

## Advisory Opinion

IECDB AO 2000-09

July 20, 2000

The Honorable Christopher Rants  
House Majority Leader  
2740 S. Glass Street  
Sioux City, Iowa 51106

Dear Majority Leader Rants:

This opinion is in response to your letters of May 9 and June 27, 2000, in which you request an opinion from the Iowa Ethics and Campaign Disclosure Board. We note at the outset that the Board's jurisdiction is limited to the application of Iowa Code chapters 56 and 68B and rules in Iowa Administrative Code chapter 351. Whether some other statutory system, common law theory or agency rule applies to this issue is not covered by this opinion.

### FACTUAL STATEMENT:

We understand you request this opinion in your capacity as the Majority Leader of the House of Representatives. You advise us that you used campaign funds to purchase "refreshments for legislative meeting" and disclosed said purchase on your disclosure report. You further advise us that the legislative meeting was for the House Republican Planning Caucus and the members filed a voucher and were issued a per diem. Finally, you advise that a portion of the meeting was devoted to campaign planning. You believe the purchase is permissible as both an officeholder expense and for campaign related purposes pursuant to Iowa Code section 56.41.

### QUESTION:

Is the purchase of refreshments for the legislative meeting a permissible use of campaign funds under Iowa Code section 56.41?

### OPINION:

Iowa Code section 56.41 in pertinent part states:

"1. A candidate and the candidate's committee shall use campaign funds only for campaign purposes, educational and other expenses associated with the duties of office, or constituency services, and shall not use campaign funds for personal expenses or personal benefit.

2. Campaign funds shall not be used for any of the following purposes:

i. Meals, groceries, or other food expense, except for tickets to meals that the candidate attends solely for the purpose of enhancing the candidacy or the candidacy of another person.

However, payment for food and drink purchased for campaign related purposes and for entertainment of campaign volunteers is permitted."

Pursuant to Iowa Code section 56.41(2)"i", the purchase of food expenses is expressly permitted when the expenditure is for "campaign related purposes". Therefore, if a portion of the meeting was devoted to "campaign related purposes", the expenditure in question would be permitted under the statute.

In closing, based on the above determination, it is not necessary in this opinion for the Board to address the issue of whether or not the purchase of food is a permissible "officeholder" expense. The Board will be addressing that issue in Opinion No. 2000-10. Any determinations made in that opinion will not effect the answer given to you herein.

**BY DIRECTION AND VOTE OF THE BOARD**

Bernard McKinley, Board Chair

1st Vice-Chair Geraldine Leinen

2nd Vice-Chair James Albert

Gwen Boeke

Mark McCormick

Phyllis Peters

-Submitted by: W. Charles Smithson, Board Legal Counsel