

## Ethics in the Legislature? That's a laugh

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James Gill

Louisiana legislators are seldom funny, on purpose anyway, but there is something about ethics that brings out their impish sense of humor.

That could change if ever a governor came along to introduce rigorous enforcement of ethical standards, but that isn't likely any time soon. Bobby Jindal is in on the joke too, as he showed on becoming governor in 2008 when he emasculated the ethics code and called it the "gold standard."

Before Jindal came along Charles Jones, D-Monroe, had chaired the Senate committee in charge of ethics. Jones familiarized himself with the code by violating as many of its provisions as possible before term limits forced him out of office. Shortly thereafter he was indicted for income tax evasion and is due for trial in a couple of months.

That was a hard act to follow, but the House was determined not to let the Senate get all the laughs. Thus was Rick Gallot, D-Ruston, named chairman of the House and Governmental Affairs committee, which was responsible for shepherding Jindal's ethics bills through.

The choice of Gallot was a hoot, since he was already under investigation by the ethics board for accepting legal fees from a company doing business with Grambling State University and the state Board of Supervisors. The conflict between his official and private roles was all the more exquisite because his mother is a member of the board.

That conflict could hardly have been more glaring, but Gallot got the last laugh. The court of appeal confirmed last week that, under the new system of ethics enforcement approved by his committee, Gallot is untouchable.

The court ruling came just a few days after the Public Affairs Research Council called for ethics laws to be reworked again and opined that "in some regards" the current system "took a step backward."

Certainly, before Jindal's advent, the ethics board was itself conflicted, since it combined the roles of investigator, prosecutor, adjudicator and enforcer. Jindal's solution was to reduce the board's role to that of prosecutor and bring in administrative law judges, in panels of three, to issue rulings.

When Gallot's case came before a panel, the seven charges against him were thrown out because two of the judges ruled that the board had blown the filing deadline. The third judge opined the charges should stand.

The board asked the court of appeal to reverse, which was pretty stupid. The new law does not allow the board to appeal decisions handed down by administrative panels, as the court tersely observed last week.

Gallot, noting he was not surprised the board's "frivolous" appeal had failed, had to be tickled pink. PAR, however, is not amused by much of the new ethics code. Its principal beef is that there is no point revamping ethics laws without a "solid enforcement system," which administrative law judges cannot provide because they are "dependent on the state for their income and benefits." The current system is "fundamentally flawed" because it "places inordinate power in the hands of the governor" and could "unfairly favor certain public officials." Thus, "public confidence in ethics reform will decline," according to PAR.

The proposed solution is to give the adjudicatory power back to the ethics board and establish a separate commission to investigate and prosecute. That would give us a much better chance of stern but impartial justice.

It must be so, for Gallot immediately came out against that idea, pronouncing current arrangements eminently satisfactory.

Do you think other legislators will figure we need more ethics around here? Don't make me laugh.

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