

Should states make president hopefuls release taxes?

Massachusetts lawmakers to hold hearing Wednesday

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ASSOCIATED PRESS

BOSTON - President Donald Trump's refusal to release his tax returns publicly is fueling initiatives in Massachusetts and other states that would require presidential candidates to disclose their personal finances before they could appear on the ballot.

Massachusetts lawmakers are set to hold a hearing Wednesday at the Statehouse on a bill that would impose those conditions.

The chief sponsor, state Sen. Mike Barrett, said that until the election of Trump, most Americans just assumed candidates for president would adhere to "modern practices of disclosure and transparency" — even those that are unwritten.

"One of them is the disclosure by candidates of personal financial information related to possible conflicts of interest," the Lexington Democrat said. "The 2016 election shattered our confidence in the broad acceptance by presidential candidates of certain rules of public conduct."

The bill would require any candidates for president who want their name on the Massachusetts primary ballot to turn over a certified copy of their federal income tax returns for the three most recent years.

The bill would then require the state secretary to publish the returns on the state's website. Candidates who refuse would be barred from the primary ballot.

Barrett said the bill is being championed by March Forward Mass, a group formed after the Boston Women's March following Trump's election.

Even if lawmakers in Massachusetts fail to approve the bill, it could still become law.

A question that could end up on next year's ballot in Massachusetts would require potential candidates for president to release their tax returns from the prior six years to secure a spot on the primary ballot.

But the question faces a number of hurdles.

The first comes Wednesday, when Democratic Attorney General Maura Healey, a fierce critic of Trump, must decide which proposed questions for next year's ballot pass constitutional muster and which don't.

Not everyone is convinced that ef-



ALEX BRANDON/AP

Protesters in Palm Beach, Fla., rally in April to encourage the release of President Donald Trump's tax returns. Dozens of cities saw similar rallies, with protesters saying Americans deserve to know about business ties and potential conflicts of interest.

Efforts to require the disclosure of tax returns are constitutional. Critics note that the U.S. Constitution already sets out qualifications to become president. They say it's not up to states to add new ones.

Specifically, Article Two of the Constitution establishes three requirements to win the White House: The president must be a "natural born citizen," must be at least 35 years old, and must be a resident within the United States for 14 years.

The U.S. Supreme Court has also ruled that states and the federal government cannot add to the qualifications of senators and congressional representatives beyond those outlined in the Constitution — something that could be extended to the president.

But that hasn't stopped lawmakers in nearly half the states, mostly Democrats, from pushing presidential candidates to release their tax returns.

Democrats in New Jersey passed a bill that would have required presidential and vice presidential candidates to release their income tax returns to get on the ballot in New Jersey and prohibited electors from voting for them if they didn't comply.

Republican Gov. Chris Christie, a supporter of Trump, vetoed the bill in May calling it unconstitutional and chided Democrats calling the bill "a form of therapy to deal with their disbelief of the 2016 election results."

The Democratically controlled House and Senate in Hawaii were the first to approved separate tax return proposals earlier this year. Both bills died before becoming law after the attorney general raised concerns about potential lawsuits.