

# State of Louisiana



## HOUSE CONCURRENT RESOLUTION 25 2016 REGULAR SESSION

Louisiana Ethics Administration Program

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**In response to House Concurrent Resolution No. 25, the Louisiana Ethics Administration Program respectfully submits the following report.**

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The Ethics Administration Program (EAP) is a small state agency with 40 authorized positions that provides staff support for the Louisiana Board of Ethics. LSA-R.S. 42:1101, et seq., establishes the Code of Governmental Ethics and creates the Board of Ethics. This body of law regulates conflict of interests for state, parish and local elected officials and public employees. There are almost 300,000 public employees subject to the Code of Governmental Ethics.<sup>1</sup> The Code also imposes restrictions on public servants' immediate family members, as well as those persons who interact with various governmental entities. In total, the breadth of the Code far exceeds 300,000. LSA-R.S. 18:1481, et seq., establishes the Campaign Finance Disclosure Act and designates the Board of Ethics to administer the provisions thereof. LSA-R.S. 24:50, et seq. establishes the Legislative Lobbyist Registration and Disclosure Act and provides for the enforcement thereof by the Board of Ethics. LSA-R.S. 49:71, et seq., establishes the Executive Branch Lobbyist Registration and Disclosure Act and provides for the enforcement thereof by the Board of Ethics. LSA-R.S. 33:9661, et seq. establishes the Local Lobbyist Registration and Disclosure Act and provides for enforcement thereof by the Louisiana Board of Ethics.

As such, there is no duplication of effort, as the EAP is the only agency to enforce the provisions of the Code of Governmental Ethics, the Campaign Finance Disclosure Act, and the Legislative, Executive and Local Lobbyist Disclosure Acts. The EAP performs only those constitutionally and statutorily mandated duties and responsibilities of the Louisiana Board of Ethics. That being said, the EAP continually examines our agency structure and processes to ensure efficient operations. In addition, we review procedures to seek areas of improvement.

*Highlights of the agency's initiatives for operating efficiently include:*

The EAP does not have an Office of Management and Finance (or equivalent). This function is provided by the Department of State Civil Service. LA R.S. 36:801 transfers all functions of the EAP which are in the nature of accounting and budget control, management and program analysis to Civil Service. Currently, Civil Service provides human resource services, budgeting, accounting, property control and purchasing support to our agency.

Online training has been developed and implemented to afford all public servants an opportunity to receive such training. IT staff has provided all of the IT needs, with little outside assistance, which includes the creation of the lobbyist online filing system, the online training system, as well as enhancements and necessary updates to the EAP's website, fax capabilities, and internal servers and systems, all of which resulted in efficiencies in the operation of the agency. IT developed online training

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<sup>1</sup> According to a U.S. Census Bureau report, the 2016 Annual Survey of Public Employment & Payroll, there are a total of 289,360 employees at the state and local level in Louisiana.

tools for filers to alleviate the workload on deadline dates. Management continues to analyze the number of training opportunities offered, with the demand for such opportunities, as well as the demands on personnel to respond to those seeking compliance with the statutory requirement. In 2012, the EAP implemented new online training tools to alleviate the need to hire additional personnel to provide training to all public servants throughout the state at the state, parish and local levels. Also, changes were made in 2014 to the Campaign Finance Disclosure Division to increase internal efficiencies with the management of the filing of campaign finance disclosure reports, as well as the development of a web-based filing system, which allows individuals to file required reports from any computer. In 2016, an online filing system was created for Personal Financial Disclosure statement to be filed electronically.

In FY 15-16 the agency eliminated \$50,000 from Professional Services which reduced funding to zero in that category. With this reduction, the agency is not in a position to utilize the services of outside legal counsel, investigators, forensic auditors or service processors. The EAP eliminated a restricted appointment position and did not give performance adjustments. Travel for training seminars and field investigations was kept to a minimum.

The agency has realized staff efficiencies by processing certified mail and scanning reports using a bar code, as well as through wireless headsets that allow staff to continue working while responding to phone calls.

In addition to the efficiencies above, the agency will not provide merit increases in FY 16-17. The agency has eliminated all outside contracts except for one contract in the amount of \$10,000 for Pilant Court Reporting (this contract was reduced from \$15,000 to \$10,000 in FY 15).

The EAP recognizes the fiscal condition of state government and continues to meet its Legislative mandates while focusing on being efficient and effective.