



THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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MARY F. MCTIGUE  
DIRECTOR

October 9, 1990  
AO-90-33

Alexander T. Tennant  
Executive Director  
Massachusetts Republican  
State Committee  
9 Galen Street  
Watertown, MA 02172

Dear Mr. Tennant:

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

You have stated that the by-laws of the Massachusetts Republican State Committee (the "State Committee"), provide, in pertinent part, "[n]either the State Chairman, the Regional Chairman nor any member or employee of the State Committee shall have any control over contributions by any local committee or to any other political committee. For campaign finance purposes, each local committee is independent, and shall not be maintained, financed or controlled by the State Committee in any way with respect to campaign and political finance." Local committees are defined in the by-laws as ward and town committees.

You have further stated that in past years, the State Committee has requested voluntary donations from the Republican ward and town committees to support State Committee efforts at the state and local levels. The State Committee would like to reinstitute the practices of voluntary donations from its local committees, which gives rise to a concern on your part about the extent to which local committees may share a common base of contributors. If, you have asked, a major donor wished to give \$1,000 to each of 10 local committees, and each of the local committees in turn was solicited for voluntary donations by the State Committee, and if in fact 8 of the 10 local committees decided to voluntarily make a contribution of \$750 to \$1,000 to the State Committee, would the aggregation provisions of section 6 of M.G.L. c.55 be violated by the major donor? You have asked whether the same result would hold true if the magnitude of donations by the major donor were increased to \$25,000 or \$50,000 or \$100,000 or more?

Section 7 of M.G.L. c.55 provides, in part that "[a]ny individual may, in addition, make campaign contributions for

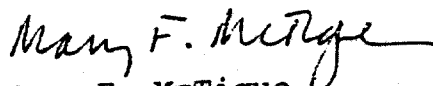
the benefit of political committees or non-elected political committees organized on behalf of a political party; provided, however, that the aggregate of such campaign contributions for the benefit of the political committees of any one political party shall not exceed in any one calendar year the sum of one thousand dollars."

It is the opinion of this office that a "major donor" would be statutorily prohibited from giving more than \$1,000 to the State Committee and any of the ward, town and city committees of the Massachusetts Republican Party in aggregate. We therefore do not reach the issue you have posed concerning the aggregation provision in section 6 of M.G.L. c.55.

This opinion has been rendered solely on the basis of representations made in your letter and solely in the context of M.G.L. c.55.

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

Very truly yours,



Mary F. McTigue  
Director

MFM/wp

Overruled.