

Board member recusal bill signed

Law helps sidestep conflicts of interest

Tuesday, July 08, 2008 • By Bill Barrow

BATON ROUGE -- Gov. Bobby Jindal has signed into law a bill that allows members of boards and commissions to recuse themselves from certain votes rather than being forced to resign to avoid conflicts of interest.

Senate Bill 56 by Sen. Mike Michot, R-Lafayette, represents one of the more sweeping changes of the ethics law adopted during the regular session, the first since lawmakers overhauled the state ethics code in a special session earlier this year.

It was among several laws Jindal signed in recent days, his office announced Monday. Also on the list: a measure to let workers bring guns onto company parking lots; a handful of other ethics laws related to lobbyists; a bill allowing the suspension of driving privileges for teenage dropouts; and a bill that could spell the eventual elimination of the 16-year-old Louisiana Airport Authority.

Current ethics law generally does not grant recusal rights to members of appointed boards and commissions when those entities hold votes that present a conflict of interest. That sometimes forces an affected official to resign, though many appointees avoid the potential conflict -- while retaining their posts -- by not showing up for a meeting where a conflict of interest might be apparent.

Michot's bill, which cleared the House 91-0 and the Senate 38-0, would allow the members to recuse themselves, but also requires that they not participate in any discussions concerning the vote. The law would not affect a few panels, including the governing board of the Port of New Orleans, that already have specific recusal laws.

Jindal spokeswoman Melissa Sellers noted that the bill had the backing of the Louisiana Association of Business and Industry and the New Orleans Ethics Review Board.

--- Lobbyists, guns, licenses ---

Senate Bill 499 by Sen. A.G. Crowe, R-Slidell, meanwhile, tweaks the definition of who is a lobbyist and as such must file new disclosure reports about their activities. Representatives of some nonpartisan public policy groups, including the Council for a Better Louisiana and the

Public Affairs Research Council, have expressed concerns that the bill could reach researchers and advocates who have not previously been considered lobbyists.

Senate Bill 770 by Senate President Joel Chaisson II, D-Destrehan, clarifies income disclosure rules for lobbyists. Under the proposal, a lobbyist would not have to disclose income for services other than lobbying.

The new gun law was a much debated proposal from Sen. Joe McPherson, D-Woodworth. Senate Bill 51 gives employees the right to keep a legally owned firearm locked in a car in a parking lot at the workplace, with some exceptions. In signing the bill, Jindal had to choose between two groups with which he usually is allied. The National Rifle Association backed the measure as a function of Second Amendment rights. LABI, the state business lobby, opposed it, saying employers should have the right to regulate weapons on their property.

Sen. Willie Mount, D-Lake Charles, sponsored the new measure linking driver's licenses with truancy and dropping out of school. Senate Bill 275 will allow local school boards to develop policies that would deny driving privileges to anyone younger than 18 who has dropped out of school or is chronically absent or tardy. The bill sets that truancy standard as the fifth unexcused absence or fifth unexcused instance of tardiness in a month.

--- Airport panel reduced ---

With Jindal's signature on Senate Bill 212, the 16-year-old Louisiana Airport Authority will be reduced from 27 to 11 members. The state Department of Economic Development also must conduct a feasibility study of the authority's plans for a cargo airport that is nowhere near completion.

Sen. Rob Marianneaux, D-Livonia, sought initially to scrap the entity, which has spent almost \$4 million in state money since its 1992 inception. The authority is looking to build a \$4.4 billion cargo airport and multi-modal transportation center on 25,000 acres in Ascension, Assumption and Iberville parishes. Proponents claim the facility could generate as many as 100,000 jobs.

The feasibility study is due back to the Legislature by May 1, 2009.

.....

Bill Barrow can be reached at bbarrow@timespicayune.com or 225.342.5590.