

## **Amendments Our choice: Yes on all 5**

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The Sun-News endorses a "yes" vote on all five on the constitutional amendments on the ballot this year.

Two of the amendments deal with the court system, and three with the Public Regulation Commission. It is those three that we feel most strongly about.

Constitutional Amendment 2 would, for the first time, establish minimal qualifications for a commissioner to serve in this vital and difficult position. Right now, the primary qualification is the ability to fog a mirror. Other than that, candidates must be at least 18 years old and a resident of the state with no prior felony convictions.

A person can be a high school dropout whose only experience with utility regulation is how to turn the thermostat up or down. And, with some snazzy yard signs, name recognition and a winning smile, they can suddenly be one of five commissioners hearing incredibly complex utility rate cases worth millions of dollars to the companies and impacting thousands of consumers.

The original legislation would have established what the new qualifications would be. Instead, voters will now be asked to allow the Legislature to establish regulations that could be changed in the future if needed.

The PRC has been in the headlines for all the wrong reasons, all too often. Former Commissioner Jerome D. Block Jr. is the latest to run afoul of the law. But this amendment is about competence, not corruption.

When the Legislature combined the State Corporation Commission and Public Utility Commission in 1996, it created one of the largest, most all-encompassing regulatory boards in the country, with authority over a wide range of businesses. The five people at the head of that commission should have minimal educational or professional qualifications.

The other two amendments dealing with the PRC would reduce the scope of the commission slightly by moving the corporations bureau to the Secretary of State's Office (Amendment 3) and making the insurance division a free-standing agency (Amendment 4). Three of the five PRC Commissioners support the changes, one a Republican, one a Democrat and one an independent.

Amendment 5 would establish the Public Defender Department as an independent state agency, taking control of the department away from the governor. One of the central tenets of our democracy is the concept of three separate branches of government - executive, legislative and judicial. The Public Defender Department is clearly part of the judicial branch, and should not be subject to the political whims of the executive.

Amendment 1 adds two new members to the Judicial Standards Commission, ensuring the municipal courts are represented.