



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.state.la.us

November 19, 2009

Sandy C. Teal, Deputy Clerk
Livingston Parish Council
P.O. Box 335
Livingston, LA 70754

RE: Ethics Board Docket No. 2009-924

Dear Ms. Teal:

The Louisiana Board of Ethics, at its October 27-28, 2009 meeting, considered your request for an advisory opinion concerning whether members of the Livingston Parish Council may participate in an initiative petition that will be submitted to the Parish Council and on which the Parish Council will be asked to take action. The initiative petition is a proposed revision to a parish ordinance allowing the Parish Council to accept roads and streets into the road maintenance system. The electors seek to revise the ordinance to include a set of standards that a road or street must meet before the Parish Council may accept it into the road maintenance system.

The Board concluded and instructed me to inform you that the Louisiana Code of Governmental Ethics does not prohibit members of the Parish Council from participating in the initiative either by signing the petition or by circulating the petition to obtain signatures. Section 1112 of the Code prohibits a public servant from participating in a transaction in which he has a substantial economic interest. Section 1102(21) of the Code defines "substantial economic interest" as an economic interest which is of greater benefit to the public servant or other person than to a general class or group of persons. Since the proposed initiative can potentially impact each elector in the parish, a council member's interest in the initiative is no greater than that of any other elector in the parish. Therefore, no potential violation of Section 1112 is presented by the council members' participation in the initiative.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or laws other than the Code of Governmental Ethics. If you have any questions, please contact me at (225) 219-5600 or (800) 842-6630.

Sincerely,

LOUISIANA BOARD OF ETHICS

Alesia M. Ardoin
For the Board

AN EQUAL OPPORTUNITY EMPLOYER