

## Few changes made to La. ethics enforcement

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Published: Monday, July 5, 2010 at 11:45 a.m.

Repeated appeals from ethics board members to rewrite the state's ethics enforcement laws did little to persuade lawmakers, who instead made marginal adjustments during the recent legislative session and avoided debate about criticism that the system is too weak.

Leaders of the House and Senate committees that oversee laws governing the conduct of public officials say the enforcement system doesn't need an overhaul despite the complaints.

Though Gov. Bobby Jindal's top lawyer had said the governor would push for modest revisions, the administration was largely quiet.

"In the end, the Legislature's minor tweaking in this area continues to allow a substandard ethics administration system to exist and to allow the governor far too much power in the process," said a statement by the watchdog Public Affairs Research Council of Louisiana.

Even a proposal to study the enforcement system to determine if adjustments were needed failed to scrape through the Legislature.

"I don't think wholesale revision is needed. I think there are a few people who have been very vocal about being unhappy with the current setup, but I don't think that there will be any appetite to make any huge (changes)," said Rep. Rick Gallot, D-Ruston, chairman of the House and Governmental Affairs Committee.

The discussion hinges on laws passed in 2008 and backed by Jindal that stripped the Board of Ethics of its power to rule and gave that authority to administrative law judges, civil service employees in the executive branch.

The 11-member ethics board became an investigative body only, able to levy charges and prosecute cases.

Jindal critics opposed that change, saying it gives the governor too much power because the administrative law judges are overseen by a governor's appointee. Supporters say it removes conflicts where the ethics board acted as prosecutor and judge.

Ethics board members have requested different things from lawmakers since the revamp.

Board chairman Frank Simoneaux and PAR pushed for sweeping changes that would return enforcement authority to the board, but lawmakers haven't shown any interest in undoing the law judge system and the Jindal administration has opposed such proposals.

Several ethics board members asked for the right to appeal interpretations of law made by administrative law judges, giving the board the ability to seek guidance from higher courts when it disagrees with the law judges on how to read the ethics code.

The Jindal administration had backed limited appeal rights, but lawmakers didn't approve authorizing legislation.

Gallot, a lawyer, said he hasn't seen anything to justify the need for the ethics board to appeal rulings. He also said the state Constitution doesn't allow appeal rights to be limited in the manner ethics board members requested.

"I think we addressed those items that (the board) raised questions about and that we thought needed some tweaking," said Gallot, who once faced conflict-of-interest charges from the ethics board. The charges were dismissed by administrative law judges last year.

Among changes made this session, lawmakers:

- Clarified timelines for issuing charges. The board will have one year to issue charges after receiving a complaint or voting to consider an issue and four years to issue charges from the time of the alleged violation.

- Lengthened the terms administrative law judges sit on ethics panels from one year to three, starting in January, and tweaked the process for replacing judges when there is a vacancy.

- Removed a requirement that the ethics board adopt the decisions of the administrative law judges, after board members said they shouldn't be forced to approve decisions with which they disagree.

PAR said lawmakers also tried to weaken the ethics code, passing a bill that would have removed confidentiality for people filing complaints against officials. Jindal vetoed the measure.