Measure 1

Shall there be a Constitutional Convention?

STATEMENT IN SUPPORT

Are you satisfied with the way government runs things in Alaska?

Do you want: to limit legislators' terms; enact an effective limit on State spending; take control of "your" legal system away from the lawyers; have the right to directly amend your State Constitution; or to have greater access to your land and resources?

If you answered "YES" to two or more of these questions, you are probably ready to vote "YES" for convening a constitutional convention. Voting "YES" for Proposition One is the only way these and other critical issues will ever be discussed and acted upon. The legislature has had 33 years to do so and has not!

The Unlimited Power of the State. Alaska, the "owner state," adopted its current Constitution in 1956 primarily for the purpose of getting statehood. It was based on a "model" state constitution; prepared by the highly political National Municipal League located in New York City. In addition, a Chicago based research group "determined" what Alaskans wanted in their Constitution. These determinations influenced the adoption of the current Constitution, incorporating the then popular concept of the "owner state." World events have proven that owner states don't work!

Limited Terms for Legislators. Statewide polls indicate that over 80% of Alaskans want a term limitation amendment. The legislature continues to ignore the wishes of the people.

Limit Taxing Power. Alaska's current Constitution gives the legislature unlimited taxing powers. Three-fifths to two-thirds is required in some states. Citizens should have the right to vote on tax increases.

Fiscal Responsibility. In this year's state-funded $2.5 billion operating budget the legislature spend $5,000 per Alaskan. Only a strong constitutional amendment establishing meaningful spending limits will bring the legislature under control.

Amendment by Initiative. If, as our current Constitution states "All power is inherent in the people," it is mandatory that the people have the power to directly amend their constitution, if a significant majority want to do so. Alaskans do not now have this power.

Elected Attorney General. "If power corrupts, then absolute power corrupts absolutely." Alaska's Governor, the most powerful in the United States, determines through his appointed attorney general who in his administration has committed malfeasance. This awesome power must be restricted and the people need a legal advocate.

Judicial Reform. Our judicial system is controlled by lawyers. They dictate who our judges are and greatly influence how our legal system works. This special interest control must be curtailed.

Conclusion. Under Alaska's current Constitution, all power not reserved for the people is retained by the State. The United States Constitution provides just the opposite.

Your vote for a convention will allow your delegates to seek a return of power to the people. There is nothing to fear – for no changes take effect unless ratified by your majority vote. Vote "YES" on Proposition One on November 3rd.

Alaskans for Constitutional Reform
Mike Robbins, Chairman

Shareholders of Alaska
Dick Randolph, Chairman

STATEMENT AGAINST

"If it ain't broke, don't fix it." Few of us are satisfied with the way our state government works, but a vote for a convention is a vote to spend a lot of money and energy for the wrong purpose, "an expensive debacle" the Anchorage Times suggested last time around. It's like buying a bunch of lumber and hiring a crew before you have figured out whether you want to remodel or add an addition.

If we really don't like what we live under now, let's get some architectural plans. If we want a lot of change, what we should do first is set up a constitutional review commission, like the Alaska Statehood Commission that paved the way for the first convention, to look at how it has worked and what might be done to improve it.

If we just have a few changes, try the amendment route. Since statehood, the constitution has been amended 21 times, including controversial topics like limited entry, the permanent fund, a right to privacy and sex discrimination.

A convention cannot be limited. The call of a convention opens a can of worms and we Alaskans sure have them. For starters, we will have a new go round on subsistence. Then there's sovereignty and a struggle over who controls resources. On top of that we will fight over "right to life" and "choice." Capital movers will be on the move again. And of course advocates of development vs. the environment will be scheming for some new constitutional advantage.

There is a capacity for self-injury in opening up these feuds without knowing where we are going. As prohibition proved, there are a lot of problems you can't solve with constitutions. As the Anchorage News said in opposing the call in 1982, you only have a convention "when the function and purposes of law and government stand in need of serious change."

It will cost several millions to set up a convention, a lot of money on delegate elections, and more millions to interpret changes. If we are going to spend that kind of dough, make sure we need to first.

Most people say the first convention did a pretty good job. The national constitution has worked for 200 years and that was their model. There were some special reasons why the people who got together in 1955 in College, Alaska were as statesmanlike as the conventioneers of 1787. They were all thinking about getting a new state and how to make it work. They were elected and functioned outside the politics of the hour. Duplicating that now with every special interest demanding endorsements for campaign contributions would be tough.

We Alaskans have a lot on the platter already; encouraging a vibrant economy, the fiscal future under declining natural resource revenues and others. These problems are not solved by constitutional conventions but by citizens and legislators directing energies to the issue at hand.

John Havelock, the author, is a former Attorney General and UAA professor who has taught, litigated and written on constitutional law.