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Times-Picayune

Ethics-law changes to take effect one by one

By Ed Anderson and Robert Travis Scott, Capital bureau

Starting next year, May 15 in Louisiana will signify much more than the deadline for filing state income tax forms.

It also will be the date that a host of elected and appointed officials on state and local levels must file reports on their sources of income, financial assets and transactions. This personal disclosure requirement was a key part of Gov. Bobby Jindal's ethics overhaul package during the special session that ended Tuesday.

That is just one of the new ethics standards that will take effect in the next two years as a result of the legislation passed in the 17-day session.

Sometime in the next few days, Jindal is expected to enact laws restricting lawmakers from getting free tickets and doing business with state agencies. On March 30, the day before the spring legislative session begins, lobbyists will be limited to \$50 per event for wining and dining lawmakers and other public officials.

By June 15, the state's judiciary system has pledged to create its own rules about income disclosure for judges. On Aug. 15, the state Board of Ethics will change to a new system in which administrative law judges, instead of ethics board members, will serve as judges in hearings on ethics charges. On Jan. 1, 2009, new lobbying disclosure requirements will begin.

The session went above and beyond the scope and restrictions suggested by Blueprint Louisiana, a private group that advocated ethics reform and had hired a team of lobbyists to push its cause.

Blueprint Louisiana's perspective, we batted a thousand," said Sean Reilly, who was chairman of Jindal's advisory council on ethics and is a leading member of Blueprint's steering committee.

Income disclosure

Among the major measures was House Bill 1, which creates three levels of income disclosure, depending on the type of elected or public official. Spouses of the officials and candidates for elected offices are included.

The top tier is for the governor and the governor's department secretaries and top staff, statewide elected officials, the superintendent of education, and the commissioner of higher education. Starting May 15, 2009, they will have to fill out a form reporting their exact income from government sources and their place among ranges of income from other sources. Business interests, investment holdings and transactions, and land and buildings also must be reported, above certain thresholds.

The middle tier is for state legislators and anyone holding public office representing a voting district of 5,000 or more people. It also includes the ethics board, members of the state Board of Elementary and Secondary Education, and members of boards and commissions who either receive more than \$16,800 annually for their service or are on a panel that can spend \$1 million or more each year. This category includes public service commissioners.

The reporting requirements are similar to those of the top tier, except the ranges of reportable income are less revealing and the thresholds for reportable stock transactions and other investments are much higher.

The lowest tier is for people holding public office representing fewer than 5,000 people, and for members of smaller boards and commissions. Their reporting begins May 15, 2010, and requires far less information, with the main provision being disclosure of income of more than \$250 from the state or its political subdivisions.

State contracts

One of the major highlights of the session was a move to rein in the influence -- or perceived influence -- that lawmakers, the governor and his top staff, statewide elected

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officials, prison wardens and state department heads have in getting state contracts. The bill also includes their spouses and businesses in which they have more than a 5 percent interest.

The new restrictions, outlined in Senate Bill 1 by Senate President Joel Chaisson II, was one of the last items approved by the Legislature before the session ended. Existing law requires lawmakers and spouses to file annual reports on their state contracts.

As the bill goes to Jindal, it would allow current contracts to remain in effect until they expire. The bill would prohibit public officials and spouses from signing any new contracts after the bill becomes law when Jindal signs it, probably by early next week.

If the officials have contracts now, Chaisson said, they can be renewed through Jan. 9, 2012, the day after a new Legislature is sworn in.

The family members of those officials can hold state contracts "in perpetuity," Gallot said, if the agreements are subject to public bidding or negotiated in responses to a request for proposal.

If immediate family members of the officials -- defined in the ethics code as parents, siblings, children and in-laws -- have contracts that are not bid or negotiated according to state law, they cannot be renewed past Jan. 9, 2012.

Those with contracts must file a disclosure report annually on July 1 with the ethics board. Current law requires lawmakers, but no one else, to disclose their contracts.

The bill also prohibits the same public officials from entering into emergency contracts with the state when the governor has declared an emergency, particularly when the contracts are aimed at addressing emergency needs.

Free-ticket restrictions

Another high-profile bill lawmakers passed after prolonged debate was Senate Bill 3, restricting the use of free tickets to sporting and cultural events by lawmakers and other public officials. A compromise version sailed through the Senate 38-0 and the House 99-0.

The bill would allow elected officials to get "complimentary admission" to civic, nonprofit, educational and political events when the official is invited to speak or is honored at the event.

However, it prohibits officials from accepting free tickets to professional, semiprofessional and collegiate sporting events, and bans free hunting trips, fishing trips and rounds of golf -- unless the trip or outing is "associated with a candidates', elected officials' or organization's fundraising events open to the general public."

State law now allows public officials to receive tickets to sporting and cultural events that are worth as much as \$100 per event and as much as \$500 a year per lobbyist. The bill becomes law when Jindal signs it.

Wining and dining

Another bill aimed at cleaning up the image of public officials being influenced by lobbyists came in Chaisson's Senate Bill 8, which restricts lobbyists to spending no more than \$50 "per occasion" to wine and dine lawmakers and other public officials. There currently is no limit in place.

A House amendment that would have allowed the official to pay the balance if the tab exceeded the cap was stripped from the bill in its final version.

The bill also prohibits "tab-splitting," or allowing two or three lobbyists to each spend as much as \$50 to entertain the same official, running up a tab of \$100 to \$150.

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