

Ethics Quarterly

Selected Opinions of the Louisiana Board of Ethics

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ETHICS

PROHIBITED TRANSACTIONS

An associate professor employed by Northwestern State University, College of Science and Technology, is not prohibited from entering into a lease of office space from the university, as the lease is not a transaction under the supervision or jurisdiction of College of Science and Technology. §1113A **No. 2008-524**

The father of a newly elected member of the Natchitoches Parish Police Jury is prohibited from continuing to serve as the insurance agent for the police jury. The insurance company may continue to provide insurance for the police jury and its employees, provided that the father of the police juror does not act as the agent. §1113A **No. 2008-526**

A member of the Houma-Terrebonne Housing Authority Commission may also serve on the Golden-Agers Residents Council, as the Residents Council is not under the supervision or jurisdiction of the Housing Authority Commission. §1113A **No. 2008-582**

A company owned by an appointed member of the Jefferson Davis Parish Airport Commission and two members of his immediate family is prohibited from supplying materials to contractors of the Airport Commission; however, the company may transact business with the Jefferson Parish Police Jury, because it is a separate agency from the Airport Commission. §1113B **No. 2008-654**

A company in which a member of the Avoyelles Parish Police Jury owns a 30% interest is prohibited from purchasing property from the Industrial District #1 of Avoyelles Parish, as the Industrial District is part of the police juror's agency. §1113A **No. 2008-660**

The wife of an employee of Southeastern Louisiana University's (SLU) Assistant Vice President Finance Office may not represent her own employer as a sales representative in a transaction involving SLU, as the transaction would be under the supervision of her husband's agency, the Assistant Vice President Finance

Office. However, the Ethics Code does not prevent the company from contracting with SLU. §1113A, §1111C(2)(d) **No. 2008-689**

The Husser Volunteer Fire Department may not enter into a contract to store fire equipment at a storage facility owned by the Vice President of the fire department. §1113A **No. 2008-999**

PARTICIPATION

Members of the Village of Doyline Council, who are also members of the Waterworks District Board, may vote as members of the Village Council to donate property to the Waterworks District Board, as the council members do not have a substantial economic interest in the transaction. §1112 **No. 2008-662**

A member of the Village of Fenton Board of Aldermen, who is also the brother of the Chief of Police, is prohibited from proposing, making a motion or seconding a motion concerning a pay raise for the Chief of Police. The alderman may participate in the debate and discussion of the motion, but he may not vote on the motion. However, another member of the Board of Aldermen, who is the nephew of the Chief of Police, may propose, make or second the motion, and may also discuss and vote on the motion, because a nephew is not an immediate family member as defined by the Code of Ethics. §1112B(1), §1120 **No. 2008-643**

NEPOTISM

A Lafourche Parish school teacher may not be assigned to work at a high school where her brother serves as principal. §1119A **No. 2008-684**

A longtime employee of Plaquemines Parish Government, whose husband is a newly elected member of the Plaquemines Parish Council, is eligible to receive a promotion to the position of Human Resources Manager, as the promotion constitutes a normal promotional advancement for purposes of the Ethics Code. As an elected official, her husband may not vote on issues related to the promotion, but he may participate in the

debate and discussion of the matter. §1119C(2), §1120
No. 2008-686

Individuals who possess practitioner teaching certificates and who are immediate family members of members of the St. Martin Parish School Board may be employed as classroom teachers by the St. Martin Parish School Board, pursuant to a nepotism exception for certified classroom teachers. §1119B(2)(a)(i) **No. 2008-691**

The daughter of member of the Fur and Alligator Advisory Council of the Department of Wildlife and Fisheries (DWF) is not prohibited from accepting employment as a technician on the alligator crew with the DWF, because the father is not considered an agency head for purposes of the Ethics Code. §1119A
No. 2008-727

The wife of the Public Works Director of the City of Erath may be employed as the accounts payable clerk for the city; however, the sister of the Town Clerk may not be employed as the accounts payable clerk, because the Town Clerk is the agency head for the accounts payable clerk, and the sister is an immediate family member of the Town Clerk. §1119A **No. 2008-728**

The son of a member of the Livingston Parish Council may not be employed by a water district within Livingston Parish, as the water district is part of the father's agency, Livingston Parish Government, and as a councilman, the father is an agency head. §1119B(1)
No. 2008-908

OUTSIDE SERVICES & ACTIVITIES

The fire chief of the Schreiver Volunteer Fire Department may not be employed by a fire apparatus company which supplies equipment for use by the volunteer fire department. §1111C(2)(d) No. 2008-514

A teacher employed by the Ascension Parish School Board may be employed by Louisiana Department of Transportation and Development (DOTD) during the summer months and school holidays, provided that the services performed for DOTD are not the same services which she performs for Ascension Parish School Board. §1111C(1)(a) **No. 2008-659**

The Director of Sanitation Services for the City of New Orleans may receive compensation from a publisher for writing a book designed to educate governmental entities on how to recover from natural disasters, including how to maximize government funding, because the subject matter of the book is not substantially related to her job duties as Director of Sanitation Services. §1111C(1)(a) **No. 2008-748**

Members of the Louisiana Racing Commission, or

companies in which the members own an interest greater than 25%, are prohibited from leasing commercial property to individuals or legal entities who are licensed or regulated by the Louisiana Racing Commission. §1111C(2)(d) **No. 2008-973**

A Sanitarian Regional Director employed by the Department of Health and Hospitals, Office of Public Health, may not be employed to teach a course at hospitals which the Director's agency regulates by conducting inspections. §1111C(2)(d) **No. 2008-1010**

A member of the Iberia Parish Council may serve as a legislative aide for a state senator, as there are no contracts or other business relationships between the senator and the parish council, and the senator's office has no supervisory power over the parish council. §1111C(2)(d) **No. 2008-707**

PROHIBITED PAYMENTS & GIFTS

St. Charles Parish Government may accept unrestricted donations of food and drink for employee appreciation day from donors who have no business, contractual or financial relationships with the parish. St. Charles Parish Government may accept donations of food and drink valued at no more than \$50 per person from vendors of the parish. §1115, §1115.1 **No. 2008-874**

POST EMPLOYMENT RESTRICTIONS

A former alderman for the Town of Newellton may not be employed by the board of alderman to serve as a police officer for the Town of Newellton for a period of two years following his resignation from the board of alderman. §1121A(2) **No. 2008-653**

The former grants manager for Livingston Parish is prohibited, for a period of two years, from assisting a private firm in connection with grants with which she had involvement during the course of her employment with Livingston Parish. §1121B **No. 2008-750**

A former employee of the Louisiana Department of Transportation and Development (DOTD) Roadway Section is not prohibited from entering into a contract with the Highway Safety Section of DOTD, because the contract does not involve the Roadway Section, the employee's former agency. §1121B **No. 2008-901**

A former member of the Village of Natchez Board of Alderman may not be reappointed by the board for a period of two years following her resignation from the board. §1121A(2) **No. 2008-1036**

ADDITIONAL INFORMATION

If you would like to schedule a **free** seminar about the Code of Governmental Ethics, the Campaign Finance Disclosure Act, or the Lobbyist Disclosure Act, please contact Courtney Jackson at (225) 219-5600 or 1-800-842-6630.

If you would like to request an advisory opinion from the Board of Ethics, regarding a particular ethical concern you may encounter, send your request, signed and in writing, to the Louisiana State Board of Ethics, P.O. Box 4368, Baton Rouge, Louisiana, 70821.

Advisory opinions rendered by the Board of Ethics are based upon the particular facts presented. As such, the scope of each opinion is limited to the parties and facts involved in each case. However, the opinions may serve as a general guide to other individuals similarly situated. You may always seek an advisory opinion specific to your situation by writing to the Board at:

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If you have any questions or would like more information, please visit the Louisiana Board of Ethics' website at www.ethics.state.la.us.

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