STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
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March 19, 2019

Mr. Mark Alan Pope
102 Bon Mange Circle
Lafayette, LA 70506

Re: Ethics Board Docket No. 2019-106

Dear Mr. Pope:

The Louisiana Board of Ethics, at its March 15, 2019 meeting, considered your request for an advisory opinion as to whether you could host a radio talk-show while running as a candidate for Lafayette City Council and whether you could purchase radio campaign advertisements at any of the seven radio stations owned by your employer, Townsquare Media, Lafayette.

FACTS PROVIDED

You stated that you intend to run as a candidate for the Lafayette City Council in the October 12, 2019 election. You stated that you are currently employed part-time with Townsquare Media, which owns seven radio stations including KPEL Radio. You stated that your duties include producing commercials and public service announcements; writing "news briefs" presented by on-air individuals; setting audio levels for reporting live sporting events; and hosting politically oriented talk-shows on KPEL Radio as a substitute for hosts who are sick or on vacation.

You provided that should you host a radio talk-show you would not discuss your views or philosophy about Lafayette City Council issues - past, present or future. Further, you stated that should a caller question your candidacy while you are "on-air" your reply would be, "I am considering running, but this is not the proper format, or the proper time, to discuss the issue - do you have a comment on our current topic?"

LAW

La. R.S. 18:1495.5B(4)(c) provides that each report required to be in conformity with this Section shall contain the aggregate valuation of in-kind contributions received during the reporting period.

CONCLUSION

The Board concluded and instructed me to inform you, that neither the Code of Governmental Ethics (the Code) nor the Campaign Finance Disclosure Act (CFDA) would prohibit you from serving as

a substitute radio host while being a candidate for Lafayette City Council. Additionally, neither the Code nor the CFDA would prohibit you from purchasing radio advertisements for your political campaign at any of the seven radio stations owned by your employer, Townsquare Media, Lafayette. The expenditure for the ads should be reported on your campaign finance disclosure reports. If your employer gives you a discount on the ads, the discount would be reported as an in-kind expenditure. The Board did want me to caution you, however, that should you talk about your candidacy or an issue relative to the Lafayette City Council while serving as a host on a talk-show, such activity may be viewed as an advertisement and you would have to report such as an in-kind contribution on your campaign disclosure reports.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts 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 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

Gregory L. Thibodeaux
For the Board