



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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February 26, 2009

Representative Brian Ashe
107 Belleclaire Avenue
Longmeadow, MA 01106

Re: CPF-08-98

Dear Representative Ashe:

This office has completed its review of a complaint we received alleging that your committee held a fundraiser at the Longmeadow Community House on June 25, 2008.

Based on our review, we have concluded that holding this fundraising event at the Longmeadow Community House did not comply with Section 14 of M.G.L. c. 55, the campaign finance law, which prohibits fundraising in "any building or part thereof occupied for state, county or municipal purposes." Section 14 states, in relevant part, that "[n]o person shall in any building or part thereof occupied for state, county or municipal purposes demand, solicit or receive any payment or gift of money or other thing of value for any political purpose."

The Longmeadow Community House contains offices of the Longmeadow Finance Department (including the Human Resources Department), the Longmeadow Board of Health and Parks and Recreation Department of Longmeadow. As such, the building is "occupied for municipal purposes" and subject to the provisions of Section 14. Notwithstanding the fact that it may have been an accepted practice to use the Longmeadow Community House for such political fundraising events due to a misunderstanding of the campaign finance law, this building should not be used for such events in the future.

While fundraising for political purposes in a public building is prohibited by the campaign finance law, holding a political meeting in such a building is allowable under Chapter 55. Equal access to any public building should be consistently granted to any other political committee upon request under the same terms and conditions. See *Anderson v. City of Boston*, 376 Mass. 178, 380 N.E.2d 628 (1978), appeal dismissed, 439 U.S. 1069 (1979).

While this fundraising event did not comply with the campaign finance law, this matter may be closed at this time. We anticipate that our review and guidance will ensure future compliance with the campaign finance law.



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In accordance with an opinion of the Supervisor of Public Records, this letter is a public record. A copy is being provided to the person(s) who brought this matter to our attention.

If you have any questions about this letter or any other campaign finance matter, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Michael J. Sullivan". The signature is written in black ink and is positioned above the printed name and title.

Michael J. Sullivan
Director

MJS/sh