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Constitutional Reform, Yes; Constitutional Convention, No

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Someone should survey the people who favor a constitutional convention to find out if there is any agreement whatsoever on what the convention should do. My guess: opinion would be badly splintered.

Everyone agrees that the current system is broken, discredited, dysfunctional. But if we get several hundred Californians in a room, whether elected or chosen at random, what makes us think they will be able to agree on a reform package? Or if they do, that it will make enough sense for the public to support at the ballot box?

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It is even possible, if not likely, that they will have a harder time agreeing on sensible solutions than the legislature everyone likes to complain about.

There are also some significant risks (not present in the regular initiative process) in using a constitutional convention, operating by majority vote, as the means to constitutional reform:

1. *Runaway convention.* The convention delegate mix could be skewed away from balanced representation of the interests of the state. If it were a cross section of the kinds of activists who show up to partisan conventions—and remembering that by definition, they will be people who have no accountability to anyone for the decisions they make (other than their handy work can be defeated in the election)—it is not hard to visualize a far left or far right group hijacking the process.

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Of course one could argue that a far left group *has* hijacked the legislature, but since it takes a 2/3 vote to put measures on the ballot, and they have to deal with one subject each, there is a check and balance on the legislative process.

2. *Log rolling*. The convention will produce a set of proposals that are voted on as one measure on the ballot, even though dealing with multiple issues. That has an advantage over separate initiatives in that it could be considered a comprehensive reform, and the credibility of the convention process compared to the legislature (depending on how the convention process goes) could help the package succeed whereas individual measures could be piecemealed by the electorate and the interest groups who spend money on ballot measures. But the risk also exists that one or two very popular provisions (banning fundraising during session, improved rainy day fund, imposing 2/3 vote for fee increases) could be the locomotive that pulls some very bad ideas into law.

On balance, I think the risks of a convention (including the disappointment and delay that would accompany an unrepresentative, poorly thought through product) outweigh the benefits.

I prefer a process, such as proposed by California Forward, by which a series of carefully crafted initiatives are offered up, the legislature is given a chance to act, and

some combination of its product and the initiatives go on a general election ballot.