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9. other travel undertaken primarily to enhance a candidate's political future or the principle for which the committee was organized.
- Travel expenses of a family member of a candidate for travel are presumed to be for personal use and not allowed. A committee may, however, rebut the presumption by requesting and obtaining advance approval from OCPF.
10. Several factors may be considered by OCPF in determining whether a travel expenditure may be made primarily for the enhancement of the political future of a candidate or, in contrast, may not be made as it would be primarily for personal use. The factors that may be considered include, but are not limited to, the following:
- a. The Amount of the Expenditure. For example, expenditures for international travel are subject to greater scrutiny since they are generally larger in amount;
  - b. The Nature of the Activity. For example, if the event is educational such as a conference regarding legislation, it is more likely to be considered to be made primarily for the enhancement of the political future of the candidate and not primarily for personal use, in contrast to travel to participate in a recreational event, such as a golf tournament.
  - c. Whether the Expenditure Would Be Made for the Travel of an Incumbent or Active Candidate. If the travel would be for a current office holder or active candidate, the proposed expenditure would more likely be permitted. In contrast, an expenditure made by a former office holder who maintains a political committee for purposes of a possible but undetermined campaign in the future, is more likely to be seen as primarily social or recreational.
- (k) Rental of halls and other space for political activities;
  - (l) Expenses for fundraising, for obtaining votes and for other similar activities, which may include beverages, food, entertainment, decorations, bartenders, security officers and service and maintenance persons;
  - (m) Bumper stickers, signs, placards, brochures, leaflets and other such campaign items;
  - (n) Delivery services and express mail;
  - (o) Paper supplies;
  - (p) Newspaper and magazines, literature, clipping services;
  - (q) Inaugural expenses, which may include room rental, printing, decorations, entertainment, food and beverages;
  - (r) The repayment of loans, if such loans:
    1. were received by the political committee in accordance with the requirements of 970 CMR 1.00: *Campaign Finance Activity* and M.G.L. c. 55;
    2. were used to defray expenditures permitted by 970 CMR 2.00; and
    3. did not exceed the maximum amounts set forth in 970 CMR 1.05(2).
  - (s) Taxes;
  - (t) Charitable contributions, if all of the following requirements are met:
    1. The contribution is made to an entity which is subject to either M.G.L. c. 12, § 8(e), M.G.L. c. 67 or M.G.L. c. 180;
    2. Neither the candidate, treasurer, or any official of the political committee is a trustee, officer, principal or beneficiary or involved in any manner in the operations of said entity;
    3. Neither the candidate, treasurer, nor any official of the political committee is related by consanguinity or affinity to any trustee, officer, principal or beneficiary of said entity;
    4. The candidate or political committee will receive publicity and foster political goodwill as a result of making the contribution.
  - (u) Gifts and Flowers, of reasonable value, if the purpose of the expenditure falls within one of the following categories:
    1. Gifts to campaign workers, if:
      - a. The gift accurately reflects the contribution made by those workers to the efforts of the political campaign of the committee;
      - b. the gift is made in a timely fashion as to clearly indicate its purpose is to express gratitude for work done on behalf of the campaign; and
      - c. no gifts may be made to campaign workers for any other purpose or for any other occasion.
    2. The political committee or candidate will receive publicity and foster political goodwill as a result of making the gift or contribution, if:

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- a. The candidate, treasurer, or other officers of the committee, and in the case of a local party committee, the members of the committee, have no personal relationship with the individual or his or her family;
  - b. the gift is appropriate to the occasion which has prompted the gift; and
  - c. the gift would not be made but for the interest in it enhancing the political future of the candidate or principle for which the committee was organized.
- 3. No gifts may be made under 970 CMR 2.06(2)(u)1. or 2., unless all the provisions of each subdivision are satisfied.
- (v) Memberships for the candidate in organizations and associations, provided that the candidate would not be participating in the particular organization or association, but for the candidate's interest in it enhancing the candidate's political stature.
- (w) Gifts to Scholarships Funds are permitted, if:
  - 1. the candidate and officers of the committee, and their family members, are not involved in selecting recipients or otherwise administering the scholarship fund; and
  - 2. the gift would not be made but for the interest in it enhancing the political future of the candidate or the principle for which the committee was organized.
- (x) Scholarships may be awarded to an individual, if:
  - 1. the candidate, treasurer, or other officers of the committee, and in the case of a local party committee, the members of the committee, have no personal relationship with the individual or his or her family;
  - 2. the scholarship would not be awarded but for the interest in it enhancing the political future of the candidate or the principle for which the committee was organized; and
  - 3. except in the instance of a political party committee, which may select recipients of a scholarship award, the recipient of the scholarship award may not be selected by a candidate or political committee, but instead must be selected by a separate entity, not comprised of the candidate, or officers of the committee, or their family members.
- (y) Childcare Services.
  - 1. Campaign funds may be used to pay or reimburse a candidate for reasonable and necessary childcare expenses for a child or dependent child resulting directly from the candidate engaging in campaign activities. For purposes of 970 CMR 2.06(3)(y)1., "directly" means that the candidate incurred the childcare expenses because of their attendance at and travel to and from the campaign activities. Reimbursements shall be made in compliance with M.G.L. c. 55, § 19(c) and 970 CMR 2.10.
  - 2. Campaign activities include fundraisers, galas, block parties, meet and greet events, town days, community events, dinners with supporters, campaign staff and volunteer meetings, canvassing, phone banking, door knocking, get-out-the-vote efforts, voter registration efforts, sign holding, participation in debates, public appearances, and similar events and activities likely to enhance the political future of the candidate.
  - 3. Campaign activities do not include the performance of the candidate's ordinary and usual duties of their profession or job, including executive, legislative or administrative duties associated with serving in an elected office. 970 CMR 2.06(3)(y) shall not be construed to limit the use of campaign funds to pay for childcare expenses resulting from an officeholder engaging in campaign activities which also have executive, legislative or administrative purposes.
  - 4. A candidate may pay a family member for childcare services only if the family member is providing the services in the ordinary course of business at their usual place of employment at a professional daycare or babysitting service, or a non-profit or for-profit organization that provides childcare services.
- (z) Adult-care Services as Defined in M.G.L. c. 55, § 1.
  - 1. Campaign funds may be used to pay or reimburse a candidate for reasonable and necessary adult-care services expenses for a parent or other adult dependent resulting directly from the candidate engaging in campaign activities. For purposes of 970 CMR 2.06(3)(z)1., "directly" means that the candidate incurred the adult-care services expenses because of their attendance at and travel to and from the campaign activities. Reimbursements shall be made in compliance with M.G.L. c. 55, § 19(c) and 970 CMR 2.10.
  - 2. Campaign activities include fundraisers, galas, block parties, meet and greet events, town days, community events, dinners with supporters, campaign staff and volunteer meetings, canvassing, phone banking, door knocking, get-out-the-vote efforts, voter registration efforts, sign holding, participation in debates, public appearances, and similar events and activities likely to enhance the political future of the candidate.

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3. Campaign activities do not include the performance of the candidate's ordinary and usual duties of their profession or job, including executive, legislative or administrative duties associated with serving in an elected office. 970 CMR 2.06(3)(z) shall not be construed to limit the use of campaign funds to pay for adult-care services expenses resulting from an officeholder engaging in campaign activities which also have executive, legislative or administrative purposes.

4. A candidate may pay a family member for adult-care services only if the family member is providing the services in the ordinary course of business at their usual place of employment at a professional adult-care caregiving service, or a non-profit or for-profit organization that provides adult-care services.

(4) Any candidate or political committee subject to 970 CMR 2.06 may request an advisory opinion, pursuant to 970 CMR 2.04, to determine the permissibility of any other expenditure under 970 CMR 2.06.

(5) The contributions by a candidate committee to another candidate committee shall not exceed \$100 per calendar year;

(6) Prohibitions.

(a) Personal Use. Notwithstanding any of provisions in 970 CMR 2.06(1) through (5), no political committee may make an expenditure that is primarily for the candidate's or any other person's personal use. Expenditures prohibited under 970 CMR 2.06(6) shall include, but are not limited to the following:

1. The payment of fines, penalties, restitution or damages incurred for a violation of M.G.L. c. 268A or 268B. This prohibition shall apply to payments made pursuant to an agreement to resolve allegations of violations of M.G.L. c. 268A or c. 268B, but shall not apply to payments for legal services in relation to defending against allegations of violations of such chapters of the General Laws;

2. Any expenditure which acknowledges any guilt as to the violation of any law.

3. Any expenses relative to alleged violations of law, civil suits or administrative proceedings, other than those expenses relative to legal action undertaken primarily to protect or further the interests of the political committee. However, under no circumstances may funds of a political committee be used for any such expenses incurred after conviction of the incumbent office holder, candidate or treasurer has occurred;

4. Normal clothing attire which is usual to the ordinary course of everyday living. 970 CMR 2.06(6)(a)4. shall not apply to:

- a. clothing items such as tuxedos or gowns rented or purchased by a candidate for the candidate's use exclusively at political or governmental functions; and
- b. novelty clothing items and costumes which are worn primarily to advertise one's candidacy;

5. Payment of salary to candidate.

(b) No political committee subject to 970 CMR 2.06 may pay or expend money or any thing of value, unless such transaction will enhance the political future of the candidate or principle on whose behalf the committee was organized and such transaction is not primarily for personal use.