

## Report details how La. lawmakers spent funds

- \* By MARSHA SHULER
- \* Capitol news bureau
- \* Published: Jan 24, 2010

Dozens of Louisiana lawmakers used campaign funds to buy high-priced LSU football season tickets.

One lawmaker bought a tuxedo, and many rented apartments.

Others gave money to churches and charities, helped constituents who have fallen on hard times and paid memberships for hunting, civic and country clubs — all using money contributed to their campaigns.

The spending is detailed in the most recent reports that 144 legislators filed with the Louisiana Board of Ethics. New reports due in February will reflect more recent activity.

Campaign contributors helped pay for Baton Rouge apartments for lawmakers and the furniture that goes in them, monthly cable TV bills and maids to clean their lodgings. At the same time, legislators received a taxpayer-funded per diem to help cover Baton Rouge-related expenses.

Many lawmakers used contributions from their political backers to support other candidates' campaigns — mostly helping colleagues make 2008 congressional bids.

State law requires campaign funds to be spent on a use related to a political campaign or the holding of public office.

Spending related to a political campaign is readily apparent in the reports — fundraisers, debt retirement, consultant fees and constituent newsletters.

But what constitutes spending related to the holding of public office raises questions.

"There are a lot of gray areas," said Louisiana Board of Ethics Chairman Frank Simoneaux, of Baton Rouge. "If you are a member of the public, you say, 'I don't see how that fits.'"

### ***Case by case***

The Ethics Board has decided what's allowable on a case-by-case basis when politicians ask for guidance about specific spending or complaints are filed alleging someone stepped over the line.

Ethics Administrator Kathleen Allen said board members don't seem to want to alter that approach. For the most part, the Ethics Board has relied on its 1991 advisory opinion, made after a major change in the law, she said.

A 1991 law banned the personal use of campaign funds. The board weighed in on the appropriate use of campaign funds because it was getting many questions about the law's application, Allen said.

The opinion gives conditional approval of donations to charitable fundraising events, "provided they are reasonable and customary." The board noted that invitations to such events often are tied to the status of a candidate or officeholder.

The board also signed off on spending for telephone equipment as long as it is related to a campaign or holding office.

Campaign funds can also be used to pay membership dues in organizations.

"Many officeholders find it necessary to join certain groups or organizations to stay in touch with their constituency and/or enhance their professional standing," the board said.

The group gave examples such as the National Conference of State Legislatures, Common Cause and the Public Affairs Research Council.

The board also said campaign money could be used to pay costs related to operating a district office and attending legislative sessions and interim committee meetings, as long as those expenses aren't otherwise reimbursed through the Legislature.

But the Ethics Board issued a warning: Political funds diverted from campaign activity and used by a candidate for personal purposes could be taxable income.

Public Affairs Research Council President Jim Brandt said his governmental research group has noticed some past spending that "appears to be far afield" from campaigns or office holding.

Legislators would probably say buying LSU football tickets, for instance, is related to campaigning or holding office because they are "out there networking, meeting people," Brandt said.

"I personally believe it's sort of a stretch," he said.

### ***Tickets, clubs, charities***

Campaign finance reports show at least 32 lawmakers have used campaign funds to buy LSU tickets — between \$2,400 and \$2,500 for two season football tickets.

The transaction descriptions provided by the people writing the reports vary.

For Senate President Joel Chaisson II, D-Destrehan, the spending was listed as "athletic tickets for contributors."

For state Rep. Bobby Badon, D-Carencro, it was "constituent relations."

State Rep. Nickie Monica, R-LaPlace, had "legislative tickets and parking," and state Sen. Dale Erdy, R-Livingston, "LSU Tradition Fund-season tickets."

The report for state Rep. Jonathan Perry, R-Abbeville, simply stated "promotion."

Dues for local chambers of commerce and civic clubs often come from campaign coffers. So are dues for other types of clubs and groups.

State Sen. Francis Thompson, D-Delhi, paid Black Bear Golf Course fees and Delhi Country Club dues. State Sens. John Alario, D-Westwego, and Danny Martiny, R-Kenner, used campaign cash for TPL Inc. (golf club) membership.

State Sen. Rob Marionneaux, D-Grosse Tete, used campaign money for Hunters Run Gun Club dues, and state Rep. Ricky Templet, R-Gretna, paid Ducks Unlimited dues.

Many campaign reports include donations to churches, nonprofit groups and foundations.

“Most of the time my decisions are based on need,” said Senate President Pro-tem Sharon Broome, D-Baton Rouge, who contributes to churches both in and out of her district.

She said the faith-based community “stepped up to the plate” after Hurricane Katrina.

“They are on the front line as it relates to meeting needs in the community,” she said.

Broome gave to 28 churches or church-related ministries, donating heaviest to the Life Changers Christian Center.

State Sen. Mike Michot, R-Lafayette, said legislators are asked to contribute to many causes because they are elected officials.

Michot said he donates based on whether the contribution “furthers your name, image in the community.”

“The general rule of thumb is if it puts your name out there — ‘Senator Michot supports this particular event, charity, fundraiser’ — it furthers your re-election effort through the course of the term,” he said.

Michot’s campaign gave \$20,000 to the Cathedral Carmel Foundation, a nonprofit that supports building activities at the Catholic school. Michot is a 1982 graduate and a top-level donor. The donation was the largest by a legislator from campaign funds, the reports show.

He donated \$2,000 from campaign funds to Louisiana Honor Air, which takes veterans to Washington, D.C. Other donations included \$1,000 to the Lafayette Education Foundation, \$1,000 to the Community Foundation of Acadiana and \$1,300 to the Baptist Girls Club.

State Rep. Michael Jackson, No Party-Baton Rouge, donated \$15,000 to Roni’s Educational Services, an after-school tutoring group. It was the second-largest donation made from campaign funds.

State Rep. Pat Williams, D-Shreveport, billed his campaign for expenses related to a “Walk for Autism,” which the lawmaker led from Shreveport to the State Capitol.

### ***Other spending***

Twenty-six legislators reported paying rent on Baton Rouge apartments using campaign funds.

The Ethics Board issued an opinion in 2007 that said campaign funds can be used to reimburse expenses, including rental fees, incurred by lawmakers for days they are required to be in Baton Rouge for legislative duties or campaign purposes.

But the opinion — requested by state Rep. Hollis Downs, R-Ruston — said campaign money could be used only “to the extent that you are not reimbursed for such expenses from the Legislature.”

During legislative sessions and interim committee meetings, lawmakers receive \$159 a day for living expenses while they are in Baton Rouge, which is the same amount allowed for federal employees traveling to the area.

At \$159 a day, legislators will receive \$13,515 in per diem payments during the 2010 regular legislative session and chalk up more as they attend interim committee meetings.

Campaign reports also show that legislators are helping individual constituents in need.

State Rep. Michael Jackson paid the utility bills of three people and gave \$275 in “living assistance” to another.

Rep. Fred Mills, D-Parks, donated \$100 to each of three constituents to help with dental and medical expenses and reported expenses for providing food for a wake. Rep. Ernest Wooten, R-Belle Chasse, contributed \$500 to a memorial fund for a child killed on a four-wheeler.

State Sen. Mike Walsworth, R-West Monroe, provided \$25 a month for nursing home bingo prizes. Rep. Simone Champagne, D-Jeanerette, spent \$1,365 to buy a hog to benefit the Iberia 4-H Foundation. Rep. Jack Montoucet, D-Crowley, gave \$525 to the 4-H FFA Junior Livestock Show.

In a 2009 case, the Ethics Board imposed — then suspended — a \$500 fine against former state Sen. James David Cain, R-Dry Creek, claiming he used campaign funds for personal use unrelated to holding or seeking public office when he ran for a House seat in 2007.

Some of the expenditures were cash birthday gifts and other donations to people, including a rodeo queen.

“Obviously, if you are a legislator or any political official, you would like an interpretation where the spending is allowed out of campaign funds,” said Simoneaux, the Ethics Board chairman. “How do you define it better? I don’t know.”

**ON THE INTERNET:**

Campaign spending reports are available online at <http://www.ethics.state.la.us/EthicsViewReports.aspx>