



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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March 3, 2016

Mindy McKenzie-Hebert
5 Woodchuck Hill Road
Shrewsbury, MA 01545

Re: CPF-16-02.

Dear Ms. McKenzie-Hebert:

This office has completed its review of a complaint we received concerning the appearance of your name as a member of the host committee and contact person on a fundraising invitation on behalf of the Hannah Kane Committee. The event was held on October 21, 2016, at the Beechwood Hotel.

Based on our review, which is detailed below, we have concluded that being listed as the person to contact on a fundraising solicitation for contributions did not comply with Section 13 of M.G.L. c. 55, the campaign finance law, which prohibits public employees from directly or indirectly soliciting and receiving campaign contributions.

Section 13 states, in relevant part, “[n]o 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,”

As an appointed member of the Shrewsbury Planning Board who receives an annual \$200 stipend, you are employed for compensation by the town of Shrewsbury. Accordingly, you may not directly or indirectly solicit or receive contributions for a candidate or for any other political purpose. You stated that you did not understand that you would be considered a public employee pursuant to Section 13, as you have always declined the stipend. OCPF has historically interpreted Section 13, however, to include any person entitled to any amount of compensation, including a stipend, even if the stipend is declined. See A0-92-07. The listing of your name as a member of the host committee and as the contact person on a fundraising invitation, did not comply with Section 13. You stated, and the Kane Committee confirmed, that it was unaware that you are a public employee.



Mindy McKenzie-Hebert

March 3, 2016

Page 2

While this activity did not comply with the campaign finance law, this office has considered the fact that you declined the small annual stipend and concluded that this matter may be closed at this time. We believe that our guidance in this matter will ensure future compliance. For future reference, this office's *Campaign Finance Guide: Public Employees, Public Resources and Political Activity* is available on our website, at www.ocpf.us, http://files.ocpf.us/pdf/guides/pub_employee_2009.pdf.

In accordance with the opinion of the Supervisor of Public Records, this letter is a public record. Thank you for your cooperation in resolving this matter.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Sullivan". The signature is written in a cursive, flowing style.

Michael J. Sullivan
Director

MJS/sh

cc: Kane Committee