a complete and detailed statement, on oath of the prin-
30 cipals of such group or organization, expenditures incurred in
31 furtherance of the objectives of the group or organization in
32 promoting or opposing legislation or enforcement or interpre-
33 tation of the general laws. Such statement shall include the
34 names and addresses of the principals of such group or organ-
35 ization and every expenditure in the amount of ten dollars or
36 more. Such itemized accounting shall include, but not be
37 limited to specific expenditures for: meals, gifts, campaign
38 contributions however made, transportation, testimonials or
39 any substitute therefor, entertainment, advertising, public
40 relations, printing, mailing and telephone. In addition, such
41 statement shall include a listing of the names and addresses
42 of every person, group or organization from whom one hun-
43 dred dollars or more was contributed during the year for the
44 purposes hereinabove stated.

1 SECTION 2. Said Chapter 3 is hereby further amended by
2 striking out paragraph 48 and inserting in its place the fol-
3 lowing section:—

4 *Section 48.* Within thirty days after March thirty-first,
5 June thirtieth, September thirtieth and December thirty-first
6 of each year, every direct and indirect employer of any legis-
7 lative counsel or agent shall render to the attorney general, a
8 complete and detailed statement, on oath, of all expendi-
9 tures incurred separately by such employer, in furtherance
10 of such employer's objectives in dealing with the executive
11 or legislative branch, in promoting or opposing legislation
12 or enforcement or interpretation of the general laws.
13 Such statement shall include every expenditure in the
14 amount of ten dollars or more. Such itemized accounting
15 shall include, but not be limited to, specific expenditures
16 for: meals, gifts, campaign contributions, however made,
17 transportation, testimonials or any substitute therefor, en-
18 tertainment, advertising, public relations, printing, mail-
19 ing and telephone. Such employer shall also report the
20 total salary or retainer paid by the employer and the

21 percentage of such salary or retainer as is allocated to
22 the function of counsel or agent. Statements under sections
23 forty-five A, forty-five B and this section shall be in such
24 form as the attorney general may prescribe and shall be open
25 to public inspection.

26 The attorney general shall retain statements filed under
27 sections forty-five A, forty-five B and this section for ten years.

28 On receipt of a written complaint regarding violation of any
29 requirements of sections forty-five A, forty-five B and this
30 section, the attorney general shall, through the division on
31 consumer frauds, conduct an investigation and hold hearings
32 with subpoena powers, and he shall issue a report to the
33 legislature of his findings, which shall be open to public in-
34 spection.

1 SECTION 3. Said chapter 3 is further amended by striking
2 out section 49, as recently amended by section 6 of chapter 508
3 of the acts of 1939, and inserting in place thereof the follow-
4 ing section:—

5 *Section 49.* Violation of any provision of sections forty,
6 forty-two, forty-three, forty-four, forty-five A, forty-five B,
7 and forty-eight shall be punished by a fine of not less than one
8 hundred nor more than one thousand dollars. Any person act-
9 ing as legislative counsel or agent contrary to any provision
10 of sections forty, forty-two, forty-three, forty-four, forty-five
11 A and forty-five B shall, in addition to such fine, be disquali-
12 fied from acting as legislative counsel or agent until the term-
13 ination of the third regular session of the general court after
14 the date of conviction of such offence. Violation of sections
15 forty-five, forty-five A and forty-five B shall be punished by a
16 fine of not more than one thousand dollars or by disqualifica-
17 tion from acting as legislative counsel or agent until the term-
18 ination of the third regular session of the general court after
19 the date of conviction of such offence, or by both such fine and
20 disqualification. The attorney general shall cause prosecutions
21 to be instituted for violations of any provision of sections forty,
22 forty-two to forty-five B, inclusive, forty-seven and forty-eight.

