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Alternative constitution draft removes controversial sections

By MEGAN POINSKI

Monday, March 30th 2009

ST. THOMAS - Earlier this year, Constitutional Convention delegate Eugene Petersen looked back at the work that had been produced by members of the body.

Several draft constitutional articles had been written and approved by the body, but Petersen was not happy with the full breadth of work so far. Some of the portions of the constitutional draft were extremely controversial. Others were extremely specific, bordering on topics that would be best addressed through legislation.

Petersen sent an e-mail to the other 29 delegates, expressing the way he felt.

"I thought I was by myself, but then I started getting telephone calls back from other delegates. They had the same issues I did," Petersen said. "One telephone conversation led to another, and I discovered that more people had the same issues. I decided to take all the work that has been done in the last year and a half and put it together in a new document."

That 23-page document made its first official appearance at Saturday's session of the convention. Delegates who had been working with Petersen were already familiar with it when it was circulated on Saturday.

Although the document touched off a major controversy on Saturday, Petersen had obtained 13 of the 20 signatures he needs from delegates to ratify it as the convention's official constitutional draft. Once other delegates read and understand it, Petersen said, he hopes that he will get the remaining seven signatures.

Petersen's draft is not something he wrote entirely by himself. He pulled together discussions and work from all of the convention's standing committees and organized non-controversial portions into his draft. Some of the articles in Petersen's proposal, like the one dealing with taxation, use the exact same language approved by the committees.

Missing from Petersen's draft are flashpoint topics among delegates and in the community.

"I am not doing this to cause the constitution to fail," Petersen said. "I am really doing this to make it succeed."

Petersen's document has nothing in it to define native Virgin Islanders, which he said was the "biggest stickler." Petersen's draft allows all qualified U.S. citizens to run for governor and lieutenant governor, regardless where they were born.

It also does not define marriage as the legal union between man and woman because Petersen said that is not a constitutional issue and is best addressed in the V.I. Code.

Other items that were not such hot topics - but were still controversial - were massaged in Petersen's draft. In his document, governors and lieutenant governors would be elected on a single ticket as they are now instead of voters electing the two separately. The attorney general and inspector general would both continue to be appointed by the governor instead of elected. Convicted felons would not be able to run for public office after leaving prison. Petersen also took out several very specific passages in the section on education that mandated class sizes and emphasized teaching African history in public schools.

Petersen is a native Virgin Islander with long ancestral ties to St. Croix, but he said that the articles in the approved constitutional draft dealing with native rights are problematic.

"There are a lot of things I would like to see, but I know that they are not practical," Petersen said. "We have to leave something for the future generations to use."

Petersen said it was a shame that Saturday's session devolved into so much anger and so little real discussion. He said he hopes to bring his draft back at the next convention session - which he would like to see held within the next 10 days, possibly with delegates attending by telephone - as is permitted in the convention's rules.

In the meantime, Petersen plans to lobby delegates whose signatures he does not yet have.

"Maybe I'll win them over to support it," Petersen said.

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