



The Commonwealth of Massachusetts

Office of Campaign & Political Finance

One Ashburton Place, Boston 02108

727-3352

Dennis J. Duffin
Director

March 21, 1988

AO-88-07

Carl Ribeiro
Chairman
William MacLean Committee
8 Old Knoll Road
Marion, MA 02738

Dear Mr. Ribeiro:

This letter is in response to your recent request for an advisory opinion.

You have been appointed by Senator William Q. MacLean, Jr., to chair his re-election campaign. You are a member of the Board of Trustees of Bristol Community College, a position for which you have stated you receive no salary. You have asked this office to advise you as to whether or not your position as a member of the Board of Trustees of Bristol Community College and chairman of the Committee to Retain William MacLean Jr. presents a conflict pursuant to M.G.L. c.55.

Section 13 of M.G.L. c.55 states, in pertinent part:

"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."

So long as you receive no salary, or other compensation, such as but not limited to, per diem payments or other perquisites, this office would not consider you to be "employed for compensation" within the meaning of section 13 of M.G.L. c.55. You would therefore, be permitted to directly or indirectly solicit contributions on behalf of Senator MacLean in your role as chairman of his committee.

You should be aware of other sections of M.G.L. c.55, however, such as those which would prohibit you from soliciting contributions in state buildings (section 14), having public employees deliver monies to you or you deliver monies to Senator MacLean (section 15), or pressuring public employees or contractors for contributions (sections 16, 16A and 17).

Carl Ribeiro, Chairman

March 21, 1988

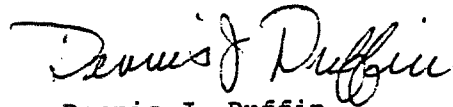
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There may be other statutes, such as M.G.L. c.268, §9A, or personnel rules or policies, about which you should inquire to the appropriate agencies. We suggest you contact, at a minimum, the State Ethics Commission and the appropriate executive branch administrator for the Board of Regents for their advice in this matter.

This opinion has been rendered solely on the basis of representations made by you, and deals with the application of M.G.L. c.55.

Please do not hesitate to contact this office should you have additional questions.

Very truly yours,

A handwritten signature in cursive script that reads "Dennis J. Duffin".

Dennis J. Duffin
Director

DJD/ba