

1 perform the duties and functions provided by law related to auditing
2 fiscal records of the state, its agencies, and political subdivisions. He
3 shall be elected by the concurrence of a majority of the elected
4 members of each house and may be removed by the concurrence of
5 two-thirds of the elected members of each house.

6 (B) The legislative auditor and any employee in the office of the
7 legislative auditor shall not participate or engage in political activity;
8 be a candidate for nomination or election to public office; or be a
9 member of any national, state, or local committee of a political party or
10 faction; make or solicit contributions for any political party, faction, or
11 candidate; or take active part in the management of the affairs of a
12 political party, faction, candidate, or any political campaign. Nothing
13 herein shall prohibit the legislative auditor or any employee in the
14 office of the legislative auditor from exercising his right as a citizen to
15 express his opinion privately, to serve as a commissioner at the polls,
16 and to cast his vote as he desires. As used in this Subparagraph,
17 "political activity" means an effort to support or oppose the election of
18 a candidate for political office or to support a particular political party
19 in an election.

20 (C) No former legislative auditor shall, for a period of two years
21 following the termination of his service as legislative auditor, be
22 eligible to qualify for elected public office.

23 Section 2. Be it further resolved that this proposed amendment shall be
24 submitted to the electors of the state of Louisiana at the gubernatorial primary
25 election to be held in 2003.

1 Section 3. Be it further resolved that on the official ballot to be used at
2 said election there shall be printed a proposition, upon which the electors of
3 the state shall be permitted to vote FOR or AGAINST, to amend the
4 Constitution of Louisiana, which proposition shall read as follows:

5 To prohibit the legislative auditor and any employee of the
6 office of the legislative auditor from engaging in political
7 activities, becoming a candidate for public office, contributing
8 to political campaigns, and soliciting campaign contributions;
9 and to prohibit any former legislative auditor from qualifying for
10 elected public office until a period of two years has passed
11 following the termination of his service as legislative auditor.

12 (Amends Article III, Section 11)

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

LeBlanc, et al.

HB No. 576

Abstract: Prohibits the legislative auditor and his employees from participating or engaging in certain specified political activity (similar to restrictions on classified civil servants) and provides that a former legislative auditor is not eligible to qualify for elected public office for a period of two years following the termination of his service as legislative auditor.

Present constitution provides that there shall be a legislative auditor responsible solely to the legislature and that he shall serve as a fiscal advisor to it. Requires that he perform the duties and functions provided by law related to auditing fiscal records of the state, its agencies, and political subdivisions. Present constitution provides that the legislative auditor shall be elected by the concurrence of a majority of the elected members of each house and may be removed by the concurrence of two-thirds of the elected members of each house.

Proposed constitutional amendment retains present constitution and further prohibits the legislative auditor and any employee in the office of the legislative auditor from participating or engaging in political activity; being a

candidate for nomination or election to public office; or being a member of any national, state, or local committee of a political party or faction; making or soliciting contributions for any political party, faction, or candidate; or taking active part in the management of the affairs of a political party, faction, candidate, or any political campaign. Specifies that the legislative auditor or any employee in the office of the legislative auditor is not prohibited from exercising his right as a citizen to express his opinion privately, to serve as a commissioner at the polls, and to cast his vote as he desires. Defines "political activity" as an effort to support or oppose the election of a candidate for political office or to support a particular political party in an election.

Proposed constitutional amendment additionally provides that no former legislative auditor shall, for a period of two years following the termination of his service as legislative auditor, be eligible to qualify for elected public office.

Provides for submission of the proposed amendment to the voters at the gubernatorial primary election to be held in 2003.

(Amends Const. Art. III, §11)