

THE INDEPENDENT Weekly

Too Many Secrets

When it comes to concealing what should be public information, hardly any state can match the stealth of Louisiana's executive branch. Hopefully, that might change during the ongoing session.

By **Jeremy Alford**

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Louisiana's got ethics, yada, yada, yada. It's a new day, blah, blah, blah.

From India to New York to Washington, D.C., Gov. Bobby Jindal has garnered oodles of praise for his February special session on ethics reform. While some of the accolades are rightly placed (we're finally going to learn how lawmakers make their money due to new disclosure rules), few outside Louisiana are aware of what slipped between the cracks during that policy gathering.

For instance, the governor's star-studded transition team, which is still in action in many respects, escaped scrutiny altogether. As a result, its members amount to a gang of political shadows beholden to only flimsy guidelines. Additionally, the Republican administration continues to dodge any proposals that would bring more of its records into public view in any substantial way. Such efforts have been avoided like a case of scurvy, which is why good government groups place Louisiana on the bottom of their lists when it comes to openness in the governor's office.

For a few lawmakers, the situation is simply unacceptable, and they're putting their political capital where their mouths are. On the surface, at least, these legislators appear more interested in sunshine for the state's citizenry than in servitude to the state's CEO, which is a formula that may spell death for their efforts during the ongoing regular session that ends in June. Whether you want to call it bravado or attention-seeking or a spit in the eye, the stances make for good government.

One of the session's major endeavors comes at the hands of Baton Rouge Rep. Hunter Greene, an intelligent and savvy politician to watch. Despite being a hand-picked Jindal floor leader and fellow Republican (he serves as chairman of the influential Ways and Means Committee), Greene has pointed his policy guns directly at the Fourth Floor of the State Capitol, where the governor and his minions have been known to hunker down when the transparency tables are turned.

For starters, Greene has filed House Bill 678, which would require a governor's transition team to report all expenditures to the state Board of Ethics. The kicker, though, is that the legislation, if approved by the Legislature and governor, would apply retroactively to Jindal's own transition team. It would also decrease the maximum contribution that can be made during a transition and inauguration from \$10,000 to \$5,000. "Why should the winner of an election be able to accept contributions at double the legal limit for candidates?" Greene asks. "Even if you're governor-elect, you're still a candidate raising money."

Then there's House Bill 635, which Greene is pushing as a leveling agent. The bill would force the governor's transition team, including the chairman and its members, to disclose the same financial information that the governor and statewide elected officials are legally bound to hand over. The inspector general and the legislative auditor are on the hook as well, but Greene's intent is geared toward the transition process, which he argues has a great deal of unchecked authority. Transition team members interview high-profile hires, make policy recommendations and shape the governor's cabinet. "These rules should apply to everyone in important positions," Greene says. "These people are performing and doing things that state officials normally do."

Among the conflicts that could have been avoided with Greene's proposed guidelines involves Collis Temple, Jr., who was tapped by Jindal's team earlier this year to conduct interviews for the Office of Youth Development, which had previously awarded Temple nearly \$6 million in contracts. "That should have never happened," Greene says.

Greene's bills also puts Baton Rouge Business Report Publisher Rolfe McCollister, Jr. on the spot. McCollister served as chairman of the most recent transition team and treasurer of Jindal's campaign. More so than any other transition leader in recent history, McCollister has grabbed one headline after another. He initially tried to pay for a campaign violation linked to Jindal (which the governor paid last week) and is currently operating "Believe in Louisiana," a political group raising and spending money to advance Jindal's agenda. As a 527 organization, it does not have to disclose financial information, but McCollister has pledged in the past it would be transparent.

Nonetheless, a new state law is scheduled to take effect on April 26 to expose the financial dealings of so-called 527s, but even that isn't a guarantee. Two lawmakers — GOP House Speaker Jim Tucker of Terrytown and Governmental Affairs Committee Chairman Rep. Rick Gallot, a Ruston Democrat — are advocating House Concurrent Resolution 14 during the session to stall implementation for

at least a year, meaning after the coming election cycle. As last week came to a close, the resolution was pending action on the House floor.

Shreveport Rep. Wayne Waddell, a Republican, is making his own push for transparency with House Bill 1100, which would open more records in the executive branch to public view. It isn't his first rodeo, though; Waddell presented the same bill during Jindal's February special session, but the administration summarily shot it down. For Waddell and others, it was a bitter pill to swallow, given Jindal's penchant for national rankings. According to the Citizen Access Project at the University of Florida, Louisiana ranks dead last in access to the governor's office, right after Mississippi.

Jindal's staff has argued that there are concerns over homeland security and economic development issues, although Alabama's governor's office, which tops the good government list, has managed to protect such files. Moreover, one of the fastest-moving measures of the session is Senate Bill 343 by Sen. Ann Duplessis, a New Orleans Democrat. It would allow the state to conduct secret negotiations with businesses until 2012. The bill has already been approved by the Senate, and the House is expected to ratify it this week.

Waddell says he started fighting for more access in the executive branch following Hurricane Katrina, when former Democratic Gov. Kathleen Blanco blocked his attempts to build a timeline of the state's response using executive branch communications. Furthermore, just last week, the New Orleans Times-Picayune tried to obtain a report Jindal had commissioned from a group of retired generals that allegedly reveals low morale, leadership problems and nepotism within the Louisiana National Guard. Jindal's office refused to release the report, "citing executive privilege," writes Capitol Bureau Chief Robert Travis Scott. (It later reversed course and released the report after withering criticism from the retired generals and the media.)

Waddell's bill, which he says is now backed by Jindal, opens a few new channels in regards to financial transactions in the governor's office, but it isn't an earth-shattering piece of legislation in any form and is certainly far cry from Waddell's original intentions. Even if it is adopted and applied, the new law would do little to help Waddell rebuild a communications exchange or assist media in obtaining the generals' report. Still, it's a small step in the right direction, which is all Louisiana's citizenry can hope for these days from the current administration. "It doesn't go as far as I wanted it to, and I wanted transparency for all 73 agencies in the executive branch," Waddell says. "But I'll take what I can get."

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