



## **Louisiana Board of Ethics**

**LaSalle Building  
First Floor - Griffon Room  
SEPTEMBER 20, 2012  
1:00 PM  
617 North 3rd Street  
Baton Rouge, Louisiana**

**Note: Meetings begin on September 20, 2012 and continue to September 21, 2012.**

### **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  
SEPTEMBER 21, 2012  
9:00 AM  
617 North 3rd Street  
Baton Rouge, Louisiana**

### **GENERAL**

#### **Appearances**

**G1. [Docket No. 07-859](#)**

Appearance in connection with a Request for a rehearing of a Board Order ordering the payment of late fees totaling \$8,000 assessed against Kent "Smitty" Smith, a candidate for State Representative, District 87, in the October 20, 2007 election who failed to timely file a 30-P campaign finance disclosure report due September 20, 2007, and a 10-P campaign finance disclosure report due October 10, 2007.

- G2.** [Docket No. 11-1894](#)  
Appearance in connection with a request for reconsideration of a waiver of the \$1,200 campaign finance late fee assessed against T. A. Messina, a candidate for City of Alexandria Court Marshal, in the October 22, 2011 election, whose 30-P campaign finance disclosure report was filed 20 days late.
- G3.** [Docket No. 12-008](#)  
Reconsideration of a waiver request submitted by Chris Ardoin regarding a \$1,500 late fee for filing his 2009 Tier 3 candidate pfd 309 days late.
- G4.** [Docket No. 12-858](#)  
Waiver request submitted by Kevin Guidry regarding a \$2,500 late fee assessed for filing his amended 2088 Tier 2 annual pfd 54 days late.
- G5.** [Docket No. 12-1170](#)  
Appearance in connection with a request for reconsideration of a waiver of a \$1,500 campaign finance late fee assessed against Barbara Norton, a candidate for State Representative, District 3, in the October 22, 2011 election, whose 40-G campaign finance disclosure report was filed 25 days late.
- G6.** [Docket No. 12-1357](#)  
Appearance in connection with a request that the Board waive the \$540 campaign finance late fee assessed against Warren L. Montgomery, a candidate for Judge, 22nd JDC, Division C, in the October 4, 2008 election, whose Supplemental campaign finance disclosure report was filed 9 days late.
- G7.** [Docket No. 12-1367](#)  
Appearance in connection with a request that the Board waive the \$1,200 campaign finance late fee assessed against Cynthia Willard-Lewis, a candidate for State Senate, 3rd District, in the March 24, 2012 election, whose 10-G campaign finance disclosure report was filed 12 days late.
- G8.** [Docket No. 12-1490](#)  
Appearance in connection with a request that the Board waive the \$1,000 campaign finance late fee assessed against Carolyn "Cat" Johnson, a candidate for St. John the Baptist Council, in the October 22, 2011 election, whose 10-G campaign finance disclosure report was filed 196 days late.
- G9.** [Docket No. 12-1493](#)  
Appearance in connection with a request that the Board waive the \$992, \$400, \$400, and \$1,000 campaign finance late fees assessed against James L. Mayo, a candidate for Calcasieu Parish Juror, District 2 in the October 22, 2011 election, whose 10-P, EDE-P, EDE-G, and 40-G campaign finance disclosure reports were filed 243, 223, 195, and 165 days late.
- G10.** [Docket No. 12-1494](#)  
Appearance in connection with a request that the Board waive the \$1,000 and \$1,000 campaign finance late fees assessed against Lucien J. Gauff, III, a candidate for St. John the Baptist Parish Council, in the October 22, 2011 election, whose 30-P and 10-P campaign finance disclosure reports were filed 271 and 251 days late.
- G11.** [Docket No. 12-1602](#)  
Waiver request submitted by Alvin Miller, Jr. regarding a \$1,450 late fee assessed for filing his 2010 tier 2.1 annual pfd 29 days late.

**G12. [Docket No. 12-1603](#)**

Waiver request submitted by Senator Elbert Guillory regarding a \$2,500 late fee assessed for filing his 2009 Tier 2 annual pfd 510 days late.

**Consent Agenda, Consent Opinions  
&  
Items Requiring No Board Action**

**G13. [Docket No. 11-1822](#)**

Staff memo regarding an answer submitted by Janet Strange in response to a notice of delinquency for failing to file a personal financial disclosure statement.

**G14. [Docket No. 12-492](#)**

Advisory opinion regarding whether Christin Duhe, the daughter of a St. John Parish Council member, may perform insurance services for St. John Parish Sheriff's Office.

**G15. [Docket No. 12-902](#)**

Advisory opinion request regarding whether Andrew LeBas may provide engineering services to Volkert, Inc. on projects with the Louisiana Department of Transportation and Development (DOTD) at a time when his mother, Sheri LeBas, serves as the Secretary of DOTD.

**G16. [Docket No. 12-1166](#)**

Staff memo regarding an answer filed by Linda Begue in response to a notice of delinquency requesting her 2010 and 2011 Tier 2.1 annual pfd statements.

**G17. [Docket No. 12-1185](#)**

Advisory opinion request from Ms. Maria Placer as to whether the staff of the Southwest Louisiana Education and Referral Center (232-HELP/LA 211) are subject to the training requirement for public servants found in La. R.S. 42:1170A (3).

**G18. [Docket No. 12-1392](#)**

Advisory opinion request from Daniel Duhon regarding whether he may be hired as a compensated fireman for the Town of New Llano Fire Department while his uncle is a chief at the same fire department.

**G19. [Docket No. 12-1395](#)**

Advisory opinion regarding whether Douglas LaCombe may accept a job with the Acadia Parish Police Jury while he serves as a member of the Acadia Parish School Board.

**G20. [Docket No. 12-1406](#)**

Advisory opinion request from Dr. Charles D. Chamberlain III, Ph.D. Museum Historian for the Louisiana State Museum regarding his company Historia LCC, contracting with the Louisiana Department of Wildlife and Fisheries.

**G21. [Docket No. 12-1413](#)**

Advisory opinion request regarding whether members of the Louisiana Real Estate Commission (Commission) may attend an international conference sponsored by the American Real Estate License Law Officials (ARELLO) or any other conference that may be hosted in the United States.

**G22. [Docket No. 12-1420](#)**

Advisory opinion request from Mr. Robert A. Moore, Arcadia Town Attorney,

regarding whether he may attend certain public meetings, and would his participation in those meetings require him to register as a political committee or a lobbyist.

**G23.** [Docket No. 12-1424](#)

Advisory opinion request regarding whether the Kelly Lawrence, owner of Public Safety Innovations (PSI), who is also a supervisor with the Louisiana State Office of Probation and Parole may sell alcohol and drug testing equipment devices to local sheriff's offices, police departments, and parish/city jails.

**G24.** [Docket No. 12-1428](#)

Advisory opinion regarding whether ActRight Fund is required to register as a political action committee with the State of Louisiana.

**G25.** [Docket No. 12-1442](#)

Staff memo regarding an answer submitted by Tiffany Crawford in response to a notice of delinquency.

**G26.** [Docket No. 12-1461](#)

Advisory opinion request regarding whether the members of the Republican Parish Executive Committee of Bossier Parish are subject to the training requirement set out in La. R.S. 42:1170(3).

**G27.** [Docket No. 12-1465](#)

Advisory opinion regarding whether there will be a violation of the Code of Ethics where employees of the Department of Children and Family Services (DCFS) serve as members of the board of directors for an entity that contracts with DCFS.

**G28.** [Docket No. 12-1484](#)

Advisory opinion regarding whether a conflict of interest exists where the Office of Group Benefits privatizes services and the outsourcing company hires employees who were formerly employed in those privatized sections.

**G29.** [Docket No. 12-1486](#)

Advisory opinion regarding whether a company owned by Jane Anders may transact business with the Allen Parish Police Jury while she serves as a member of the Allen Parish Library Board of Control.

**G30.** [Docket No. 12-1487](#)

Advisory opinion regarding whether an employee of the East Baton Rouge Sewer program, James Lipscomb, may accept part-time employment with the Department of Transportation and Development.

### **Regular Business**

**G31.** [Docket No. MINUTES](#)

August 2012 Board Minutes

**G32.** [Docket No. 2013CAL](#)

Proposed 2013 calendar for meetings of the Louisiana Board of Ethics.

**G33.** [Docket No. 12-383](#)

Reconsideration of a request that the Board waive the \$240 and \$400 campaign finance late fees assessed against Marshall Long, a candidate for Pointe Coupee Police Juror, District 2 in the October 22, 2011 election, whose EDE-P and 10-G

campaign finance disclosure reports were filed 6 and 13 days late.

**G34.** [Docket No. 12-743](#)

Reconsideration of a request that the Board waive the \$320 campaign finance late fee assessed against Marvin Blake, Jr., a candidate for Mayor of the City of Natchitoches, in the March 24, 2012 election, whose EDE-P campaign finance disclosure report was filed 8 days late.

**G35.** [Docket No. 12-895](#)

Advisory opinion regarding whether members of the legislature may purchase movie tax credits under the Louisiana Motion Picture Tax Incentive Act and historic tax credits administered by the Louisiana Division of Historic Preservation.

**G36.** [Docket No. 12-1134](#)

Reconsideration of a request that the Board waive the \$1,400 campaign finance late fee assessed against Deputies for a Safe St. Bernard, a political action committee, whose Annual campaign finance disclosure report was filed 7 days late.

**G37.** [Docket No. 12-1483](#)

Advisory opinion regarding whether licensed notaries are required to take ethics training pursuant to La. R.S. 42:1170.

**G38. WAIVER REQUESTS - CAMPAIGN FINANCE**

[Docket No. Ch-art](#)

September 2012 CFDA Waiver Request Chart

[Docket No. 12-735](#)

Request that the Board waive the \$480 campaign finance late fee assessed against Warren L. Founds, Jr., a candidate for Coroner of Sabine Parish, in the October 22, 2011 election, whose 30-P campaign finance disclosure report was filed 8 days late.

[Docket No. 12-1124](#)

Request that the Board waive the \$1,620 campaign finance late fees assessed against C. Denise Marcelle, a candidate for East Baton Rouge Metro Council, District 7, in the October 4, 2008 election, whose Supplemental campaign finance disclosure report was filed 27 days late.

[Docket No. 12-1144](#)

Request that the Board waive the \$400 campaign finance late fee assessed against Lindel Toups, a candidate for LaFourche Parish Council, in the October 22, 2011 election, whose EDE-P campaign finance disclosure report was filed 97 days late.

[Docket No. 12-1147](#)

Request that the Board waive the \$800 campaign finance late fees assessed against Sonya Ohmer Collins, a candidate for Livingston Parish Council, in the October 22, 2011 election, whose 40-G campaign finance disclosure report was filed 20 days late.

[Docket No. 12-1364](#)

Request that the Board waive the \$1,000 campaign finance late fee assessed against Winston Roberts, a candidate for Grant Parish Police Juror, District 6, in

the October 22, 2011 election, whose Supplemental campaign finance disclosure report was filed 131 days late.

[Docket No. 12-1491](#)

Request that the Board waive the \$9,760 in campaign finance late fees assessed against Jerry Rosenberg, a candidate in the future election, whose six (6) Annual campaign finance disclosure reports were filed 1,967, 1,612, 1,234, 869, 506, and 141 days late.

[Docket No. 12-1492](#)

Request that the Board waive the \$600 campaign finance late fee assessed against Chet Gregory, a candidate for Coroner of Sabine Parish, in the October 22, 2011 election, whose 30-P campaign finance disclosure report was filed 251 days late.

[Docket No. 12-1495](#)

Request that the Board waive the \$540 and \$60 campaign finance late fees assessed against John Gordon Sorey, a candidate for Sheriff of Richland Parish, in the October 22, 2011 election, whose EDE-P and 10-G campaign finance disclosure reports were filed 9 and 1 day(s) late.

[Docket No. 12-1496](#)

Request that the Board waive the \$480 campaign finance late fee assessed against Tarvald Anthony Smith, a candidate for East Baton Rouge Parish School Board, in the May 2, 2009, whose Supplemental campaign finance disclosure report was filed 8 days late.

[Docket No. 12-1497](#)

Request that the Board waive the \$480 campaign finance late fee assessed against Cynthia Clay Guillory-Lands, a candidate for Judge, 14th JDC, in the October 4, 2008 election, whose Supplemental campaign finance disclosure report was filed 8 days late.

[Docket No. 12-1498](#)

Request that the Board waive the \$3,000, \$2,000, and \$2,000 campaign finance late fees assessed against LA CPA PAC, a political action committee, whose 30-P, 10-P, and 10-G campaign finance disclosure reports were filed 274, 254, and 226 days.

[Docket No. 12-1500](#)

Request that the Board waive the \$1,000 campaign finance late fee assessed against Victor W. Rogers, a candidate for Arcadia Chief of Police, in the October 2, 2010 election, whose Supplemental campaign finance disclosure report was filed 27 days late.

[Docket No. 12-1501](#)

Request that the Board waive the \$3,000 campaign finance late fee assessed against Traits of Leadership, a political action committee, whose 10-G campaign finance disclosure report was 237 days late.

[Docket No. 12-1504](#)

Request that the Board waive the \$500 campaign finance late fee assessed against Louisiana Home Builders Association PAC, a political action committee, whose 10-G campaign finance report was filed 411 days late.

[Docket No. 12-1505](#)

Request that the Board waive the \$1,250 and reassessed \$1,100 campaign finance late fees assessed against Louisiana Home Builders Association PAC, a political action committee, whose 10-G campaign finance report was filed 411 days late.

### **G39. WAIVER REQUESTS - PERSONAL FINANCIAL DISCLOSURE**

#### [Docket No. waiver](#)

September 2012 PFD Waiver Chart.

#### [Docket No. 12-865](#)

Waiver request submitted by Wilton Guidry regarding a \$1,500, \$1,500 and a \$1,500 late fees assessed for filing his 2009 Tier 3 candidate pfd, 2009 Tier 3 annual pfd and his 2010 Tier 3 annual pfd late.

#### [Docket No. 12-1434](#)

Waiver request submitted by William Walker Hines regarding a \$500 late fee assessed for filing his 2011 Tier 2 annual pfd 5 days late.

#### [Docket No. 12-1435](#)

Waiver request submitted by Dr. Gerald Legue regarding a \$1,350 late fee assessed for filing his 2009 Tier 2.1 annual pfd 27 days late.

#### [Docket No. 12-1436](#)

Waiver request submitted by Sterling Lejeune regarding a \$1,350 late fee assessed for filing his 2010 Tier 2.1 annual pfd 27 days late.

#### [Docket No. 12-1437](#)

Waiver request submitted by Dena Howe regarding a \$1,500 late fee assessed for filing her 2010 Tier 2.1 annual pfd 60 days late.

#### [Docket No. 12-1438](#)

Waiver request submitted by Sammie Faulk regarding a \$700 late fee assessed for filing his 2010 Tier 2.1 annual pfd 14 days late.

#### [Docket No. 12-1439](#)

Waiver request submitted by Darryel Walters regarding a \$1,500 late fee assessed for filing his 2009 Tier 2.1 annual pfd 264 days late.

#### [Docket No. 12-1440](#)

Waiver request submitted on behalf of Joseph Dantin regarding a \$1,100 late fee assessed for filing his 2010 Tier 2.1 annual pfd 22 days late.

#### [Docket No. 12-1448](#)

Waiver request submitted by Michelle Vaughns-Hartford regarding a \$1,500 late fee assessed for filing her 2010 Tier 3 annual pfd 79 days late.

#### [Docket No. 12-1450](#)

Waiver request submitted by Johnnie Shorty regarding a \$700 late fee assessed for filing his 2009 Tier 3 annual pfd 14 days late.



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## **GENERAL SUPPLEMENTAL**

### **Consent Agenda, Consent Opinions & Items Requiring No Board Action**

**GS1.** [Docket No. 12-890](#)

Advisory opinion regarding whether Palmetto Farms, L.L.C. (Palmetto Farms) may enter into contracts with the Bossier Levee District following Mr. Dennis Branton's resignation from the Levee District.

**GS2.** [Docket No. 12-1587](#)

Advisory opinion regarding whether Renita Bryant, a certified family nurse practitioner with Morehouse General Hospital, may accept complimentary admission, travel, lodging and meals to attend a training program offered by the Johnson and Johnson Diabetes Institute.

**GS3.** [Docket No. 12-1618](#)



Advisory Opinion Request from the Sabine Parish Tourist Commission regarding whether Wildwood Resort, owned by newly appointed Commissioner Mr. Randy Ziegler, III, can continue to receive payments from the Tourist Commission.

**GS4.** [Docket No. 12-1619](#)

Advisory opinion regarding whether Plaquemines Parish President William Nungesser may enter into an agreement with FEMA to place trailers at a trailer park owned by Mr. Nungesser.

**GS5.** [Docket No. 12-1620](#)

Advisory opinion request concerning the propriety of Plaquemines Parish President, William Nungesser, providing the U.S. Army Corps of Engineers an access road to the Ollie Pump Station in Plaquemines Parish.

**GS6.** [Docket No. 12-1621](#)

Notice of ethics disclosures filed with the Board of Ethics during the month of August 2012.

**GS7.** [Docket No. 12-1622](#)

Advisory opinion request regarding whether a construction firm owned by Iberia Parish Councilman Jerome Fitch can enter into a contract with Jeanerette City.

**Regular Business**

**GS8.** [Docket No. RULES](#)

Proposed changes to the Rules for the Louisiana Board of Ethics concerning procedures for investigations and hearings.