



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
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July 28, 2011

Mr. Layton Ricks
451 Brenda Drive
Denham Springs, LA 70726

Re: Ethics Board Docket No. 2011-728

Dear Mr. Ricks:

The Louisiana Board of Ethics, at its July 15, 2011 meeting, considered your request for an advisory opinion as to the propriety of your employer Alvin Fairburn & Associates maintaining its contracts with and continuing to provide services to Livingston Parish if you become a candidate for the office of Livingston Parish President. You further request an opinion as to whether you are allowed to sign contracts on behalf of the parish through your employment with Alvin Fairburn & Associates on parish projects while running for office. You state that you intend to resign from Alvin Fairburn & Associates if you are elected to the office of Parish President.

The Board concluded and instructed me to inform neither you nor Alvin Fairburn & Associates are prohibited from providing compensated services to Livingston Parish while you are running for Parish President. Section 1111C(2)(d) of the Code prohibits a public servant from providing compensated services to a person who has a contractual, business or financial relationship with his agency. The persons who apply for and receive grants from the parish have a contractual, business or financial relationship with the parish. In your capacity as a candidate for elected office, you are not subject to the provisions of Section 1111C(2)(d) and therefore there are no prohibitions placed on your employer, Alvin Fairburn & Associates. However, if you are elected to the office of Parish President, you will be prohibited from receiving any thing of economic value for services provided to Alvin Fairburn & Associates while it has a contractual, business or financial relationship with Livingston Parish.

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


Alexia M. Ardoin
For the Board

AN EQUAL OPPORTUNITY EMPLOYER