

## Our Views: Constitution faces change

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While the presidential election, a high-profile Baton Rouge bond issue and races for the U.S. House and Senate will get the lion's share of attention at the polls on Nov. 4, the upcoming election also is an occasion to revisit a longstanding Louisiana tradition:

Deciding, once again, whether to amend the state constitution. We will let readers know in coming days how we stand on the seven proposed amendments to the state constitution on the Nov. 4 ballot, but the mere presence of so many proposed changes to the constitution is worth considering, too.

Louisiana leads the nation in the number of constitutions it has adopted and has been among the most prolific states in adopting amendments, according to the Public Affairs Research Council of Louisiana.

The Louisiana Constitution is the fundamental law of the state — a document that, in its ideal form, sets broad principles of government and leaves matters of administrative detail to state and local leaders. But many issues typically regarded as matters for state statutes or local ordinances in other states end up embedded in the state constitution in Louisiana.

Perhaps an underlying climate of distrust between Louisiana voters and elected officials — a relationship grounded in our troubled political history — drives this compulsion to secure so many issues within the constitution, rather than place them in state and local statutes.

But as PAR points out in a recent commentary regarding the Louisiana Constitution, "The concept of the Constitution as a relatively permanent statement of basic law ... fades with the adoption of each new amendment." Louisiana's most recent constitution, adopted in 1974, originally contained about 35,000 words. But since then, 214 amendments have been proposed and 151 of those have been adopted. In 2006 alone, voters were asked to decide on 21 amendments.

In evaluating new proposed amendments, PAR suggests that voters judge not only whether the concept of the amendment is sound, but whether the issue belongs in the constitution, or is better handled in statutory law. Changes to statutory law do not require voter approval.

Some states make the constitutional amendment process more difficult by requiring a three-fourths supermajority vote of the Legislature, limiting the number of amendments that can be put on a single ballot, requiring passage in two consecutive legislative sessions or even requiring adoption by a certain percentage of voters.

Louisiana, on the other hand, requires a two-thirds vote of the Legislature and a majority vote of the people for a constitutional amendment to be adopted. Maybe Louisiana residents should consider creating a higher hurdle for amending the constitution.

Doing that, however, would require an amendment to the constitution.

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