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Times-Picayune

Key parts of ethics package approved Legislators will work on details next week

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By Bill Barrow and Ed Anderson

BATON ROUGE -- After two weeks of wrangling, state lawmakers Friday gave approval to the two cornerstones of Gov. Bobby Jindal's proposed ethics law changes, bills designed to prohibit public officials from holding state contracts and to require them to disclose their personal assets and liabilities.

A third piece of the administration's package -- to prohibit lawmakers and other state officials from representing individuals or companies before state agencies -- was dropped because it might have "unintended consequences," its chief sponsor said, adding to the list of Jindal proposals that appear dead.

The maneuvering sets up a decisive third and final week of the session, when Jindal's floor leaders and a handful of prominent lawmakers will fill compromise committees to reconcile competing versions of what the two chambers have passed.

That includes House Bill 1 by Speaker Jim Tucker, R-Algiers, to require more personal financial disclosure by elected officials and some appointees. The Senate voted 39-0 Friday in favor of the bill. Soon after, however, the House rejected the Senate changes, forcing Tucker's proposal to a six-member compromise committee that will meet Monday.

Chambers set standards

Before those votes, the House unanimously approved Senate Bill 1, which Jindal casts as his principal legislation to prevent conflicts of interest. The proposal, sponsored by Senate President Joel Chaisson II, D-Destrehan, bans lawmakers, statewide elected officials, members of major boards and commissions named by the governor, and the governor and his top staff members from getting state contracts.

Chaisson said he would review the House version of his bill and others during the weekend and decide whether to cajole senators into accepting changes or forcing conference committees.

Those panels -- three representatives, three senators -- will include Chaisson and Tucker and almost certainly Rep. Rick Gallot, D-Ruston, and Sen. Bob Kostelka, R-Monroe, who oversee their chambers' Governmental Affairs committees. Speaker Pro Tem Karen Carter Peterson, D-New Orleans, is the third House conferee on financial disclosure.

Both chambers must approve a conference committee draft before a bill goes to the governor's desk.

On the financial disclosure bill, both chambers adopted a framework that sets up three tiers, with the top level having to disclose the most detailed information about income, property holdings, investments, business associations and liabilities. The second tier would share less detail about investments and liabilities. The third tier essentially follows what legislators disclose now: income from government and gambling sources.

Both chambers put statewide officials in the top tier, legislators and other politicians representing at least 5,000 people in the second tier and remaining local officials representing fewer than 5,000 people in the third tier. The requirements extend to the spouses of filers and to candidates for all the affected offices.

Bills have differences

The principal differences revolve around how to treat judges and when the requirements go into effect. The House included judges in the law, while the Senate did not, stripping out the judiciary after the Louisiana Supreme Court committed to adopting its own disclosure rules for jurists across the state. Tucker indicated that the House, which passed the bill before Chief Justice Pascal Calogero made the commitment, will not have a problem giving the judiciary an opportunity to keep its word.

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A Senate amendment also pushes back the first filing deadline for all filers until May 15, 2010, reports that would reflect financial holdings and transactions for 2009. The House voted for the top two classes of filers -- which would cover statewide officials, legislators and other district and local politicians who represent more than 5,000 people -- to submit reports next year, reflecting information from 2008.

The remaining distinctions are more arcane, dealing mostly with how to distribute boards and commissions between the bottom two classifications and what level of detail to require from the middle tier of filers.

Either version would dramatically improve Louisiana's standing in national comparisons of disclosure laws for state lawmakers.

Bills make rounds

As the rewritten contracts bill returns to the upper chamber, it bans the governor, all statewide officials, the heads of all the executive department agencies, the governor's chief of staff, chief fiscal adviser and chief attorney -- and their spouses -- from having contracts with the state. Gallot said the prohibition also extends to businesses in which they have more than a 5 percent interest.

The measure allows officials who have contracts now to hold them or renew them through Jan. 8, 2012, but they cannot enter into new agreements after the bill is signed by Jindal.

Gallot said the bill was amended to allow officials to continue to receive payments from state retirement systems, state-run insurance companies, farm subsidies and scholarship and college grants. Some legislators complained the original version of the measure would have prohibited them from receiving those benefits.

Gallot called the bill "a reasoned approach" to public service.

Gallot, meanwhile, said he will not move Chaisson's Senate Bill 44 to prohibit lawmakers and some other state officials from representing people or companies for pay before state agencies. Gallot said the bill could be interpreted to bar a lawmaker who runs a gas station from having any dealings with the state Department of Agriculture and Forestry, the agency that regulates and inspects the calibration of gas pumps.

Jindal's Deputy Chief of Staff Stephen Waguespack confirmed that the administration is dropping the bill and might bring a revised version back for the March 31 regular session.

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