

Does La. Constitution need an overhaul?

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Voters in Louisiana couldn't be blamed if they complained about being tired of finding constitutional amendments on the ballot.

Fresh off considering — and passing — 13 constitutional amendments on the Sept. 30th ballot, voters will have to decide eight more amendment proposals during the Nov. 7th election.

The Louisiana Constitution, revised in 1974, has now endured 202 proposed amendments, with 140 approved by voters.

Jim Brandt, president of the Public Affairs Research Council of Louisiana, said the number of revisions have diluted the power of the constitution and inhibited state government's flexibility.

"Everyone would like to see their particular cause, their particular program, their particular sacred cow protected in the constitution," Brandt said.

PAR points out that the amendment process is often flawed. It contends that sometimes an amendment provides numerous exceptions to rigid principles. Other times the Legislature approves amendments hurriedly without consideration of the long-range ramifications. Still other times amendments are so poorly worded they do not have the original intent.

PAR also says voting history suggests that amendments don't draw widespread voter participation.

Since 1974, the percentage of registered voters who have voted on proposed amendments has ranged from a low of 18.1 percent to a high of 55.7 percent. PAR notes that no constitutional amendment needed more than 28 percent voter approval to pass and that some amendments could have passed by as little as 9 percent.

Some have suggested in recent years that the time has come for a new constitutional convention to completely rewrite the Louisiana Constitution.

Brandt, however, cautions those proponents to be careful what they wish for. He said a constitutional rewrite could cause more problems than it solves.

"We do not think that people are willing to trust the Legislature," Brandt said. "Another danger is that unless a plan is in mind, then we could end up with something worse than is in place now."

Brandt said PAR has recommended that the governor, Legislature and other leaders appoint a governmental commission "as a first step to looking at the constitution for developing a framework" of how to make changes in the future.

Some states, according to PAR, require a three-fourths vote of their legislatures to put amendments on the ballot. Louisiana requires two-thirds approval of the Legislature. Some states also limit the number of amendments that can appear on a single ballot.

Regardless, the Louisiana Constitution is becoming so heavily amended and unwieldy, it's time to hold serious discussions about its viability and the amendment process.