



Civic Caucus

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Constitutional Amendments Position Report

Introduction

This is a follow up statement by the Civic Caucus to its report last fall opposing the Legislature's use of the state constitution as a substitute for lawmaking. (See Transportation Constitutional Amendment). The Civic Caucus report last fall contains detailed background and reasoning. It was endorsed by a large number of individuals with long-time broad experience and respect in public affairs.

Statement

The Minnesota Legislature should immediately call a halt to cluttering the state constitution with unnecessary amendments that favor some state services over others and that will hamstring lawmakers in coming years.

The Civic Caucus issued just such a warning last fall when it unsuccessfully opposed—for the same reasons—an amendment to dedicate a portion of the state sales tax to transportation.

Citizens who are sufficiently energized to vote on an amendment have no responsibility to assess priorities among many competing needs and are not better equipped to decide than are the elected Governor and Legislature. Lawmakers should balance all taxing and spending issues and not buck such issues to the voters just because the issues are too controversial. It should not become a practice to enact some measures by law and submit others to a constitutional vote.

The issue isn't whether revenues should be dedicated to environment, the arts or anything else. If lawmakers conclude the need is sufficiently urgent, they can dedicate by law any tax to any service, and have the job finished by May 21.

However, for some advocates, a constitutional amendment seems to have taken on a life of its own, as if its passage is more important than the financing it offers.

Such a vote could jeopardize other proposed amendments in the same election, including proposals where a constitutional amendment is the only solution, for example, changing the method of selecting judges. If too many amendments are on the same ballot, some voters may choose to ignore all of them. In Minnesota failure to vote on a constitutional amendment counts the same as a no vote.

