

Advisory Opinion 89

STATE OF MINNESOTA
STATE ETHICAL PRACTICES BOARD
41 STATE OFFICE BUILDING
ST. PAUL, MINNESOTA 55433

PHONE: (612) 296-5148

Approved by the Ethical Practices Board May 18, 1984

Issued to:

Hon. Joel Jacobs
State Representative
2806 116th Lane NW
Coon Rapids, MN 55433

Re: Campaign Finance Disclosure

ADVISORY OPINION 189

SUMMARY

#89. Expenditures by a principal campaign committee to purchase a typewriter or computer with accompanying software are reportable as campaign expenditures for the purposes of the expenditure limits in Minn. Stat. §10A.25.

You are a state representative who plans to file for election in 1984. Your principal campaign committee is planning to purchase some equipment (typewriter/computer) in calendar year 1984.

You ask the Board to answer the following questions:

1. Would the expenditure for the equipment be considered a noncampaign disbursement if purchased in 1984
 - a) prior to the general election, November 6, 1984,
 - b) after the general election, November 6, 1984, but before January 1, 1985?

2. Would the Board's response to Question 1 apply to the purchase of software, in the event the equipment purchased is a computer?

Generally, the funds from which a candidate's principal campaign committee may elect to purchase equipment for the committee have accumulated as the result of contributions made to the committee to influence the nomination or election of the candidate. Minn. Stat. §§10A.01, subd. 7, 10A.19.

In the opinion of the Board, expenditures from contributions to a candidate's committee to purchase committee equipment are made for the purpose of influencing the nomination or election of the candidate. Minn. Stat. §10A.01, subd. 10, requires that the expenditure by the committee to purchase equipment is considered to be incurred in the year in which the equipment is used.

The Board concludes that the expenditure by a candidate's committee, from contributions to the committee, to purchase a typewriter or a computer with accompanying software is a campaign expenditure, for the purposes of the expenditure limits in Minn. Stat. §10A.25. Although the committee may continue to use the equipment in subsequent years, the law requires the committee to report the purchase only in the year the equipment is first used. Minn. Stat. §10A.20.

DATED:

5/22/1984

Mary Smith, Chair