

LOUISIANA BOARD OF ETHICS
MINUTES
February 19, 2015

The Board of Ethics met on February 19, 2015 at 1:00 p.m. in the Griffon 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, Larzelere, McAnelly, Monroe and Shelton present. Absent were Board Members Leggio, Lemke and Michiels. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Deborah Grier; and Counsel Tracy Barker, Mike Dupree, Jennifer Land, Suzanne Mooney, Brett Robinson and Haley Williams.

Board Chairman Monroe vacated the Chair and Vice Chairman Blewer assumed the Chair. On motion made, seconded and unanimously passed, elected Mr. Monroe as Chairman.

Board Member Michiels arrived at the meeting at 1:13 p.m.

Board Chairman Monroe resumed the Chair.

On motion made, seconded and unanimously passed, the Board elected Ms. Blewer as Vice Chairman.

The Board unanimously resolved into executive session to consider complaints and reports deemed confidential pursuant to Section 1141 of the Code of Governmental Ethics.

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EXECUTIVE BUSINESS

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The Board unanimously resolved into general business session.

Chairman Monroe announced that the Budget Committee would meet immediately following the Board's meeting.

On motion made, seconded and unanimously passed, the Board unanimously adjourned at
2:51 p.m.

Secretary

APPROVED:

Chairman

LOUISIANA BOARD OF ETHICS
MINUTES
February 20, 2015, 2015

The Board of Ethics met on February 20, 2015 at 9:00 a.m. in the LaBelle Room on the 1st floor of the LaSalle Building located at 617 North Third Street, Baton Rouge, Louisiana with Board Members Backhaus, Blewer, Bruneau, Ingrassia, Larzelere, McAnelly, Michiels, Monroe and Shelton present. Absent were Board Members Leggio and Lemke. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Deborah Grier; and Counsel Tracy Barker, Mike Dupree, Jennifer Land, Suzanne Mooney, Brett Robinson and Haley Williams.

The Board considered a request for reconsideration in Docket No. 14-916 of a waiver of the \$1,500 late fee assessed against Shirley Ann Jordan, a member of the West Baton Rouge Museum Board, for filing her 2011 Tier 2.1 Annual personal financial disclosure statement 317 days late. On motion made, seconded and unanimously passed, the Board temporarily deferred the matter until later in the meeting.

Mr. Louis Lambert, Jr., a member of the University of Louisiana Systems-Board of Supervisors, appeared before the Board in connection with a request for reconsideration in Docket No. 14-1113 of a waiver of the \$1,500 late fee assessed against him for filing his 2011 Tier 2.1 Annual personal financial disclosure statement 322 days late. After hearing from Mr. Lambert, 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 Code of Governmental Ethics.

The Board considered a request in Docket No. 14-1140 for a waiver of the \$1,500 late fee assessed against Louis Buatt for failure to timely file a Supplemental lobbying registration report. On motion made, seconded and unanimously passed, the Board temporarily deferred the matter until

later in the meeting.

Ms. Lennis Elston, a member of the Caddo Parish Fire Protection District, appeared before the Board in connection with a request in Docket No. 14-1252 for a waiver of the two (2) \$1,500 late fees assessed for filing her 2011 Tier 2.1 Annual personal financial disclosure statement 325 days late and her 2012 Tier 2.1 Annual personal financial disclosure statement 125 days late. After hearing from Ms. Elston, on motion made, seconded and unanimously passed, the Board declined to waive the late fees totaling \$3,000. Board Member Blewer recused herself.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1449 for a waiver of the \$100, \$100 and \$2,500 late fees assessed against Jeffry Sanford, a candidate for Associate Justice, Supreme Court, 5th Circuit in the November 6, 2012 election, for filing his 10-P, EDE-P and 10-G campaign finance disclosure reports 1, 1, and 779 days late. On motion made, seconded and unanimously passed, the Board temporarily deferred the matter until later in the meeting.

The Board considered a request in Docket No. 14-1470 for a waiver of the \$500 late fee assessed against Elizabeth Pittman-McDaniel, a member of the Tangipahoa Parish School Board, for filing her 2013 Tier 2 Annual personal financial disclosure statement 5 days late. On motion made, seconded and unanimously passed, the Board continued the matter to the March meeting.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1560 for a waiver of the \$1,380 late fee assessed against Anthony Nelson, a candidate for East Baton Rouge Parish School Board, District 7 in the November 4, 2014 election, for filing his 10-P campaign finance disclosure report 23 days late. On motion made, seconded and unanimously passed, the Board temporarily deferred the matter until later in the

meeting.

The Board considered a request for an advisory opinion in Docket No. 14-1580 regarding the proper use of campaign funds by Representative Joseph Harrison. On motion made, seconded and unanimously passed, the Board concluded that Section 1505.2I(6) of the Campaign Finance Disclosure Act prohibits a candidate from using campaign funds for the purchase of immovable property or a motor vehicle. Therefore, expenditures made by Representative Harrison that are related to his campaign or the holding of office to assist constituents and local and state authorities during emergency events, excluding the purchase of immovable property or a motor vehicle, are proper uses of campaign funds. The Board further declined to issue an opinion with respect to reimbursements made by the House of Representatives but advised Representative Harrison that he is prohibited from using campaign funds for any expenditures for which he has already been reimbursed by the House of Representatives.

Ms. Shirley Ann Jordan, a member of the West Baton Rouge Museum Board, and her attorney, Mr. Edgar Jordan, appeared before the Board in connection with a request in Docket No. 14-916 for of a waiver of the \$1,500 late fee assessed against her for filing her 2011 Tier 2.1 Annual personal financial disclosure statement 317 days late. After hearing from Ms. Jordan and Mr. Jordan, on motion made, seconded and passed by a vote of 6 yeas by Board Members Backhaus, Bruneau, Ingrassia, McAnelly, Michiels and Shelton and 3 nays by Board Members Blewer, Larzelere and Monroe, the Board declined to waive the \$1,500 late fee but suspended \$1,250 conditioned upon future compliance with the Code of Governmental Ethics.

The Board considered a request in Docket No. 14-1140 for a waiver of the \$1,500 late fee assessed against Louis Buatt for failure to timely file a Supplemental registration report. On motion

made, seconded and unanimously passed, the Board continued the matter to the March meeting.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1449 for a waiver of the \$100, \$100 and \$2,500 late fees assessed against Jeffry Sanford, a candidate for Associate Justice, Supreme Court, 5th Circuit in the November 6, 2012 election, for filing his 10-P, EDE-P and 10-G campaign finance disclosure reports 1, 1, and 779 days late. On motion made, seconded and unanimously passed, the Board (1) declined to waive the \$100 late fee with respect to the 10-P campaign finance disclosure report; (2) declined to waive the \$100 late fee with respect to the EDE-P campaign finance disclosure report but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act; and (3) declined to waive the \$2,500 late fee with respect to the 10-G campaign finance disclosure report but suspended \$2,200 conditioned upon future compliance with the Campaign Finance Disclosure Act and provided payment is made within 30 days.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1560 for a waiver of the \$1,380 late fee assessed against Anthony Nelson, a candidate for East Baton Rouge Parish School Board, District 7 in the November 4, 2014 election, for filing his 10-P campaign finance disclosure report 23 days late. On motion made, seconded and passed by a vote of 7 yeas by Board Members Backhaus, Bruneau, Ingrassia, Larzelere, McAnelly, Michiels and Shelton and 2 nays by Board Members Blewer and Monroe, the Board declined to waive the \$1,380 late fee but suspended \$880 conditioned upon future compliance with the Campaign Finance Disclosure Act and provided payment is made within 30 days.

Mr. Douglas Lawrence, General Counsel for the Monroe City School Board (MCSB), appeared before the Board in connection with a request for an advisory opinion in Docket No. 15-

040 regarding whether Mayo Tours may transact business with the Monroe City School District (MCSD), located in Ouachita Parish, at a time when its employee, Brandon Johnson, is a member of the Monroe City School Board. After hearing from Mr. Lawrence, on motion made, seconded and unanimously passed, the Board concluded that (1) no violation of the Code of Governmental Ethics is presented by Mayo Tours transacting business with the MCSD while its employee, Brandon Johnson, is a member of the MCSB, since Mr. Johnson's employment with Mayo Tours meets the exception provided in Board Docket No. 82-02D; (2) Section 1113A of the Code of Governmental Ethics would prohibit Mr. Johnson from accepting driving assignments for the MCSD while he is a member of the MCSB; and, (3) Section 1112B(3) of the Code of Governmental Ethics would prohibit Mr. Johnson from participating in any transaction involving the MCSB in which Mayo Tours has a substantial economic interest. The Board further advised that Mr. Johnson will be required to file an annual disclosure statement pursuant to Section 1114 of the Code of Governmental Ethics.

Mr. John Becknell and Mr. William Becknell, attorneys for the State Board of Practical Nurse Examiners, appeared before the Board in connection with a request in Docket No. 14-1476 for a waiver of the \$1,500 late fee assessed against Dr. Brett Campanella, a member of the State Board of Practical Nurse Examiners, for filing his 2012 Tier 2.1 Annual personal financial disclosure statement 180 days late. After hearing from Mr. Becknell and Mr. Becknell, on motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee.

The Board recessed at 10:21 a.m. and resumed back into general business session at 10:32 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-G30 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-G30, excluding items G13, G19, G20, G21, G24, G26 and G28, taking the following action:

Adopted an advisory opinion in Docket No. 14-1327 concluding that Section 1111C(2)(d) of the Code of Governmental Ethics prohibits Danita Muse and her company, D.M. Muse, L.C., from providing compensated services to Magellan of Louisiana while she is employed as a Social Worker 4 for the Metropolitan Human Service District (MHSD), since Magellan has a business/financial relationship with her agency, the MHSD.

Adopted an advisory opinion in Docket No. 14-1417 concluding that no violation of the Code of Governmental Ethics is presented by Meca Irving, a retired employee of the Department of Health and Hospitals (DHH)-Retail Food Division, working privately as an approved provider teaching food management classes to private clients, since Ms. Irving will not be providing the same services under contract to, for, or on behalf of DHH, and she will not be assisting another person for compensation in transactions in which she participated while employed by DHH.

Adopted an advisory opinion in Docket No. 14-1529 concluding that no violation of the Code of Governmental Ethics is presented by Celeste Voinche, an employee of the Avoyelles Parish School System's (APSS) central office, receiving normal promotional advancements if her brother, Blaine Dautat, were to become superintendent of the APSS, since Ms. Voinche has been employed

by the APSS for more than one year. The Board further concluded that Section 1112B(1) of the Code of Governmental Ethics would prohibit Mr. Dausat from participating in any transaction in which his sister, Ms. Voinche, has a substantial economic interest and that a disqualification plan would need to be confectioned in which Mr. Dausat would disqualify himself from any transaction in which Ms. Voinche has a substantial economic interest.

Declined to render an advisory opinion in Docket No. 14-1531 regarding insurance contracts previously brokered by Gulf Coast Marine, LLC to tenants of the Non-Flood Protection Asset Management Authority, since those matters involved past conduct. The Board further concluded that based on the fact that Dieter M. Hugel, Jr., a recent appointee as a Commissioner for the Non-Flood Protection Asset Management Authority, is a salaried employee who does not receive commissions, and that he owns only 5% of Gulf Coast Marine, LLC, Section 1111C(2)(d) of the Code of Governmental Ethics would not apply.

Adopted an advisory opinion in Docket No. 14-1533 concluding that Section 1111C(2)(d) of the Code of Governmental Ethics prohibits Charles Griffin from representing criminal defendants in the 20th Judicial District Court, located in East and West Feliciana Parishes, while his wife, Kristi Griffin, is employed as a prosecutor with the 20th Judicial District Attorney's Office. The Board further concluded that no violation of the Code of Governmental Ethics is presented by Charles Griffin representing those criminal defendants in the 20th Judicial District Court that his wife has not been designated to prosecute, since the 20th Judicial District Court is not under the control or authority of the 20th Judicial District Attorney.

Absent specific information, declined to render an advisory opinion in Docket No. 14-1534 regarding whether Robert Oliver can continue his outside employment as a private investigator while

being employed with the Division of Probation and Parole.

Declined to render an advisory opinion in Docket No. 14-1537 regarding Bryan Fontenot serving as a Justice of the Peace while he owns Thibodaux Driving School, since R.S. 42:1167 provides that all judges, as defined by the Code of Judicial Conduct, shall be governed exclusively by the provisions of the Code of Judicial Conduct, which shall be administered by the Judiciary Commission provided for in Article V, Section 25 of the Constitution of the State of Louisiana. Therefore, Justices of the Peace are exempt from the provisions of the Code of Governmental Ethics.

Adopted an advisory opinion in Docket No. 14-1566 concluding that Section 1112 of the Code of Governmental Ethics would prohibit Matt Parker, if elected to the office of Commissioner of Insurance, from participating in any transactions involving the Department of Insurance in which either Mr. Parker or his company, Parker Auto Body, Inc., has a substantial economic interest.

Adopted an advisory opinion in Docket No. 14-1567 concluding that generally Section 1111C(2)(d) of the Code of Governmental Ethics would prohibit Errol "Slu" Comeaux, a member of the Town of Church Point Board of Aldermen, from being employed on a part time basis by Vautrot's Auto and Truck Parts while Vautrot's Auto and Truck Parts sold merchandise to the Town of Church Point; however, Mr. Comeaux meets the four factors set forth in the exception in Docket No. 82-02D and is allowed to maintain his employment with Vautrot's Auto and Truck Parts.

Adopted an advisory opinion in Docket No. 14-1569 concluding that no violation of the Code of Governmental Ethics is presented by David Summersgill being employed as the 4th Judicial District Public Defender assigned to the Monroe City Court (City Public Defender), located in Ouachita Parish, while his mother, Nanci Summersgill, serves as the Monroe City Attorney, since the Monroe City Attorney has no supervision or jurisdiction over the Monroe City Court or the City

Public Defender.

Declined to render an advisory opinion in Docket No. 14-1577 regarding the application of La. R.S. 42:2.2 to the appointment by a parish police jury of a father and son to the same board, since the issue does not present a violation of any laws under the jurisdiction of the Board.

Adopted an advisory opinion in Docket No. 15-003 concluding that no violation of the Code of Governmental Ethics is presented by Susan Hutson, an Independent Police Monitor for the City of New Orleans, receiving a gift from a friend who was formerly employed by the Ethics Review Board, since the gift is unrelated to the performance of her duties and responsibilities.

Adopted an advisory opinion in Docket No. 15-005 concluding that (1) Section 1119B of the Code of Governmental Ethics would prohibit Pamela S. Perrilloux, currently serving as the Executive Secretary for the St. John the Baptist Parish Planning and Zoning/Code Enforcement Department, from being hired as the Legislative Assistant for St. John the Baptist Parish while her husband, Marvin Perrilloux, serves as a member of the St. John the Baptist Parish Council District IV; and (2) the selection of a Legislative Assistant is not a normal promotional advancement within parish government from the Planning and Zoning/Code Enforcement Department.

Adopted an advisory opinion in Docket No. 14-1403 concluding that (1) no violation of the Code of Governmental Ethics is presented if Emile Bertucci, III were to be employed as the Chief Executive Officer (CEO) for St. Bernard Hospital while his brother, Bryan Bertucci, MD, is on staff and while Dr. Bertucci's company leases space from the St. Bernard Hospital; however, Section 1112B of the Code of Governmental Ethics would prohibit Mr. Bertucci from participating in any transaction in which his brother, Bryan Bertucci, has a substantial economic interest. The Board further advised that a disqualification plan should be confected in which Mr. Bertucci would

disqualify himself from any transaction in which Dr. Bertucci has a substantial economic interest; (2) Section 1113A(1)(a) of the Code of Governmental Ethics would prohibit Dr. Bertucci's group practice from renewing a contract with the hospital unless Dr. Bertucci has 25% or less ownership interest in the practice or the contract was automatically renewed with no changes to the terms of the original contract; and, (3) pursuant to Section 1114A of the Code of Governmental Ethics, Dr. Bryan Bertucci would be required to file an annual disclosure statement by May 15th to disclose his agreement with the hospital through his ownership interest in the group practice that leases space from the hospital.

Adopted an advisory opinion in Docket No. 14-1423 concluding that Section 1113A of the Code of Governmental Ethics would prohibit businesses owned by John Canik, a newly elected member of the Cameron Parish School Board, from continuing to transact business with schools in Cameron Parish.

Adopted an advisory opinion in Docket No. 14-1541 concluding that Section 1121A(1) of the Code of Governmental Ethics would prohibit Judy Harry Randow, a newly retired 9th JDC judge, from contracting with the 9th Judicial District Drug Court Program to serve as its director or case manager for a period of two years from the last date of his service with the 9th JDC.

Adopted an advisory opinion in Docket No. 14-1543 concluding that, under the circumstances presented, no violation of the Code of Governmental Ethics is presented by the appointment of Robin Hurst, currently employed by Ferrara Fire Apparatus, to the Fire Board for West Feliciana. The Board further advised that if Ferrara Fire Apparatus were to seek a business financial relationship with the Fire Board of West Feliciana in the future, Mr. Hurst, as a board member, would be prohibited by Section 1111C(2)(d) of the Code of Governmental Ethics from

working for Ferrara Fire Apparatus.

Adopted an advisory opinion in Docket No. 14-1545 concluding that (1) the Board lacked jurisdiction to render an advisory opinion as to the application of Judicial Canon 3 in connection with the employment of the nephew of Judge Mary Dogget's husband as a judicial law clerk in her division; and, (2) no violation of the Code of Governmental Ethics is presented by the employment of the nephew of Judge Mary Dogget's husband as a judicial law clerk in her division, since a nephew is not considered an immediate family member as provided in Section 1102(13) of the Code of Governmental Ethics.

Due to lack of standing, declined to render an advisory opinion in Docket No. 14-1568 regarding whether Wendy Eldridge, a commissioner of the Iberia Parish Airport Authority (IPAA), may submit a performance evaluation on Jason Devillier, airport director.

Declined to render an advisory opinion in Docket No. 14-1571 regarding the appointment of Celeste Falconer to the governing board of the Florida Parishes Human Services Authority, since the request involved past conduct. However, the Board advised, generally, that Section 1112B(3) of the Code of Governmental Ethics prohibits a public servant from participating in a transaction involving the governmental entity in which, to his actual knowledge, any person of which he is an officer, director, trustee, partner or employee has a substantial economic interest and that Section 1120.4 of the Code of Governmental Ethics allows an appointed member of a board or commission to recuse himself from participating or voting on any matter in which a potential violation of Section 1112B(3) may arise.

Adopted an advisory opinion in Docket No. 15-002 concluding that no violation of the Code of Governmental Ethics is presented by a lumber store owned by Wayne Smith, a newly elected

member of the Town of Oberlin Board of Aldermen, continuing to transact business with the Town of Oberlin, since the Town of Oberlin has a population of less than 5,000 provided that the Town of Oberlin submits a plan for approval to the Board of Ethics in compliance with R.S. 42:1123(22)(b). The Board further advised that Section 1112 of the Code of Governmental Ethics would prohibit Mr. Smith from participating, as a member of the Board of Aldermen, in any transactions involving the Town of Oberlin and his lumber store.

Adopted an advisory opinion in Docket No. 15-041 concluding that Section 1111E(1) of the Code of Governmental Ethics would prohibit newly elected Representative Mike Johnson, District 8, from continuing to provide legal services to Louisiana Right to Life Educational Committee, Inc., once he takes office. Board Member Blewer recused herself.

Accepted for filing, the disclosure statements filed in Docket No. 15-039 for November and December, 2014.

The Board considered the following general business agenda items:

On motion made, seconded and unanimously passed, the Board approved the minutes of the January 15-16, 2015 meetings.

The Board considered a request for an advisory opinion in Docket No. 15-001 regarding whether Oscar Diaz or HarmonIQ Health Systems Corporation, an entity in which Mr. Diaz is a principal, can negotiate and contract with a subcontractor of LSU to sublicense healthcare technology and software systems, considering the fact that Mr. Diaz, through nGENEX7, LLC, previously performed services for LSU as an independent contractor. On motion made, seconded and unanimously passed, the Board concluded that, based on the specific facts as presented, it did not appear that Mr. Diaz was a public servant subject to the Code of Governmental Ethics. The Board

further declined to render an advisory opinion with respect to any other issues that may relate to the licensing of the LSU Technology.

The Board considered a proposed consent opinion in Docket No. 11-1393 regarding Jackie Schauf, executive director of the Tensas Community Health Center, Inc., renting property to the Center. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion in which Jackie Schauf, Executive Director of the Tensas Community Health Center, Inc., agrees (1) that a violation of Sections 1111C(2)(d) and 1113A of the Code of Governmental Ethics occurred by renting her plantation home, Lakewood, to the Tensas Community Health Center to house contract physicians and by renting her plantation home to the physicians while they had a contract with her agency and in which Ms. Schauf agrees to pay a fine of \$1,000 to be paid in monthly installments of \$100 with the first payment due and owing on August 1, 2014 with each subsequent installment payment due on the first of each month thereafter until the civil penalty is paid in full. In the event of a failure to pay any monthly installment, the Board may file suit to compel immediate payment of any balance due; and, (2) to reimburse the Tensas Community Health Center, Inc. \$1,575 with the first payment due and owing on August 1, 2014 with each subsequent installment payment due on the first of each month thereafter until the civil penalty is paid in full. In the event of a failure to pay any monthly installment, the Board may file suit to compel immediate payment of any balance due.

The Board considered proposed consent opinions in Docket No. 13-917 regarding John Ray, a New Orleans Police Officer, accepting gifts from Robert Kingsmill of Kingsmill Auto Services, while Kingsmill had a business relationship with the New Orleans Police Department (NOPD). On motion made, seconded and unanimously passed, the Board adopted for publication the consent

opinion in which (1) John Ray, a former police officer employed by the New Orleans Police Department (NOPD), agrees that a violation of Section 1111A(1) of the Code of Governmental Ethics occurred on eight separate occasions when he accepted \$100 cash payments from Robert Kingsmill, on behalf of Kingsmill Auto Services, Inc., for the performance of his official job duties and a violation of Section 1115B(2) of the Code of Governmental Ethics occurred on eight separate occasions when he accepted \$100 cash payments from Robert Kingsmill, on behalf of Kingsmill Auto Services, Inc., at a time when Kingsmill Services, Inc. had a substantial economic interest in John Ray's performance or non-performance of his official job duties and in which Mr. Ray agrees to pay a fine of \$1,000; and, (2) Robert Kingsmill and Kingsmill Auto Services, Inc. agree that a violation of Section 1117 of the Code of Governmental Ethics occurred by the giving of gifts to John Ray, a New Orleans Police Officer, while Mr. Kingsmill had a business relationship with the New Orleans Police Department (NOPD) and in which Mr. Kingsmill and Kingsmill Auto Services agree to pay a fine of \$800.

The Board considered a proposed consent opinion in Docket No. 13-1077 regarding Keith Davidson, a member of Pointe Coupee Fire District 4, entering into transactions with his agency. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion in which Keith Davidson agrees that a violation of Section 1111C(2)(d) of the Code of Governmental Ethics occurred by his providing compensated services to Special Risk Insurance, Inc. while serving as a volunteer fireman and Captain of the Administration for the District, at a time when Special Risk Insurance, Inc. had a contractual or other business or financial relationship with District #4 and in which Mr. Davidson agrees to pay a fine of \$1,200.

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

considered a request for an advisory opinion in Docket No. 14-1565 regarding whether paid advertisements with certain types of speech would be considered "expenditures" triggering mandatory disclosure requirements under the Campaign Finance Disclosure Act. On motion made, seconded and unanimously passed, the Board concluded that mandatory disclosure is not required by the Campaign Finance Disclosure Act in the stated instances because the ads do not contain express words of advocacy of election or defeat of the particular candidate or proposed legislation mentioned.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board unanimously agreed to take action on the requests for "good cause" waivers of late fees assessed against candidates included in the Campaign Finance Waiver Chart 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 in the Campaign Finance Waiver Chart, excluding Docket Nos. 14-1437, 1446 and 14-1549, taking the following action:

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

Docket No. 14-1377 from Etta Licciardi of a \$900 late fee;
Docket No. 14-1439 from Polly Pickney of a \$320 late fee;
Docket No. 14-1512 from Troy Broussard of a \$120 late fee;
Docket No. 14-1518 from Debra Norwood of a \$240 late fee; and,
Docket No. 14-1547 from Gideon T. Carter, III of a \$180 late fee.

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

Docket No. 14-1432 from Anthony Lewis of a \$600 late fee and a \$2,000 late fee;
Docket No. 14-1450 from Dan B. McKay, Jr. of a \$420 late fee;
Docket No. 14-1451 from Carday Marshall of a \$400 late fee, a \$500 late fee and a \$795 late fee;
Docket No. 14-1452 from Kyle Neal of an \$80 late fee and a \$160 late fee;

Docket No. 14-1508 from John S. Edwards of a \$600 late fee;
Docket No. 14-1509 from Mike Van Schoick of a \$720 late fee;
Docket No. 14-1510 from Edward Butler of a \$600 late fee;
Docket No. 14-1513 from Sophia Dixon Brown of a \$480 late fee;
Docket No. 14-1516 from Clifford Thomas of a \$420 late fee;
Docket No. 14-1517 from Clyde Hamner of an \$840 late fee;
Docket No. 14-1548 from Marie Williams of a \$300 late fee; and,
Docket No. 14-1551 from Patrick Pierson of a \$540 late fee.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1373 for a waiver of the \$960 late fee assessed against Willis Yarbrough, a candidate for City Marshal, City Court, City of Bogalusa, Washington Parish in the November 4, 2014 election, for filing his 30-P campaign finance disclosure report 16 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$960 late fee but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1430 for a waiver of the \$1,080 late fee assessed against Oscar Dantzler, Jr., a candidate for City Marshal, City Court, City of Hammond in the November 4, 2004 election, for filing his 30-P campaign finance disclosure report 18 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,080 late fee but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1432 for a waiver of the \$540 late fee assessed against Anthony P. Lewis, a candidate for 17th Judicial District Court Judge, Division B, Lafourche Parish

in the November 4, 2014 election, for filing his 10-P campaign finance disclosure report 9 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$540 late fee but suspended \$340 conditioned upon future compliance with the Campaign Finance Disclosure Act and provided payment is made within 30 days.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1434 for a waiver of the \$1,000 late fee assessed against Rudy Gorrell, a candidate for Criminal District Court Judge, Section D, Orleans Parish in the November 4, 2014 election, for filing his 30-P campaign finance disclosure report 16 days late. On motion made, seconded and unanimously passed, the Board rescinded the \$1,000 late fee pursuant to Rule 1205D, since Mr. Gorrell withdrew from the election on September 4, 2014 and had \$0 activity.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1444 for a waiver of the \$480 late fee assessed against Judi Abrusley, a candidate for City Court Judge, City of Oakdale, Allen Parish in the November 4, 2014 election, for filing her 30-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 the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1445 for a waiver of the \$540 late fee assessed against Richard Starling, Jr., a candidate for City Court Judge, City of Alexandria in the November 4, 2014 election, for filing his 30-P campaign finance disclosure report 9 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$540 late fee but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1447 for a waiver of the \$280 late fee assessed against Charles Spraggins, a candidate for Town Marshal, City Court, Town of Plain Dealing in the November 4, 2014 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 the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1448 for a waiver of the \$360 late fee assessed against Willie Clyde Curry, a candidate for Selectman, District One, Town of Homer, Claiborne Parish, in the November 4, 2014 election, for filing his 10-P campaign finance disclosure report 9 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$360 late fee but suspended \$260 conditioned upon future compliance with the Campaign Finance Disclosure Act and provided payment is made within 30 days.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1453 for a waiver of the \$480 late fee assessed against Michael Pitman, a candidate for District Judge, 1st Judicial District Court, in the November 4, 2014 election, for filing his 30-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 and provided payment is made within 30 days.

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

considered a request in Docket No. 14-1510 for a waiver of the \$420 late fee assessed against Edward Butler, a candidate for City Marshal, City Court, City of Alexandria, Rapides Parish in the November 4, 2014 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 \$420 late fee but suspended \$220 conditioned upon future compliance with the Campaign Finance Disclosure Act and provided payment is made within 30 days.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1511 for a waiver of the \$720 late fee assessed against Warren Lawrence, a candidate for Parish Council Member, District 7, City of Port Sulphur, Plaquemines Parish in the November 4, 2014 election, for filing his 30-P campaign finance disclosure report 18 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$720 late fee but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1514 for a waiver of the \$720 late fee assessed against William Wainwright, a candidate for City Marshal, City Court, City of Hammond, Tangipahoa Parish in the November 4, 2014 election, for filing his Special campaign finance disclosure report 12 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$720 late fee but suspended \$520 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. 14-1550 for a waiver of the \$480 late fee assessed against John

Mosely, a candidate for District Judge, 1st JDC, Division G, Caddo Parish in the November 4, 2014 election, for filing his 30-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 and provided payment is made within 30 days.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1551 for a waiver of the \$60 late fee assessed against Patrick Pierson, a candidate for Constable, 1st Parish Court, City of Gretna, Jefferson Parish in the November 4, 2014 election, for filing his 30-P campaign finance disclosure report 1 day late. On motion made, seconded and unanimously passed, the Board declined to waive the \$60 late fee but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1437 for a waiver of the \$540 late fee assessed against Michael Barbee, a candidate for City Marshal, City Court, City of Plaquemine, in the November 4, 2014 election, for filing his 30-P campaign finance disclosure report 9 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$540 late fee but suspended \$340 conditioned upon future compliance with the Campaign Finance Disclosure Act and provided payment is made within 30 days.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1446 for a waiver of the \$600 and \$120 late fees assessed against Dorothy Sansoni, a candidate for School Board at Large, Iberville Parish in the November

4, 2014 election, for filing her 30-P and 10-P campaign finance disclosure reports 23 and 2 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$600 late fee in connection with the 30-P report and declined to waive the \$120 late fee in connection with the 10-P report but suspended the entire late fee conditioned upon future compliance with the Campaign Finance Disclosure Act.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 14-1549 for a waiver of the \$2,000 late fee assessed against Derrick Earles, a candidate for City Court Judge, City of Bunkie, Avoyelles Parish in the November 4, 2014 election, for filing his 30-P campaign finance disclosure report 39 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$2,000 late fee.

The Board unanimously agreed to take action on the items contained in the Personal Financial Disclosure Waiver Chart 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 in the Personal Financial Disclosure Waiver Chart, excluding Docket Nos. 14-1476 and 14-1492, taking the following action:

The Board considered requests for “good cause” waivers of late fees assessed against the following individuals and adopted the staff recommendations on the requests:

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

Docket No. 14-913 from Allison Bowler of a \$1,500 late fee;
Docket No. 14-1251 from Rose Legaux of a \$2,500 late fee with the option of a payment plan; and,
Docket No. 14-1256 from Mike Bono of a \$100 late fee.

The Board considered a request in Docket No. 14-1253 for a waiver of the two (2) \$1,500 late fees assessed against Gloria Hancock, a former member of the Madison Parish School Board, for filing her 2011 Tier 3 Annual personal financial disclosure statement 334 days late and her 2012 Tier 3 Annual personal financial disclosure statement 188 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee in connection with the 2011 Tier 3 Annual personal financial disclosure statement but suspended the entire late fee conditioned upon future compliance with the Code of Governmental Ethics and declined to waive the \$1,500 late fee in connection with the 2012 Tier 3 Annual personal financial disclosure statement but suspended \$1,000 conditioned upon future compliance with the Code of Governmental Ethics and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

The Board considered a request in Docket No. 14-1257 for a waiver of the \$950 late fee assessed against Christopher Elg, a former member of the Municipal Police Employees Retirement System, for filing his 2012 Tier 2.1 Annual personal financial disclosure statement 19 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$950 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. 14-1458 for a waiver of the \$2,500 late fee assessed against Juston Thomas, a member of the Washington Parish Council, for filing his 2012 Tier 2 Annual personal financial disclosure statement 268 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 and provided payment

is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

The Board considered a request in Docket No. 14-1491 for a waiver of the \$1,500 late fee assessed against Mahogany Watkins, a member of the Greater Alexandria Economic Development Authority, for filing her 2012 Tier 2.1 Annual personal financial disclosure statement 175 days late. 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 Code of Governmental Ethics and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

The Board considered a request in Docket No. 14-1521 of a waiver of the \$1,500 late fee assessed against Laurita Pete, a member of the Crowley Board of Aldermen, Acadia Parish, for filing her 2012 Tier 3 Annual personal financial disclosure statement 260 days late. On motion made, seconded and unanimously passed, the Board waived the \$1,500 late fee in connection with the 2012 Tier 3 Annual personal financial disclosure statement and waived the outstanding \$1,500 late fee in connection with the 2010 Tier 3 Annual personal financial disclosure statement.

The Board considered a request in Docket No. 14-1522 for a waiver of the \$1,500 late fee assessed against David Barnes, Jr., a former member of the Aquatic Chelonian Research and Promotion Board, for filing his 2012 Tier 2.1 Annual personal financial disclosure statement 236 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 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. 14-1492 for a waiver of the \$1,500 late fee

assessed against Eugene Venzant, a member of the Bryceland Board of Aldermen, Bienville Parish, for filing his amended 2012 Tier 3 Annual personal financial disclosure statement 172 days late. On motion made, seconded and unanimously passed, the Board deferred the matter.

The Board considered a request in Docket No. 14-1481 for a waiver of the \$2,500 late fee assessed against Kent Schexnaydre, a member of the Ascension Parish Council, for filing his 1114.3 disaster or emergency contract disclosure 115 days late. On motion made, seconded and unanimously passed, the Board rescinded the \$2,500 late fee, since the contract was not entered into as a result of or related to a gubernatorially declared disaster or emergency and the disclosure statement was not required to be filed.

The Board considered an untimely request in Docket No. 14-1519 for a waiver of the \$1,500 late fee assessed against Annie Brown, a former member of the Lincoln Parish Police Jury, for filing her 2011 Tier 3 Annual personal financial disclosure statement 299 days late. 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 Code of Governmental Ethics and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

The Board considered an untimely request in Docket No. 14-1554 for a waiver of the \$2,300 late fee assessed against Nita Hutter, former State Representative, District 104, for filing her 2012 Tier 2 Annual personal financial disclosure statement 23 days late. On motion made, seconded and passed by a vote of 6 yeas by Board Members Backhaus, Blewer, Ingrassia, Larzelere, Michiels and Shelton and 2 nays by Board Members McAnelly and Monroe, the Board declined to waive the \$2,300 late fee but suspended \$1,800 conditioned upon future compliance with the Code of

Governmental Ethics and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing. Board Member Bruneau recused himself.

On motion made, seconded and unanimously passed, the agreed to add discussion of a proposed policy regarding the discontinuation of the Board's consideration of untimely waiver requests. Following discussion, on motion made, seconded and unanimously passed, the Board instructed the staff to discontinue the inclusion of untimely waiver requests on the monthly agendas.

The Board considered a request for reconsideration in Docket No. 14-648 for a waiver of the \$1,500 late fee assessed against Jewel Jaudon, a member of the Greenwood Board of Aldermen, Caddo Parish, for filing her 2012 Tier 3 Annual personal financial disclosure statement 186 days late. On motion made, seconded and unanimously passed, the Board affirmed the prior decision to decline to waive the \$1,500 late fee but suspended \$1,000 conditioned upon future compliance with the Code of Governmental Ethics with the option of a payment plan.

The Board considered a request for reconsideration in Docket No. 14-911 for a waiver of the \$1,500 late fee assessed against Alton Thomas, Jr., a former member of the Chataignier Board of Aldermen, for filing his 2011 Tier 3 Annual personal financial disclosure statement 276 days late. On motion made, seconded and unanimously passed, the Board affirmed the prior decision to decline to waive the \$1,500 late fee.

The Board considered a request for reconsideration in Docket No. 14-1127 for a waiver of the \$1,500 late fee assessed against Edward Patrick, a Constable for St. Mary Parish, for filing his 2011 Tier 3 Annual personal financial disclosure statement 235 days late. On motion made, seconded and unanimously passed, the Board affirmed the prior decision to decline to waive the \$1,500 late fee.

The Board considered a request for reconsideration in Docket No. 14-1482 for a waiver of the \$1,500 late fee assessed against Melba Sandifer, a member of the Northeast Human Services Authority, for filing her 2012 Tier 2.1 Annual personal financial disclosure statement 217 days late. On motion made, seconded and unanimously passed, the Board rescinded the \$1,500 late fee, since it was determined that the Northeast Human Services Authority does not have the authority to expend, disburse or invest \$10,000 or more in funds in a fiscal year and, as such, the members are not required to file annual personal financial disclosure statements.

The Board considered suggestions to proposed legislation for consideration during the 2015 Regular Legislative Session pursuant to R.S. 42:1134J. Following an overview by Ms. Allen of the proposed suggestions and discussion by the Board, on motion made, seconded and unanimously passed, the Board agreed to submit the five (5) proposals for legislation to be considered during the 2015 Regular Legislative Session. Ms. Allen advised the Board that a draft of the recommendation letter would be forwarded to the Chairman for his review before submission of the proposed suggestions.

The Board unanimously adjourned at 12:05 p.m.

Secretary

APPROVED:

Chairman