

# ***Ethics Quarterly***

*Selected Opinions of the Louisiana Board of Ethics*

**April 2009**

P.O. Box 4368, Baton Rouge, Louisiana 70821  
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## **ETHICS**

### **PROHIBITED TRANSACTIONS**

An associate professor of Northwestern State University (NSU), College of Science and Technology, Department of Biological Sciences, is not prohibited from leasing agricultural property located in DeSoto Parish to NSU, as the lease is not under the supervision of jurisdiction of the associate professor's agency, the College of Science and Technology, Department of Biological Sciences. §1113A No. 2008-524

The spouse of a member of the Council for the Town of Grand Isle may be employed by the Grand Isle Police Department, as the police department is considered a separate agency. However, the council member would be prohibited from participating in any matters regarding her spouse's employment with the police department, including any matters related to the spouse's salary. §1113A No. 2008-1177

A member of the Louisiana Board of Tax Appeals may be appointed to serve as a Magistrate/Hearing Officer for the 13<sup>th</sup> Judicial District Court by the judges of the 13<sup>th</sup> JDC, as the appointment is not under the supervision or jurisdiction of the Board of Tax Appeals. §1113A No. 2008-1198

A newly appointed member of the Louisiana Workforce Investment Council, who is the vice-president and C.E.O. of a company which has received training grants from the Louisiana Workforce Commission's Incumbent Worker Training Program, may continue to serve on the WIC, pursuant to an exception to the Code of Ethics contained in La. R.S. 23:2049.

An insurance company in which an employee of the Evangeline Parish Library and her spouse own a 100% interest may not sell insurance to the Evangeline Parish Library. §1113A 2009-057

## **PARTICIPATION**

Lawrence Fisher, a member of the Franklin Parish School Board, violated Section 1112 of the Code of Ethics by virtue of participating in votes to approve the employment of his sister-in-law, Carolyn Roberts, with the Franklin Parish School Board. Carolyn Roberts violated Section 1119B(1) of the Code by virtue of being employed by the Franklin Parish School Board at a time when her brother-in-law served as a member of the Franklin Parish School Board. A penalty of \$500 was assessed against Lawrence Fisher, and a penalty of \$500 was assessed against Carolyn Roberts. §1112, §1119B(1) 2006-776

A company which serves as a subcontractor for the Louisiana Recovery Authority's Road Home Program is not prohibited from submitting a response to a request for proposal (RFP) issued by the Office of Community Development/Disaster Recovery Unit. If awarded, the contract would make the company a prime contractor for the Homeowners Assistance Program. No conflict of interest is present because the company did not develop the RFP, and the RFP is open to general members of the public. §1112 No. 2008-1185

## **NEPOTISM**

An Orleans Parish Assistant District Attorney, whose father was elected as the Orleans Parish District Attorney, is prohibited from continuing her employment with the District Attorney's Office, as the Assistant was not employed by the D.A.'s Office for at least one year prior to her father taking office as District Attorney. The Assistant is allowed to donate her services to the D.A.'s office pursuant to Section 1123(30) of the Ethics Code. §1119 No. 2009-044

## **OUTSIDE SERVICES & ACTIVITIES**

A state senator, and a company of which the senator is CEO and 50% owner, may assist clients in transactions involving state agencies, provided that the senator files a disclosure statement with the Board of Ethics prior to, or at least 10 days after, rendering the initial assistance. §1111E(2)(a) No. 2008-1167

## **PROHIBITED PAYMENTS & GIFTS**

The fifty dollar (\$50) limitation on food, drink and refreshment contained in Section 1115.1 of the Code of Ethics does not include tax or gratuity, but is a limitation upon the actual cost of the food and drink provided. The exception to the \$50 limitation, contained in Section 1115.1E of the Code, applies to gatherings which are part of the scheduled activities of the conference or meeting, and which are open to all attendees of the conference or meeting. §1115.1 2009-061

## **POST EMPLOYMENT RESTRICTIONS**

A retired State Police Master Trooper may contract with the Louisiana State Police, Transportation and Environmental Safety Section to perform New Entrant Safety Audits within the two-year period following his retirement, as he would not be contracting to perform the same services or duties that he performed during his employment with the Louisiana State Police. §1121B, No. 2009-031

## **UNIQUE CIRCUMSTANCES**

Carlton McKee, Parish Road Manager for the Vernon Parish Police Jury, violated Section 1161F of the Code of Ethics by virtue of failing to ascertain that an individual, Thomas Roberts, was not rendering services to the parish for which Mr. Roberts was being compensated. A penalty of \$1,000 was assessed against Carlton McKee. §1161F, No. 2006-804

## **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) 763-8777 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, 2415 Quail Drive, Third Floor, Baton Rouge, Louisiana, 70808.

*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:*

**P.O. Box 4368  
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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](http://www.ethics.state.la.us).*



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