

Stop unnecessary amendments

OCTOBER 23, 2008

Louisiana voters will face seven proposed constitutional amendments in the Nov. 4 election. The state's two leading public policy groups have expressed concern about the placing of items in the constitution that could just as well be adopted as state laws. The reason for the all-too-often amending of the constitution is simple: citizens don't trust state politicians, so they lock items in as protection from government corruption.

At a Baton Rouge Press Club meeting recently, Barry Erwin, president of the Council for A Better Louisiana, noted that one proposed amendment would change the number of days necessary to call a special session. "We've got to stop putting these types of details in the constitution," Erwin said.

We agree.

Amending the constitution demands both a two-thirds vote of the Legislature and voter approval. A state law requires only a majority of the Legislature.

Another example cited by Erwin is an amendment addressing the appointment of a successor in case two legislators are called to active military service. We see no need to put this in the constitution.

Looking at Louisiana's history of corruption, which goes back to French rule, it is understandable that voters don't always trust elected officials to use funds as proposed or to follow through on promises.

Protecting measures - particularly financial measures - by putting them into the constitution has had some undesirable effects over the years. Voters don't want officials to play political sleight-of-hand with tax-generated revenues, so the funds and their usage have been repeatedly locked into the constitution. The state finally reached the point that the only significant budgets left unprotected were education and health care. Thus, when an economic crunch hit the state, these unprotected but extremely vital areas were raided.

The constitution is packed with minor issues. While the need for total rewrite is obvious, there is no agreement among officials that a convention should be called soon.

Erwin and Jennifer Pike of the Public Affairs Research Council both feel the constitution is overloaded with items that should not be included. They also agree, however, that this is not the time to rewrite it. Pike says voters are too distrustful to place a rewritten constitution before them.

Creating a shorter constitution, of course, is not sufficient reason for calling a convention. That would be one of the results, however, if the items that do not need constitutional protection are removed and made state laws.

At this time, the important thing is for voters to study the amendments that will be on the Nov. 4 ballot and cast an informed vote.

Sometime in the not-too-distant future, a constitutional convention should be called.