



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
P. O. BOX 4368
BATON ROUGE, LA 70821
(225) 219-5600
FAX: (225) 381-7271
1-800-842-6630
www.ethics.la.gov

April 9, 2019

VIA email

The Honorable John A. Alario, Jr.
President, Louisiana State Senate
'apa.senatepresident@legis.la.gov'
P. O. Box 94183
Baton Rouge, LA 70804

The Honorable Senator Karen Carter Peterson
Chairman, Senate and Governmental Affairs
'apa.s-s&g@legis.la.gov'
P.O. Box 94183
Baton Rouge, Louisiana 70804

The Honorable Taylor F. Barras
Speaker, Louisiana House of Representatives
'apa.housespeaker@legis.la.gov'
P. O. Box 94062
Baton Rouge, LA 70804-9062

The Honorable Gregory Miller
Chairman, House and Governmental
Affairs Committee
'apa.h-hg@legis.la.gov'
P. O. Box 94062
Baton Rouge, Louisiana 70804

Re: Promulgation of Amended Rules Regarding Food and Drink


Dear President Alario, Speaker Barras, Senator Peterson and Representative Miller:

Pursuant to R.S. 49:968 (B) and (C), the Louisiana Board of Ethics is submitting a copy of the Notice of Intent and approved Fiscal Statement for the proposed amended regulations to the Rules for the Board of Ethics concerning the food and drink limit. The deadline to submit comments or request a public hearing for the proposed rules is May 10, 2019.

If I can be of any further assistance, please do not hesitate in contacting me.

Sincerely,

LOUISIANA BOARD OF ETHICS



Kathleen M. Allen
For the Board

NOTICE OF INTENT

Department of Civil Service Board of Ethics

Food and Drink Limit (LAC 52:I.Chapter 17)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Department of Civil Service, Louisiana Board of Ethics, has initiated rulemaking procedures to make amendments to the Rules for the Board of Ethics to bring the rules into compliance with current statutory provisions and Section 1115.1C of the Code of Governmental Ethics.

Chapter 17. Code of Governmental Ethics

§1703. Food and Drink Limit

A. In accordance with R.S. 42:1115.1(C), beginning on July 1, 2019, the limit for food, drink or refreshments provided in R.S. 42:1115.1A and B is \$62.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:1115.1.

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 36:304 (February 2010), amended LR 36:1466 (July 2010), LR 38:1951 (August 2012), LR 39:3062 (November 2013) LR 40:1678 (September 2014), LR 41:1262 (July 2015), LR 44:1237 (July 2018).

Family Impact Statement

The proposed rule changes have no known impact on family formation, stability or autonomy, as described in R.S. 49:972.

Poverty Impact Statement

The proposed Rule changes have no known impact on poverty, as described in R.S. 49:972.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session.

Small Business Statement

The proposed Rule should not have any known or adverse impact on small business as described in R.S. 49:956.6

Public Comments

Interested persons may direct their comments to Kathleen M. Allen, Louisiana Board of Ethics, P.O. Box 4368, Baton Rouge, Louisiana 70821, telephone (225) 219-5600, until 4:45 p.m. on April 10, 2018.

Kathleen M. Allen
Ethics Administrator

Underscore/Strikethrough version of the proposed rule for the Board of Ethics.

Title 52
ETHICS
Part I. Board of Ethics

Chapter 17. Code of Governmental Ethics

§1703. Food and Drink Limit

In accordance with R.S. 42:1115.1C, beginning on July 1, 2018 2019, the limit for food, drink or refreshments provided in R.S. 42:1115.1A and B is ~~\$64~~ \$62.

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

Person Preparing Statement: Kristy F. Gary Dept.: Civil Service
Phone: 225-219-5600 Office: Ethics Administration Program
Return Address: P.O. Box 4368 Rule Title: Food and Drink Limit
Baton Rouge, LA 70821
Date Rule Takes Effect: Upon Promulgation

SUMMARY
(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS

(Summary)

The proposed rule provides for setting a rule, which raises the monetary limit on the receipt of food and drink by a public employee and public servant from sixty-one (\$61) dollars to sixty-two (\$62) dollars pursuant to Section 1115.1C of the Code of Governmental Ethics. The estimated cost to implement the proposed rule change is \$168 in FY 18-19, which accounts for the cost to publish the Notice of Intent and the rule in the State Register.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS

(Summary)


The proposed rule will have no anticipated effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed action will affect all public employees and public servants by setting a standard monetary limit on the receipt of food and drink.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will have no anticipated effect on competition and employment.


Signature of Agency Head or Designee


Legislative Fiscal Officer or Designee

Kristy Gary/ Deputy Ethics Administrator
Typed Name and Title of Agency Head or Designee

3/20/19
Date of Signature

3/25/19
Date of Signature

RECEIVED

MAR 20 2019

Legislative Fiscal Office

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The proposed rule provides for setting a rule, which raises the monetary limit on the receipt of food and drink by a public employee and public servant from sixty-one (\$61) dollars to sixty-two (\$62) dollars pursuant to Section 1115.1C of the Code of Governmental Ethics.

- B. Summarize the circumstances which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

Section 1115.1 of the Code of Governmental Ethics mandates that the Louisiana Board of Ethics develop and promulgate a rule increasing the monetary limit on the receipt of food and drink by a public employee and public servant when there has been an increase in the unadjusted Consumer Price Index as published by the United States Department of Labor, Bureau of Labor Statistics.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session (1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

The only expense associated with the proposed rule change is the cost of publishing the Notice of Intent and the rules in the State Register.

(2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

- (a) _____ Yes. If yes, attach documentation.
(b) X No. If no, provide justification as to why this rule change should be published at this time.

The expense will be absorbed by existing budget.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 18-19	FY 19-20	FY 20-21
PERSONAL SERVICES	0	0	0
OPERATING EXPENSES	\$168	0	0
PROFESSIONAL SERVICES	0	0	0
OTHER CHARGES	0	0	0
EQUIPMENT	0	0	0
TOTAL	\$168	0	0
<u>MAJOR REPAIR & CONSTR.</u>	0	0	0
<u>POSITIONS (#)</u>	0	0	0

2. Provide a narrative explanation of the costs or savings shown in "A. 1." including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

The above cost represents the cost to publish the notice of intent and the rules to be promulgated in the State Register.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 18-19	FY 19-20	FY 20-21
STATE GENERAL FUND	\$168	0	0
AGENCY SELF-GENERATED	0	0	0
DEDICATED	0	0	0
FEDERAL FUNDS	0	0	0
OTHER (Specify)	0	0	0
TOTAL	\$168	0	0

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

Yes, the agency does have sufficient funds to publish the items in the State Register.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

The proposed action will not have a fiscal impact on local governmental units.

2. Indicate the sources of funding of the local governmental unit, which will be affected by these costs or savings.

Not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY 18-19	FY 19-20	FY 20-21
STATE GENERAL FUND	0	0	0
AGENCY SELF GENERATED	0	0	0
RESTRICTED FUNDS*	0	0	0
FEDERAL FUNDS	0	0	0
LOCAL FUNDS	0	0	0
TOTAL	0	0	0

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

No increase in revenues is anticipated.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS

- A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

The proposed action will affect all public employees and public servants by setting a monetary limit on the receipt of food and drink.

- B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

The proposed action will have no impact on receipts and/or income from these groups.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

The proposed action will not impact competition and employment.