

## **PARTNERSHIP: A KEY INGREDIENT FOR CONSTITUTIONAL REVISION**

When the political powers in Washington finally crawled to an agreement this summer on raising the debt ceiling, part of their solution was to create – you guessed it – a commission, to avoid the hard choices. In contrast, Gov. Bentley signed into law the creation of a new Alabama commission – the Constitutional Revision Commission – but the difference is that this commission is intended to face problems and accomplish results.

This Commission first meets August 31 in the State Capitol Building. Senate President Pro Tem Del Marsh and Speaker Mike Hubbard made good on the new majority's commitment to get things done in Montgomery by creating the Constitutional Revision Commission, approved by a bi-partisan vote in both chambers. Gov. Bentley signed the measure into law and subsequently named as a member one of his most able predecessors, Gov. Albert Brewer.

Why should we care?

For the first time in many years the Legislature and Governor have determined that Alabama's 1901 Constitution needs a detailed, article by article review. We agree. This is an historic opportunity. Our Constitution is a serious impediment to economic growth, educational improvement and to Alabama's citizens controlling their own destiny.

What does this mean?

Not surprisingly, the public's negative perception of whether government can get vital work done was reinforced by the partisan political stalemate over America's economy. Regardless of how one feels on the merits of that action, there is no doubt that this is not the way to conduct the people's business. That disaster is an example of what our new Constitutional Revision Commission should not do. The Commission working in partnership with all Alabamians is what it must do.

The Alabama Appleseed Center for Law & Justice, Inc. recently learned it was to be honored as "Partner of the Year" by the Alabama Citizens For Constitutional Reform Foundation, Inc. We are humbled and gratified, not so much for ourselves, but for the notion that the vital work of strengthening our state through a better constitution requires us all to work in partnership. Washington did not, but we can.

How will the Commission succeed?

The work of the Commission is in fact not just the work of the Commission, it is the work of us all – every one of us. Commissioners and the staff expertise of the Alabama Law Institute will manage the process and, we assume, will work transparently through numerous public sessions. Many organizations, chambers of commerce, PTA's and school boards, YMCAs, churches, businesses and individual citizens must be fully

engaged with the commissioners to assure that the voice of the people is heard. We will succeed in this effort only if all of us will act in partnership to strengthen the ability of Alabamians to govern ourselves.

How will it work?

The Legislature has laid out a mandatory schedule by which the Commission must consider three specific constitutional articles each year beginning with the 2011 legislative session and ending with the 2014 session. This year the issues include business and financial articles and articles dealing with the allocation of legislative responsibilities – - in a word, authorizing counties to exercise their own basic health and safety powers such as controlling flooding sewers and picking up dead farm animals.

A number of otherwise important issues are not part of the Commission's three-year mandate. While Alabama's medieval tax system ultimately must be examined and improved, that is not on the new Commission's list. Taxes are off the table.

Creating a government commission often is the response when real answers are absent. However, in Alabama today, the Constitutional Revision Commission is the best answer, and the partnership of Appleseed and other organizations working with the Commission for a better state is the best approach to assure thoughtful results. We all must join in this effort. After all, this is our state, and its future is in our hands.

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