

LOUISIANA BOARD OF ETHICS  
MINUTES  
March 16, 2012

The Board of Ethics met on March 16, 2012 at 9:00 a.m. in the LaBelle Room on the 1<sup>st</sup> floor of the LaSalle Building located at 617 North Third Street, Baton Rouge, Louisiana, with Board Members Backhaus, Blewer, Hymel, Ingrassia, Leggio, Lowrey, Simoneaux and Stafford present. Absent were Board Members Monroe and Schneider. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Deborah Grier; and Counsel Tracy Barker, Aneatra Boykin, Michael Dupree, Brent Durham and Deidra Godfrey.

The Board considered a request for an advisory opinion in Docket No. 11-1873 regarding CPA's who contract with governmental entities to perform audits needing to receive mandatory training in connection with La. R.S. 42:1170. On motion made, seconded and unanimously passed, the Board deferred the matter to the April meeting.

Board Member Schneider arrived at the meeting at 9:05 a.m.

Mr. Patrick Morrow and Mr. Nicholas Gachassin, III, attorney for Opelousas General Hospital Authority, appeared before the Board in connection with a request for an advisory opinion in Docket No. 12-012 regarding whether Mr. Morrow may be appointed to serve on the St. Landry Parish Hospital Service District No. 2 while he and his law firm, Morrow, Morrow, Ryan and Basset, represent the hospital in a class action lawsuits. After hearing from Mr. Morrow and Mr. Gachassin, on motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Mr. Morrow continuing to serve as a member of the St. Landry Parish Hospital Service District or as a member of the Opelousas General Hospital Trust Authority, since neither his law firm nor himself is in any way interested in

the representation of the Trust Authority by his law firm, since the contract for legal services was entered into prior to his appointment and the Trust Authority will not take any action with respect to the representation of it in the class action lawsuit. The Board further concluded that no violation of the Code of Governmental Ethics is presented by Mr. Morrow providing compensated services to his law firm while his law firm has a contractual or business relationship with the Trust Authority by virtue of its legal representation of the Trust Authority in the class action lawsuit, since the contract in which it entered prior to the firm's appointment by the Court as legal counsel for the class no longer controls and it is basically meaningless.

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

Mr. John Crawford appeared before the Board in connection with reconsideration of a request in Docket No. 11-1659 for a waiver of the \$1,500 late fee assessed against him for filing his 2009 Tier 3 candidate personal financial disclosure statement late. After hearing from Mr. Crawford, on motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee.

Mr. Rick Nowlin, a former member of the Louisiana Legislature, appeared before the Board in connection with a request for an advisory opinion Docket No. 12-092 regarding whether he may accept employment with the Republican Legislative Delegation (RLD). After hearing from Mr. Nowlin, on motion made, seconded and passed by a vote of 7 yeas by Board Members Backhaus, Blewer, Hymel, Ingrassia, Leggio, Schneider and Stafford, 1 nay by Board Member Simoneaux and 1 abstention by Board Member Lowrey, the Board concluded that Section 1121A of the Code of Governmental Ethics prohibits Mr. Nowlin from serving as the Legislative Policy Analyst for the RLD if he will receive a salary or wage for the performance of services in that position, or if he is

compensated pursuant to a contract with the RLD. This prohibition is applicable regardless of whether the funds will come from the RLD or another source. The RLD is a "person" separate and distinct from Mr. Nowlin's former agency--the legislative branch. Thus, Mr. Nowlin is prohibited from assisting the RLD in any transaction involving the legislative branch. As the Legislative Policy Analyst, his duties would involve review of legislation to determine if the legislation is consistent with the policies of the RLD. Thereafter, he will submit reports of his reviews and analysis to the chairman of the RLD. The chairman will then utilize these reports to determine strategy and courses of action to be taken on the general floor. The use of Mr. Nowlin's reports to take actions within the legislative branch is prohibited. The Board further concluded that the Code of Governmental Ethics will not prohibit Mr. Nowlin from being reimbursed based on an accounting or a per diem for actual expenses for the performance of services for the RLD. The reimbursement of expenses is not considered compensation and is thus not prohibited by Section 1121A of the Code of Governmental Ethics.

Mr. Kenric Fremin and Mr. Wayne Landry, attorney for the Iberia Parish School Board, appeared before the Board in connection with a request in Docket No. 12-257 for a waiver of the \$2,500 late fee assessed against Mr. Fremin for filing his amended 2009 Tier 2 personal financial disclosure statement 382 days late. After hearing from Mr. Fremin and Mr. Landry, on motion made, seconded and unanimously passed, the Board declined to waive the \$2,500 late fee but suspended \$2,000 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered the following general business agenda items:

Mr. Jonathan Holloway, a candidate for State Representative, District 101 in the October 22,

2011 election, and Ms. Erica Crenshaw, report preparer, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 12-086 for a waiver of the \$360 late fee assessed against Mr. Holloway for filing his EDE-P campaign finance disclosure report 6 days late. After hearing from Mr. Holloway and Ms. Crenshaw, on motion made, seconded and passed by a vote of 6 yeas by Board Members Hymel, Ingrassia, Leggio, Lowrey, Simoneaux and Stafford, 2 nays by Board Members Backhaus and Blewer and 1 abstention by Board Member Schneider, the Board declined to waive the \$360 late fee but suspended \$310 conditioned upon future compliance with the Campaign Finance Disclosure Act.

Mr. Joel Morgan, a candidate for State Representative, 86th District, 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. 12-081 for a waiver of the \$420 late fee assessed against him for filing his 10-G campaign finance disclosure report 7 days late. After hearing from Mr. Morgan, on motion made, seconded and unanimously passed, the Board declined to waive the \$420 late fee but suspended the entire amount conditioned upon future compliance with the Campaign Finance Disclosure Act.

Mr. Albert Foulcard, a candidate for St. Mary Parish Council, District 9 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. 12-123 for a waiver of the \$1,050 late fee assessed against him for filing his 10-G campaign finance disclosure report 28 days late. After hearing from Mr. Foulcard, on motion made, seconded and unanimously passed, the Board declined to waive the \$1,050 late fee but suspended the entire amount conditioned upon future compliance with the Campaign Finance Disclosure Act.

Mr. Dirk Deville appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, on behalf of Mr. Walter Lee, a candidate for Evangeline Parish Clerk of Court in the October 22, 2011 election, in connection with a request in Docket No. 12-128 for a waiver of the \$600 late fee assessed against Mr. Lee for filing his EDE-P campaign finance disclosure report 6 days late. After hearing from Mr. Deville, on motion made, seconded and unanimously passed, the Board waived the \$600 late fee imposed against Mr. Lee.

Mr. Wayne Landry, attorney for the Iberia Parish School Board, appeared before the Board in connection with requests in (1) Docket No. 11-1746 for a waiver of the \$1,050 late fee assessed against Jesse McDonald, a member of the Iberia Parish School Board, for filing his 2011-2012 school board disclosure statement 21 days late; (2) Docket No. 11-1747 for a waiver of the \$1,050 late fee assessed against Robbie LeBlanc, a member of the Iberia Parish School Board, for filing his 2011-2012 school board disclosure statement 21 days late; (3) Docket No. 11-1748 for a waiver of the \$1,050 late fee assessed against Dan LeBlanc, a member of the Iberia Parish School Board, for filing his 2011-2012 school board disclosure statement 21 days late; and, (4) Docket No. 11-1749 for a waiver of the \$1,050 late fee assessed against Edwin Buford, Jr., a member of the Iberia Parish School Board, for filing his 2011-2012 school board disclosure statement 21 days late. After hearing from Mr. Landry, on motion made, seconded and unanimously passed, the Board waived \$850 of each late fee imposed against Mr. McDonald, Mr. Robbie LeBlanc, Mr. Dan LeBlanc and Mr. Buford.

The Board considered a request in Docket No. 11-1825 for a waiver of the \$200 late fee assessed against Libby Moran, a member of the Jefferson Parish School Board, for filing her school board disclosure statement 4 days late. On motion made, seconded and unanimously passed, the

Board waived the \$200 late fee based on the waiver guidelines.

Chairman Simoneaux vacated the Chair. Acting Vice Chairman Schneider assumed the Chair.

On motion made, seconded and unanimously passed, the Board adopted the following general business agenda items:

Adopted an advisory opinion in Docket No. 12-016 concluding the following:

*1. Two Foundation Board members are physicians and are listed as "staff members" at the TGMC. Although not in the immediate future, the Foundation may, at some time, provide funds for the purchase of equipment that may be used by the doctors. The Foundation does not plan to use any funds to supplement salaries of any TGMC employees or staff members.*

The Board concluded that the Code of Governmental Ethics would not prohibit the physicians from using the equipment as long as the equipment is the property of the hospital. La. R.S. 42: 1111A prohibits a public servant from receiving any thing of economic value for the performance of his job duties other than the compensation and benefits from the governmental entity to which he is duly entitled. Also, La. R.S. 42:1115A of the Code prohibits a public servant from receiving any thing of economic value from persons that have or are seeking to have a business, financial or contractual relationship with their public agency; persons seeking, for compensation, to influence the passage or defeat of legislation by the public servant's agency; persons regulated by their agency; and persons that have substantial economic interests which can be substantially affected by the performance of the

employees duties. The prohibitions in Subsections 1111A and 1115A prohibit public servants from receiving things of economic value in their individual capacities. Thus, as long as the equipment is not given to the physicians individually, for their personal use, there will be no violation of the Code.

*2. One board member is a commercial lender for a local bank which houses some TGMC accounts.*

*3. One board member owns a local newspaper in which TGMC regularly runs commercial ads. Although the Foundation has no plans to and will not run paid ads in the paper owned by this board member, the medical center is not proposing to change its advertising methods.*

In regard to the second and third scenarios, the Board concluded that the Code of Ethics is not applicable to the commercial lender nor the owner of the newspaper. These persons are not public servants by virtue of their service on the Foundation Board.

Adopted an advisory opinion in Docket No. 12-037 concluding that no violation of the Code of Governmental Ethics is presented by Representative Bryan Adams selling fire trucks to municipalities or parishes, since those entities are not considered part of his agency, the Louisiana Legislature or part of the state or one of its agencies.

Chairman Simoneaux resumed the Chair.

Declined to render an advisory opinion in Docket No. 12-038 regarding whether Dr. Derris Ray may be appointed to the Board of Directors for Hood Memorial Hospital, since another person was appointed to the board.

Adopted an advisory opinion in Docket No. 12-039 concluding that no violation of the Code of Governmental Ethics is presented by the Town of Elton hiring the step-father of Town Councilman Anthony Guillory's wife, since a spouse's step-parents are not included in the definition of immediate family members within the Code of Governmental Ethics.

Adopted an advisory opinion in Docket No. 12-041 concluding that no violation of the Code of Governmental Ethics is presented by the continued employment of Sharon Dupuy as an Administrative Coordinator 3 at of the Department of Children and Family Services (DCFS) in Avoyelles Parish following her recent marriage to Jason Dupuy, Area Director of the Department of Children and Family Services (DCFS) in Avoyelles Parish, since Mrs. Dupuy was employed with DCFS at least one year prior to their marriage. The Board further concluded that Section 1112 B(1) of the Code of Governmental Ethics prohibits Mr. Dupuy from participating in any matters involving Ms. Dupuy's employment in which she has a substantial economic interest.

Adopted an advisory opinion in Docket No. 12-042 concluding that no violation of the Code of Governmental Ethics is presented by Bao Vu, a former engineer/project manager for the Department of Public Works, City of New Orleans, accepting employment with an engineering firm, Jacobs Engineering, that does business with the City of New Orleans, since Mr. Vu will be working with Jacobs Engineering to assist with a FEMA project and will not be assisting Jacobs Engineering in a transaction with the Department of Public Works for the City of New Orleans.

Adopted an advisory opinion in Docket No. 12-043 concluding that no violation of the Code of Governmental Ethics is presented by Javier Gutierrez continuing to work at the Louisiana Supreme Court if he accepts a teacher assistant position at the University of New Orleans while he attends school at the University, since the University of New Orleans is not a person as defined by



the Code of Governmental Ethics.

By a vote of 5 yeas by Board Members Backhaus, Blewer, Ingrassia, Leggio, Schneider 3 nays by Board Members Hymel, Simoneaux, Stafford adopted an advisory opinion in Docket No. 12-045 concluding that Section 1121B of the Code of Governmental Ethics prohibits Sara Alford, a former employee of the Department of Social Services (DSS), from becoming a contract employee with Northwestern State University (NSU), since Ms. Alford will be performing job coaching for current DSS employees, which is essentially the same service she rendered to the DSS from October 2008 until October 2011. Board Member Lowrey recused himself.

Declined to render an advisory opinion in Docket No. 12-099 regarding whether Roger Duncan, a member of the Iberia Parish Council, was prohibited from purchasing property that is located within the jurisdiction of a TIF District, otherwise known as an Economic Development District, since the matter involved past conduct.

Adopted an advisory opinion in Docket No. 12-100 concluding that Section 1113A(1)(a) of the Code of Governmental Ethics prohibits the Natchitoches Parish Library from entering into an agreement with Kevin Walker, the brother of an employee of the Natchitoches Parish Library, to photograph a construction project at the library, since Mr. Walker is an immediate family member of the library employee, Evelyn Hamilton.

Adopted an advisory opinion in Docket No. 12-112 concluding that no violation of the Code of Governmental Ethics is presented by Virginia Collins, a former employee of the Department of Children and Family Services (DCFS), becoming a contract employee with Northwestern State University (NSU) to provide services as a Child Welfare Coach to the DCFS, since Ms. Collins retired from the DCFS in 2008 and the two year prohibition period has passed.

Adopted an advisory opinion in Docket No. 12-118 concluding that Section 1112 of the Code of Governmental Ethics prohibits Joan Landry, a State Farm Insurer who also serves as a member of the Livingston Parish Council, from voting on and approving matters which may come before the Livingston Parish Council which involve her clients.

Declined to render an advisory opinion in Docket No. 12-119 regarding the Village of Moreauville performing drainage work on private property, since the property owner is a private citizen and not a public servant of the Village and no ethics issues were presented.

Accepted for filing, the disclosure statements filed in Docket No. 12-093 for January, 2012.

Accepted for filing, the disclosure statements filed in Docket No. 12-229 for February, 2012.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the February 16-17, 2012 meetings.

The Board considered proposed rules concerning the appropriate use of campaign finance funds. Board Member Scott Schneider was appointed chairman of a committee, consisting of three members, who will work with the staff to draft and coordinate a format for issues regarding the appropriate use of campaign finance funds. Board Members Blewer and Backhaus volunteered to serve as committee members. It was suggested that the committee meet on Thursday mornings before the Board's executive session meetings.

The Board considered proposed changes to the Board Rules with respect to the procedure to be used when conducting investigations and discovery and hearing procedures. On motion made, seconded and unanimously passed, the Board deferred the matter to the April meeting.

The Board considered, for discussion purposes, legislation filed for the 2012 Regular

Legislative Session regarding the laws administered by the Louisiana Board of Ethics.

The Board recessed at 12:32 p.m. and resumed back into general business session at 1:07 p.m.

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 88= No Position  
HB 141= No Position  
HB 148= Not applicable to Ethics  
HB 187= No Position  
HB 206= Oppose  
HB 212= No Position  
HB 241= Oppose  
HB 244= No Position  
HB 251= Oppose  
HB 270= Oppose  
HB 279= Oppose  
HB 303= Oppose  
HB 321= No Position  
HB 365= No Position  
HB 373= No Position  
HB 710= No Position  
HB 711= No Position  
HB 793= Oppose  
HB 807= Oppose  
HB 852= Support  
HB 942= Support  
HB 950= Support  
HB 955= Support  
SB 81= Oppose  
SB 84= Oppose  
SB 129= No Position; Board Member Schneider recused himself.  
SB 132= No Position  
SB 226= No Position  
SB 248= No Position  
SB 392= No Position

SB 414= No Position  
SB 432= No Position  
SB 493= No Position  
SB 504= No Position; Board Member Schneider recused himself.  
SB 591= Oppose

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. 12-061 from Douglas Anderson of a \$600 late fee;  
Docket No. 12-062 from Joseph Gregory Tate of a \$120 late fee;  
Docket No. 12-064 from Richard Potier of a \$240 late fee;  
Docket No. 12-066 from Marvin Hines of a \$600 late fee;  
Docket No. 12-068 from Patricia “Pat” Buchanan of a \$400 late fee and a \$360 late fee;  
Docket No. 12-069 from Jeanne B. Hall of a \$540 late fee;  
Docket No. 12-070 from Albert “A.B.” Franklin of a \$480 late fee;  
Docket No. 12-071 from Lennie Graham, Jr. of a \$360 late fee;  
Docket No. 12-072 from Russell E. Evans of a \$600 late fee;  
Docket No. 12-076 from Gerald McLeod of a \$320 late fee;  
Docket No. 12-079 from Chad Clark of a \$840 late fee;  
Docket No. 12-082 from Jack Hill, Jr. of a \$480 late fee;  
Docket No. 12-084 from Joe LeBlanc of a \$420 late fee;  
Docket No. 12-085 from Lucien Gauff, III of a \$440 late fee, a \$120 late fee, and a \$40 late fee;  
Docket No. 12-087 from James Licciardi of a \$540 late fee,  
Docket No. 12-088 from Dennis Warwick of a \$600 late fee;  
Docket No. 12-089 from Ken Wheat of a \$240 late fee;  
Docket No. 12-090 from Ross Rumfola of a \$400 late fee and a \$200 late fee;  
Docket No. 12-091 from James Norred, Jr. of a \$500 late fee, a \$200 late fee, a \$160 late fee and an \$80 late fee;  
Docket No. 12-115 from Ron Ceasar of a \$1,000 late fee, a \$1,000 late fee and a \$500 late fee;  
Docket No. 12-116 from Ray Taylor of a \$480 late fee;  
Docket No. 12-121 from Matthew Raley of a \$420 late fee;  
Docket No. 12-122 from Keith Ford of a \$180 late fee;  
Docket No. 12-125 from Charles “I Spy” Ketchens of a \$320 late fee;  
Docket No. 12-126 from Amos Cormier, III of a \$60 late fee;  
Docket No. 12-127 from Harold Stout of a \$280 late fee;  
Docket No. 12-129 from Jane Sanders of a \$400 late fee; and,  
Docket No. 12-130 from Patrick LaSalle of a \$480 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-062 for a waiver of the \$480 campaign finance late fee assessed against Joseph Gregory Tate, a candidate for Evangeline Parish Clerk of Court, in the October 22, 2011 election, for filing his 10-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. 12-063 for a waiver of the \$1,020 and \$900 campaign finance late fees assessed against Barrett Byrd, a candidate for State Representative, District 25 in the October 22, 2011 election, for filing his Special and 10-P campaign finance disclosure reports 17 and 15 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,020 late fee but suspended \$920 and declined to waive the \$900 late fee but suspended \$800 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. 12-065 for a waiver of the \$400 campaign finance late fee assessed against Lennis "Dale" Trahan, a candidate for Acadia Parish Police Juror, in the October 22, 2011 election, for filing his EDE-P campaign finance disclosure report 27 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.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-074 for a waiver of the \$420 campaign finance late fee assessed against Greg Green, a candidate for St. Mary Parish Council, District 11, in the October

22, 2011 election, for filing his EDE-P campaign finance disclosure report 7 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$420 late fee but suspended \$220 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. 12-075 for a waiver of the \$480 campaign finance late fee assessed against Hugh Pentney, Sr., a candidate for St. Bernard Parish Council, Eastern Division, in the October 22, 2011 election, for filing his 10-G 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. 12-078 for a waiver of the \$280 campaign finance late fee assessed against Charles Daniels, a candidate for St. Landry Parish Council, District 6, in the October 22, 2011 election, for filing his EDE-P campaign finance disclosure report 7 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$280 late fee but suspended \$180 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. 12-080 for a waiver of the \$360 campaign finance late fee assessed against Jerry Clark, a candidate for Assessor for Concordia Parish, in the October 22, 2011 election, for filing his 10-G 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 \$260 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. 12-083 for a waiver of the \$320 campaign finance late fee assessed against Ellis J. "Pete" LeJeune, a candidate for Acadia Parish Police Juror, District 4, in the October 22, 2011 election, for filing his 10-G campaign finance disclosure report 8 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$320 late fee but suspended \$220 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. 12-120 for a waiver of the \$240 campaign finance late fee assessed against Anthony Emmons, a candidate for State Representative, 42nd District in the October 22, 2011 election, for filing his EDE-P campaign finance disclosure report 4 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$240 late fee but suspended \$40 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. 12-124 for a waiver of the \$600 campaign finance late fee assessed against Rhonda King, a candidate for Tensas Parish Assessor in the October 22, 2011 election, for filing her EDE-P campaign finance disclosure report 16 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.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 11-1922 for a waiver of the \$800 and \$200 campaign finance late fees assessed against Friends of Blueprint, a political action committee, whose two (2) Special campaign finance disclosure reports were filed 4 and 1 day(s) late. On motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$1,000.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-059 for a waiver of the \$1,140 campaign finance late fee assessed against Barry Bernadas, a candidate for Sheriff of St. Bernard Parish, in the October 22, 2011 election, for filing his 30-P campaign finance disclosure report 19 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,140 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-060 for a waiver of the \$600 campaign finance late fee assessed against Ambrose J. Pratt, a candidate for State Representative, District 97, in the April 4, 2009 election, for filing his Supplemental campaign finance disclosure report 478 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$600 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-067 for a waiver of the \$480 campaign finance late fee assessed against Billy Casey, a candidate for Judge, City of Shreveport, Dist.2, Div. D, in the October 22, 2011 election, for filing his 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 \$240 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. 12-073 for a waiver of the \$1,680, \$480, and \$360 campaign finance late fees assessed against Weber Lee Deshotels, Jr., a candidate for Evangeline Parish Clerk of Court, in the October 22, 2011 election, for filing his 30-P, 10-P, and EDE-P campaign finance disclosure reports 28, 8, and 6 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$2,520 but suspended \$2,020 conditioned upon future



compliance with the Campaign Finance Disclosure Act.

The Board considered requests for “good cause” waivers of late fees assessed against the following individuals in connection with the failure to timely file lobbying expenditure reports:

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

Docket No. 12-178 from Beth LeBlanc of a \$400 late fee; and,  
Docket No. 12-180 from Regina Delaune of a \$50 late fee.

The Board unanimously waived the late fees assessed against the following:

Docket No. 12-179 from Thad Ackel of a \$50 late fee; and,  
Docket No. 12-181 from Troy McCullen of a \$100 late fee.

The Board considered requests for “good cause” waivers of late fees assessed against the following individuals in connection with the failure to timely file personal financial disclosure statements:

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

Docket No. 11-1673 from Warren Founds of a \$2,500 late fee;  
Docket No. 11-1827 from Randall Doucet of a \$1,500 late fee;  
Docket No. 11-1831 from Michael DeJohn of a \$2,500 late fee;  
Docket No. 12-008 from Chris Ardoin of a \$1,500 late fee;  
Docket No. 12-136 from Jan Scott Richard of a \$2,500 late fee;  
Docket No. 12-139 from James Bayonne of a \$1,500 late fee;  
Docket No. 12-164 from Naomi Alexander of a \$1,500 late fee; and,  
Docket No. 12-182 from Kenny Ray Cox of a \$2,500 late fee.

Based on Rule 1204, the Board unanimously rescinded the late fees assessed against the following:

Docket No. 11-1820 from Erin Shane Smiley of a \$2,500 late fee;  
Docket No. 11-1830 from Anthony Robinson of a \$2,500 late fee;  
Docket No. 11-1833 from Matt Matherne of a \$2,500 late fee; and,  
Docket No. 12-165 from Terry Landry of a \$2,500 late fee.

The Board considered a request in Docket No. 11-1828 for a waiver of the \$100 late fee

assessed against Michael Stockwell for filing his 2010 Tier 2 annual personal financial disclosure statement 1 day late. On motion made, seconded and unanimously passed, the Board declined to waive the \$100 late fee but suspended the entire amount conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 11-1829 for a waiver of the \$500 late fee assessed against Charles Leroy for filing his 2010 Tier 2.1 annual personal financial disclosure statement 10 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$500 late fee but suspended the entire amount conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in No. 12-001 for a waiver of the \$3,500 late fee assessed against Alan Levine for filing his 2010 Tier 1 annual personal financial disclosure statement 7 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$3,500 late fee but suspended the entire amount conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in No. 12-024 for a waiver of the \$1,500 late fee assessed against Teresa Holden for filing her 2009 Tier 3 annual personal financial disclosure statement 197 days late. On motion made, seconded and passed by a vote of 5 yeas by Board Members Hymel, Ingrassia, Lowrey, Simoneaux and Stafford and 4 nays by Board Members Backhaus, Blewer, Leggio and Schneider, the Board declined to waive the \$1,500 late fee but suspended \$1,000 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 12-025 for a waiver of two \$1,250 late fees assessed against Vernon Martin for filing his 2010 Tier 3 candidate and 2010 Tier 3 annual personal

financial disclosure statements 25 days late. On motion made, seconded and unanimously passed, the Board declined to waive the two \$1,250 late fees but suspended \$750 of each late fee conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 12-028 for a waiver of the \$1,300 late fee assessed against Tommy Nelson for filing his 2010 Tier 2.1 annual personal financial disclosure statement 26 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,300 late fee but suspended \$800 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in No. 12-029 for a waiver of the \$1,500 late fee assessed against Teresa Holden for failing to timely amend her 2009 Tier 3 annual personal financial disclosure statement. On motion made, seconded and passed by a vote of 5 yeas by Board Members Hymel, Ingrassia, Lowrey, Simoneaux and Stafford and 4 nays by Board Members Backhaus, Blewer, Leggio and Schneider, the Board declined to waive the \$1,500 late fee but suspended \$1,000 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 12-138 for a waiver of the \$2,500 late fee assessed against Marcus Hunter for filing his 2010 Tier 2 candidate personal financial disclosure statement 25 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$2,500 late fee but suspended \$1,500 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 12-140 for a waiver of the \$700 late fee assessed against John G. Sorey for filing his 2010 Tier 2 annual personal financial disclosure statement 7 days late. On motion made, seconded and unanimously passed, the Board declined to

waive the \$700 late fee but suspended the entire amount conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 12-159 for a waiver of two \$650 late fees assessed against Jolie Harris for filing her 2009 Tier 2.1 annual personal financial disclosure statement 13 days late and for filing her 2010 Tier 2.1 annual personal financial disclosure statement 13 days late. On motion made, seconded and unanimously passed, the Board declined to waive the two \$650 late fees but suspended \$350 of each late fee conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 12-183 for a waiver of the \$700 late fee assessed against Shelton Cobb for filing his 2010 Tier 2 annual personal financial disclosure 7 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$700 late fee but suspended the entire amount 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 4-10 en globo. On motion made, seconded and unanimously passed, the Board adopted the staff recommendations on items 4-10 taking the following action:

The Board considered a proposed consent opinion in Docket No. 10-331 in which Kenneth Dawson, West Feliciana Parish President, agrees that a violation of Section 1111C(2)(d) of the Code of Governmental Ethics occurred by his receipt of compensation for services rendered to Rural Broadcasting Services (RBS) while RBS had a business relationship with West Feliciana Parish to provide broadcasting services and in which Mr. Dawson agrees to pay a fine of \$500. On motion

made, seconded and unanimously passed, the Board adopted the consent opinion for publication.

The Board considered a request for an advisory opinion in Docket No. 12-019 regarding Paul D. Connick, Jr., District Attorney for Jefferson Parish, employing a person who previously worked in his private office, but was laid off. On motion made, seconded and unanimously passed, the Board concluded that Section 1112B of the Code of Governmental Ethics prohibits Mr. Connick from participating in the hiring of an employee who formerly worked for his private practice to be employed in the Jefferson Parish District Attorney's Office.

The Board considered a request for an advisory opinion in Docket No. 12-055 regarding whether Allen Brown, an employee the Louisiana Legislative Auditor, may be compensated by the Association of Certified Fraud Examiners (ACFE) if the Legislative Auditor's Office reimburses employees for costs related to attending the ACFE Annual Conference and/or the ACFE seminars. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Mr. Brown performing compensating teaching services for ACFE, since the Legislative Auditor's reimbursement of employees' costs to attend ACFE conferences and seminars does not constitute a business, financial, or contractual relationship.

The Board considered a request for an advisory opinion in Docket No. 12-057 regarding whether Rebecca Corbello may become a contract employee with Northwestern State University (NSU) to serve as a Child Welfare Coach upon her retirement from 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 is presented by Ms. Corbello becoming a contract employee with NSU to serve as a Child Welfare Coach following her retirement from the DCFS, since she will not be providing the same services she provided while employed with the

DCFS.

The Board considered a request for an advisory opinion in Docket No. 12-102 regarding whether Steve Ramsey, a member of the Webster Parish Police Jury, may provide contractual services for the Village of Heflin through his lawn service business. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Mr. Ramsey entering into an agreement with the Village of Heflin to provide grass cutting services, since Mr. Ramsey will be entering into a transaction with the Village of Heflin and not Webster Parish.

The Board considered a request for an advisory opinion in Docket No. 12-109 regarding whether Doris Dudley, an employee of DHH/South Central Louisiana Human Services Authority Developmental Disabilities Office in Thibodaux, may serve on the 40th JDC Children and Youth Services Planning Board. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Ms. Dudley serving on the 40<sup>th</sup> JDC Children and Youth Services Planning Board or participating in any activities of that board, since the 40th JDC Children and Youth Services Planning Board deals with children in the criminal justice system and Ms. Dudley's employment with the Office of Developmental Disabilities is in regard to services to persons with developmental disabilities therefore, Ms. Dudley's service on the Board is not substantially related to the responsibilities, programs, or operations of her agency.

The Board considered a request to withdraw a request for an advisory opinion in Docket No. 11-1762 regarding William Owens working for the Mary Rives Gallaspy Trust #2, which has a financial relationship with Northwestern State University Foundation, while Mr. Owens is employed with Northwestern State University. On motion made, seconded and unanimously passed, the Board

allowed the withdrawal of the request for an advisory opinion, since the executors of the estate will continue to manage the assets of the trust.

The Board considered a request for an advisory opinion in Docket No. 12-256 regarding whether the Louisiana Seafood and Promotion Board (LSPB) may donate money to the John Folse Culinary Institute at Nicholls State University (NSU). On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by the LSPB donating money to the John Folse Culinary Institute at NSU, since the proposed transaction is between two public entities and the donation is not one in which Chef Folse would have an interest. The Board further concluded that no violation of the Code of Governmental Ethics is presented by the LSPB making the donation nor by Chef Folse participating in the decision relative to the donation, since Chef Folse does not have a substantial economic interest in the transaction.

The Board unanimously adjourned at 3:12 p.m.

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Secretary

APPROVED:

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Chairman





