

Beyond tweaking?

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"Don't let the Constitution get in the way of a good bill," then-Rep. Francis Thompson told the House in his farewell speech before heading over to the state Senate.

He was joking, sort of, but also making the point that change is the most permanent thing about our state charter. A statewide election doesn't go by without voters being asked to make room for a half dozen or more new or used ideas by legislators to tweak the basic document.

The voters have gone along, sort of, passing 29 of 30 since 2004 before the Nov. 4 election, when they turned thumbs down on four of seven. The canary in the coal mine, is it? Political scientists are ever looking for the tipping point when voters register their disgust with the perennial amendment process, akin to the revolt of 1970, when 53 of 53 amendments were torched, paving the way for the constitutional convention of 1973.

Are we there yet? Seems not. This year's three for seven beats the 0 for four of 1992 and the 0 for seven of 1984. On nearly one of three constitutional ballots since 1974, voters have nixed a half or more of proposed amendments.

This time, the mixed reaction was ascribed to voter fatigue, though they managed to soldier through approving all 21 amendments in 2006. It could be that this year's high-turnout election brought out many infrequent voters, who weren't prepared to vote on the amendments and so rejected what they did not understand, if they made it that far down the ballot.

This year's lineup of amendments was criticized for being small, technical fixes rather than substantive changes. But that is the nature of the state's specific, detailed Constitution, instead of the broad statement of guiding principles that is the U.S. Constitution.

"The problem is each time we add more detail it invites more amendments," observed Jim Brandt of the Public Affairs Research Council.

It could be worse, and was. The state's latest Constitution, its 11th, approved in 1974, replaced the 1921 charter that had grown to the longest in the land before the new one was trimmed to a relatively taut 35,000 words. Since then, 154 amendments of 224 proposed have ballooned it again to more than twice that size.

It's no different than liposuction, after which, without diet and exercise, the fat comes back.

Louisiana seems no more ready for a political lifestyle change. Legislators and interest groups want to be able to protect laws dear to them from constant attempts at revision, so they stick them in the Constitution to end the argument. Sometimes it does, sometimes it creates unintended consequences that require a new amendment to fix.

It's not all been fluff. Over the years, legislators and voters have put some important financial protections in the Constitution, among them: the 8g fund, the tobacco settlement fund, the rainy day trust fund, the revenue estimating conference and constitutional caps on spending and debt.

Those ideas were ahead of their time in 1974, but their time came, and now the funds are mostly safe from being plundered, and the fiscal safeguards have not been gutted.

At least Louisiana no longer has the nation's longest Constitution. Alabama does, and it hardly seems to be holding that state back. I've yet to hear of any family that has packed up to leave this state or a company that decided not to relocate here because Louisiana's Constitution is too long.

Our Constitution may have too many words, but who's counting? You don't have to read it.

Still some believe it is time to start over with another constitutional convention. That's been tried, but lawmakers couldn't agree on how to call one: whether to have the Legislature sit as a convention, or to bar legislators from serving or some hybrid. The matter has not reached such urgency to demand it be resolved.

It's not all an aggravation. For some voters, deciding on constitutional amendments is an interesting civic exercise, made more accessible by the excellent voter guides published by PAR. When it gets to where those hearty voters find it's a drag, they will let us know.

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