



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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MARY F. MCTIGUE
DIRECTOR

July 20, 1990
AO-90-25

Carolyn Ward
Town Clerk
Town Hall
Winchester, Massachusetts 01890

Dear Ms. Ward:

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

You have inquired whether an organization that is not a political committee is required to file any campaign finance reports if it publishes an opinion on a ballot question as an incidental item in a regularly published periodical.

We begin our analysis by examining the prohibitions placed on business corporations from contributing to candidates as provided by section 8 of M.G.L. c.55. The Attorney General, in an opinion issued on November 6, 1980, has stated that

the prohibition against corporate expenditures does not apply to expenses incident to the publication of an internal newspaper which has editorialized in favor of a particular committee or candidate, urged that contributions be made to such a committee or candidate, or sold advertising space to a candidate or a multi-candidate committee . . . Massachusetts law . . . does not . . . ban corporate expenditures in the normal course of business which are incidental to the internal dissemination of political views through house organs or newspapers.

Thus, corporate expenditures for the publication of a periodic corporate newspaper which incidentally references a candidate or political committee are neither prohibited nor reportable under the provisions of M.G.L. c.55.

By analogy, it is the opinion of this office that expenditures made by any organization for the publication a periodical which incidentally references a position on a ballot question would not be subject to the reporting requirements of M.G.L. c.55.

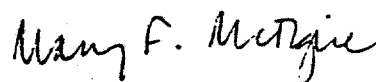
We have assumed from the context of your letter that a particular issue of the periodical in question will not be

published specifically on the topic of the ballot question and that it will be disseminated to the organization's usual audience. If either of these assumptions is incorrect, the advice given above may differ.

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

Should you have additional questions, please do not hesitate to contact this office.

Very truly yours,



Mary F. McTigue
Director

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