

LOUISIANA BOARD OF ETHICS
MINUTES
February 15, 2019

The Board of Ethics met on February 15, 2019 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 Bruneau, Colomb, Couvillon, Dittmer, Leggio, McAnelly, Meinert, Roberts and Smith present. Absent was Board Member Lavastida. Also present were the Ethics Administrator, Kathleen Allen; the Executive Secretary, Deborah Grier; and Counsel Tracy Barker, David Bordelon, Suzanne Mooney, Brett Robinson and Greg Thibodeaux.

Ms. Morgan Lamandre, a candidate for State Representative in the 2019 election, and Representative Beryl Amedee, on behalf of Senator Beth Mizell with the Louisiana Legislative Women's Caucus, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request for reconsideration of an advisory opinion in Docket No. 18-1210 as to the propriety of the use of campaign funds to pay for childcare expenses that Ms. Lamandre would incur as a result of her participation in campaign events and activities.

Board Member Lavastida arrived at the meeting at 9:25 a.m.

After hearing from Ms. Lamandre and Representative Amedee, Chairman McAnelly opened the floor for public comment. Following public comments and discussion by the Board, on motion made, seconded and passed by a vote of 5 yeas by Board Members Colomb, Couvillon, Dittmer, McAnelly and Meinert, 4 nays by Board Members Bruneau, Lavastida, Roberts and Smith and one abstention by Board Member Leggio, the Board agreed to withdraw the prior advisory opinion rendered at the November 16, 2018 meeting concluding that Ms. Lamandre is prohibited her from using her campaign funds to pay for childcare expenses she would incur as a result of her participation

in campaign events and activities, since it is not an allowable expenditure as contemplated in Section 1505.2I of the Louisiana Campaign Finance Disclosure Act. On motion made, seconded and passed by a vote of 6 yeas by Board Members Colomb, Couvillon, Dittmer, Leggio, McAnelly and Meinert and 4 nays by Board Members Bruneau, Lavastida, Roberts and Smith, the Board concluded that the Campaign Finance Disclosure Act does not prohibit the use of campaign funds to pay child care expenses that exist solely because of a person's participation as a candidate and which would not exist but for her campaign.

Mr. Kenneth Charles "Kenny" Bordes, a candidate for State Representative, District 93 in the March 24, 2018 election, and Mr. Michael A. Foley, Chairperson for Mr. Bordes' campaign committee, appeared before the Board, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, in connection with a request for reconsideration in Docket No. 18-1281 for a waiver of the \$480 and \$60 late fees assessed against Mr. Bordes for filing two (2) Special(48 Hour) campaign finance disclosure reports 8 days and 1 day late, respectively. After hearing from Mr. Bordes and Mr. Foley, on motion made, seconded and unanimously passed, the Board (1) declined to waive the \$480 late fee but suspended \$380 conditioned upon future compliance with the Campaign Finance Disclosure Act and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing; and, (2) declined to waive the \$60 late fee.

Mr. Clifford Stephen Reuther, with the Workforce Development Board, Area #10, appeared before the Board in connection with a request in Docket No. 19-099 for a waiver of the \$1,500 late fee assessed against him for filing his 2015 Tier 2.1 Annual personal financial disclosure statement 153 days late. After hearing from Mr. Reuther, 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 reporting requirements under 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 also instructed the staff to offer Mr. Reuther a payment plan if needed.

Mr. David Phelps, attorney for Emergent Method, and Mr. Nick Speyrer, President of Emergent Method, appeared before the Board in connection with a request for an advisory opinion Docket No. 19-150 regarding whether Emergent Method may be a sub-contractor on a proposer's bid on a Request for Proposal (RFP) with the Louisiana Office of Community Development-Disaster Recovery Unit (OCD-DRU) to provide program management support to supplement state staff capabilities relative to developing, facilitating, and implementing the Louisiana Watershed Initiative while Emergent Method has a contract with OCD-DRU to provide similar services. After hearing from Mr. Phelps and Mr. Speyrer, on motion made, seconded and unanimously passed, the Board concluded that 1113A of the Code of Governmental Ethics would not prohibit Emergent Method from being part of a bid proposal for an RFP to provide program management support to supplement state staff capabilities relative to developing facilitating and implementing the Louisiana Watershed Initiative. The Board's conclusion is based on the information provided that Emergent Method will not provide contractual services to OCD-DRU involving the Louisiana Watershed Initiative through both its current contract and as a subcontractor on the proposer's bid and it did not participate in the issuance of or the discussion to issue the RFP. The scope of the current contract with OCD-DRU serves as the agency for Emergent Method. As stated, this contract is broad and encompasses potential task orders that may involve the Louisiana Watershed Initiative. Furthermore, Emergent Method agrees to seek an advisory opinion in the future if the opportunity to provide services for the

Louisiana Watershed Initiative under both contracts arises. The advisory opinion should be requested prior to any action taken or decision is made.

The Board recessed at 11:11 a.m. and resumed back into general business session at 11:22 a.m.

Chairman McAnelly left the meeting at 11:22 a.m. and Vice Chairman Leggio assumed the Chair.

On motion made, seconded and unanimously passed, the Board agreed to take action on items G6-G19 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 G6-G19, excluding item G7, taking the following action:

Declined to render an advisory opinion in Docket No. 18-148 regarding the purchase of property between Paul J. Hogan, a member of the St. Charles Parish Council, and St. Charles Parish, since the issue involved past conduct.

Adopted an advisory opinion in Docket No. 18-1503 concluding that no violation of the Code of Governmental Ethics is presented by the son of Rudy Sparks, Chairman of the Atchafalaya Golf Course Commission (AGCC), donating his services to provide general advice on greens management to the Atchafalaya At Idlewild golf course which is overseen by the AGCC provided that the AGCC does not appoint Rudy Sparks' son to a position.

Adopted an advisory opinion in Docket No. 18-1514 concluding that no violation of the Code of Governmental Ethics is presented by Normal Christian Media negotiating with or contracting with individual community or technical colleges in the State of Louisiana while Michael Redmond serves

as the Director of the Internal Auditor of the Louisiana Community and Technical College System (LCTCS) and incorporator of Normal Christian Media, since it does not involve Mr. Redmond's agency, the LCTCS Internal Auditor's Office. However, the Board further advised that if a matter involving Normal Christian Media comes before the Office of the Internal Auditor, Mr. Redmond should seek an additional advisory opinion.

Adopted an advisory opinion in Docket No. 18-1531 concluding that no violation of the Code of Governmental Ethics is presented by Raymond Price, a newly elected councilman for the Town of Berwick, continuing his services as a reserve police officer with the Berwick Police Department, provided that he is not re-commissioned or reappointed to his position as a reserve officer. In addition, since Morgan City is a separate municipality from Berwick, Mr. Price could remain employed as a deputy marshal for the Ward 6 City Court in Morgan City. Finally, Mr. Price is an uncompensated police officer and has no substantial economic interest in the police department. Therefore, he would not be prohibited from participating in discussions or voting in his capacity as a councilman involving matters concerning the police department. The Board further advised that there may be a Dual Office Holding issue, which should be addressed by the Attorney General's Office.

Adopted an advisory opinion in Docket No. 18-1532 concluding that the members of the Louisiana Sexual Assault Oversight Commission are not required to file annual personal financial disclosure statements, since the Louisiana Sexual Assault Oversight Commission does not have the authority to expend, disburse or invest \$10,000 or more in funds in a fiscal year.

Adopted an advisory opinion in Docket No. 18-1543 in connection with the employment of Representative Blake Miguez and his receipt of products from firearms companies, concluding the

following:

1. Does the Code of Governmental Ethics prohibit Representative Miguez from being employed by a company in the firearms industry while he serves as a member of the Legislature? Generally, as a Legislator, Representative Miguez would not be prohibited by Section 1111C(2)(d) of the Code of Governmental Ethics from being employed by a firearms company, provided that his potential employer does not have a contractual, business, or financial relationship with the Legislature;
2. Is Representative Miguez, or his immediate family members, prohibited from accepting gun-related competition products as a sponsored competitive shooter? As a Legislator, Representative Miguez would not be prohibited from accepting gun related competition products as a gift, provided that the gifts are not received from a company, or an officer, director, employee, or agent of such company, which either has a contractual, business, or financial relationship with the Legislature, or is seeking to influence the passage or defeat of legislation before the Legislature. The prohibitions contained in Section 1115A of the Code of Governmental Ethics do not apply to a public servant's immediate family members;
3. Are there any disclosure requirements as a result of the possible sponsorships? The only disclosure requirements applicable to the scenarios presented are Representative Miguez's disclosure requirements contained in the annual Personal Financial Disclosure statements pursuant to Section 1124.2 of the Code of Governmental Ethics.

The Board further advised that in the event Representative Miguez has any questions

regarding the application of the Code of Governmental Ethics to a specific situation, he can request an additional advisory opinion for further guidance.

Adopted an advisory opinion in Docket No. 19-062 concluding that no violation of the Code of Governmental Ethics is presented by Aimee Bordelon Dupuy, a newly-elected member of the Avoyelles Parish School Board, voting on matters involving Red River Charter Academy, of which she serves as an uncompensated board member, since the exception in Section 1123(1) of the Code of Governmental Ethics allows Ms. Dupuy to participate in matters that come before the Avoyelles Parish School Board involving Red River Charter Academy because Red River Charter Academy is a non-profit educational organization, and she does not receive compensation to serve as a member of its board.

Adopted an advisory opinion in Docket No. 19-063 concluding that Section 1111C(2)(d) of the Code of Governmental Ethics would prohibit Kenneth Ripberger, owner of KR Services, and KR Services from receiving compensation from any faculty of the Delgado Community College HVAC training program, any student of the program or anyone that is enrolled in any class that he teaches or assists, any person who has or seeking to have any contractual, or other business or financial relationship with his agency at Delgado Community College, regardless of the purchase being made directly to him or through a reseller. The fact that he asked the reseller to withhold the identity of the purchasers does not allow him or his company to sell OTC software to the referenced persons. The Board further advised that there is no prohibition against Mr. Ripberger donating the OTC program to his agency pursuant to Section 1123(30) of the Code of Governmental Ethics.

Adopted an advisory opinion in Docket No. 19-066 concluding that no violation of the Code of Governmental Ethics is presented by Patricia Jenkins continuing her employment with the State

of Louisiana, Office of Motor Vehicles, (OMV) as a part time custodian while serving as a Councilwoman for the Town of Homer, District 5. The Board further advised that this opinion request may present an issue associated with the Louisiana Dual Office Holding laws, which are under the jurisdiction of the Attorney General.

Adopted an advisory opinion in Docket No. 19-067 concluding that no violation of the Code of Governmental Ethics is presented by Dr. Sonya Hester being employed as the Minister of Music at Pleasant Hill Baptist Church and also being appointed by the Board of Directors to serve as a Trustee of the church, since Pleasant Hill Baptist Church is not a governmental entity as that term is defined in the Code of Governmental Ethics. Accordingly, Dr. Sonya Hester and other employees of Pleasant Hill Baptist Church are not public servants subject to the Code of Governmental Ethics.

Adopted an advisory opinion in Docket No. 19-068 concluding that no violation of the Code of Governmental Ethics is presented by the Hammond Housing Authority (HHA) entering into a contract with a landlord, Sam Bibittorio, who was elected to the Hammond City Council, since the HHA is a separate governmental entity from the City of Hammond. The landlord contracts executed by Mr. Bibittorio are with the HHA and are not under the supervision or jurisdiction of the Hammond City Council.

Adopted an advisory opinion in Docket No. 19-069 concluding that no violation of the Code of Governmental Ethics is presented by Kevin P. Hebert, a member of the Berwick Town Council, participating in any discussion or votes related to the Morgan City Harbor and Terminal District (Terminal District) and/or the Cajun Coast Welcome Center in Morgan City (Welcome Center) while his company, Clean Sweep Janitorial, has contract with both the Terminal District and the Welcome Center, since neither the Terminal District nor the Welcome Center are persons as defined by the

Code of Governmental Ethics.

Adopted an advisory opinion Docket No. 19-136 with respect to post-employment provisions that apply to Johnny Bradberry, the former Executive Assistant to the Governor for Coastal Activities and Chairman of the Coastal Protection and Restoration Authority (CPRA), and his new employer, Gulf Engineers and Consultants, Inc. (GEC), concluding the following:

(1) Generally, Mr. Bradberry is prohibited by Section 1121A(1) of the Code of Governmental Ethics, for a period of two years following the termination of his public service, from assisting another person, such as GEC, for compensation, in a transaction involving CPRA, and from rendering any services on a contractual basis to or for CPRA. However, GEC's Conflict Mitigation Plan appears to prevent a potential violation of Section 1121A(1) of the Code of Governmental Ethics, as Mr. Bradberry is prohibited from assisting GEC, for compensation, in a transaction involving CPRA. GEC Senior Vice President Jeffrey Robinson will handle all matters on behalf of GEC involving CPRA until the end of Mr. Bradberry's two-year prohibition period;

(2) GEC's request presents no issues under Section 1121A(2) of the Code of Governmental Ethics as Mr. Bradberry is not contracting with or being employed by CPRA, and is not being appointed to any position by CPRA;

(3) Generally, Mr. Bradberry is prohibited by Section 1121B of the Code of Governmental Ethics, for a period of two years following the termination of his public service, from assisting another person, such as GEC, for compensation, in a transaction in which he participated, while serving as a Board member for CPRA, and

involving his governmental entity, the State of Louisiana. However, GEC's Conflict Mitigation Plan appears to prevent a potential violation of Section 1121B of the Code of Governmental Ethics as Mr. Bradberry is prohibited from assisting GEC, for compensation, in a transaction involving any matters in which he participated while serving as a CPRA Board member;

(4) Generally, GEC is prohibited by Section 1121C of the Code of Governmental Ethics from assisting a third party in a transaction in which Mr. Bradberry participated and involving CPRA. However, GEC is not prohibited from continuing to provide compensated services to CPRA, while Mr. Bradberry is employed by GEC, as GEC provides services directly to CPRA and is not assisting another person or client; and,

(5) Generally, Section 1121D of the Code of Governmental Ethics will prohibit Mr. Bradberry from sharing in compensation received by GEC for assistance involving CPRA. The Conflict Mitigation Plan appears to prevent a potential violation of Section 1121D of the Code of Governmental Ethics.

Adopted an advisory opinion in Docket No. 18-1419 concluding that the Code of Governmental Ethics would prohibit Tommy Loyocano, a board member of the West Feliciana Fire Protection District No. 1 (District) and an employee of Acadian Ambulance Service, Inc. (AASI), from receiving any thing of economic value for services provided to AASI, should AASI have a contractual, business or financial relationship with District 1. Section 1111C(2)(d) of the Code of Governmental Ethics would prohibit Mr. Loyocano from serving on District 1's Board of Commissioners and being employed by AASI at the same time if any of the following apply: (1) AASI has or is seeking to have a contractual or other business relationship with District 1; (2) AASI

conducts operations or activities which are regulated by District 1; or (3) AASI has a substantial economic interest which may be substantially affected by the performance or nonperformance of Mr. Loyocano's official duty. The Board further advised that the exception found in EB 82-02D would not apply to Mr. Loyocano as he is an appointed member of the District.

In connection with an Answer filed in Docket No. 19-089 by Terry Alario, Jr., a member of the Integrated Criminal Justice Information System, instructed the staff to advise Mr. Alario that the members of the Integrated Criminal Justice Information System are not required to file annual personal financial disclosure statements pursuant to Section 1124.2.1 of the Code of Governmental Ethics, since the Integrated Criminal Justice Information System does not have the authority to expend, disburse or invest \$10,000 or more in funds in a fiscal year.

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, 2019 meetings.

The Board considered a proposed consent opinion in Docket No. 10-049 regarding Martha Jones, the Executive Director of DeSoto Parish Council on Aging (Council), receiving payments from vendors of the Council and her husband, Roy Jones, receiving payments for services he rendered to the Council. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion in which Martha Jones, while serving as the Director of the DeSoto Parish Council on Aging, agrees that (1) a violation of Section 1111A(1)(a) of the Code of Governmental Ethics occurred by virtue of her receipt of \$73,343.68 in grant commissions as compensation for drafting grant proposals from and for the DeSoto Council on Aging which was part of her responsibilities and duties as the Director of the DeSoto Council on Aging; (2) a violation of Section

1112B(1) of the Code of Governmental Ethics occurred by virtue of her participation in signing a contract on behalf of the DeSoto Council on Aging with Jones Family Ministries, which provided transportation services, and requesting payments be made to Jones Family Ministries while her husband, Roy Jones, was the owner of Jones Family Ministries and had a personal substantial economic interest in such transactions; (3) a violation of Section 1113A(1)(a) of the Code of Governmental Ethics occurred by virtue of her contracting with the DeSoto Council on Aging, her agency, to perform grant proposal and submission on behalf of the DeSoto Council on Aging; (4) a violation of Section 1119A of the Code of Governmental Ethics occurred by virtue of the employment of Roy Jones, her husband, as an employee of the DeSoto Council on Aging while she served as the agency head in her capacity as Director of the DeSoto Council on Aging and in which Ms. Jones agrees to pay a fine of \$10,000 in fifty (50) equal bi-weekly installments of \$200 pursuant to the terms and conditions as set forth in the Confession of Judgment. The Board further dismissed the charges against Martha Jones pending before the Ethics Adjudicatory Board (EAB).

On motion made, seconded and unanimously passed, the Board agreed to take action on items G23-G25 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 G23-G25, excluding item G23, taking the following action:

The Board considered a proposed consent opinion in Docket No. 17-652 regarding Adam Colbenson, Assistant Band Director for Northshore High School in Slidell, receiving payments from Northshore High School Band Boosters, Inc. for the performance of his duties as Assistant Band Director during the Northshore High School Band summer camp. On motion made, seconded and

unanimously passed, the Board adopted for publication the consent opinion in which Adam Colbenson agrees that violation of Section 1111A(1)(a) of the Code of Governmental Ethics occurred by virtue of his receipt of \$7,500 in payments from Northshore High School Band Boosters, Inc. for the performance of his duties as Assistant Band Director during the Northshore High School Band summer camp and in which Mr. Colbenson agrees to pay a fine of \$750 and that in the event of a failure to pay, the Board may file suit to compel immediate payment of any balance due. The Board further dismissed the charges against Adam Colbenson pending before the Ethics Adjudicatory Board (EAB).

The Board considered a staff memorandum regarding the dollar amount for the food and drink limit that can be provided to a public servant per event. On motion made, seconded and unanimously passed, the Board agreed to promulgate a rule which increases the current value of the food and drink limit to \$62 per event beginning July 1, 2019.

The Board considered a proposed consent opinion in Docket No. 16-949 regarding Don Edwards, the Director of the Lafourche Parish Public Works Department, hiring Gerald Jones as an employee of the Lafourche Parish Public Works Department while his brother, Jerry Jones, served as a member of the Lafourche Parish Council. On motion made, seconded and unanimously passed, the Board adopted for publication the consent opinion in which Dan Edwards, in his capacity as the Director of the Lafourche Parish Public Works Department, agrees that a violation of Section 1119D of the Code of Governmental Ethics occurred by virtue of his recommendation on the hiring of Gerald Jones within the Lafourche Parish Public Works Department when he had knowledge that the brother of Gerald Jones, Jerry Jones, served as an agency head and member of the governing authority of Lafourche Parish Government and in which Mr. Edwards agrees to pay a fine of \$1,500 and that in

the event of a failure to pay, the Board may file suit to compel immediate payment of any balance due. The Board further dismissed the charges against Don Edwards pending before the Ethics Adjudicatory Board (EAB).

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 and committees 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 No.18-1541, taking the following action:

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

Docket No. 18-1533 from Tamira Moss Smith of a \$360 late fee;
Docket No. 18-1535 from Greg Lemons of a \$320 late fee;
Docket No. 18-1542 from Robert C. Helo of an \$80 late fee;
Docket No. 19-077 from Lauren Field of a \$480 late fee; and,
Docket No. 19-081 from Constance Thompson Johnson of a \$280 late fee.

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

Docket No. 18-1533 from Tamira Moss Smith of a \$280 late fee; and,
Docket No. 19-072 from Kerry Lincoln of a \$40 late fee;

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 18-1536 for a waiver of the \$750 late fee assessed against Kenneth "Ken" Stansbury, a candidate for Council Member, Division D, City of Youngsville, Lafayette Parish, in November 6, 2018 election, for filing the 30-P campaign finance disclosure report 21 days late. On motion made, seconded and unanimously passed, the Board declined to waive the

\$750 late fee but suspended \$650 conditioned upon future compliance with the Campaign Finance Disclosure Act and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 19-077 for a waiver of the \$480 late fee assessed against Lauren Field, a candidate for Parish President, West Feliciana Parish, in the November 6, 2018 election, for filing the Special 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. If the payment is not received in 30 days, the full amount becomes due and owing.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 19-079 for a waiver of the \$280 late fee assessed against Carl Gaines, Jr., a candidate for St. Bernard Parish School Board, District 10, in the November 6, 2018 election, for filing the Special 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 and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 19-083 for a waiver of the \$280 late fee assessed against Cody Leckelt, a candidate for Mayor, Town of Iota, Acadia Parish, in the November 6, 2018 election, for filing the 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 and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 19-085 for a waiver of the \$400 and \$360 late fees assessed against Dianne Spencer, a candidate for St. James Parish School Board, District 5, in the November 6, 2018 election, for filing the 10-P and 10-G campaign finance disclosure reports 38 and 9 days late, respectively. On motion made, seconded and unanimously passed, the Board declined to waive the \$400 late fee in connection with the 10-P campaign finance disclosure report but suspended \$300 and declined to waive the \$360 late fee in connection with the 10-G campaign finance disclosure report but suspended \$260 conditioned upon future compliance with the Campaign Finance Disclosure Act and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

In its capacity as the Supervisory Committee on Campaign Finance Disclosure, the Board considered a request in Docket No. 19-086 for a waiver of the \$280 late fee assessed against Shawn Theriot, a candidate for Chief of Police, Town of Gueydan, Vermilion Parish, in the November 6, 2018 election, for filing the 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 and provided payment is made within 30 days. If the payment is not received in 30 days, the full amount becomes due and owing.

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

considered a request in Docket No. 18-1541 for a waiver of the \$120 late fee assessed against Gerber Porter, a candidate for Alexandria City Council, District 2, Rapides Parish, in the November 6, 2018 election, for filing the Special campaign finance disclosure report 3 days late. On motion made, seconded and unanimously passed, the Board continued the matter to the March meeting.

The Board considered a request in Docket No. 19-087 for a waiver of the \$400 late fee assessed against Mary Beth Wilkerson for filing her 2018 lobbying registration 8 days late. On motion made, seconded and unanimously passed, the Board waived the \$400 late fee, since it was Ms. Wilkerson's first late filing.

The Board unanimously agreed to take action on the requests for "good cause" waivers of late fees assessed against individuals 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. 18-1446 and 19-090, taking the following action:

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

Docket No. 18-1452 from Lasonia Haley of a \$1,500 late fee;
Docket No. 18-1524 from Vernon Martin of a \$450 late fee;
Docket No. 19-091 from Robert Babers, Jr. of a \$1,500 late fee; and,
Docket No. 19-094 from Donnica Conway of a \$1,500 late fee with the offer of a payment plan.

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

Docket No. 18-1452 from Lasonia Haley of two (2) \$1,500 late fees;
Docket No. 18-1521 from Judy Menard of a \$300 late fee;
Docket No. 19-092 from Aristides Baraya of a \$1,500 late fee;
Docket No. 19-095 from Ralph Covington, Jr. of a \$1,500 late fee; and,
Docket No. 19-096 from Melinda Doucet of a \$2,500 late fee.

The Board considered a request in Docket No. 18-1452 for a waiver of the \$1,500 late fee assessed against Lasonia Denise Haley, a member of the Caddo Parish Sewerage District # 2, Caddo, for filing her amended 2015 Tier 2.1 Annual personal financial disclosure statement 153 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 reporting requirements under the Code of Governmental Ethics.

The Board considered a request in Docket No. 18-1515 for a waiver of the \$600 late fee assessed against Derald J. Spears, Sr., a member of the East Feliciana Parish School Board, District 5, East Feliciana Parish, for filing his amended 2015 Tier 3 Annual personal financial disclosure statement 12 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$600 late fee but suspended the entire late fee conditioned upon future compliance with the reporting requirements under the Code of Governmental Ethics, since it was Mr. Spears' first late filing and involved an amendment.

The Board considered a request in Docket No. 18-1516 for a waiver of the \$1,500 late fee assessed against Glen Clay Higgins, former St. Landry Parish Constable, District 8, for filing his 2016 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 but suspended \$1,300 conditioned upon future compliance with the reporting requirements under 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. 18-1517 for a waiver of the two (2) \$1,500 late fees assessed Mary G. Bel, a member of the State Board of Massage Therapy, for filing both her

amended 2016 and 2017 Tier 2.1 Annual personal financial disclosure statements 97 days late. On motion made, seconded and unanimously passed, the Board (1) declined to waive the \$1,500 late fee in connection with the amended 2016 Tier 2.1 Annual personal financial disclosure statement but suspended the entire late fee conditioned upon future compliance with the reporting requirements under the Code of Governmental Ethics; and, (2) declined to waive the \$1,500 late fee in connection with the amended 2017 Tier 2.1 Annual personal financial disclosure statement but suspended \$1,050 conditioned upon future compliance with the reporting requirements under 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. 18-1518 for a waiver of the \$1,500 late fee assessed against Robert Frank Palermo, a member of the Jefferson Davis Parish Tourist Commission and Town Council for Lake Arthur, for filing his amended 2016 Tier 2.1 Annual personal financial disclosure statement 107 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 reporting requirements under the Code of Governmental Ethics, since it was Mr. Palermo's first late filing and involved an amendment.

The Board considered a request in Docket No. 18-1519 for a waiver of the \$1,500 late fee assessed against Cathleen Reed Seymour, a member of the Natchitoches Historic District Development Commission, for filing her amended 2016 Tier 2.1 Annual personal financial disclosure statement 140 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 reporting requirements under the Code of Governmental Ethics, since it was Ms. Seymour's

first late filing and involved an amendment.

The Board considered a request in Docket No. 18-1520 for a waiver of the \$1,500 late fee assessed against Earl E. Webb, Jr., Red River Parish Constable, District A, for filing his amended 2016 Tier 3 Annual personal financial disclosure statement 146 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 reporting requirements under the Code of Governmental Ethics, since it was Mr. Webb's first late filing and involved an amendment.

The Board considered a request in Docket No. 18-1522 for a waiver of the \$1,500 late fee assessed against Rodney Keith Hunstman, Jr., a member of the Beekman Charter School, Morehouse Parish, for filing his 2016 Tier 3 Annual personal financial disclosure statement 234 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$1,500 late fee but suspended \$500 conditioned upon future compliance with the reporting requirements under 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. 18-1523 for a waiver of the \$1,500 late fee assessed against Robert Allen Garda, Jr., a member of the Mental Health Advocacy Service Board of Trustees, for filing his amended 2016 Tier 2.1 Annual personal financial disclosure statement 177 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 reporting requirements under the Code of Governmental Ethics, since it was Mr. Garda's first late filing and involved an amendment.

The Board considered a request in Docket No. 18-1525 for a waiver of the \$1,500 late fee

assessed against Wayne McCormick, a member of the Lake Forest Estates Improvement Association, Orleans Parish, for filing his amended 2016 Tier 2.1 Annual personal financial disclosure statement 166 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 reporting requirements under the Code of Governmental Ethics, since it was Mr. Garda's first late filing and involved an amendment.

The Board considered a request in Docket No. 19-094 for a waiver of the \$1,500 late fee assessed against Donnica Conway, a member of the Louisiana Developmental Disabilities Council, for filing her amended 2015 Tier 2.1 Annual personal financial disclosure statement 195 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 reporting requirements under the Code of Governmental Ethics, since it was Ms. Conway's first late filing with an assessed late fee.

The Board considered a request in Docket No. 19-097 for a waiver of the \$750 late fee assessed against Bryan Jacob Jones, a former member of the Health Education Authority of Louisiana (HEAL), for filing his 2017 Tier 2.1 Annual personal financial disclosure statement 15 days late. On motion made, seconded and unanimously passed, the Board declined to waive the \$750 late fee but suspended the entire late fee conditioned upon future compliance with the reporting requirements under the Code of Governmental Ethics, since it was Mr. Jones' first late filing and he is no longer a member of the board.

The Board considered a request in Docket No. 19-098 for a waiver of the \$150 late fee assessed against Cursey L. "Junior" Marcantel, Jr., Jefferson Davis Parish Constable, Ward 2, Justice

of the Peace, for filing his amended 2016 Tier 3 Annual personal financial disclosure statement 3 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 reporting requirements under the Code of Governmental Ethics, since it was Mr. Marcantel's first late filing and involved an amendment.

The Board considered a request in Docket No. 18-1446 for a waiver of the \$1,500 and \$50 late fees assessed against Douglas Menefee, a former member of the Louisiana Immersive Technologies Enterprise, for filing his 2015 and 2017 Tier 2.1 Annual personal financial disclosure statements 690 and 1 days late, respectively. On motion made, seconded and unanimously passed, the Board (1) declined to waive the \$1,500 late fee in connection with the 2015 Tier 2.1 Annual personal financial disclosure statement but suspended \$1,300 conditioned upon future compliance with the reporting requirements under 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; and, (2) declined to waive the \$50 late fee in connection with the 2017 Tier 2.1 Annual personal financial disclosure statement.

The Board considered a request in Docket No. 19-090 for a waiver of the two (2) \$1,500 late fees assessed against Charles Wesley Allen, a former member of the Cheneyville Board of Aldermen, Rapides Parish, for filing his amended 2016 Tier 3 Annual personal financial disclosure statement 138 days late and his 2017 Tier 3 Annual personal financial disclosure statement 77 days late. On motion made, seconded and unanimously passed, the Board waived \$1,000 of each \$1,500 late fee and instructed the staff to offer Mr. Allen a payment plan. The Board further instructed the staff to leave in place the suspended \$250 late fee in connection with the 2013 Tier 3 Annual personal financial

disclosure statement.

On motion made, seconded and unanimously passed, the Board considered the items in G30 en globo and accepted the staff recommendations taking the following action:

The Board considered a request for reconsideration in Docket No. 18-161 for a waiver of the \$1,500 late fee assessed against Daniel Schaus, a former member of the St. Tammany Parish Tourist and Convention Commission, for filing his 2015 Tier 2.1 Annual personal financial disclosure statement 216 days late. On motion made, seconded and unanimously passed, the Board affirmed its prior decision to decline to waive the \$1,500 late fee.

The Board considered an untimely request for reconsideration in Docket No. 18-867 for a waiver of the \$1,250 and \$1,500 late fee assessed against Adam Daniel James Harris, a member of the Springhill Board of Alderman, District 4, Webster Parish, for filing his 2015 Tier 3 Annual personal financial disclosure statement 25 days late and his 2016 Tier 3 Annual personal financial disclosure statement 202 days late. On motion made, seconded and unanimously passed, the Board agreed to consider the untimely request for reconsideration and affirmed its prior decision to decline to waive the \$1,250 and \$1,500 late fees.

The Board considered a request for reconsideration in Docket No. 18-996 for a waiver of the \$2,500 late fee assessed against Donnie White, St. Charles Parish Constable, District 4, for filing his 2016 Tier 2 Annual personal financial disclosure statement 258 days late. On motion made, seconded and unanimously passed, the Board affirmed its prior decision to decline to waive the \$2,500 late fee.

Ms. Allen provided the Board with an overview of proposed legislative recommendations in connection with the 2019 Regular Legislative Session. Following discussion, on motion made, seconded and unanimously passed, the Board agreed to submit the proposed recommendations to the

Legislature.

The Board unanimously adjourned at 12:45 p..m.

Secretary

APPROVED:

Chairman