

## Panel OKs open meetings law changes

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Of all the good-government statutes on the books in Louisiana, the open meetings law is probably the most battle scarred. Since its inception, it has been relentlessly assaulted by people trying to keep the public's business from being conducted publicly. Elected officials at every level of government have tried to do business behind closed doors.

In many cases, government watchdogs such as the Council for a Better Louisiana, the Public Affairs Research Council and the media have detected attempted breaches and blocked them. There is little doubt, however, that some violations go undetected.

A bill before the state Senate could make officials think twice before holding illegal closed sessions. It makes the penalties much harsher. Violators could be hit with a fine of up to \$1,000 plus jail time.

According to Stephen Waguespack, a key aide to Gov. Bobby Jindal, Senate Bill 39 would "harmonize" the open meetings law with Louisiana's public records law. The fine for public records law violations can run from \$100 to \$1,000 per violation. SB 39 would raise penalties for violation of the open meetings law to that level.

If a first-time violator doesn't learn his lesson, he can expect to face a fine of \$250 to \$2,000 for subsequent open meetings law violations. The bill also offers the option of six months' imprisonment for repeat offenders.

Public employees who willfully participate in open meetings law violations or public-record violations can be fired under the terms of the bill.

Members of the Senate are considering an additional measure that could create tough sledding for the bill. Sen. Edwin Murray, D-New Orleans, has questioned whether the bill can be amended to apply to the governor.

"We're here for a few months of the year and then we're gone," Murray told the Senate and Governmental Affairs Committee. "They do contracts, they negotiate these things, they do the deals, and we're not a part of them."

Waguespack said the public records and open meetings laws apply to the executive branch but Murray argued that the coverage was limited. Those conflicting opinions have the potential for heated debate on SB 39.

Senate President Joel Chaisson, D-Destrehan, sponsor of the bill, was not enthusiastic about applying the rules and penalties to the governor's office. He says that office is affected by different rules and bigger issues, and he doesn't want the open meetings bill weighed down with things that could be controversial on a different subject.

Since it is Jindal who has brought the lawmakers together to craft the "gold standard" of ethics codes, we would expect him to welcome application of the bill to his administration.

Creating harsher penalties for violation of the open meetings law will go a long way toward achieving Jindal's ethics reform goals. At this point, the special session is shaping up as a productive one.