

LOUISIANA BOARD OF ETHICS
MINUTES
April 20, 2012

The Board of Ethics met on April 20, 2012 at 9:00 a.m. in the LaBelle Room on the 1st floor of the LaSalle Building located at 617 North Third Street, Baton Rouge, Louisiana, with Board Members Backhaus, Ingrassia, LaFleur, Leggio, Lemke, Lowrey, Monroe, and Stafford present. Absent were Board Members Blewer, Hymel and Schneider. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Deborah Grier; and Counsel Tracy Barker, Michael Dupree, Brent Durham and Deidra Godfrey.

Ms. Ann Wise, Director of the Division of Administrative Law, appeared before the Board in connection with the selection of an alternate administrative law judge to serve on the Ethics Adjudicatory Board (EAB) following the resignation of alternate judge, Nancy Goodwin. Ms. Wise submitted a paper list of twenty-three (23) names of the judges who are not currently serving on the EAB which were individually torn, folded and randomly drawn from a bowl by the Board's Executive Secretary, Deborah Grier. Following the drawing by Ms. Grier, Ms. Wise announced that the alternate judge will be Louis Pauratore.

Board Member Schneider arrived at the meeting at 9:10 a.m.

Ms. Wendy Primeaux, Administrator of the Cameron Parish Housing Program, Ms. Tina Horn, Cameron Parish Administrator, and Mr. Dan Reese, Executive Counsel of the Office of Community Development/Disaster Recover Unit, appeared before the Board in connection with a request for reconsideration of the advisory opinion in Docket No. 11-230 which concluded that employees of the Cameron Parish Housing Assistance Program and their immediate family members are prohibited from participating in the Cameron Parish Housing Assistance Program (HAP). After

hearing from Ms. Primeaux, Ms. Horn and Mr. Reese, on motion made, seconded and unanimously passed, the Board concluded that since Cameron Parish has a population less than 10,000 thousand, the Cameron Parish Police Jurors and members of their immediate family are not prohibited from applying for and receiving benefits from the Cameron Parish Housing Assistance Program. The Board further advised that Section 1112A and Section 1112B(1) of the Code of Governmental Ethics prohibits a public servant from participating in a transaction involving his governmental entity in which either the public servant or a member of his immediate family has a substantial economic interest. Section 1120 of the Code provides an exception to Section 1112 of the Code, which allows an elected official to recuse himself from voting on a matter before his governmental entity that would violated Section 1112 of the Code. Further, employees of Cameron Parish who do not work in or are not connected to the department or division that involves the Cameron Parish Housing Assistance Program and their immediate family members are not prohibited from applying for and receiving benefits from the Cameron Parish Housing Assistance Program. However, Cameron Parish employees of the Housing Office and their immediate family members are prohibited from applying for and receiving benefits from the Cameron Parish Housing Assistance Program.

Mr. David Rogoz, a candidate for Assessor of Tangipahoa Parish in the October 22, 2011 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 11-1652 for reconsideration of a request that the Board waive the \$780 late fee assessed against him for filing his 30-P campaign finance disclosure report 13 days late. After hearing from Mr. Rogoz, the Board temporarily deferred consideration of the matter in order to obtain data from the agency's server.

Ms. Virginia Blanque, a candidate for Orleans City Council, District A in the February 6,

2010 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 12-005 for reconsideration of a request that the Board waive the \$2,000 campaign finance late fee assessed against her for filing her Supplemental campaign finance disclosure report 142 days late. After hearing from Ms. Blanque, on motion made, seconded and unanimously passed, the Board waived \$1,900 of the \$2,000 late fee since Ms. Blanque timely filed the report in paper format.

Mr. David Rogoz, a candidate for Assessor of Tangipahoa Parish in the October 22, 2011 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 11-1652 for reconsideration of a request that the Board waive the \$780 late fee assessed against him for filing his 30-P campaign finance disclosure report 13 days late. After hearing from Mr. Rogoz, on motion made, seconded and unanimously passed, the Board declined to waive the \$780 late fee.

Mr. Grady Hazel, Executive Director of the Society of Louisiana CPAs, Mr. Alan Brown, Assistant Legislative Auditor, and Ms. Jennifer Schaye, General Counsel for the Office of the Legislative Auditor, appeared before the Board in connection with a request in Docket No. 11-1873 for an advisory opinion regarding CPA's who contract with governmental entities to perform audits needing to receive mandatory training in connection with La. R.S. 42:1170. After hearing from Mr. Hazel, Mr. Brown and Ms. Schaye, on motion made, seconded and passed by a vote of 8 yeas by Board Members Backhaus, Ingrassia, LaFleur, Leggio, Lemke, Monroe, Schneider and Stafford and 1 nay by Board Member Lowrey, the Board concluded that because the contracting CPA will perform the duties required of the governmental entity by La. R.S. 24:513, the CPA is "in the furtherance of a governmental function" as described in La. R.S. 42:1102(18)©, and thus required

to receive the mandatory training.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-381 for a waiver of the \$1,400 campaign finance late fee assessed against Carolyn N. Hill, a candidate for BESE, District 8 in the October 22, 2011 election, whose Special campaign finance disclosure report was filed 14 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to the May meeting.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-382 for a waiver of the \$540 campaign finance late fee assessed against Jerry Wayne Trichel, a candidate for State Representative, District 15 in the October 22, 2011 election, whose 10-G campaign finance disclosure report was filed 9 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$540 late fee.

Ms. Alesia Ardoin, attorney for Louisiana Leadership, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 12-439 for a waiver of the \$2,000, \$2,000, and \$2,000 campaign finance late fees assessed against the political action committee for filing its 30-P, 10-P, and 10-G campaign finance disclosure reports 476, 456, and 423 days late. After hearing from Ms. Ardoin, on motion made, seconded and unanimously passed, the Board declined to waive the three \$2,000 late fees but suspended \$1,500 of each of the \$2,000 fines conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-451 for a waiver of the late fees totaling \$12,200 assessed against Louisiana UAW, a political action committee, for filing its 30-P, 10-P, and 10-G campaign

finance disclosure reports 15, 18, and 6 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$12,200.

Mr. Buddy Collins, Ms. Alesia Ardoin, attorney for Mr. Buddy Collins, and Mr. Darrell Glasscock, attorneys for the Grant Parish Police Jury, appeared before the Board in Docket No. 12-391 in connection with an emergency opinion regarding a company owned by Mr. Collins, who serves as a newly-elected member of the Grant Parish Police Jury, working for a company that has a non-exclusive franchise agreement with the parish. On motion made, seconded and unanimously passed, the Board deferred the matter to the May meeting.

The Board recessed at 11:09 a.m. and resumed back into general business session at 11:20 a.m.

Mr. Harold "Cookie" Billingsley, a candidate for Sheriff of Livingston Parish in the October 22, 2011 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 12-444 for a waiver of the \$480 campaign finance late fee assessed against him for filing his 10-G campaign finance disclosure report 8 days late. After hearing from Mr. Billingsley, on motion made, seconded and unanimously passed, the Board declined to waive the \$480 late fee but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

Ms. Cynthia Thomas, a candidate for West Baton Rouge Parish Council in the October 22, 2011 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 12-368 for a waiver of the \$280 and \$400 campaign finance late fees assessed against her for filing her EDE-P, and 10-G campaign finance disclosure reports 7 and 13 days late. After hearing from Ms. Thomas, on motion

made, seconded and unanimously passed, the Board waived the \$280 and \$400 late fees.

Ms. Cynthia W. Thomas, a candidate for West Baton Rouge Parish Council in the October 22, 2011 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 12-369 for a waiver of the \$400 campaign finance late fee assessed against her for filing her 40-G campaign finance disclosure report 12 days late. After hearing from Ms. Thomas, on motion made, seconded and unanimously passed, the Board waived the \$400 late fee.

On motion made, seconded and unanimously passed, the Board agreed to take action on items 10-29 en globo, excluding items #13 and #29. On motion made, seconded and unanimously passed, the Board adopted the staff recommendations on items 10-29, excluding items #13 and #29, taking the following action:

Adopted for publication, a consent opinion in Docket No. 09-367 in which CIBER, Inc. agrees that a violation of Section 1117 of the Code of Governmental Ethics occurred by giving Anthony Jones, an employee of the City of New Orleans, a thing of economic value when the Code of Governmental Ethics prohibited Mr. Jones from receiving the thing of economic value and in which Ciber, Inc. agrees to pay a fine of \$500.

Adopted for publication, a consent opinion in Docket No. 10-1010 in which Robert Mitchell, a member of the DeSoto Parish Council on Aging, and his wife, Gracie Mitchell, agree that a violation of Section 1119A of the Code of Governmental Ethics occurred by virtue of Mrs. Mitchell's employment by the DeSoto Parish Council on Aging while Mr. Mitchell served as a member of the DeSoto Parish Council on Aging and in which Mr. and Mrs. Mitchell agree to pay a fine of \$1,000 each to be made in equal monthly installments of \$50.

Adopted an advisory opinion in Docket No. 11-1928 concluding that no violation of the Code of Governmental Ethics is presented by Stephanie Pedro, a former employee of the Regional Planning Commission, serving as a contract associate to a firm working on a contract with the Regional Planning Commission, since Ms. Pedro terminated her employment with the Regional Planning Commission more than two years ago.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, adopted an advisory opinion in Docket No. 12-052 concluding that ActBlue is not required to register with the State of Louisiana as a political committee, since it appears that ActBlue is a facilitator of funds for persons who would like to make a contribution to candidate/committees through use of a credit card and ActBlue does not receive contributions or make expenditures in support or opposition of a candidate/committee.

Adopted an advisory opinion in Docket No. 12-103 concluding that (1) no violation of the Code of Governmental Ethics is presented by the continued employment of Tim Landry with the Jefferson Davis Parish Drainage District Board while he serves as fire chief for the Jefferson Davis Parish Fire Protection District, since the Drainage District is a separate agency from the Fire Protection District; (2) no violation of the Code of Governmental Ethics is presented by Tim Landry continuing to employ an employee of the Jefferson Davis Parish Police Jury to assist him with his work with the Jefferson Davis Parish Drainage District while he also serves as a volunteer firefighter for the Fire Protection District, since the police jury employee is not providing compensated services to a person, Mr. Landry, who has a contract with his agency, the police jury or the fire protection district; (3) no violation of the Code of Governmental Ethics is presented by the Jefferson Davis Parish Police Jury appointing the same persons to different boards, since such appointment is not

being made by the person's agency, which is the appointed member's board; and, (4) no violation of the Code of Governmental Ethics is presented by a police jury employee from continuing her employment as the secretary of the Fire Protection District Board and Drainage District Board. The Board further advised that it does not address the application of Dual Office Holding laws as such laws are not under the jurisdiction of the Board.

Declined to render an advisory opinion in Docket No. 12-105 regarding whether members of the Ward Seven Fire Protection District of Bienville Parish may serve in paying positions within the Fire District and whether the immediate family of Board members may serve as volunteer firefighters, station captains, or first responders for the District.

Adopted an advisory opinion in Docket No. 12-107 concluding that no violation of the Code of Governmental Ethics is presented by Tammy Davis, a former Foster Care Supervisor with the Department of Children and Family Services, contracting with Northwestern University to provide child welfare coaching services to supervisors and employees of the Department of Children and Family Services, since Northwestern State University is not a "person" as defined by the Code of Governmental Ethics.

Adopted an advisory opinion in Docket No. 12-111 concluding that Section 1113A(1)(a) of the Code of Governmental Ethics prohibits Mayor C. Robert Rose, City of Leesville, from recommending the reappointment of his sister, Lynne Beard, to the Leesville Historic District Commission, since Ms. Beard's reappointment would amount to a transaction under the supervision and jurisdiction of Mayor Rose's agency, the City of Leesville.

Adopted an advisory opinion in Docket No. 12-143 concluding that no violation of the Code of Governmental Ethics is presented by Ora Rice, an employee of the Department of Child and

Family Services, becoming a Child Welfare Coach through a contract with Northwestern State University, since the proposed contract/employment is not under the supervision and jurisdiction of her agency; rather, the contract under which Ms. Rice would perform the coaching services is under the Training Unit.

Declined to render an advisory opinion in Docket No. 12-145 regarding whether Mother's Helpers Mentoring Company may apply for a grant from Harrah's New Orleans Grants while the company's Executive Director, Jerrelda Drummer Sanders, is an employee of the New Orleans City Council, District E, since Ms. Sanders is no longer employed by the New Orleans City Council, District E.

Adopted an advisory opinion in Docket No. 12-155 concluding that (1) the Code of Governmental Ethics would not prohibit Mayor Joey Normand, Town of Brusly, from participating in matters involving Cinclare property while his son-in-law is employed by Cinclare as long as his son-in-law does not have a substantial economic interest, for example a bonus, in any recommendation or decision made by Mayor Normand involving Cinclare property; (2) Section 1113A of the Code of Governmental Ethics would prohibit Mayor Normand's son-in-law from appearing before the Mayor or the Town of Brusly in any transactions involving his employer, Cinclare; (3) the Code of Governmental Ethics would not prohibit Cinclare from entering into a transaction with the Town of Brusly while Mayor Normand's son-in-law is employed with Cinclare, even as President, since his son-in-law does not have a controlling interest in Cinclare; (4) the Code of Governmental Ethics would prohibit Mayor Normand from designating another town employee with the responsibility of handling all matters involving Cinclare to avoid a potential La. R.S. 42:1112B(1) violation; and, (5) the Code of Governmental Ethics would not prohibit Mayor

Normand's son-in-law from entering into transactions with the Town of Brusly on Cinclare's behalf within the two year period following Mayor Normand's resignation as Mayor. The Board further advised that the post employment restrictions are only applicable to Mayor Normand, not his son-in-law.

Adopted an advisory opinion in Docket No. 12-198 concluding that (1) no violation of the Code of Governmental Ethics is presented by Ernie Broussard, former Director of the Cameron Parish Office of Planning and Development, accepting employment with the West Cameron Port Commission, since Mr. Broussard will not be employed by a person or rendering a service to the West Cameron Port Commission on a contractual basis; and (2) since the contract between the Cameron Parish Planning and Development Office and West Cameron Parish Port Commission provides for the employees of Planning and Development office to assist the West Cameron Parish Port Commission as needed, and the payments to the public employees for the services provided will come from the Planning and Development office, the services would become a part of their duties and responsibilities as employees of the Planning and Development office. As such, the services provided to the Port Commission are permitted; and, (3) since the West Cameron Parish Port Commission is not defined by the Code of Governmental Ethics as a person, there is no violation of the Code of Governmental Ethics if former employees of the Planning and Development office seek employment with the West Cameron Parish Port Commission.

Adopted an advisory opinion in Docket No. 12-231 concluding that no violation of the Code of Governmental Ethics is presented by the wife, Renita Mouton, of Kyle Bernis, assistant manager of Poverty Point Reservoir State Park, being employed with a company that has been obtained to perform management services with the Office of State Parks, since Ms. Mouton will not be receiving

compensation from a company that has a business relationship with her husband's agency.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, adopted an advisory opinion in Docket No. 12-232 concluding that no violation of the Campaign Finance Disclosure Act is presented by the spouse of Kiana Aaron Mitchell, a candidate for Judge, 2nd City Court, City of New Orleans, soliciting campaign contributions; however, Ms. Mitchell's spouse is prohibited from receiving compensation for services that he provides to her campaign. The Board further advised that it does not have jurisdiction over the Code of Judicial Conduct and declined to render an advisory opinion regarding the Code of Judicial Conduct's application.

Adopted an advisory opinion in Docket No. 12-237 concluding that no violation of the Code of Governmental Ethics is presented by Sherri Stephens, the spouse of the Village of Mer Rouge Chief of Police, being employed as the City Clerk, since Police Chief C. Mitch Stephens, has been employed with the Village of Mer Rouge for more than one year; however, Section 1112 of the Code of Governmental Ethics prohibits Chief Stephens from recommending, or in any other way participating, in the hiring of his spouse as City Clerk. The Board further advised that should Mrs. Stephens be hired as City Clerk, she will be prohibited from signing, or otherwise approving, her spouse's paycheck, or participating in any other matter in which he would have a substantial economic interest.

Adopted an advisory opinion in Docket No. 12-240 concluding that no violation of the Code of Governmental Ethics is presented by Julia Kenny, the former Assistant Secretary for the Office of Citizens with Developmental Disabilities (OCDD) within the Department of Health and Hospitals (DHH), contracting with, or being employed by, any of the Medicaid Program's Bayou Health contractors or the SMO for the Office of Behavioral Health, since the proposed employment

arrangement/contracts are outside the parameters of the OCDD.

Adopted an advisory opinion in Docket No. 12-248 concluding that no violation of the Code of Governmental Ethics is presented by Lauren Trahan, the daughter of Iberia Parish Councilman Marty Trahan, being employed as an x-ray technician with Iberia Parish Hospital Service District No. 1, as long as Ms. Trahan meets the requirements set forth in Section 1119B(2)(b)(I) of the Code of Governmental Ethics in which she is the only qualified applicant that applies for the position following the advertisement of the position for at least 30 days in the official journal of the parish and in all newspapers of general circulation in the parish where the hospital is located.

Adopted an advisory opinion in Docket No. 12-251 concluding that no violation of the Code of Governmental Ethics is presented by Reginald Smith, Jr. serving on the Community Sailing New Orleans, Inc. (NOSCI) Board while also serving as a member of the New Orleans Municipal Yacht Harbor Management Corporation (NOMYHMC) Board, since Mr. Smith receives no compensation from his service on the NOSCI Board. The Board further advised that since NOSCI is a nonprofit civic organization and Mr. Smith is uncompensated, R.S. 42:1123(1) allows his participation in matters before the NOMYHMC involving NOSCI.

The Board considered the following general business agenda items:

The Board considered a request for an advisory opinion in Docket No. 12-050 regarding Virginia Berry Green accepting an invitation to serve as a member of the St. Vincent de Paul Special Works Board and while being employed by the Department of Children and Family Services (DCFS). On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics would be presented by Ms. Green accepting the invitation to join the St. Vincent de Paul Special Works Board while employed in her current capacity as a DCFS

employee. The Board further advised that if St. Vincent de Paul had a substantial economic interest in a matter before your Ms. Greens' agency, Section 1112B(3) of the Code of Governmental Ethics would prohibit her from taking part in the decision making process regarding that matter.

The Board considered a request for an advisory opinion in Docket No. 12-399 regarding William Nungesser, Plaquemines Parish President, submitting an application for resubdivision before the Plaquemines Parish Council as mandated by a court order. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Mr. Nungesser, the Civellos and the Hammetts seeking a resubdivision of property from one to two lots in order to comply with the Consent Judgment and Order to Partition Property Pursuant to Private Sale, since there is a court order mandating the resubdivision of property and the council has no discretion to deny the resubdivision since the application meets all requirements for such resubdivision.

On motion made, seconded and unanimously passed, the Board approved the minutes of the March 15-16, 2012 meetings.

The Board considered a request in Docket No. 11-1086 to release the Attorney General's Opinion in response to a request made by Louisiana Board of Ethics concerning its authority to execute consent opinions. On motion made, seconded and unanimously passed, the Board agreed to request the Attorney General's Office to release the response concerning the Board's authority to execute consent opinions.

Acting Chairman Monroe recused himself from consideration of Docket No. 11-1590 and vacated the Chair. Board Member Schneider assumed the Chair.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board

reconsideration a request in Docket No. 11-1590 for a waiver of the \$600 late fee assessed against Mark D. Chiasson, a candidate for Thibodaux City Court Judge, in the October 4, 2008 election, for filing his Supplemental campaign finance disclosure report 174 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$600 late fee but suspended \$400 conditioned upon future compliance with the Campaign Finance Disclosure Act.

Acting Chairman Monroe resumed the Chair.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board reconsideration a request in Docket No. 11-1919 for a waiver of the \$200 and \$200 campaign finance late fees assessed against Robert Mik, a candidate for Desoto Parish Clerk of Court in the October 22, 2011 election, for filing his 10-P and EDE-P campaign finance disclosure reports 5 and 7 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$200 and \$200 late fees but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

Following the legislative overview provided by Ms. Allen, the Board reviewed the proposed legislation filed in connection with the 2012 Regular Legislative Session that affects the laws under the jurisdiction of the Board of Ethics. On motion made, seconded and unanimously passed, the Board took the following action:

HB 1034 = No Position
HB 1149 = Oppose
SB 658 = Oppose
SB 729 = No Position
SB 591 = Affirmed Opposition

On motion made, seconded and unanimously passed, the Board agreed to take action on the Campaign Finance Waiver Requests in Item #36 en globo subject to any items being removed from

the en globo listing for further discussion. On motion made, seconded and unanimously passed, the Board adopted the staff recommendations the Campaign Finance Waiver Requests in Item #36 excluding Docket Nos. 12-348, 12-370, 12-371, 12-375, 12-376, 12-378, 12-433, 12-434, 12-436, 12-440 and 12-443 taking the following action:

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered requests for “good cause” waivers of late fees assessed against the following candidates:

The Board unanimously declined to waive the late fees assessed against the following:

Docket No. 12-114 from Peter Randal Galvan of a \$480 late fee;
Docket No. 12-350 from Cindy Wale of a \$240 late fee;
Docket No. 12-351 from Lester M. Ezidore of a \$360 late fee;
Docket No. 12-353 from Nathaniel Jones of a \$280 late fee;
Docket No. 12-354 from Emile J. Garlepied of a \$880 late fee and a \$680 late fee;
Docket No. 12-355 from Cynthia N. Robertson of a \$360 late fee and a \$600 reassessed late fee;
Docket No. 12-357 from Tanner “T.A.” Messina, Jr. of a \$540 late fee;
Docket No. 12-358 from LOPAC of a \$3,000 late fee and a \$1,000 late fee;
Docket No. 12-359 from John R. Pizzolatto of a \$200 late fee and a \$320 late fee;
Docket No. 12-361 from Nathaniel Williams of a \$1,000 late fee, a \$750 late fee, a \$480 late fee and a \$180 late fee;
Docket No. 12-363 from Johnnie J. Henderson of a \$600 late fee and a \$300 late fee;
Docket No. 12-364 from Terry W. Sercovich of a \$780 late fee;
Docket No. 12-365 from Lindora Baker of a \$2,000 late fee;
Docket No. 12-367 from Kenny Ray Cox of a \$960 late fee;
Docket No. 12-373 from Thomas M. Tolar of a \$400 late fee and a \$200 late fee;
Docket No. 12-377 from John W. “Johnny” Daves of a \$600 late fee;
Docket No. 12-379 from Damon A. Didier of a \$2,000 late fee and a \$600 late fee;
Docket No. 12-380 from Eugene Green of a \$700 late fee;
Docket No. 12-383 from Marshall Long of a \$240 late fee and a \$400 late fee;
Docket No. 12-435 from Travis J. Turner of a \$360 late fee;
Docket No. 12-437 from Gary Duhon of a \$420 late fee;
Docket No. 12-445 from Irving “Sweetie” Barfield of a \$480 late fee;
Docket No. 12-446 from Daniel “Doc” Satterlee of a \$400 late fee and a \$40 late fee;
Docket No. 12-447 from Benny Douglas of a \$600 late fee;
Docket No. 12-448 from Plaquemines Concerned Citizens of a \$760 late fee; and,
Docket No. 12-449 from Christopher Paul Soileau of a \$120 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board

considered a request in Docket No. 12-348 for a waiver of the \$540 and \$60 campaign finance late fees assessed against Jacob "Jake" Halley, a candidate for State Representative, District 12, in the October 22, 2011 election, for filing his EDE-P and 10-G campaign finance disclosure reports 9 and 1 day(s) late. On motion made, seconded and unanimously passed, the Board declined to waive the \$540 late fee but suspended \$340 conditioned upon future compliance with the Campaign Finance Disclosure Act and waived the \$60 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-349 for a waiver of the \$360 campaign finance late fee assessed against Lonnie Watts, a candidate for State Representative, District 95, in the October 22, 2011 election, for filing his EDE-P campaign finance disclosure report 6 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$360 late fee but suspended \$160 conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-352 for a waiver of the \$480 campaign finance late fee assessed against Marva A. Lumar, a candidate for St. John the Baptist Clerk of Court, in the October 22, 2011 election, for filing her EDE-P campaign finance disclosure report 8 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$480 late fee but suspended \$280 conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-356 for a waiver of the \$540 campaign finance late fee assessed against Randy Whittington, a candidate for St. Tammany Parish President, in the October 22, 2011 election, for filing his 10-P campaign finance disclosure report 9 days late. On motion

made, seconded and unanimously passed, the Board declined to waive the \$540 late fee but suspended \$340 conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-360 for a waiver of the \$1,600 campaign finance late fee assessed against Health Agents, PAC, a political action committee, for filing the 10-G campaign finance disclosure report 8 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,600 late fee but suspended \$1,100 conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-362 for a waiver of the \$540 campaign finance late fee assessed against Kevin Hull, a candidate for State Representative, District 81, in the October 22, 2011 election, for filing his 10-G campaign finance disclosure report 9 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$540 late fee but suspended \$440 conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-370 for a waiver of the \$60 campaign finance late fee assessed against Albert "A. B." Franklin, a candidate for State Representative, District 34, in the October 22, 2011 election, for filing his EDE-P campaign finance disclosure report was filed 1 day late. On motion made, seconded and unanimously passed, the Board declined to waive the \$60 late fee but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board

considered a request in Docket No. 12-371 for a waiver of the \$420, \$480, and \$1,680 campaign finance late fees assessed against Otis Chisley, a candidate for State Representative, District 17, in the October 22, 2011 election, for filing his Special, EDE-P, and 10-G campaign finance disclosure reports 7, 8, and 28 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to the May meeting in order to obtain additional information.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-372 for a waiver of the \$1,000, \$1,000, and \$1,000 campaign finance late fees assessed against Ivo "Trey" Roberts, a candidate for Governor, in the October 22, 2011 election, for filing his 30-P, 10-P, and 10-G campaign finance disclosure reports 32, 13, and 21 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,000, \$1,000 and \$1,000 late fees but suspended \$700 of each late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-374 for a waiver of the \$540 campaign finance late fee assessed against Daniel "Danny" Lavergne, a candidate for Sheriff of Cameron Parish, in the October 22, 2011 election, for filing his 10-G campaign finance disclosure report 9 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$540 late fee but suspended \$440 conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-375 for a waiver of the \$40 and \$280 campaign finance late fees assessed against Jeff Allen Joiner, a candidate for Tangipahoa Parish Council, District 8 in the October 22, 2011 election, for filing his 10-P and 10-G campaign finance disclosure reports 1 and

7 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$40 and \$280 late fees.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-376 for a waiver of the \$1,000, \$400, \$400, \$400 and \$360 campaign finance late fees assessed against Ralph Coleman, a candidate for East Carroll Parish Police Juror, in the October 22, 2011 election, for filing his 30-P, 10-P, EDE-P, 10-G, and EDE-G campaign finance disclosure reports 77, 57, 37, 29, and 9 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$2,560 but suspended \$1,560 conditioned upon future compliance with the Campaign Finance Disclosure Act and established a payment plan of \$200 per month.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-378 for a waiver of the \$400 and \$320 campaign finance late fees assessed against Renesse Anthony Landry, a candidate for St. Mary Parish Council, District 6 in the October 22, 2011 election, for filing her EDE-P and 10-G campaign finance disclosure reports 16 and 8 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$400 late fee but suspended \$300 conditioned upon future compliance with the Campaign Finance Disclosure Act and declined to waive the \$320 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure the Board considered a request in Docket No. 12-431 for a waiver of the \$1,600 campaign finance late fee assessed against St. Bernard Citizens for Ethical Government, a political action committee, for filing the 10-G campaign finance disclosure report 8 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,600 late fee but suspended \$1,100

conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-432 for a waiver of the \$900 and \$900 campaign finance late fees assessed against Domoine D. Rutledge, a candidate for BESE, District 8 in the October 22, 2011 election, for filing his EDE-P and 10-G campaign finance disclosure reports 9 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$900 late fee but suspended \$600 conditioned upon future compliance with the Campaign Finance Disclosure Act and declined to waive the \$900 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-433 for a waiver of the \$440 campaign finance late fee assessed against Claude A "Tony" Stelly, a candidate for Calcasieu Parish Police Juror, District 10 in the October 22, 2011 election, for filing his Special campaign finance disclosure report 11 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$440 late fee. Board Member Backhaus recused himself.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-434 for a waiver of the \$480 campaign finance late fee assessed against Zaine "The Queen" Kasem, a candidate for State Senate, District 2 in the October 22, 2011 election, for filing her EDE-P campaign finance disclosure report 8 days late. On motion made, seconded and unanimously passed, the Board deferred the matter to the May meeting.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-436 for a waiver of the \$700 campaign finance late fee assessed against Madeline Jasmine, a candidate for Judge, 5th Circuit Court of Appeal, 3rd District,

Div. A, in the October 22, 2011 election, for filing her EDE-P campaign finance disclosure report 7 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$700 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-438 for a waiver of the \$360 campaign finance late fee assessed against Larry M. LaBorde, a candidate for Sheriff of Ouachita Parish, in the October 22, 2011 election, for filing his EDE-P campaign finance disclosure report 6 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$360 late fee but suspended \$160 conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-441 for a waiver of the \$400 campaign finance late fee assessed against Lucy Cooper, a candidate for Bossier Parish Police Juror, District 3, in the October 22, 2011 election, for filing her EDE-G campaign finance disclosure report 10 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$400 late fee but suspended \$200 conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-442 for a waiver of the \$900 campaign finance late fee assessed against Andrew L. Gressett, a candidate for Orleans Parish Council, in the March 24, 2012 election, for filing his 90-P campaign finance disclosure report 9 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$900 late fee but suspended \$600 conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board

considered a request in Docket No. 12-443 for a waiver of the \$100 campaign finance late fee assessed against David Blanchard, a candidate for Governor, in the October 22, 2011 election, for filing his EDE-P campaign finance disclosure report was filed 1 day late. On motion made, seconded and unanimously passed, the Board declined to waive the \$100 late fee but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

On motion made, seconded and unanimously passed, the Board agreed to take action on the Personal Financial Disclosure Waiver Requests in Item #37 en globo subject to any items being removed from the en globo listing for further discussion. On motion made, seconded and unanimously passed, the Board adopted the staff recommendations the Personal Financial Disclosure Waiver Requests in Item #37 taking the following action:

The Board unanimously declined to waive the late fees assessed against the following:

Docket No. 12-135 from Leroy Scott of a \$2,500 late fee;
Docket No. 12-403 from Donald Cotton of a \$1,500 late fee;
Docket No. 12-404 from Rodney Bedgood of a \$1,500 late fee;
Docket No. 12-406 from Alfred Bickham of a \$1,500 late fee; and,
Docket No. 12-411 from Cleveland Coon of a \$1,500 late fee.

The Board considered a request in Docket No. 11-1670 for a waiver of the \$1,050 late fee assessed against Arthur Alexander for filing his 2011-2012 school board disclosure statement late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,050 late fee but suspended \$850 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 12-401 for a waiver of the \$200 late fee assessed against Anne Redd for filing her 2010 Tier 2.1 annual personal financial disclosure statement 4 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$200 late fee but suspended the entire late fee conditioned upon future compliance with

the Code of Governmental Ethics.

The Board considered a request in Docket No. 12-402 for a waiver of the \$700 late fee assessed against Luther Spheight, III for filing his 2010 Tier 2.1 annual personal financial disclosure statement 14 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$700 late fee but suspended \$400 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 12-405 for a waiver of the \$200 late fee assessed against Lola May for filing her 2010 Tier 2 annual personal financial disclosure statement 2 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$200 late fee but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 12-408 for a waiver of the \$600 late fee assessed against Ann Miller for filing her 2010 Tier 3 annual personal financial disclosure statement 12 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$300 late fee but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 12-410 for a waiver of the \$450 late fee assessed against Mario Brown for filing his 2009 Tier 3 candidate personal financial disclosure statement 9 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$450 late fee but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 12-413 for a waiver of the \$1,500 late fee

assessed against Tillman Brown, Jr. for filing his 2008 Tier 2.1 annual personal financial disclosure statement 511 days late. On motion made, seconded and unanimously passed, the Board rescinded the late fee based on Rule 1205.

The Board considered a request in Docket No. 12-414 for a waiver of the \$250 late fee assessed against Johnny Shepherd for filing his 2009 Tier 3 candidate personal financial disclosure statement 5 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$250 late fee but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

The Board unanimously agreed to consider the following supplemental agenda items:

On motion made, seconded and unanimously passed, the Board agreed to take action on items 1-3 en globo. On motion made, seconded and unanimously passed, the Board adopted the staff recommendations on items 1-3 taking the following action:

The Board considered a request for an advisory opinion in Docket No. 12-054 regarding whether Sara Sims may perform contract work for entities that administer CDBG funds upon the termination of her employment with the Louisiana Board of Regents. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Ms. Sims overseeing CDBG fund management for entities upon the termination of her employment with the Board of Regents. The Board further advised that Section 1121 of the Code of Governmental Ethics prohibits Ms. Sims, for a period of two years from the termination of her employment with the Board of Regents, from assisting another person in a transaction in which she participated as a public employee and from contracting with her former agency to render the services she performed in her public employment.

The Board considered a request for an advisory opinion in Docket No. 12-101 regarding the application of the post employment restrictions to Brian Buckle, head of the Construction Division under the Office of Engineering of the Department of Transportation and Development (DOTD). On motion made, seconded and unanimously passed, the Board concluded that Section 1121 of the Code of Governmental Ethics prohibits Mr. Buckle, for a period of two years from his retirement from the Construction Division of DOTD, from assisting a consulting firm in any transaction involving the Construction Division under the Office of Engineering of the Department of Transportation and Development including the Systems Construction Contract Administration Division, Structural Construction, Structural Fabrication Division, Partial Estimates and the Audit Section Claims Division. The Board further advised that Mr. Buckle is not prohibited from providing these services to other state departments of transportation, municipalities or other private entities.

The Board considered a request for an advisory opinion in Docket No. 12-117 regarding Frank Thaxton, a member of the Board of Directors of the Louisiana Housing Corporation (LHC), he and his sons being in any way interested in properties that receive tax credits from the Louisiana Housing Finance Agency (LHFA). On motion made, seconded and unanimously passed, the Board concluded that Section 1113B of the Code of Governmental Ethics prohibits Mr. Thaxton from serving on the LHC Board of Directors while he and his sons, and/or companies which he owns or serves as an officer, have interests in properties that receive tax credits from the LHFA.

Accepted for filing, the disclosure statements filed in Docket No. 12-495 for March, 2012.

The Board unanimously agreed to add to the supplemental agenda, consideration of an amendment to the proposed rule concerning the food and drink limit in R.S. 42:1115.1 which would

increase the current value of the food and drink cap to \$56 beginning July 1, 2012. On motion made, seconded and unanimously passed, the Board authorized the staff to begin promulgation of the rule.

Acting Chairman Monroe thanked Dr. Lowrey for his years of dedicated service on the Board.

The Board unanimously adjourned at 12:39 p.m.

Secretary

APPROVED:

Acting Chairman

