

OFFICE OF THE
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STATE OF ALABAMA

89-00166

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Honorable Samuel Earle Hobbs
Chancellor
The University of Alabama
401 Queen City Avenue
Tuscaloosa, Alabama 35401-1551

Colleges and Universities - State
Funds

University may properly use public funds to pay for meals and nonalcoholic refreshments during business meetings related to University purposes when those meals and refreshments are incidental to such meetings. Persons receiving meals under these circumstances should not claim the state meal allowance.

Dear Mr. Hobbs:

This opinion is issued in response to the request of the Board of Trustees of the University of Alabama.

QUESTION

I am writing on behalf of The Board of Trustees of The University of Alabama to request your office's opinion as to whether the University may properly use public funds to pay for meals and nonalcoholic refreshments served as an incident to University-related meetings.

FACTS, ANALYSIS AND CONCLUSION

The request presents the following facts:

In order to facilitate scheduling, meetings involving University faculty, staff, students and/or guests may be held during or may extend into mealtimes, and food may be served to the meeting participants as an incident to the meeting. Meetings may also include refreshments, rather than meals. In

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either instance, the meals or refreshments are served during the meeting and the group members continue through the meeting's agenda with little interruption. Participants may be drawn exclusively from a single campus, or there may be attendees from off-campus or other campuses. Both special meetings or retreats and regularly scheduled weekly events are involved. The business of these meetings is closely related to the promotion of one or more University purposes.

In several instances this office has approved payment of meal expenses from public funds where the meals have been served during meetings related directly to the business of the entity involved. In an opinion to Honorable W. R. Payton, Mayor of Sylacauga, under date of September 14, 1977, this office held that a municipality may pay for meals when the mayor is meeting with department heads in a business meeting and when the Planning Commission is conducting a business meeting. Other opinions approving such an expenditure include the following: Honorable Grady O. Lanier, III, District Attorney, under date of September 15, 1981 (81-00579); Honorable Thomas R. Elliott, Jr., City Attorney for the City of Midfield, under date of February 5, 1982 (82-00168); Honorable Ferrill D. McRae, Circuit Judge, under date of September 24, 1985 (85-00527); and Opinion to Honorable George Allen Desmond, Chairman, Bibb County Commission, under date of May 20, 1987 (87-00184).

Therefore, it is the opinion of this office that the University may properly use public funds to pay for meals and nonalcoholic refreshment during business meetings related to University purposes when those meals and refreshments are incidental to such meetings. Of course, persons receiving meals under these circumstances should not claim the state meal allowance.

I hope this sufficiently answers your question. If our office can be of further assistance, please do not hesitate to contact us.

Sincerely,

DON SIEGELMAN
Attorney General
By:



CAROL JEAN SMITH
Assistant Attorney General

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