

Call number: 01-79-09 PT. 2

Name: General discussion

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Summary created by: Varpu Lotvonen

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Notes: Original on cassette tape. Master copy on CD.

A male voice begins mid-sentence, talking about local government article that created dialogue in a workshop. The final comment he wants to make is that the permanent fund was discussed in relation to the money concept and it was felt that the permanent fund should be used for developing local government areas throughout the state. The consensus of the panel was that 20 years is a short time to review what has happened in local government in the state and it might take another 20 years to assess the effectiveness of local government article.

3:08 Another man's voice introduces the chairman of finances and taxation workshop, Eric Wolford, who is an attorney and a former state commissioner of revenue. Eric thanks Governor Bill and talks about the finances and taxation session the previous day, and having 4 framers of the constitution present. Delegates White, Nordale, Barr, and Nerland and discussants Commissioner Callanger, Frank Murkowski, and Erickson, and Representative Cooper of the city [were also present]. Eric mentions changes in economic situation in Alaska and how the article has stood up to times, not prohibiting anything, including tax on reserves. More talking about the article, and Alaska's economy and policy.

7:52 Delegates were split on creating a permanent fund. Summarizing the discussions about permanent fund creation: Saving for future generations, dealing with the inflow of money, and the possibility for alternate year budgeting. Mr. Murkowski talked about taxation article being too restrictive. [End of the talk, applause.]

13:18 The chairperson thanks Eric Wolford for the summary and calls on Walter Parker, the co-chairman of State and Federal Land Use Planning Commission. He will summarize discussion of natural resources workshop. Walt highlights their strong panel and large audience that included 9 or 10 delegates. The panel members were James Hurley, Robert Wheaton [sp?], Guy Martin, Charles Herbert, and Tim Wallace.

15:16 Summarizing discussion on the article 8, and implications of Native Claims Settlement Act, development, and increasing federal presence in Alaska. Many people thought that constitution should be more uniquely Alaskan. Talking about fisheries and minerals discussions.

22:02 Native Claims Settlement Act was considered during constitutional convention but they thought it was a federal responsibility. Land claims weren't a primary consideration at the time.

Parker also touches upon discussion on development and increasing federal presence. Ends the speech.

28:23 Chairperson thanks Walt for the discussion and asks Tom Stewart to make his presentation, and following him, another person [?]. The chairperson thinks that that would give delegates a good shot with their comments. [Comment from the floor, unclear.] Chairperson recesses the meeting. [Break in the recording.]

[Recording resumes with sounds of people settling back to conference.]

32:05 The chairperson introduces Thomas B. Stewart who was the secretary of the constitutional convention in 1955-1966 and who is now a superior court judge in Southeast. He's going to talk about Alaska constitution's effectiveness. Stewart says he is going to give an overall evaluation on the effectiveness of the constitution and to raise questions on the issues.

35:13 Stewart also talks about the purpose of the constitution, which is to express ideas that underlie the government. They should evaluate how the actions of legislature are carried out. He talks about the bill of rights, equal rights, and other matters that raised lots of discussion.

40:16 Area of public responsibilities was touched upon lightly. Shorter sessions were discussed and the need for steering committees.

44:00 Stewart isn't going to touch upon the concept of a strong executive because it was fully covered in the panel where it was discussed. He talks about his work as a court administrator for the state of Alaska, and about having seen judiciary problems in other states. Other states envy Alaska that has unified judiciary central administration.

46:44 Gives examples of problems in other states.

The way to select judges should be questioned, and Stewart talks about an incident that happened toward the end of the convention. John Bebout and [unclear Owen]

were present, and they are highly professional people. They understood that they weren't supposed to tell what "you" were supposed to do but just to present the alternatives and the consequences of different choices. They tried not to influence anybody with their own preferences. The speaker advised them to pinpoint areas of weakness and to talk to the steering committee about their concerns.

49:37 Talking more about selection of judges, referring to sections 5 and 8 in article 4. [Reading the sections 5 and 8.] They lay the foundation for independent judiciary, but place it beyond democratic control and into hands of a private professional group in order to preserve the integrity of the courts.

The speaker has suggested ways to increase public control without jeopardizing the independence of the judiciary. [Lists the means.]

52:45 Recalls the history of how the first judiciary council and the first judges were chosen in 1959. Attorney members manipulated the affairs although there have been some effective lay members, like John Kauss [sp?]. In Nome, 1959, the 12 judges were named by bare majority of board of governors. It was a fairly closed affair and dominated by the Bar. [Talking about the need to bring democracy back to the process.]

56:36 About how nominees to judgeships are found.

57:46 [Talking about local government article's purpose, intent, and scope.]

1:00:18 [Talking about providing professional services to villages from population centers, and about having proper government in metropolitan areas.]

1:02:11 [Touches finances and taxation briefly, highlighting how little voters know about those matters.]

1:04:29 Speaker thinks that the natural resource article was well covered in the panel. [Ends the speech.]

1:05:36 The chairperson thanks Tom and introduces Bill Casella [sp?], executive director of National [unclear] who was with them when the constitutional document was crafted.

Bill starts his speech but the recording ends.

[End of the recording.]