



## Junking up the state constitution

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Legislators received a few plaudits at the end of the last session for presenting us with only four constitutional amendments to vote on next month.

The four amendments, moreover, are more or less comprehensible.

That may not seem like much of a reason to gush with gratitude until you remember last year, when we had to vote on 21 amendments and knots of bewildered voters could be seen gazing glumly at the ballot text displayed for their edification outside polling stations.

We passed all 21, which shows that we either studied them closely and agreed, or our eyes glazed over and we decided to put our trust in the wisdom of the legislators who proposed them.

If the latter explanation is correct, this is not an encouraging sign. As a rule of thumb, the quality of a legislature is inversely proportional to the number of amendments the citizenry is required to vote on. By that measure our legislature ranks pretty well where you'd expect.

A legislature of independent mind and firm purpose will achieve its ends by statute and only as a last resort disturb what is supposed to be a catalogue of the principles that inform government.

That's not the way we play it here. Few states come close to matching Louisiana in constitutional tinkering. Louisiana, according to the Public Affairs Research Council, also "leads the nation in the number of constitutions" it has adopted.

The current version was something of a miracle when Edwin Edwards, in the first of his four gubernatorial terms, birthed it in 1974. Before then, the state had been rubbing along with the constitution of 1921, which had been amended 536 times and ran to 250,000 words.

Edwards reduced it to 35,000 words. "Even a 'good government' watchdog conceded that no other politician could have modernized the constitution," Anthony Badger, professor of American history at Cambridge University in England, writes in his new book, "New Deal/New South." He calls Edwards "probably the ablest governor" of the last century.

Unfortunately, Edwards will not be best remembered for that feat. His handiwork, in any case, has been steadily undone over the years. Starting in 1978, the Legislature has proposed 210 amendments, many of them superfluous or breathtakingly trivial. We have approved 148 of them, and cluttered up the constitution with dross. Many of these amendments accomplish unexceptionable ends, but that doesn't mean they merit a constitutional imprimatur.

The four on the upcoming ballot are typically humdrum. The first of them also proves that, once legislators start to tinker, they will have to keep tinkering.

Back in 1956 the Legislature decided to supplement the pay of local cops, and added in firefighters, constables and various other deserving cases over the years. Their generosity frequently proved more than the budget could accommodate, so the local officers were repeatedly stiffed.

In 2002 the Legislature decided to impose some discipline on itself by enshrining the supplement in the constitution at a level of \$3,000 per head a year. This was typically far-sighted, and now we are asked to amend the constitution again to take account of a supplemental pay raise the Legislature granted this year.

Another amendment extends the supplement to cops and firefighters at the Port of New Orleans . Thus we are asked to extend what is, for local government agencies, a pretty good racket.They get to hire their staffs and then stick the state with part of the tab.

Another amendment mandates legislators, when they increase retirement benefits in the state system, to specify where the money will come from. They want us to force them to do what they should be doing in the first place.

Last year we approved a property tax exemption for works that an artist was liable to pay for works offered for sale through a dealer. Now we are asked to approve a similar exemption for jewelry. Some jeweler, somewhere, must think he or she stands to benefit from this amendment, else legislators wouldn't have proposed it.

But, according to PAR, "Data are unavailable to determine the amount of revenue, if any, the tax on consigned jewelry has generated in the past."

So not only is this a matter of little consequence, but we have no facts to go on. That's good enough for a constitutional amendment in Louisiana.

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