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Appropriations
Labor and Industrial Relations
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BLAKE MIGUEZ State Representative ~ District 49

Re: Guest Column - H.B. 105

Dear Louisiana Citizens,

As a member of the House Appropriations Committee and a lawyer, I am disappointed in the media's coverage of H.B. 105, which deals with the appropriations for the Louisiana Department of Justice (LADOJ).

We have a budget crisis in Louisiana, and everyone knows it. As legislators, we have received your countless telephone calls, emails, and letters of concern; and many of us are trying to urge the reforms necessary to create a more fiscally responsible budget and state government.

H.B. 105 by Representative Cameron Henry, the Appropriations Chairman, is an important step in the accomplishment of that mission.

Insanity has been defined as doing the same thing over and over again, and expecting different results. In Louisiana, the evidence is abundantly clear that the way we have been handling our budget is not working; and we must be open to new ideas, efficiencies, and innovation.

The idea of granting statewide elected officials more autonomy over their own department appropriations is one that every good government advocate should support. It was first presented to our committee by Secretary of State Tom Schedler, not Attorney General Jeff Landry; and it was birthed during the recent Special Session when statewide elected officials testified that they could do a better job at saving money and managing budget cuts if they were allowed more authority.

The public should also know that Commissioner of Administration Jay Dardenne expressed the same belief in our committee hearings and cited his experience as a statewide elected official in advancing this concept. It is curious why he suddenly changed his position last week.

Many of my legislative colleagues and I have voiced strong support for H.B. 105 because it is an example of precisely the kind of positive change that the people of this state have been demanding. Setting up an individual appropriations bill for the LADOJ has given the Appropriations Committee an opportunity to scrutinize the LADOJ budget more closely. As was seen on the House Floor last week, it also gave all Members of the House the same opportunity.

This is healthy because it sheds more light for the public on budgets and allows us to better scrutinize spending. Attorney General Jeff Landry should be commended for his participation with this process. Being out there alone and placing his budget under this type of scrutiny demonstrates his commitment to sound fiscal oversight.

Anyone who questions the legality of H.B. 105 needs only to read our state constitution, which clearly designates to the Legislature complete authority over the final state budget, regardless of how it is constructed. We hold the purse strings of the State of Louisiana, and the courts have always acknowledged the plenary powers of the legislative branch when it comes to appropriations and budgeting.

The Governor is obligated to present a budget to the Legislature every year. That process is governed by the Constitution and Title 39 of Louisiana's Revised Statutes. Chairman Henry's bill keeps this process intact. The Governor has submitted his budget, completing his Constitutional portion of the budget process. The Legislature is under no obligation to approve it.

The House may offer as many alternatives or amendments as we deem appropriate, and H.B. 105 was proposed in accordance with the Constitution and the law. Additionally, the House routinely considers many other appropriations bills other than a Governor's budget proposal and these are routinely passed and signed into law.

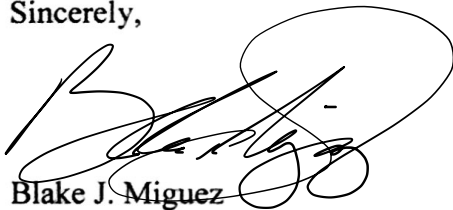
Could we have continued with the same practices that have brought us to this fiscal mess? Can we maintain the status quo? Sure we can, but I do not believe that is what I was elected to do. I promised my constituents that I would work hard to change the way we do business in this State. That is a promise I intend to keep.

Giving the Legislature more opportunities to scrutinize departmental budgets will produce a more fiscally responsible budget.

Statewide elected officials were elected by the people of Louisiana in the same manner as the Governor. In Louisiana, they are separate and independent elected Constitutional officers. The Constitution grants them autonomy from the Governor.

The process being explored by H.B. 105, a clear and public budget for the Attorney General's LADOJ will create a more effective and fiscally responsible government. This is a change for the better.

Sincerely,

A handwritten signature in black ink, appearing to read 'Blake J. Miguez', with a large, stylized flourish at the end.

Blake J. Miguez
Chairman Appropriations Subcommittee on General Government
State Representative District 49