

LOUISIANA BOARD OF ETHICS
MINUTES
February 15, 2013

The Board of Ethics met on February 15, 2013 at 9:10 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, Blewer, Bruneau, Ingrassia, Lemke, McAnelly and Monroe present. Absent were Board Members Leggio, Schneider, Shelton and Stafford. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Deborah Grier; and Counsel Tracy Barker, Aneatra Boykin, Mike Dupree, Brent Durham, Jennifer Land and Suzanne Mooney.

Judge Trudy White, a candidate for Judge, 1st Circuit Court of Appeal, in the November 6, 2012 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 12-2307 for a waiver of the \$700 and \$1,000 late fees assessed against her for filing her 10-P and EDE-P campaign finance disclosure reports 7 and 46 days late. After hearing from Judge White, on motion made, seconded and unanimously passed, the Board declined to waive the \$700 late fee for the late filing of the 10-P report but suspended the entire amount conditioned upon future compliance with the Campaign Finance Disclosure Act and declined to waive the \$1,000 late fee for the late filing of the EDE-P report but suspended \$500 conditioned upon future compliance with the Campaign Finance Disclosure Act.

Mr. John Vickers, Chairperson for Deputies for a Safe St. Bernard, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 12-2328 for a waiver of the \$3,000 late fee assessed against the committee for filing the 10-G campaign finance disclosure report 355 days late. After hearing from

Mr. Vickers, on motion made, seconded and passed by a vote of 5 yeas by Board Members Backhaus, Blewer, Ingrassia, Lemke and McAnelly and 2 nays by Board Members Bruneau and Monroe, the Board declined to waive the \$3,000 late fee but suspended \$2,800 conditioned upon future compliance with the Campaign Finance Disclosure Act.

Mr. Dadrius Lanus, a candidate for State Representative, District 63 in the May 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. 10-698 for reconsideration of a waiver of the \$600, \$600, \$1,200 and \$60 late fees assessed against him for filing his 10-P, EDE-P, 10-G, and Special campaign finance disclosure reports 48, 28, 20, and 1 day(s) late. After hearing from Mr. Lanus, on motion made, seconded and unanimously passed, the Board reaffirmed its prior decision to decline to waive the \$600 late fee for the late filing of the 10-P report; declined to waive the \$600 late fee for the late filing of the EDE-P report but suspended \$400 conditioned upon future compliance with the Campaign Finance Disclosure Act; declined to waive the \$1,200 for the late filing of the 10-G report but suspended \$1,000 conditioned upon future compliance with the Campaign Finance Disclosure Act; and, declined to waive the \$60 late fee for the late filing of the Special report.

Judge Lilynn Cutrer, a candidate for Judge, 14th JDC, Sections 1 and 3 in the October 4, 2008 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 12-2134 for a waiver of the \$2,000 late fee assessed against her for filing her Annual campaign finance report 239 days late. After hearing from Judge Cutrer, on motion made, seconded and unanimously passed, the Board waived the \$2,000 late fee, since her Annual report was originally filed in paper form in advance

of the due date and, upon notification, was subsequently filed electronically.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-2135 for a waiver of the \$420 late fee assessed against Ted Rush, a candidate for East Baton Rouge Parish Metro Council, District 9, in the November 6, 2012 election, for filing his 30-P campaign finance disclosure report 6 days late. The Board unanimously deferred the matter until later in the meeting, since Mr. Rush was not present when called.

The Board considered a request in Docket No. 12-2139 for a waiver of the \$2,500 late fee assessed against Marlin Gusman for filing his amended 2009 Tier 2 annual personal financial disclosure statement 301 days late. The Board unanimously deferred the matter to the March meeting.

Mr. Dana Bruhnke, a candidate for Mayor of the City of Shreveport in the October 2, 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. 12-2199 for a waiver of the \$480 late fee assessed against him for filing his EDE-P campaign finance report 8 days late. After hearing from Mr. Bruhnke, 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.

Judge Jeff Hughes, a candidate for Judge, Supreme Court, 5th Supreme Court District in the November 6, 2012 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 12-2308 for a waiver of the \$1,000 late fee assessed against him for filing his EDE-P campaign finance disclosure report 10 days late. After hearing from Judge Hughes, on motion made, seconded and unanimously passed,

the Board declined to waive the \$1,000 late fee but suspended \$500 conditioned upon future compliance with the Campaign Finance Disclosure Act.

Mr. Louis "Nick" Joseph, a candidate for Tangipahoa Parish Council, District 3 in the November 6, 2012 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 13-020 for a waiver of the \$1,000 and \$400 late fees assessed against him for filing his 30-P and EDE-P campaign finance disclosure reports 55 and 17 days late. After hearing from Mr. Joseph, on motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$1,400 but suspended \$400 conditioned upon future compliance with the Campaign Finance Disclosure Act.

Mr. John Wallace appeared before the Board in connection with a request in Docket No. 12-993 for reconsideration of a waiver of the \$1,500 late fee assessed against him for filing his 2010 Tier 3 annual personal financial disclosure statement 42 days late. After hearing from Mr. Wallace, on motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended \$1,000 conditioned upon future compliance with the Campaign Finance Disclosure Act.

Ms. Tara Wicker, a candidate for East Baton Rouge Parish Metro Council in the November 6, 2012 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 12-2305 for a waiver of the \$1,260 and \$120 late fees assessed against her for filing her 30-P and 10-P campaign finance disclosure reports 21 and 2 days late. After hearing from Ms. Wicker, on motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$1,380.

Mr. Claston Bernard, a candidate for Gonzales City Council, District D in the November 6,

2012 election, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 13-019 for a waiver of the \$200 and \$1,000 late fees assessed against for filing his 10-G and 30-P campaign finance disclosure reports 5 and 34 days late. The Board unanimously deferred the matter to the March meeting.

Mr. Samuel Wilson, Chairman of Baton Rouge Youth Movement, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request in Docket No. 13-021 for a waiver of the \$2,000 campaign finance late fee assessed against the committee for filing the 10-P campaign finance disclosure report 21 days late. After hearing from Mr. Wilson, the Board declined to take any action with respect to the waiver request and the \$2,000 late fee remained as assessed against Baton Rouge Youth Movement.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-2135 for a waiver of the \$420 late fee assessed against Ted Rush, a candidate for East Baton Rouge Parish Metro Council, District 9, in the November 6, 2012 election, for filing his 30-P campaign finance disclosure report 6 days late. On motion made, seconded and passed by a vote of 6 yeas by Board Members Backhaus, Blewer, Bruneau, Ingrassia, McAnelly and Monroe and 1 yea by Board Member Lemke, the Board declined to waive the \$420 late fee assessed against Mr. Rush.

The Board recessed at 10:40 a.m. and resumed back into general business session at 10:53 a.m.

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

On motion made, seconded and unanimously passed, the Board agreed to take action on items G10-G24 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 on items G10-G24, excluding items G15, G21 and G24, taking the following action:

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, withdrew the order and rescinded the late fees assessed in Docket No. 11-288 against Jason M. Decuir, a candidate for State Senate, District 14 in the October 20, 2007 election, for failure to file his Supplemental campaign finance disclosure report that was due by February 17, 2010, since an amendment to this report was filed on June 14, 2012 reflecting that the loan had been forgiven on December 31, 2008 and Mr. Decuir was not required to file the Supplemental Report that was due by February 17, 2010.

Adopted for publication, a consent opinion in Docket No. 10-966 in which Dean Everett, a former member of the Livingston Parish Recreation District No. 2 Board, agrees that a violation of Section 1111C(2)(d) of the Code of Governmental Ethics occurred by his rendering compensated services to Charles Carter Construction Co., Inc. when Charles Carter Construction Co., Inc. submitted a bid to the Livingston Parish Recreation District No. 2 to construct the Live Oak Sports Complex and a violation of Section 1121A of the Code of Governmental Ethics occurred when, within two years of terminating his position on the Livingston Parish Recreation District No. 2, he assisted Charles Carter Construction Co., Inc. on the construction contract between Charles Carter Construction Co., Inc. and the Livingston Parish Recreation District No. 2 and in which Mr. Everett agrees to pay a fine of \$2,500 of which \$1,500 is to be suspended conditioned upon future

compliance with the Code of Governmental Ethics and to be paid in \$50 monthly installments. The Board further dismissed the charge filed against Mr. Everett with the Ethics Adjudicatory Board (EAB).

Adopted for publication, a consent opinion in Docket No. 11-1037 in which Larry Griffin Towing, Co. agrees that violations of Sections 1111C(2)(d) and 1113A of the Code of Governmental Ethics occurred by a company, owned by Greater Lafourche Parish Port Commissioner Larry Griffin through community property, his spouse and his son, accepted compensation from Greater Southern Dredging, Inc. at a time when Greater Southern Dredging, Inc. had a contract with the Greater Lafourche Parish Port and when the company entered into a contract with Great Southern Dredging, Inc. to serve as a subcontractor on a contract for services with the Port and in which Larry Griffin and Larry Griffin Towing, Co. agree to pay a fine of \$20,000.

Adopted for publication, a consent opinion in Docket No. 11-1202 in which Henrietta Byrd, a member of the Village of Natchez Board of Aldermen, agrees that a violation of Section 1119 of the Code of Governmental Ethics occurred by virtue of the employment of her son, Steven Ray Byrd, by the Village of Natchez while Ms. Byrd served as an alderman and in which Ms. Byrd agrees to pay a fine of \$1,000.

Granted the request in Docket No. 11-1355 to withdraw a request for a disqualification plan concerning the son of the President and Chief Executive Officer of the East Baton Rouge Redevelopment Authority and the Executive Director of the East Baton Rouge Community Development Entity, LLC, who is an attorney, representing clients before his father's agencies.

Absent requested additional information, declined to render an advisory opinion in Docket No. 12-478 regarding the appointment of Mike Haley, Sr. to the position of Chief Criminal Deputy

in the Washington Parish Sheriff's Office, and Mr Haley's son (Mike Haley, Jr.) to the position of director of the Washington Parish Sheriff's Office Civil Division.

Adopted an advisory opinion in Docket No. 12-2159 concluding that no violation of the Code of Governmental Ethics is presented by Diane Womack, a former secretary in the Inspections Department for the City of Zachary, accepting employment with a title company that does business with the City of Zachary and is owned by the City Attorney while her husband serves as a member of the Zachary City Council, since the title company has no contracts with the City of Zachary. The Board further advised that Section 1121 of the Code of Governmental Ethics will prohibit Ms. Womack, for a period of two years following the termination of her employment with the City of Zachary, from assisting the title company in transactions in which she participated as an employee of the City.

Adopted an advisory opinion in Docket No. 12-2166 concluding that members of the Natchitoches Waterworks District 1 Board of Commissioners are required to file annual personal financial disclosure statements, since the District was created pursuant to R.S. 38:3811 and has the authority to expend, disburse or invest \$10,000 or more in funds in a fiscal year.

Adopted an advisory opinion in Docket No. 12-2301 concluding that no violation of the Code of Governmental Ethics is presented by an employee of People's Community Subsidiary, Inc., who serves as a Project Manager for People's Plaquemines Parish Nonprofit Rebuilding Pilot Program which receives funding from the Louisiana Office of Community Development, submitting an application to Jefferson Parish's First Time Homebuyer's Program to purchase a home in the Jefferson 7/LRA 7 Project, since the employee, by virtue of her employment with People's Community Subsidiary, Inc., is not a public servant of Jefferson Parish.

Granted the request in Docket No. 12-2311 to withdraw a request for an advisory opinion regarding Lt. Colonel Jeff Mayne, the Assistant Chief of Law Enforcement for the Department of Wildlife and Fisheries, accepting secondary employment with ECS, Inc., a contractor for the U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), since Lt. Colonel Mayne was not selected for the position with ECS, Inc.

Adopted an advisory opinion in Docket No. 12-2330 concluding that no violation of the Code of Governmental Ethics is presented by Bryan Belgard, an employee of the Pineville Police Department, accepting a part-time position with the Tullos Police Department, since Mr. Belgard will not be entering into any transactions with his current employer, the Pineville Police Department, by seeking part-time employment with the Tullos Police Department.

Granted the request in Docket No. 12-2333 to withdraw a request for an advisory opinion regarding Alex Suffrin, a member of the St. Charles Parish School Board, accepting employment as the Executive Director of the State Board of Certified Public Accountants (CPAs) of Louisiana, since Mr. Suffrin decided not to accept the positions with the State Board of Certified Public of Accountants.

Dismissed the charges in Docket No. 11-1446 issued against Charles Goff for his failure to file his 2009 Tier 2 annual personal financial disclosure statement, since the report had been filed and late fees would be assessed.

Adopted an advisory opinion in Docket No 12-2314 concluding that no violation of the Code of Governmental Ethics is presented by Michael Coburn, the former Director of Student and School Learning Support within the Louisiana Department of Education (LDOE), participating in transactions with the LDOE, as an employee of EDgear, as long as it does not involve matters within

the division of Student and School Learning Support or any of the areas within that department that Mr. Coburn supervised, since Mr. Coburn's former agency was Student and School Learning Support. The Board further advised that Section 1121A of the Code of Governmental Ethics prohibits Mr. Coburn from assisting EDgear in a transaction, or in connection with a transaction, in which he participated at any time during his employment with the LDOE.

Adopted an advisory opinion in Docket No. 13-017 concluding that (1) no violation of the Code of Governmental Ethics is presented by members of the Louisiana Beef Industry Council (LBIC) considering, discussing, and voting on projects or activities that could result in the expenditure of funds to an entity that appoints members to LBIC, since members of LBIC do not receive a salary for their services and would not be prohibited from participating in the disbursement of funds to entities that appointed them to serve on LBIC; (2) no violation of the Code of Governmental Ethics is presented by a member of the LBIC, who was appointed by the Louisiana Farm Bureau Federation (LFBF) and is also a member or officer of Louisiana Cattlemen's Association (LCA), voting on an expenditure to LCA or a member of the LBIC, who was appointed by the LCA and is also a LFBF member or officer, voting on an expenditure to LFBF. However, Section 1112B(3) of the Code of Governmental Ethics would prohibit officers of LCA and LFBF would be prohibited from voting on an expenditure to their respective entities. Therefore, an appointed LBIC member would not be prohibited from voting on expenditures to LCA and LFBF as long as they are not an officer, director, trustee, partner or an employee of LCA or LFBF; and, (3) no violation of the Code of Governmental Ethics is presented by LBIC contracting with and expending money to LCA, whose appointees comprise a majority of the members of LBIC without a competitive procurement. The Board further advised that this matter may present issues under the

laws regarding the proper allocation of public funds and urged the LBIC to seek advice from the Louisiana Attorney General's Office.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G25-G29 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 on items G25-G29 taking the following action:

In connection with an Answer filed in Docket No. 12-2077 by Sheriff Irvin Hingle, Plaquemines Parish, in response to a notice of delinquency with respect to his 2011 Tier 2 annual personal financial disclosure statement, instructed the staff to advise Sheriff Hingle that he is required to file his 2011 Tier 2 annual personal financial disclosure statement and is not entitled to an extension of time to file.

In connection with an Answer filed in Docket No. 12-2078 by Melanie Thompson, a member of the Kingswood Improvement District, in response to a notice of delinquency with respect to her 2009, 2010 and 2011 Tier 2.1 annual personal financial disclosure statements, instructed the staff to advise Ms. Thompson that she is required to file her 2009, 2010 and 2011 Tier 2.1 annual personal financial disclosure statements.

In connection with an Answer filed in Docket No. 12-2099 by Louis Stewart, a member of the Huntington Park Homeowners Association Board of Directors, in response to a notice of delinquency with respect to his 2009 Tier 2.1 annual personal financial disclosure statement, instructed the staff to advise Mr. Stewart that he is not required to file the 2009 Tier 2.1 annual personal financial disclosure statement since he has never been a member of the Huntington Park Homeowners Association Board of Directors.

In connection with an Answer filed in Docket No. 12-2144 by Don Dyson, a member of the Lincoln Parish Visitors Bureau, in response to a notice of delinquency with respect to his 2011 Tier 2.1 annual personal financial disclosure statements, instructed the staff to advise Mr. Dyson that he is required to file his 2011 Tier 2.1 annual personal financial disclosure statement and will be required to file a 2012 Tier 2.1 annual personal financial disclosure statement on or before May 15, 2013.

Accepted for filing, the disclosure statements filed in Docket No. 13-054 for December, 2012.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the January 17-18, 2013 meetings.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G31-G42 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 on items G31-G42, excluding items G32, G37, G41 and G42, taking the following action:

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 10-1110 for reconsideration of a waiver of the \$280, \$500, \$80, and \$280 late fees assessed against Craig B. Lee, a candidate for City of Shreveport Council, District B in the October 2, 2010 election, for filing his 30-P, 10-P, 10-G, and Special campaign finance reports 7, 13, 2, and 7 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$280, \$80 and \$280 late fees for the 30-P, 10-G and Special reports and

declined to waive the \$500 late fee for the 10-P report but suspended \$400 conditioned upon future compliance with the Compliance Finance Disclosure Act.

The Board considered a request in Docket No. 11-645 for reconsideration of a waiver of the \$1,500 late fee assessed against Charles Mayeux, Jr. for filing his candidate personal financial disclosure statement 72 days late. On motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee, since Mr. Mayeux submitted information from the Attorney General's office showing that his position as Marsha for the Town of Evergreen should be an appointed position, not elected. However, for some reason, the position was placed on the ballot and Mr. Mayeux qualified to run for the office with no opposition. According to the Secretary of State, the office will be removed from the ballot for the 2014 election. It is clear from the AG opinion, that the position should never have been an elected position.

The Board considered a request in Docket No. 11-1635 for reconsideration of a waiver of the \$1,500 late fee assessed against Donald Ray DeLee for filing his 2010 Tier 2.1 annual personal financial disclosure statement 64 days late. On motion made, seconded and unanimously passed, the Board rescinded the \$1,500 late fee, since Mr. DeLee submitted documentation confirming that he was in the hospital with emergency surgery when the notice of delinquency was received.

The Board considered a request in Docket No. 11-135 for reconsideration of a waiver of the \$2,500 late fee assessed against Leroy Scott for filing his 2009 Tier 2 candidate personal financial disclosure statement 348 days late. On motion made, seconded and unanimously passed, the Board waived the \$2,500 late fee, since Mr. Scott submitted documentation regarding the foreclosure on his home following Hurricane Gustav and regarding his medical condition.

The Board considered a request in Docket No. 11-411 for reconsideration of a waiver of the

\$1,500 late fee assessed against Cleveland Coon for filing his 2010 Tier 2.1 annual personal financial disclosure statement 182 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended \$750 conditioned upon compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 12-998 for reconsideration of a waiver of the \$1,500 late fee assessed against Steve Hunter for filing his 2010 Tier 3 candidate personal financial disclosure statement 57 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended \$1,000.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-1359 for reconsideration of the \$1,000 and \$200 late fees assessed against Ray Lauga, Jr., a candidate for St. Bernard Parish Council, District A in the October 22, 2011 election, for filing his 10-G and 40-G campaign finance disclosure reports 231 and 5 days late. On motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$1,200.

The Board considered a request in Docket No. 12-1448 for reconsideration of a waiver of the \$1,500 late fee assessed against Michelle Vaughns-Hartford for filing her 2010 Tier 3 annual personal financial disclosure statement 79 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 11-211 for reconsideration of a waiver of the \$720, \$420, and \$600 late fees assessed against Hersy Jones, Jr., a candidate for Mayor of the City of Shreveport in the October 2, 2010 election, for filing his (2) Specials and EDE-P campaign finance disclosure

reports 12, 7, and 13 days late. On motion made, seconded and unanimously passed, the Board rescinded the late fees, since Mr. Jones' report preparer, Tom Agee, was diagnosed and receiving treatment for liver disease during the time that the reports were due.

The Board considered a request for an advisory opinion in Docket No. 12-1940 from Superintendent W.L. "Trey" Folse, III of the St. Tammany Parish School District regarding the propriety of school employees receiving things of economic value from various individuals and organizations. On motion made, seconded and unanimously passed, the Board concluded the following:

1.) Can a teacher receive gifts from student, parents, administrators and/or the Parent Teacher Association (PTA) during Teacher's Appreciation Week, on special occasions or during holidays?

Generally, Section 1111A of the Code of Governmental Ethics will prohibit teachers from receiving gifts from students, parents, administrators and/or the PTA during Teacher's Appreciation Week, on special occasions or during holidays if the teacher would be receiving a thing of economic value for the performance of the duties and responsibilities of his office or position. Due to the open ended nature of this question, the Board declined to render an opinion on this particular issue. If there is a specific employee who has a question about receiving a specific gift from a specific person that is not answered by the other questions then the Board would request that the specific employee who has a direct interest in the matter submit an opinion request for the Board's consideration at that time.

2.) Can an administrator receive gifts from students, parents, teachers and/or the Parent

Teacher Association (PTA) on special occasions or during holidays?

Generally, Section 1115B(2) of Code of Ethics would prohibit administrators from receiving gifts from teachers on special occasions or during holidays since teachers would typically have a substantial economic interest that can be affected by the performance or non-performance of the administrators' job duties. Thus, since teachers would ordinarily be prohibited sources of things of economic value for administrators then administrators may not typically accept gifts from teachers on special occasions or during holidays.

Generally, Section 1111A of the Code of Governmental Ethics will prohibit an administrator from receiving gifts from students, parents, and/or the PTA on special occasions or during holidays if the administrator would be receiving a thing of economic value for the performance of the duties and responsibilities of his office or position. Due to the open ended nature of this question, the Board declined to render an opinion on this particular issue. If there is a specific employee who has a question about receiving a specific gift from a specific person that is not answered by the other questions then the Board would request that the specific employee who has a direct interest in the matter submit an opinion request for the Board's consideration at that time.

3.) Can a school or PTA provide breakfast or lunch to employees on special occasions or during holidays?

If a representative of the PTA is present at the event, Section 1111A would not prohibit the PTA from paying for the breakfast or lunch of school employees. "Event" means a single activity, occasion, reception, **meal**, or meeting at a given place and time. Section 1117 of the Code prohibits a person from giving a thing of economic value which a public servant is prohibited from receiving. The definition of "a thing of economic value" does not include food or drink consumed while the

personal guest of the giver. Therefore, if a representative of the PTA is present at the luncheon, it would not be prohibited.

4.) Can teachers and administrators participate in yearly Kris Kringle activities during the Christmas holidays where employees pull names and purchase gifts for each other? Employees who participate in the gift exchange do so voluntarily wherein a maximum dollar value is put in place for the gift and the items exchanged are approximately equal in value. The person receiving the gift does not know the person from whom they receive the gift until the end of the exchange.

If gifts are exchanged in connection with the Christmas holidays, rather than in recognition of public employment, in the manner set out by this particular question wherein gifts of commensurate value are exchanged, the Code does not prohibit receipt of a gift between co-workers who are public employees. However, Section 1116A of the Code prohibits a public servant from using the authority of his position in a manner intended to compel or coerce any person or other public servant to provide himself, any other public servant, or other person with any thing of economic value. Thus, employee participation in the activity must be voluntary.

5.) Can a teacher or school accept supplies purchased by parents and donated to the school and/or classroom?

The Code of Ethics does not prohibit parents from making an **unconditional** donation to the school. The Board issues no opinion as to the proper use of the supplies once they are donated to the agency. For advice regarding the proper use of the supplies once they are donated, the Board suggested that Superintendent Folse contact the office of the Louisiana Attorney General.

6.) Can administrators purchase gifts for teachers at the beginning of school, during holidays

or on special occasions?

Generally, Section 1111A of the Code of Governmental Ethics will prohibit teachers from receiving gifts from administrators at the beginning of the school year, on special occasions or during holidays if the teacher would be receiving a thing of economic value for the performance of the duties and responsibilities of his office or position. However, due to the open ended nature of this question the Board declined to render an opinion on this particular issue. If a specific employee has a question about receiving a specific gift from a specific person at a certain time that is not answered by the other questions then the Board would request that the specific employee who has a direct interest in the matter submit an opinion request for the Board's consideration at that time.

7.) Can a school system solicit businesses for special discounts for its employees? Employees would be provided with a special discount card to use when they go to a business that participates in the program. The business would have a link on the school system's website as well as an identifying logo at its business.

Section 1115 of the Code will prohibit the school board from soliciting discounts for its employees from businesses who have or those seeking to obtain contractual, other business, or financial relationships with the school board. In regards to Section 1111A(1), the Board has concluded in prior opinions that discounts may be accepted by public servants, as long as the special rate is a commonly offered promotion, offered to similar groups, and offered to all employees. Since the discount will be offered to all St. Tammany School District employees, Section 1111A of the Code would not prohibit such discounts.

8.) Can an employee accept the free use of a condominium for a trip from parents, administrators or other employees?

Generally, Section 1111A of the Code will prohibit employees from accepting the free use of a condominium for a trip from parents, administrators or other employees if the teacher would be receiving a thing of economic value for the performance of the duties and responsibilities of his office or position. Due to the open ended nature of this question, the Board declined to render an opinion on this particular issue. If there is a specific employee who has a question about receiving a specific gift from a specific person that is not answered by the other questions then the Board would request that the specific employee or other person who has a direct interest in the matter submit an opinion request for the Board's consideration at that time.

9.) Can a coach accept the free use of a condominium from parents of a player?

Generally, Section 1111A of the Code will prohibit coaches from accepting the free use of a condominium for a trip from the parents of a player if the coach would be receiving a thing of economic value for the performance of the duties and responsibilities of his position. Due to the open ended nature of this question, the Board declined to render an opinion on this particular issue. If there is a specific coach who has a question about receiving a specific gift from a specific person that is not answered by the other questions then the Board would request that the specific coach or other person who has a direct interest in the matter submit an opinion request for the Board's consideration at that time.

10.) Can Teachers of the Year and Principals of the Year receive gifts from students, parents, employees, or the PTA for their achievements?

Generally, Section 1111A of the Code would prohibit Teachers and Principals of the Year from receiving gifts from students, parents, and employees for their achievements. However, Section 1123(2)(b) of the Code states that a gift shall not be precluded when considering awards of anything

of economic value received by teachers, principals, or school employees pursuant to the provisions of R.S. 17:432, 432.1, 433, or 433.1 for their outstanding achievement in the performance of their duties or responsibilities as teachers, principals, or school employees given by any person.

However, such exceptions shall not apply to any award from any person or from any officer, director, agent or employee of such person, if the teacher, principal, or school employee receiving the award knows or reasonably should know that the person has a substantial economic interest which may be substantially affected by the performance or non-performance of the teacher's principal's, or school employee's official duty. Therefore, the Code would not prohibit such gifts unless the person providing the gift had a substantial economic interest which may be substantially affected by the performance or the non-performance of the teacher's, principal's, or school employee's official duty. **11.) Can schools provide breakfast or lunch for Teachers of the Year or Principals of the Year for their achievements?**

The Code of Ethics does not prohibit this activity; however, you should contact the Attorney General's Office regarding the proper use of public funds.

The Board considered a request for an advisory opinion in Docket No. 13-015 regarding the propriety of Jefferson Parish government employees receiving gifts from the Jefferson Parish Employees Federal Credit Union. On motion made, seconded and passed by a vote of 4 yeas by Board Members Blewer, Bruneau, Lemke and McAnelly and 3 nays by Board Members Backhaus, Ingrassia and Monroe, the Board concluded that (1) Section 1115 of the Code of Governmental Ethics prohibits Jefferson Parish employees from receiving gifts and luncheons from the Jefferson Parish Employees Federal Credit Union (JPEFCU), since JPEFCU has a business relationship with Jefferson Parish through its Cooperative Endeavor Agreements to occupy space in Jefferson Parish

government buildings. However, Section 1102(22)(a) of the Code of Governmental Ethics defines “thing of economic value” to exclude food, drink, or refreshments consumed while the personal guest of the giver and promotional items which have no substantial resale value. Traditionally, the Board has advised that things such as hats, t-shirts, bumper stickers, pens, buttons and other such items which have a company’s logo on them are promotional items for purposes of the Code of Governmental Ethics; (2) Section 1115 of the Code of Governmental Ethics prohibits Jefferson Parish government employees from receiving tokens of appreciation such as boxes of candy from JPECU; and, (3) a roadside assistance kit containing things such as jumper cables, screw drivers, batteries, poncho, gloves and first aid bandages imprinted with the logo “Jefferson Parish Employees Federal Credit Union” valued at \$19.99 is considered a promotional item since it has a company’s logo on it and would not be considered to have substantial resale value under the Code of Governmental Ethics.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board agreed to take action on the items listed within the waiver chart in G43 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 on the items within the waiver chart in G4, excluding Docket Nos. 12-2309, 12-2310, 13-025, 13-026 and 13-027, 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 and political committees:

The Board unanimously declined to waive the late fees assessed against the following:
Docket No. 12-2202 from Tom Arnold of a \$1,080, a \$2,000 and a \$600 late fee;

Docket No. 12-2303 from Joseph Lockett, Sr. of a \$600, a \$600, a \$600, a \$600 and a \$600 late fee;
Docket No. 12-2306 from E. "Bim" Coulbertson of a \$1,000 late fee;
Docket No. 12-2325 from Jason Coleman of a \$480 and a \$60 late fee;
Docket No. 12-2327 from Jimmy Lafont of a \$160 late fee;
Docket No. 13-003 from Charles Brown of a \$480 late fee;
Docket No. 13-018 from Carolyn George of a \$180 late fee;
Docket No. 13-022 from Raymond Hicks of a \$600 late fee; and,
Docket No. 13-023 from Archie Martin, Jr. of a \$400 late fee.

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

Docket No. 2012-2205 from Donald Klotz of a \$2,000 late fee;
Docket No. 2012-2207 from Stand for Children of a \$480 and a \$300 late fee; and,
Docket No. 2013-024 from Robert Danos of a \$400 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 12-2302 for a waiver of the \$280 late fee assessed against Wylie Foster, a candidate for Town of Amite Chief of Police in the November 6, 2012 election, for filing his 10-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. 12-2303 for a waiver of the \$600 late fee assessed against Joseph Lockett, Sr., a candidate for City Marshal, City of Oakdale in the October 22, 2011 election, for filing his 30-P campaign finance disclosure report 413 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. 12-2304 for a waiver of the \$1,800 late fee assessed against

WOMEN, a political action committee, for filing the 10-G campaign finance disclosure report 9 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,800 late fee but suspended \$1,300 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. 13-018 for a waiver of the \$780 late fee assessed against Carolyn "Gee" George, a candidate for East Baton Rouge Parish Metro Council, District 6 in the November 6, 2012 election, for filing her 30-P campaign finance disclosure report 13 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$780 late fee but suspended \$580 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. 13-023 for a waiver of the \$1,000 late fee assessed against Archie L. Martin, Jr., a candidate for Mayor of the Village of Anacoco in the November 6, 2012 election, for filing his 30-P campaign finance disclosure report 55 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,000 late fee but suspended \$900 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. 2012-2309 for a waiver of the \$120 late fee assessed against Gerald "Jerry" Longlois, a candidate for Natchitoches Parish President in the November 6, 2012 election, for filing his EDE-P campaign finance disclosure report 2 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$120 late fee.

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

considered a request in Docket No. 2012-2310 for a waiver of the \$240 and \$360 late fees assessed against Brett A. Bonin, a candidate for Orleans Parish School Board, District 3 in the November 6, 2012 election, for filing his EDE-P and 10-G campaign finance disclosure reports 4 and 6 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$240 and \$360 late fees. Board Member Bruneau recused himself.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 2013-026 for a waiver of the \$400 late fee assessed against Willis Toups, a candidate for Town of Golden Meadow Council in the November 6, 2012 election, for filing his 10-P campaign finance disclosure report 16 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$400 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 2013-027 for a waiver of the \$3,000 and \$800 late fees assessed against LA Home Builders Association, a political action committee, for filing the 90-P and 10-P campaign finance disclosure reports 86 and 4 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$3,000 and \$800 late fees.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 2013-025 for a waiver of the \$120 late fee assessed against Donna Collins-Lewis, a candidate for East Baton Rouge Parish Metro Council, District 6 in the November 6, 2012 election, for filing her 10-G campaign finance disclosure report 2 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$120 late fee.

The Board agreed to take action on the items listed within the lobbyist waiver chart in G44

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 on the items within the waiver chart in G44, excluding Docket Nos. 12-2075 and 13-010, taking the following action:

The Board considered requests for “good cause” waivers of late fees assessed against the following lobbyists:

The Board considered a request in Docket No. 13-005 for a waiver of the \$50 and \$1200 late fees assessed against Jeffery A. Drozda for failure to timely file a Lobbyist Expenditure report and a Supplemental Registration report. On motion made seconded and unanimously passed, the Board declined to waive the \$50 late fee for the failure to timely file the Lobbyist Expenditure report and declined to waive the \$1,200 late fee for the failure to timely file the Supplemental Registration report but suspended the late fee conditioned upon future compliance with the Lobbyist Disclosure Act.

The Board considered a request in Docket No. 13-006 for a waiver of the \$50 late fee assessed against Richard Hyde for failure to timely file a Lobbyist Expenditure report. On motion made, seconded and unanimously passed, the Board declined to waive the \$50 late fee but suspended the late fee conditioned upon future compliance with the Lobbyist Disclosure Act.

The Board considered a request in Docket No. 13-007 for a waiver of the \$700 and \$900 late fees assessed against B. Ronnell Nolan for failure to timely file a Supplemental Registration reports. On motion made, seconded and unanimously passed, the Board waived the \$700 and \$900 late fees, since Ms. Nolan was not required to file the reports until December because she was not representing her new employer at the time her report was filed

The Board considered a request in Docket No. 13-008 for a waiver of the \$850 and \$1,500 late fees assessed against Jodee Bruyninckx for failure to timely file a Lobbyist Expenditure report and a Supplemental Registration report. On motion made, seconded and unanimously passed, the Board declined to waive the \$850 late fee for the the failure to timely file the Lobbyist Expenditure report and declined to waive the \$1,500 late fee for the failure to timely file the Supplemental Registration report but suspended the late fee conditioned upon future compliance with the Lobbyist Disclosure Act.

The Board considered a request in Docket No. 13-009 for a waiver of the \$1,500 late fee assessed against Scott Breakstone for failure to timely file a Supplemental Registration report. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended the late fee conditioned upon future compliance with the Lobbyist Disclosure Act.

The Board considered a request in Docket No. 13-011 for a waiver of the \$400 late fee assessed against Shelly Neff for failure to timely file a Lobbyist Expenditure report. On motion made, seconded and unanimously passed, the Board declined to waive the \$400 late fee .

The Board considered a request in Docket No. 12-2075 for reconsideration of a waiver of the \$500 late fee assessed against Darrell Hunt for failure to timely file a Lobbyist Expenditure report. On motion made, seconded and unanimously passed, the Board declined to waive the \$500 late fee but suspended the late fee conditioned upon future compliance with the Lobbyist Disclosure Act. Board Member Bruneau recused himself.

The Board considered a request in Docket No. 13-010 for reconsideration of a waiver of the \$1,500 late fee assessed against Christel Slaughter for failure to timely file a Supplemental Registration report. On motion made, seconded and unanimously passed, the Board waived the

\$1,500 late fee. Board Member McAnelly recused himself.

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 considered a request in Docket No. 11-865 for a waiver of the \$500 late fee assessed against Donnie White for filing his 2009 Tier 2 annual personal financial disclosure statement 5 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$500 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. 12-2081 for a waiver of the \$2,500 late fee assessed against Winfred Johnston for filing her amended 2010 Tier 2 candidate personal financial disclosure statement 81 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$2,500 late fee.

The Board considered a request in Docket No. 12-2082 for a waiver of the \$500 late fee assessed against Ron Chapman 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 late fee conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 12-2087 for a waiver of the (1) \$700 late fee assessed against Benjamin Diggins for filing his 2011 Tier 2.1 annual personal financial disclosure report 14 days late; (2) \$650 late fee assessed against Ellen Penny for filing her 2011 Tier 2.1 annual personal financial disclosure report 13 days late; (3) \$1,050 late fee assessed against Linda Williams

for filing her 2011 Tier 2.1 annual personal financial disclosure report 21 days late; and, (4) \$1,300 late fee assessed against Lydia Leon for filing her 2011 Tier 2.1 annual personal financial disclosure report 26 days late. On motion made, seconded and unanimously passed, the Board waived the late fees.

The Board considered a request in Docket No. 12-2094 for a waiver of the \$1,100 late fee assessed against Hayes Booksh for filing his 2010 Tier 2.1 annual personal financial disclosure statement 22 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,100 late fee but suspended \$600 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 12-2095 for a waiver of the \$300 late fee assessed against Erich Ponti for filing his 2011 Tier 3 candidate personal financial disclosure statement 3 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. 12-2098 for a waiver of the \$1,500 late fee assessed against Chyrall August for filing his 2010 Tier 3 annual personal financial disclosure statement 185 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee.

The Board considered a request in Docket No. 12-2100 for a waiver of the \$1,500 late fee assessed against Clarice Kirkland for filing her amended 2009 Tier 2.1 annual personal financial disclosure statement 525 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee.

The Board considered a request in Docket No. 12-2101 for a waiver of the \$1,500 late fee assessed against Carol Adams for filing her 2009 Tier 3 annual personal financial disclosure statement 169 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee.

The Board considered a request in Docket No. 12-2143 for a waiver of the \$650 late fee assessed against Larry Powell for filing his 2011 Tier 3 annual personal financial disclosure statement 13 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$650 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. 12-2145 for a waiver of the \$2,500 late fee assessed against Sarah Lee for filing her 2011 Tier 2 annual personal financial disclosure statement 115 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$2,500 late fee.

The Board considered a request in Docket No. 12-2147 for a waiver of the \$2,500 late fee assessed against Thomas Neumann for filing his 2011 Tier 2 annual personal financial disclosure statement 68 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$2,500 late fee.

The Board considered a request in Docket No. 12-2148 for a waiver of the \$1,500 and \$1,500 late fees assessed against Daniel Wood for filing his amended 2009 and 2010 Tier 2.1 personal financial disclosure statements 34 days late. On motion made, seconded and unanimously passed, the Board rescinded the \$1,500 late fee for the late filing of the 2009 Tier 2.1 personal financial disclosure statement, since the income on the disclosure statement was not reportable and declined

to waive the \$1,500 late fee for the late filing of the 2010 Tier 2.1 personal financial disclosure statement but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 12-943 for a waiver of the \$1,500 late fee assessed against Vickie Briscoe for filing her 2009 Tier 2.1 annual personal financial disclosure statement 266 days late. The Board unanimously deferred the matter to the March meeting.

The Board considered a request in Docket No. 12-2085 for a waiver of the \$1,250 late fee assessed against Arthur Leonard, Jr. for filing his 2011 Tier 3 candidate personal financial disclosure statement 25 days late. The Board unanimously deferred the matter to the March meeting.

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

The Board considered a request in Docket No. 12-2083 for a waiver of the \$200 late fee assessed against John Miller for filing his 2012-2013 School Board Disclosure Statement 4 days late. On motion made, seconded and unanimously passed, the Board waived the \$200 late fee.

The Board considered a request in Docket No. 12-2084 for a waiver of the \$250 late fee assessed against James Robert, Jr. for filing his 2012-2013 School Board Disclosure Statement 5 days late. On motion made, seconded and unanimously passed, the Board waived the \$200 late fee.

The Board considered a request in Docket No. 12-2093 for a waiver of the \$1,250 late fee assessed against Raymond Cassimere for filing his 2012-2013 School Board Disclosure Statement 25 days late. On motion made, seconded and unanimously passed, the Board waived the \$750 of the \$1,250 late fee.

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 GS1-GS5 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 on items GS1-GS5 taking the following action:

The Board considered a request for an advisory opinion in Docket No. 13-080 regarding post-employment restrictions that would apply to Hossein Ghara, an engineer who retired from the Louisiana Department of Transportation and Development (DOTD). On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Mr. Ghara working for a consulting engineering firm assisting personnel in the Project Management Section at DOTD, since he will not be providing the same services under contract to DOTD and he will not be assisting another person for compensation in transactions in which he participated while employed at DOTD.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request for an advisory opinion in Docket No. 13-081 regarding whether Mayor Hilda Curry, City of New Iberia, may use her campaign funds to place the City's annual progress report in the local newspaper. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Campaign Finance Disclosure Act is presented by Mayor Curry using her campaign funds to place the City's progress report in the local newspaper, since Mayor Curry is assisting the City with a financial hardship which is not a personal use of her campaign funds.

The Board adopted an advisory opinion in Docket No. 13-082 regarding whether Rachel Morgan, Office Manager for the Natchitoches Office of Motor Vehicles, may apply to the Office

of Motor Vehicles to open a public tag agency. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Ms. Morgan applying with the Office of Motor Vehicles to open a public tag agency, since the application for a tag agency permit is done under the authority of the Vehicle Management Division of the Office of Motor Vehicles and not under the Natchitoches Office of Motor Vehicles Office. The Board further advised that Section 1121B of the Code of Governmental Ethics will prohibit Ms. Morgan, for a period of two years following the termination of her employment with the Office of Motor Vehicles, from assisting individuals or dealerships in transactions with the Office of Motor Vehicles in which she participated as an employee of the Office of Motor Vehicles or render any services back to the Office of Motor Vehicles on a contractual basis.

The Board considered a request for an advisory opinion in Docket No. 13-096 regarding the propriety of Providence/GSE Associates, LLC, responding as a subconsultant under a Request for Statements of Interests and Qualifications (RSIQ) for the Bayou Lafourche Fresh Water District while an employee, Arthur DeFraités, Jr., previously performed work for the District. On motion made, seconded and unanimously passed, the Board concluded that Section 1121 of the Code of Governmental Ethics prohibits Mr. DeFraités, for a period of two years from his participation in the preparation of the RSIQ proposed by GSE, from performing any of the work on the project.

The Board considered a request for an advisory opinion in Docket No. 13-103 regarding whether Kenneth Squires, commissioner for the Iberia Parish Airport Authority, may bid on an airport hangar owned by Iberia Parish Airport and purchase gas from the airport. On motion made, seconded and unanimously passed, the Board concluded that no violation of the Code of Governmental Ethics is presented by Mr. Squires entering into the transaction of bidding on an

airport hangar owned by Iberia Parish or purchasing airport gas, provided that the public is given the same terms and conditions of the available airport hangar and gas as Mr. Squires.

On motion made, seconded and unanimously passed, the Board agreed to take action on items GS6-GS9 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 on items GS6-GS9 taking the following action:

The Board considered charges in Docket No. 11-1189 issued against Dexter Q. Brown for his failure to amend his 2008 Tier 2 annual personal financial disclosure statement. On motion made, seconded and unanimously passed, the Board dismissed the charges against Mr. Brown, since the amendment had been filed.

The Board considered charges in Docket No. 11-1460 issued against Joseph Allen, Jr. for his failure to file his 2010 Tier 3 candidate personal financial disclosure statement in connection with the April 2, 2011 election. On motion made, seconded and unanimously passed, the Board dismissed the charges against Mr. Allen, since the disclosure statement had been filed.

The Board considered charges in Docket No. 11-1513 issued against David Deere for his failure to file his 2009 Tier 2.1 annual personal financial disclosure statement. On motion made, seconded and unanimously passed, the Board dismissed the charges against Mr. Deere, since the disclosure statement had been filed.

The Board considered charges in Docket No. 12-1055 issued against Albert Burl, III for his failure to file his 2010 Tier 3 annual personal financial disclosure statement. On motion made, seconded and unanimously passed, the Board dismissed the charges against Mr. Burl, since the disclosure statement had been filed.

The Board reconsidered a request in Docket No. 12-503 for a waiver of the \$1,500 late fee assessed against Thomas Atkinson, Jr. for filing his amended 2009 Tier 2.1 personal financial disclosure statement 393 days late. On motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee, since Mr. Atkinson is no longer a member of the Southern High Speed Rail Commission, has retired and moved out of state and filed all other subsequent reports required of him.

The Board considered a request in Docket No. 13-093 for a waiver of the \$2,500 late fee assessed against Michael David for filing his 2009 Tier 2 annual personal financial disclosure statement 52 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$2,500 late fee.

The Board discussed proposed suggestions to the Legislature for changes/amendments to the laws administered by the Louisiana Board of Ethics. Ms. Allen provided an overview of the proposed 2013 legislative recommendations with respect to (1) Definition of Public Employee; (2) Appropriate Use of Campaign Funds; (3) Political Committee Reporting Requirements; and, (4) Confidential and Privileged Nature of Documents.

Board Member Lemke was excused from the meeting at 1:27 p.m.

Following discussion, on motion made, seconded and unanimously passed, the Board agreed to transmit, as soon as possible, the letter of recommendations with the language as set forth in Section #3 with respect to Political Committee Reporting Requirements and Section #4 with respect to Confidential and Privileged Nature of Documents.

The Board recessed at 1:34 p.m. and resumed back into general business session at 1:54 p.m.

On motion made, seconded and unanimously passed, the Board agreed to replace the

proposed current language in Section #2 with respect to Appropriate Use of Campaign Funds, with the proposal that the Senate &Governmental Affairs (S&GA) Committee and the House &Governmental Affairs (H&GA) Committee study and provide a more comprehensive definition of the term ‘personal use of campaign funds as related to a political campaign and the holding of public office’. Examples of how these and similar terms are defined in other states should be attached and should include other states besides just Rhode Island. The attached reference should include other southern states that are comparable in size to Louisiana, such as Texas, Mississippi, Alabama and Florida. The Board further advised the staff to address the letter of suggested recommendations to Governor Bobby Jindal, Senate President John Alario, House Speaker Charles E. “Chuck” Kleckley, S&GA Committee Chairman “Jody” Amedee and H&GA Committee Chairman Timothy Burns with the members of the Legislature receiving a copy via e-mail.

On motion made, seconded and unanimously passed, the Board agreed to include the proposed language in Section #1 with respect to Definition of Public Employee without the reference to “representing the interest of the agency” as indicated in #5 of that Section.

The Board unanimously agreed to defer discussion and action with respect to the property rights issue to the March meeting. That issue will be considered separately and forwarded at a subsequent time.

The Board considered charges issued against Donald Villere in Docket No. 10-176. On motion made, seconded and unanimously passed, the Board instructed the staff to request a rehearing on the matter and to request an in camera inspection of the investigation report and notes.

The Board considered charges filed against Michael Picou in Docket No. 11-441. On motion made, seconded and unanimously passed, the Board dismissed the charges against Mr. Picou.

The Board considered Orders in Docket No. 11-626 dismissing the charges and denying the Board's request for rehearing against Anthony Bourgeois and Bryan Krantz, members of the Louisiana Racing Commission, based upon prescription. On motion made, seconded and unanimously passed, the Board instructed the staff to appeal the ruling by the Ethics Adjudicatory Board (EAB) to the 1st Circuit Court of Appeal.

On motion made, seconded and unanimously passed, the Board appointed staff attorney Suzanne Mooney to serve as co-counsel in the matter in Docket No. 11-835 involving Greg Gachassin, the former chairman of the Lafayette Public Trust Finance Authority.

Chairman Monroe announced that since there were only six (6) members present, the Board would not resolve into executive session to consider matters remaining from the executive session meeting on Thursday, February 14th.

The Board unanimously adjourned at 2:08 p.m.

Secretary

APPROVED:

Chairman

