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JUST SAY “NO” TO PETITION INITIATIVES

By KELLY A. LAYMAN

We are becoming a laughing stock of the nation. We allow serious government time and attention to review issues that would be—and have been—unable to survive the legislative process.

Maybe you've been approached at a mall or festival to sign a form promoting smaller classroom sizes or insuring humane treatment of pregnant pigs. What the solicitor didn't tell you is that these constitutional amendments proposed for the next election are end-runs around the legislative process. More importantly, they are end runs around the 160 state legislators that citizens elected to deal with thorny, complex issues.

So when Floridians go to the polls in November, they will be asked to make policy decisions instead of our state legislators. That's because the proposed amendments expected to appear on this November's ballot are almost all policy issues, not constitutional ones.

This circus cannot continue. The Florida Constitution clearly vests policy decision with the legislative branch. Indeed, the most obscene result of the petition initiative process is the ultimate cost to the state and to taxpayers. Florida's tax revenue structure cannot withstand a lofty "wish list" that becomes an onerous and impossible mandate with the passage of a constitutional amendment.

We are on a slippery slope toward allowing the constitution to become an addendum to the Florida Statutes. Current petition mandates about smoking bans and pregnant pigs do not belong in the state constitution. Period.

It used to be that an interest group would intellectually, or even politically, argue its case in Tallahassee to the legislature. But more groups, and even wealthy private citizens, are bankrolling petition initiatives that treat the state constitution as a trough to be bought. The results are mind-boggling. We have only to look

at the constitution amendment debacle known as high-speed rail for proof.

In 2000, only 5.5 million of the state's 15 million residents voted on so-called high-speed rail, and even then, the measure passed by a slim 6 percent margin (52.7 to 47.3 percent). So this means one-sixth of Florida's registered voting electorate participated in a massive decision to spend more than \$4 billion in capital costs (just in 2000 dollars) on what a recent James Madison Institute policy paper called "Florida's Perpendicular Amtrak."

The measure is the poster child for a project that didn't belong in the constitution from the start. At a minimum, high-speed rail would leave in the dust tens of thousands of government services, and at its worst could bankrupt the state. The legislature already has a perennial burden of meeting its funding obligations for children, schools, family services, roads, the judicial system, and other government core services. These costs can be expected to continue to increase over time.

The initiative process today is fast-paced and driven by sound bites instead of sound policy discourse. It manipulates the true intents of the petition process and hinges on emotion instead of common sense. It is driven by targeted special interests with a passion for their "cause," but with little concern for the long-term fiscal welfare of Florida.

We are becoming a laughing stock of the nation. We allow serious government time and attention to review issues that would be—and have been—unable to survive the legislative process. The process has already torn apart constitutions in about half the nation's states

Citizens should not be moved by the mantra of "taking it to the voters." Instead we should be wary of signing a petition initiative that will end up costing us severely, taking more of our hard-earned money away because the state doesn't mint its money. It has to collect it from us, the residents and businesses.

that allow it with oversimplified one-size-fits-all measures. Our neighbor Alabama has the longest constitution in the nation with more than 310,000 words. It has been amended more than 700 times!

There's a reason the U.S. Constitution holds fewer than 8,000 words. James Madison himself saw the checks and balances feature as a focal point, and encouraged policy change through the legislative body. The federal Constitution has only 27 amendments. The first ten, The Bill of Rights, were of course almost immediate in the nation's founding, leaving only 17 amendments the past 215 years. Its sacredness is well-respected by Congress.

The petition initiative process should never be used as a way to get around the Florida Legislature under the guise of "going to the people," when in fact, the people are already represented by their elected officials. If our legislature, governor, and judicial systems are all truly concerned about the health of our representative form of government, they need to act quickly and firmly to re-focus their roles in this issue and to improve the process.

Meanwhile, citizens should not be moved by the mantra of "taking it to the voters." Instead we should be wary of signing a petition initiative that will end up costing us severely, taking more of our hard-earned money away because the state doesn't mint its money. It has to collect it from us, the residents and businesses.

Just say "no" to the proposed amendments on the November ballot and help send a message. That will tell our legislature to get in the game and fulfill its oath of office to "support, protect, and defend" the Florida Constitution. At the same time, you'll be letting these special interests know that we, the voters, can't be played so easily.

Just remember the blank check Floridians have written for the boondoggle called high-speed rail.

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