



NEWS RELEASE

For Immediate Release

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STATEMENT FROM HOUSE SPEAKER JOE SALTER

Louisiana's Constitution guarantees members of the legislature immunity from being questioned by outside sources and protects their rights for actions they take during the legislative process. Therefore, the Constitution's Speech and Debate Clause bars the Board of Ethics from investigating, prosecuting, or punishing legislators for participating in the legislative process.

With the support of the House of Representatives, state Representatives Jeffery Arnold and Alex Heaton today filed a Petition for Declaratory Judgment and Injunction against the state Board of Ethics.

The petition is in answer to a decision by the Board to call a public hearing to investigate whether Arnold and Heaton violated state law by participating in the debate of several bills filed during 2006 which called for the consolidation of the number of assessors (7 to 1) in Orleans Parish. Both legislators have family members who serve as assessors in that parish.

Both legislators complied with state law which requires members to submit to the House a note explaining why they should be allowed to vote on an issue in which there might be a conflict of interest.

The Board of Ethics overstepped its authority in calling the public hearing on this matter. The Louisiana Constitution (Article III, Section 8) states that, "No member (of the legislature) shall be questioned elsewhere for any speech in either house." Members are guaranteed the right to offer their opinion and participate in the discussion of legislation. Any question of alleged violation of the conflict of interest law is the responsibility of the House of Representatives. Only the House has the authority to investigate and police the behavior of Representatives when participating in the legislative process.

This petition is not about whether or not the alleged participation occurred. Arnold and Heaton admit they participated in the legislative debate. This petition is strictly about the constitutional mandate that prohibits any entity outside the legislature from investigating and censuring members for performing these duties as legislators.

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