



The Public Affairs Research Council of Louisiana

Sunshine Week 2018

When people in government or public policy talk about sunshine, they're usually not referring to the weather, but the idea of government transparency and accountability. The Public Affairs Research Council of Louisiana invites the media, public officials and all citizens to recognize Sunshine Week, the nationally observed occasion to raise awareness about the importance of public access to government information and activities. Sunshine Week in 2018 is March 11 – 17.

Throughout the week, PAR will release daily episodes of recommendations and public pronouncements. We will identify resources and opportunities for promoting bright sunshine on government records, officials and events.

If you want to binge-watch PAR's Sunshine Week episodes, check this out:

- **Episode 1:** Open Governance Matters: PAR's Sunshine HQ
- **Episode 2:** Know Your Elected Officials: PAR Legislative Guide puts sunshine at your fingertips
- **Episode 3:** Your Turn at the Fiscal Bat: Solve the Budget game
- **Episode 4:** You Can Be a State Spending Watchdog: LaTrac makes way for Louisiana Checkbook
- **Episode 5:** The Shape of Things to Come: Redistricting needs an open process
- **Episode 6:** Open Data: Where the sun shines constantly
- **Episode 7:** Coastal Transparency: Making progress but more to do

Episode 1

Open Governance Matters: PAR's Sunshine HQ

The Public Affairs Research Council of Louisiana (PAR) invites the media, public officials and all citizens to recognize Sunshine Week, the nationally observed occasion to raise awareness about the importance of public access to government information and activities. Sunshine Week in 2018 is March 11 – 17. Today's episode is for Day 1 of a weeklong series of installments.

We invite citizens to check out PAR's Sunshine Headquarters and other resources promoting open governance. The Sunshine Headquarters is a [website portal](#) providing information on the state's sunshine laws related to open meetings, public records, campaign finance issues and other matters.

Whether you need a basic introduction or a more in-depth look at the law and its interpretations, the Sunshine Headquarters has resources aplenty. For example, here are the Top 10 Things to Know About Louisiana's Sunshine Laws, and here is a printable Citizens Rights Card – all available through PAR's Sunshine HQ.

Founded in 1950, PAR's work in its earliest days was simply to detail the activities of an opaque governmental and legislative process in Louisiana and educate the public about the secretive decisions, bills and fiscal shenanigans of the time. This approach was considered heretical and unpopular by state authorities but was instrumental in leading a reluctant state government toward higher standards of efficiency and responsibility.

Clearly the state has improved its performance over these many years. Louisiana has sound fundamental laws for public records and open meetings. Fiscal and budgeting matters in particular have become more transparent, especially with the adoption over time of PAR recommendations such as consensus revenue forecasting, debt limits and the establishment of a legislative fiscal office and legislative auditor.

Louisiana's Legislature by and large over time has tried to keep state and local government agencies moving in the right direction toward a more open society. The Legislature's web site tracks and archives bills and hearings in a timely manner and is one of the best of its kind in the country.

New advances in transparency resulted in better disclosures of public officials' business finances and contracting interests. Easily accessible information on government contractors and other public activities were established on state web sites. The state required more thorough disclosure of lobbying activities and placed limits on wining and dining of legislators. A new law that took effect in 2016 requires Louisiana's governor to follow one of the most transparent document records laws in the nation for top state executives. These moves were very positive.

But the state suffers from too many exemptions to the open governance statutes and the application of those laws is sometimes faulty. Also, the state's transparency standards have not kept up with uses of new communication technologies. History has shown, both in Louisiana and across the nation, that advocates of public transparency must repeatedly fight to prevent new methods of government secrecy from taking hold and subverting laws for open records and open meetings.

We should be particularly concerned when governments attempt to control the flow of information to avoid a genuine public discussion and to steer the public debate on policy issues. We must identify erosions of public access and remedy them assertively. We must not accept an environment in which the law applies only to the things that government leaders and bureaucrats arbitrarily say they apply to.

History has shown that some elected and appointed officials and public employees, if allowed to do so, will shroud information, documentation and the decision-making process to hide problems, prevent embarrassment and preclude policy options. Except for security and privacy concerns, government information and factual evidence in an open society belongs to the public debate, not just to the debate behind closed doors. Ultimately this is a discussion about accountable government and representative democracy, not about the privileges of government employees.

PAR urges the governor and legislators to be champions for transparency, to set a superior example for all state and local governments and boards and commissions, and to adopt policy positions and practices that advance these aims.

Recommendation du jour:

Defend Louisiana's strong foundational open records and public meetings laws. Resist the proliferation of exemptions from the law while correcting any malpractice in its implementation.

Episode 2

Know Your Elected Officials: PAR Legislative Guide puts sunshine at your fingertips

Welcome to PAR's series of installments celebrating Sunshine Week, March 11 – 17. Today's episode is for Day 2.

With a new legislative session beginning the same time as Sunshine Week, Louisiana residents can easily examine who these elected members are, and where they make a living.

Take a look at *PAR's 2018 Legislative Guide*. Louisiana state representatives and senators are required to file personal financial disclosure statements with the Ethics Board, and the findings from these documents are summarized concisely for each legislator in the PAR Guide.

The public should have access to basic information about legislators' financial interests, something that was not easily available just a few years ago. PAR's Legislative Guide is the only periodical resource of its kind offering this information.

You can order the [Legislative Guide booklet](#), or download it as an app for your mobile device. Search for "**PAR Guide**" in the app stores.

Recommendation du jour:

Provide clearer guidelines to state and local governments regarding the disclosure and archiving of digital communications and social media. The legislative governmental affairs committees should identify best practices and improve Louisiana's law as appropriate, and the attorney general should monitor and offer further guidance.

Episode 3

Your turn at the fiscal bat: Solve the Budget game

Welcome to PAR's series of installments celebrating Sunshine Week, March 11 – 17. Today's episode is for Day 3.

Today, you're in charge of the state's finances. See firsthand what the governor and legislators face when constructing the budget.

Solve The Budget is a joint effort between The Advocate and the Reilly Center for Media & Public Affairs at LSU's Manship School with assistance from PAR. PAR's Follow Your Money section on its website is a primary resource for the Solve the Budget Game.

Legislators hoping to get guidance from their constituency on budget issues are often disappointed as people neither want to cut spending nor raise revenue. This game offers an opportunity to see how citizens really want the budget handled. Make your own plan, and then share it online.

[Click here](#) to Solve the Budget.

Recommendation du jour:

Ensure funding for the Legislative Auditor to continue open governance training classes for local government workers and officials. Proper training is the No. 1 preventative solution for neglect or abuse of open governance laws.

Episode 4

You Can Be a State Spending Watchdog: LaTrac makes way for Louisiana Checkbook

Welcome to PAR's series of installments celebrating Sunshine Week, March 11 – 17. Today's episode is for Day 4.

PAR supports the state's move toward a *Louisiana Checkbook*. It will be a great tool for improving the state's online system for public viewing of government expenditures. [PAR's latest policy brief](#) reviews what the existing system called LaTrac currently does, what additional functions could be added and what obstacles and opportunities exist.

The state can take some immediate steps in moving *Louisiana Checkbook* forward, such as posting government employee salaries and credit card transactions online. Other intermediate steps, such as providing information on state debt and Medicaid expenditures, might take more time but can rely on information that already exists. Advanced improvements, such as adding local government and modernizing usability, might take more time and money but are likely worth the effort.

This program, along with other measures for greater transparency and open government, would be beneficial to state and local governments and the people they serve.

Recommendation du jour:

The governor should elevate the role and responsibility of the state chief information officer and call upon agency technology heads and records custodians to develop a plan for Louisiana to become a leading state for open data platforms that are useful and promote open governance.

Episode 5

The Shape of Things to Come: Redistricting needs an open process

Welcome to PAR's series of installments celebrating Sunshine Week, March 11 – 17. Today's episode is for Day 5.

The Louisiana Legislature will be redrawing the state's political representation maps in 2021 to adjust to population changes recorded in the 2020 Census. The task is mandated every 10 years. This critically important work is both complex and inherently political because the elected officials drawing district lines often have a vested interest in the outcome. Redistricting is likely to be filled with clashes around issues of incumbency, race, regionalism and party politics.

PAR President Robert Travis Scott provided insights and recommendations for the process while delivering the morning keynote address at the 2018 Redistricting Summit sponsored by LSU's Reilly Center for Media and Public Affairs. [Click here](#) to view the video of that presentation or [click here](#) to see the draft of his speech.

Citizens have compelling reasons to understand the process and evaluate whether it is being conducted openly and fairly. For several reasons pointed out by Scott, the next redistricting round will be very different from the last one. But we can build on the improved transparency measures established in 2011. The decisions will be lasting and significant for political activity in Louisiana. The redistricting process should respect the lessons learned, the new legal environment and the vital importance of public input. Priorities should be placed on the best interests of the electorate and their communities rather than on the protection of incumbents and partisan influence.

Recommendation du jour:

Change the term of "public records request" in state law to become "public records order."

Episode 6

Open Data: Where the sun shines constantly

Welcome to PAR's series of installments celebrating Sunshine Week, March 11 – 17. Today's episode is for Day 6.

Opportunities for open data platforms go well beyond the financial transaction reporting for the proposed *Louisiana Checkbook* that has been the most recent talk of the Legislature. *Louisiana Checkbook* should be one module of an overall healthy program of open records and open data.

Government agencies collect and track all sorts of data, whether related to regulatory functions or trends in the environment, economy, health care, social conditions, workforce or commerce. Federal and state datasets already contribute substantially to the public welfare for weather, communication, navigation and other societal matters.

State and local governments should embark on more plans to create open data platforms. Open data does not equal open government but can contribute to open government. Not all government data needs to be placed on a readily accessible platform, especially where there is no public demand for it. And privacy is a significant factor. But thoughtfully planned projects to provide useful government data -- in ways that are easy to find, downloadable, timely and re-usable without restrictions – can benefit both the private sector and government itself. Entrepreneurs can utilize information for new services and digital applications.

This open data project can be guided by the recommendations and counsel of the National Association of State Chief Information Officers, which has a seasoned approach to this issue. The state already has one of the best transparency websites in the country, but that is not reason to stop innovating and improving. Improving transparency is a continual process.

Recommendation du jour:

Require agencies to review their public records requests to determine the heaviest types of demand for documents and the major problems in fulfilling that demand. The agencies should then respond by making the high-demand documents open for review online or otherwise easily accessible without the need for citizens to file formal requests.

Episode 7

Coastal Transparency: Making progress but more to do

Welcome to PAR's series of installments celebrating Sunshine Week, March 11 – 17. Today's episode is for Day 7.

Louisiana is poised to receive and spend billions of dollars for coastal protection and restoration over the next decade and beyond. These funds come from a variety of sources. Louisiana has a duty to demonstrate to its funding authorities as well as its citizens that coastal dollars are being well spent and the program is well run. This can only be done by ensuring there is an open and transparent process.

PAR has been tracking this issue closely and the state has followed several of our recommendations. For example, the Coastal Trust Fund is no longer used as a pass-through to balance the state's operating budget. Likewise, the Coastal Protection and Restoration Agency has gone beyond the minimum requirement of the public meeting laws by making extra efforts to reach out to affected communities.

This is not to say that everything is perfect.

That the state still does not have a clear and transparent contracting process or accounting of CPRA's expenditure of funds as it relates to the implementation of the Master Plan. While the Annual Plan does a good job projecting future expenditures, the information is not clear about how much has been expended or carried forward from one Annual Plan to the next year's plan. Historically, due to the state's old accounting system, the information system is not set up for project accountability. The state's new, more powerful accounting system, called LAGov, creates an opportunity to provide more transparency and consistency in reporting.

[To read the full coastal report *The New Louisiana Purchase* click here.](#)

Recommendation du jour:

The Coastal Annual Plan is required to include a 3-year projection of expenditures from the Coastal Fund. However, there is no retrospective reporting on what has been spent on projects. A balance sheet or reporting mechanism will help to show the public where dollars have actually been spent, as well as the status of the projects. CPRA should consider building an external portal to allow for public access to CPRA's project transactions.