

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

ETHICS/DUAL EMPLOYMENT. Provides relative to dual employment and officeholding for physicians and certain payments from nonpublic sources.

DIGEST

Present law regulates dual officeholding and dual employment in order to prevent conflicts of interest and to promote and maintain citizen trust in government. Prohibits certain specific combinations of public office and employment, including a prohibition against a person holding at the same time office or employment in state government and office or employment in the U.S. government. Provides exceptions to this prohibition. Allows an employee of the U.S. government to hold an appointive office in a political subdivision or serve as an elected member of a school board, unless the particular combination of duties is adverse to the public interest as set forth in present law. Allows a part-time elected official, as that term is defined in present law, to hold employment with the U.S. government while serving in his part-time elective office, unless the particular combination of duties is adverse to the public interest.

Present law additionally prohibits a person from holding a combination of offices and employments that are determined to be incompatible because of the existence of certain conditions set forth in present law.

Proposed law provides an exception to present law to allow a member of the faculty or staff of a public higher education institution to also hold an appointive office or employment in the U.S. government in a health care facility as a health care provider or researcher.

Present law provides that no public servant will receive anything of economic value, other than compensation and benefits from the governmental entity to which he is duly entitled, for the performance of the duties and responsibilities of his office or position; however, supplementary compensation or benefits provided to an employee of a public higher education institution, board, or system from funds or property accruing to the benefit of the institution, board, or system as approved by the appropriate policy or management board, through an alumni organization recognized by the management board of a college or university within the state or through a foundation organized by the alumni or other supportive individuals of a college or university within the state the charter of which specifically provides that the purpose of the foundation is to aid said college or university in a philanthropic manner will be deemed for purposes of present law as compensation and benefits from the government to which he is duly entitled.

Present law authorizes up to \$3000 per year to be credited against qualified student loan debt that is provided to a former law student, who is an attorney and a public employee, through a bona fide Loan Repayment Assistance Program, established as a qualified program under the federal Internal Revenue Code and administered by any law school using funds or property accruing to the benefit of the law school or from a foundation which is organized specifically to aid and support the programs of the law school and the charter of which specifically provides that the purpose of the foundation is to aid the law school in a philanthropic manner, will be deemed for purposes of present law as a supplement to his compensation to which he is duly entitled. Present law provides that such a supplement will not be considered regular compensation from the governmental entity which employs him, nor will it be the basis for governmentally supported benefits.

Proposed law increases such credit amount from \$3000 to \$5000 per year.

(Amends R.S. 42:1111(A)(4); adds R.S. 42:66(O))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill.

1. Removes restriction that the faculty or staff shall be a licensed physician so that proposed law provides instead that any member of the faculty or staff of a public higher education facility may be appointed or employed in the U.S. government in a health care facility as a health care provider or researcher.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the engrossed bill

1. Increases the amount to be credited against qualified student loan debt for certain public employees from \$3000 to \$5000.