

Panel frowns at some Ethics Board proposals

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BATON ROUGE — Members of House and Senate committees that deal with government and ethics matters weren't too pleased Thursday with some of the state Board of Ethics' proposals for legislation.

A state lawmaker would have to agree to be the author of a bill before it could be considered in the legislative session that starts March 29.

The chairman of the House and Governmental Affairs Committee, Rep. Rick Gallot, D-Ruston, told Ethics Chairman Frank Simoneaux that time is running out for filing bills for this session and he might have problems finding authors.

The most controversial item on the list — returning adjudicatory authority to the board and having a separate division investigate ethics violations — wasn't discussed. Key lawmakers and Gov. Bobby Jindal already have frowned on that idea, so it's not likely to be developed into legislation.

One of the first things Jindal got the Legislature to do following his election was to remove the Ethics Board power to decide cases and give that authority to administrative law judges. That led to all but one of the prior board members resigning and a new board being appointed. The new board wants the power returned.

Simoneaux said the board agreed with a Public Affairs Research Council suggestion that the secretary of state compile a complete list of all state and local board and commission members who are required to file financial disclosure information.

"We need to know if everybody who is required to file is filing," said Scott Frazier, vice chair of the board.

"We don't know," Simoneaux added. All the board does is accept the reports and put them online for public review.

Another problem, he said, is the board has no way to determine whether the disclosure reports are accurate because there's no money for auditing the thousands of reports that are filed. He said he would like to do random audits but it's expensive.

"Don't come here asking for more money," said Rep. Mert Smiley, R-Port Vincent.

Committee members also questioned a proposal to limit campaign contributions to a short period prior to primary elections, similar to the restriction on judges' races. Simoneaux said it would reduce the amount of money spent on campaigns.

Rep. Karen Carter Peterson, D-New Orleans, said she doesn't believe that falls under the Board of Ethics' responsibilities and "there may be some constitutional issues."

The board also proposes that candidates be banned from using publicly financed buildings for political purposes, like fundraisers.

Simoneaux said that is in response to an attorney general's opinion that a Baton Rouge Metro Council member violated the law by announcing his candidacy for the Legislature in council chambers. The councilman also sent an announcement on the city-parish e-mail network.

But the proposed law would go even further by saying a candidate couldn't rent space in a public building — like a civic center — to host any political event, including a fundraiser.

Rep. Michael Danahay, D-Sulphur, said that could cause problems because in many communities they are the only structures large enough for such events.

Bill Bryan, an assistant attorney general who deals with election issues, said state law prohibits the use of public funds or public resources to promote a candidacy.