



Louisiana Board of Ethics

**LaSalle Building
First Floor - Griffon Room
FEBRUARY 19, 2015
1:00 PM
617 North 3rd Street
Baton Rouge, Louisiana**

Note: Meetings begin on February 19, 2015 and continue to February 20, 2015.

Election of Chairman and Vice Chairman for the Louisiana Board of Ethics.

Executive Session

Consideration of complaints and reports deemed confidential pursuant to Section 1141 of the Code of Governmental Ethics.

Louisiana Board of Ethics

**LaSalle Building
First Floor - LaBelle Room
FEBRUARY 20, 2015
9:00 AM
617 North 3rd Street
Baton Rouge, Louisiana**

GENERAL

Appearances

G1. Docket No. 14-916

Appearance in connection with a reconsideration request submitted by Shirley Ann Jordan, a member of the West Baton Rouge Museum Board, regarding a \$1,500 late fee assessed for filing her 2011 Tier 2.1 annual

pdf 317 days late.

G2. Docket No. 14-1113

Appearance in connection with a reconsideration of a waiver request submitted by Louis Lambert, Jr., a member of the University of Louisiana Systems-Board of Supervisors, regarding a \$1,500 late fee assessed for filing his 2011 Tier 2.1 annual pdf 322 days late.

G3. Docket No. 141140

Appearance in connection with a request that the Board waive the \$1500 late fee assessed against Louis Buatt for failure to timely file a Supplemental Registration Report.

G4. Docket No. 14-1252

Appearance in connection with a waiver request submitted by Lennis Elston, a member of the Caddo Parish Fire Protection District, regarding a \$1,500 late fee assessed for filing her 2011 Tier 2.1 annual pdf 325 days late and a \$1,500 late fee assessed for filing her 2012 Tier 2.1 annual pdf 125 days late.

G5. Docket No. 14-1449

Appearance in connection with a request that the Board waive the \$100, \$100 and \$2500 campaign finance late fees assessed against Jeffry Sanford, a candidate for Associate Justice, Supreme Court, 5th Circuit, in the November 6, 2012 Election, whose 10-P, EDE-P and 10-G campaign finance disclosure reports were filed 1, 1, and 779 days late.

G6. Docket No. 14-1470

Appearance in connection with a waiver request submitted by Elizabeth Pittman-McDaniel, a member of the Tangipahoa Parish School Board, regarding a \$500 late fee assessed for filing her 2013 Tier 2 annual pdf 5 days late.

G7. Docket No. 14-1560

Appearance in connection with a request that the Board waive the \$1,380 campaign finance late fee assessed against Anthony Nelson, a candidate for School Board, District 7, City of Baton Rouge, East Baton Rouge Parish in the November 4, 2014 Election, whose 10-P campaign finance disclosure report was filed 23 days late.

G8. Docket No. 14-1580

Appearance by Representative Joseph A. Harrison in connection with an advisory opinion request regarding the proper use of campaign funds.

Consent Agenda and Consent Opinions

G9. Docket No. CHART

Chart for Consent February 2015

G10. Docket No. 14-1327

Advisory opinion request from Danita Muse regarding whether her business D.M. Muse, L.C., is prohibited by the Code of Governmental Ethics from receiving referrals from Magellan while she is employed as a Social Worker 4 for the Metropolitan Human Service District (MHSD).

- G11.** Docket No. 14-1403
Advisory opinion request by Emile Bertucci, III, regarding whether he may serve as chief executive officer (CEO) for St. Bernard Hospital (Hospital) when his brother, Bryan Bertucci, MD, is on staff at the Hospital.
- G12.** Docket No. 14-1417
Advisory opinion request from Meca Irving, a retired employee of the Department of Health and Hospitals-Retail Food Division, as to whether she may work privately as an approved provider teaching food management classes to private clients.
- G13.** Docket No. 14-1423
Advisory opinion request regarding whether businesses owned by John Canik, a newly elected member of the Cameron Parish School Board, may continue transacting business with schools in Cameron Parish.
- G14.** Docket No. 14-1529
Advisory opinion request on behalf of Blaine Dauzat regarding whether Celeste Voinche, his sister, would be frozen in her position within the Avoyelles Parish School System (APSS) if Mr. Dauzat were to become superintendent of APSS.
- G15.** Docket No. 14-1531
Advisory opinion request regarding Dieter M. Hugel Jr.'s recent appointment as a Commissioner for the Non-Flood Protection Asset Management Authority.
- G16.** Docket No. 14-1533
Advisory opinion request regarding whether Charles Griffin is prohibited from representing criminal defendants in the 20th Judicial District Court, located in East and West Feliciana Parishes, while his wife, Kristi Griffin, is employed as a prosecutor with the 20th Judicial District Attorney's Office.
- G17.** Docket No. 14-1534
Advisory opinion request regarding whether Robert Oliver can continue his outside employment as a private investigator while being employed with the Division of Probation and Parole (Division).
- G18.** Docket No. 14-1537
Advisory opinion request regarding whether the Ethics Code would prohibit Bryan Fontenot from serving as a Justice of the Peace while he owns Thibodaux Driving School.
- G19.** Docket No. 14-1541
Advisory opinion request by Judge Mary L. Dogget of the 9th Judicial District regarding whether the 9th Judicial District Drug Court Program can hire a newly retired district judge as a director/chief case manager.
- G20.** Docket No. 14-1543
Advisory opinion request from West Feliciana Councilman Mel Percy regarding whether the Ethics Code would prohibit the appointment of Robin Hurst to the Fire Board for West Feliciana.

- G21.** Docket No. 14-1545
Advisory opinion request by Judge Mary L. Dogget of the 9th Judicial District Court regarding whether it is allowable under Judicial Canon 3 for a district judge to employ her husband's nephew as a judicial law clerk in her division.
- G22.** Docket No. 14-1566
Advisory opinion request regarding whether any conflict arises if Matt Parker is elected the Commissioner of Insurance while his company, Parker Auto Body, Inc., is one of 39 plaintiffs in a federal lawsuit against 40 insurance companies.
- G23.** Docket No. 14-1567
Advisory opinion request from Church Point Alderman, Errol "Slu" Comeaux, regarding whether the Ethics Code would prohibit his part time employment with Vautrot's Auto and Truck Parts.
- G24.** Docket No. 14-1568
Advisory opinion request regarding whether Mrs. Wendy Eldridge, a commissioner of Iberia Parish Airport Authority (IPAA), may submit a performance evaluation on Mr. Jason Devillier, airport director.
- G25.** Docket No. 14-1569
Advisory opinion request regarding whether David Summersgill may be employed as the 4th Judicial District Public Defender assigned to the Monroe City Court (City Public Defender), located in Ouachita Parish, while his mother, Nanci Summersgill, serves as the Monroe City Attorney.
- G26.** Docket No. 14-1571
Advisory opinion request regarding the appointment of Celeste Falconer to the governing board of the Florida Parishes Human Services Authority.
- G27.** Docket No. 14-1577
Advisory opinion request regarding the application of La. R.S. 42:2.2 to the appointment by a parish police jury of a father and son to the same board.
- G28.** Docket No. 15-002
Advisory opinion regarding whether a lumber store owned by Wayne Smith, a newly elected member of the Town of Oberlin Board of Aldermen, may continue to transact business with the Town of Oberlin.
- G29.** Docket No. 15-003
Advisory opinion request regarding the propriety of a City of New Orleans employee receiving a gift from a friend.
- G30.** Docket No. 15-005
Advisory opinion request from St. John the Baptist Parish employee, Pamela Perrilloux, regarding whether the Ethics Code would prohibit her from being promoted to Legislative Assistant while her husband Marvin Perrilloux serves as Parish Councilman.

- G31.** Docket No. 15-040
Advisory opinion request regarding whether Mayo Tours may transact business with the Monroe City School District, located in Ouachita Parish, at a time when its employee, Brandon Johnson, is a member of the Monroe City School Board.
- G32.** Docket No. 15-041
Advisory opinion request regarding whether the Ethics Code would prohibit newly elected, District 8 Representative Mike Johnson, from continuing to provide legal services to Louisiana Right to Life Educational Committee, Inc., once he takes office.

Disclosure Reports

- G33.** Docket No. 15-039
Notice of all disclosures filed with the Board during November and December of 2014.

Regular Business

- G34.** Docket No. MINUTES
January 2015 Board Minutes
- G35.** Docket No. 11-1393
Consent opinion regarding Jackie Schauf, executive director of the Tensas Community Health Center, Inc., renting property to the Center.
- G36.** Docket No. 13-917
Consent Opinions regarding New Orleans Police Officer, John Ray, accepting gifts from Robert Kingsmill of Kingsmill Auto Services, while Kingsmill had a business relationship with the New Orleans Police Department (NOPD).
- G37.** Docket No. 13-1077
Consent opinion regarding Keith Davidson, member of Pointe Coupee Fire District 4, entering into transactions with his agency.
- G38.** Docket No. 14-1565
Advisory opinion request as to whether paid advertisements with certain types of speech would be considered "expenditures" triggering mandatory disclosure requirements under the Campaign Finance Disclosure Act.
- G39.** Docket No. 15-001
Advisory opinion request regarding whether Oscar Diaz or HarmonIQ Health Systems Corporation, an entity in which Mr. Diaz is a principal, can negotiate and contract with a subcontractor of LSU to sublicense healthcare technology and software systems, considering the fact that Mr. Diaz, through nGENEX7, LLC, previously performed services for LSU as an independent contractor.
- G40.** Docket No. LEGISLA
Consideration of a suggestions to propose legislation for consideration during the 2015 Regular Legislative Session.

G41. WAIVER REQUESTS - CAMPAIGN FINANCEDocket No. chart

February 2015 Campaign Finance Waiver Chart.

Docket No. 14-1373

Request that the Board waive the \$960 campaign finance late fee assessed against Willis Yarbrough, a candidate for City Marshal, City Court, City of Bogalusa, Washington Parish in the November 4, 2014 Election, whose 30-P campaign finance disclosure report was filed 16 days late.

Docket No. 14-1377

Request that the Board waive the \$900 campaign finance late fee assessed against Etta Liciardi, a candidate for Member of School Board, District 3, Jefferson Parish in the November 4, 2014 Election, whose 30-P campaign finance disclosure report was filed 15 days late.

Docket No. 14-1430

Request that the Board waive the \$1,080 campaign finance late fee assessed against Oscar Dantzler, Jr., a candidate for City Marshal, City Court, City of Hammond, in the November 4, 2004 election, whose 30-P campaign finance disclosure report was filed 18 days late.

Docket No. 14-1432

Request that the Board waive the \$600, \$2,000 and \$540 in campaign finance late fees assessed against Anthony P. Lewis, a candidate for District Judge, 17th Judicial District Court, Division B, Lafourche Parish in the November 4, 2014 Election, whose 2012 Annual, 2013 Annual, and 10-P campaign finance disclosure report was filed late.

Docket No. 14-1434

Request that the Board waive the \$1,000 campaign finance late fee assessed against Rudy Gorrell, a candidate for Judge, Criminal District Court, Section D, Parish of New Orleans in the November 4, 2014 Election, whose 30-P campaign finance disclosure report was filed 16 days late.

Docket No. 14-1437

Request that the Board waive the \$540 campaign finance late fee assessed against Michael Barbee, a candidate for City Marshal, City Court, City of Plaquemine, in the November 4, 2014 Election, whose 30-P campaign finance disclosure report was filed 9 days late.

Docket No. 14-1439

Request that the Board waive the \$320 campaign finance late fee assessed against Polly Pickney, a candidate for Alderman, Town of Port Barre in the November 4, 2014 Election, whose 10-P campaign finance disclosure report was filed 8 days late.

Docket No. 14-1444

Request that the Board waive the \$480 campaign finance late fee assessed against Judi Abrusley, a candidate for City Judge, City Court, City of Oakdale, Allen Parish in the November 4, 2014 Election, whose 30-

P campaign finance disclosure report was filed 8 days late.

Docket No. 14-1445

Request that the Board waive the \$540 campaign finance late fee assessed against Richard Starling, a candidate for City Judge, City Court, City of Alexandria in the November 4, 2014 Election, whose 30-P campaign finance disclosure report was filed 9 days late.

Docket No. 14-1446

Request that the Board waive the \$600 and \$120 campaign finance late fees assessed against Dorothy Sansoni, a candidate for School Board at Large, Iberville Parish in the November 4, 2014 Election, whose 30-P and 10-P campaign finance disclosure reports were filed 23 and 2 days late.

Docket No. 14-1447

Request that the Board waive the \$280 campaign finance late fee assessed against Charles Spraggins, a candidate for Town Marshal, City Court, Town of Plain Dealing in the November 4, 2014 Election, whose 10-P campaign finance disclosure report was filed 7 days late.

Docket No. 14-1448

Request that the Board waive the \$360 campaign finance late fee assessed against Willie Clyde Curry, a candidate for Selectman, District One, Town of Homer, Claiborne Parish, in the November 4, 2014 Election, whose 10-P campaign finance disclosure report was filed 9 days late.

Docket No. 14-1450

Request that the Board waive the \$420 campaign finance late fee assessed against Dan McKay, a candidate for City Judge, City Court, City of Bunkie, Avoyelles Parish in the November 4, 2014 Election, whose 10-P campaign finance disclosure report was filed 7 days late.

Docket No. 14-1451

Request that the Board waive the \$400, \$500, and \$795 campaign finance late fees assessed against Carday Marshall, a candidate for Councilman, City Court, District 4, City of Monroe in the November 6, 2012 Election, whose 10-P campaign finance disclosure report was filed 11 days late; EDE-P campaign finance report was filed 47 days late; and 10-G campaign finance report was filed 76 days late.

Docket No. 14-1452

Request that the Board waive the \$80 and \$160 campaign finance late fees assessed against Kyle Neal, a candidate for Constable, Ward 6, City of Montegut, Terrebonne Parish in the November 4, 2014 Election, whose 10-P campaign finance disclosure report was filed 2 days late and EDE-P campaign finance disclosure report was filed 4 days late.

Docket No. 14-1453

Request that the Board waive the \$480 campaign finance late fee assessed against Michael Pitman, a candidate for District Judge, 1st Judicial District Court, in the November 4, 2014 Election, whose 30-P campaign finance disclosure report was filed 8 days late.

Docket No. 14-1508

Request that the Board waive the \$600 campaign finance late fee assessed against John R. Edwards, a candidate for City Marshal, Alexandria City Court, Rapides Parish in the November 4, 2014 Election, whose 10-P campaign finance disclosure report was filed 10 days late.

Docket No. 14-1509

Request that the Board waive the \$720 campaign finance late fee assessed against Mike Van Schoick, a candidate for Mayor, Town of Vivian, Caddo Parish in the November 4, 2014 Election, whose 30-P campaign finance disclosure report was filed 18 days late.

Docket No. 14-1510

Request that the Board waive the \$600 and \$420 campaign finance late fees assessed against Edward Butler, a candidate for City Marshal, City Court, City of Alexandria, Rapides Parish in the November 4, 2014 Election, whose 30-P campaign finance disclosure report was filed 10 days late, and 10-P campaign finance disclosure report was filed 7 days late.

Docket No. 14-1511

Request that the Board waive the \$720 campaign finance late fee assessed against Warren Lawrence, a candidate for Parish Council Member, District 7, City of Port Sulphur, Plaquemine Parish in the November 4, 2014 Election, whose 30-P campaign finance disclosure report was filed 18 days late.

Docket No. 14-1512

Request that the Board waive the \$120 campaign finance late fee assessed against Troy Broussard, a candidate for Judge, 1st Parish Court, Division B, Jefferson Parish in the November 4, 2014 Election, whose EDE-P campaign finance disclosure report was filed 2 days late.

Docket No. 14-1513

Request that the Board waive the \$480 campaign finance late fee assessed against Sophia Dixon Brown, a candidate for District Judge, 4th Judicial District Court, City of Monroe, Ouachita Parish in the November 4, 2014 Election, whose 10-P campaign finance disclosure report was filed 8 days late.

Docket No. 14-1514

Request that the Board waive the \$720 campaign finance late fee assessed against William Wainwright, a candidate for City Marshal, City Court, City of Hammond, Tangipahoa Parish in the November 4, 2014 Election, whose Special campaign finance disclosure report was filed 12 days late.

Docket No. 14-1516

Request that the Board waive the \$420 campaign finance late fee assessed against Clifford Thomas, a candidate for City Marshal, City Court, City of Monroe, Ouachita Parish in the November 4, 2014 Election, whose 10-P campaign finance disclosure report was filed 7 days late.

Docket No. 14-1517

Request that the Board waive the \$840 campaign finance late fee

assessed against Clyde Hamner, a candidate for School Board, City of Houma, District 6, Terrebonne Parish in the November 4, 2014 Election, whose 30-P campaign finance disclosure report was filed 21 days late.

Docket No. 14-1518

Request that the Board waive the \$240 campaign finance late fee assessed against Debra Norwood, a candidate for City Marshal, City Court, City of Hammond, Tangipahoa Parish in the November 4, 2014 Election, whose 10-P campaign finance disclosure report was filed 4 days late.

Docket No. 14-1547

Request that the Board waive the \$180 campaign finance late fee assessed against Gideon Carter, a candidate for District Judge, 19th JDC, City of Baton Rouge, East Baton Rouge Parish in the November 4, 2014 Election, whose EDE-P campaign finance disclosure report was filed 3 days late.

Docket No. 14-1548

Request that the Board waive the \$300 campaign finance late fee assessed against Marie Williams, a candidate for Judge, Second City Court, City of New Orleans, Orleans Parish in the November 4, 2014 Election, whose 10-P campaign finance disclosure report was filed 3 days late.

Docket No. 14-1549

Request that the Board waive the \$2,000 campaign finance late fee assessed against Derrick Earles, a candidate for Judge, City Court, City of Bunkie, Avoyelles Parish in the November 4, 2014 Election, whose 30-P campaign finance disclosure report was filed 39 days late.

Docket No. 14-1550

Request that the Board waive the \$480 campaign finance late fee assessed against John Mosely, a candidate for District Judge, 1st JDC, Division G, Caddo Parish in the November 4, 2014 Election, whose 30-P campaign finance disclosure report was filed 8 days late.

Docket No. 14-1551

Request that the Board waive the \$60 and \$540 campaign finance late fees assessed against Patrick Pierson, a candidate for Constable, 1st Parish Court, City of Gretna, Jefferson Parish in the November 4, 2014 Election, whose 30-P and 10-P campaign finance disclosure reports were filed 1 and 9 days late.

G42. WAIVER REQUESTS - PERSONAL FINANCIAL DISCLOSURE

Docket No. waiver

February 2015 PFD Waiver Chart.

Docket No. 14-913

Waiver request submitted by Allison Bowler, a former member of the Akili Academy of New Orleans Charter School Board, regarding a \$1,500 late fee assessed for filing a 2011 Tier 3 annual pfd 287 days late.

Docket No. 14-1251

Waiver request submitted by Rose Legaux, a St. Charles Parish Constable, regarding a \$2,500 late fee assessed for filing her 2012 Tier 2 annual pfd 268 days late.

Docket No. 14-1253

Waiver request submitted by Gloria Hancock, a former member of the Madison Parish School Board, regarding a \$1,500 late fee assessed for filing her 2011 Tier 3 annual pfd 334 days late and a \$1,500 late fee assessed for filing her 2012 Tier 3 annual pfd 188 days late.

Docket No. 14-1256

Waiver request submitted by Mike Bono, a former member of the Louisiana Real Estate Commission, regarding a \$100 late fee assessed for filing his 2011 Tier 2.1 annual pfd 2 days late.

Docket No. 14-1257

Waiver request submitted by Christopher Elg, a former member of the Municipal Police Employees Retirement System, regarding a \$950 late fee assessed for filing a 2012 Tier 2.1 annual pfd 19 days late.

Docket No. 14-1458

Waiver request submitted by Juston Thomas, a member of the Washington Parish Council, regarding a \$2,500 late fee assessed for filing a 2012 Tier 2 annual pfd 268 days late.

Docket No. 14-1476

Waiver request submitted by Dr. Brett Campanella, a member of the State Board of Practical Nurse Examiners, regarding a \$1,500 late fee assessed for filing his 2012 Tier 2.1 annual pfd 180 days late.

Docket No. 14-1491

Waiver request submitted by Mahogany Watkins, a member of the Greater Alexandria Economic Development Authority, regarding a \$1,500 late fee assessed for filing her 2012 Tier 2.1 annual pfd 175 days late.

Docket No. 14-1492

Waiver request submitted by Eugene Venzant, a member of the Bryceland Board of Aldermen, Bienville Parish, regarding a \$1,500 late fee assessed for filing his amended 2012 Tier 3 annual pfd 172 days late.

Docket No. 14-1521

Waiver request submitted by Laurita Pete, a member of the Crowley Board of Aldermen, Acadia Parish, regarding a \$1,500 late fee assessed for filing her 2012 Tier 3 annual pfd 260 days late.

Docket No. 14-1522

Waiver request submitted by David Barnes, Jr., a former member of the Aquatic Chelonian Research and Promotion Board, regarding a \$1,500 late fee assessed for filing his 2012 Tier 2.1 annual pfd 236 days late.

G43. WAIVER REQUESTS - OTHER DISCLOSUREDocket No. 14-1481

Waiver request submitted by Kent Schexnaydre, a member of the

Ascension Parish Council, regarding a \$2,500 late fee assessed for filing a R.S. 42:1114.3 disaster or emergency contract disclosure 115 days late.

G44. WAIVER REQUESTS - UNTIMELY

Docket No. 14-1519

Untimely waiver request submitted by Annie Brown, a former member of the Lincoln Parish Police Jury, regarding a \$1,500 late fee assessed for filing her 2011 Tier 3 annual pfd 299 days late.

Docket No. 14-1554

Untimely waiver request submitted by Nita Hutter, former State Representative for District 104, regarding a \$2,300 late fee assessed for filing her 2012 Tier 2 annual pfd 23 days late.

G45. WAIVER REQUESTS - RECONSIDERATIONS

Docket No. 14-648

Reconsideration of a waiver request submitted by Jewel Jaudon, a member of the Greenwood Board of Aldermen, Caddo Parish, regarding a \$1,500 late fee assessed for filing a 2012 Tier 3 annual pfd 186 days late.

Docket No. 14-911

Reconsideration of a waiver request submitted by Alton Thomas, Jr., a former member of the Chataignier Board of Aldermen, regarding a \$1,500 late fee assessed for filing his 2011 Tier 3 annual pfd 276 days late.

Docket No. 14-1127

Reconsideration of a waiver request submitted by Edward Patrick, a Constable for St. Mary Parish, regarding a \$1,500 late fee assessed for filing his 2011 Tier 3 annual pfd 235 days late.

Docket No. 14-1482

Waiver request submitted by Melba Sandifer, a member of the Northeast Human Services Authority, regarding a \$1,500 late fee assessed for filing her 2012 Tier 2.1 annual pfd 217 days late.