

Ian Hartman

Bob Bird

Loren Leman

Kavitha George

Andrew Kitchenman

Lori Townsend

Joelle Hall

Matt Shuckerow

Tom Hewitt

:04- 3:51

Ian Hartman: good evening everyone my name is Ian Hartman and I am professor of history and currently serve as president of the University of Alaska anchorage's faculty Senate. On behalf of the faculty at UAA, I'd like to welcome all of you to the Wendy Williamson Auditorium and acknowledge that our University sits on the ancestral lands of the Den'ina the Ahtna the Aleutiiq Sugpiak, and Eyak peoples but beyond acknowledgment we strive to understand historical and current experiences of Alaska native peoples and how we can build a stronger university community anchored in equity and inclusion we recognize that Alaska's native peoples have stewarded the resources of this plentiful land since time immemorial and continue to shape the Alaska we love into the present and while the land mass we refer to as Alaska has been populated for thousands of years, the history of the 49th state extends back only to 1959. Its Constitution reflects the ambition, optimism, and faith in good government that Alaskans and Americans more generally harbored during the post-war era. Those who crafted Alaska's founding State documents were mostly members of the greatest generation those who saved democracy from authoritarianism on the battlefields of Europe, North Africa and in the Pacific. They believed deeply in America's promise; they ratified a constitution that indeed reflected the era in which they lived they revered robust public institutions, sought to curb the influence of wealth and power create a judicial system that was insulated from the vagaries of day-to-day politics, and proposed that the extraction of Alaska's vast natural resources prioritized public interest rather than private gain. Perhaps most of all they recognize that Alaska was fundamentally different from the lower 48. This was a place where we'd have to work together collectively to make it a more to make it in a more competitive globalized World. A relative small population spread across a vast distance blessed with the Bounty of the land and sea. Undoubtedly the document that the that the convention participants adopted in Fairbanks in February 1956 propelled the statehood movement. It was North To The Future. Now over 60 years later we have valuable historical perspective to evaluate the Alaska state constitution was the document Perfect When It Was Written? No, no it was not is it perfect now? No, no it is not. However I'd suggest that no political document is perfect they're compromised documents that reflect the intellectual diversity of the participants who crafted them so the question before us today is could we do better? Well that's what we'll decide in November and I'm grateful for the dialogue this evening it'll sharpen our thoughts on the matter maybe even provide some clarity for those of us trying to make an informed decision. I believe this discussion will generate far more heat than light something that is urgently needed this day and age I'm greatly looking forward to this debate and I'd like to thank Steve Johnson the director of the internationally renowned Seawolf debate program one of the crown jewels of the University of Alaska. I also like to thank and recognize Lori Townsend along with the Alaska public media team the Alaska beacon in the Anchorage Daily News for organizing and

supporting this debate and of course I'd like to thank the panelists for their willingness to engage this important topic with the rigor meaning and purpose that it most assuredly deserves and with that I'd like to welcome the moderators and panelists with the hearty Round of Applause thank you.

[Applause]

3:59-6:08

Lori Townsend: all right good evening and thank you for joining us in person and online for this live debate on the once Each decade question that Alaska voters must decide regarding a constitutional convention. I'm Lori Townsend news director for Alaska public media and as Dr Hartman said I'll be the moderator for tonight's debate. In the current overheated political climate where there is often more shouting than discussion tonight's debate is an opportunity for us to respectfully listen to the arguments presented on both sides in order to make an informed choice on the November ballot question. The ability to freely discuss, argue and defend a wide range of perspectives and interpretations of Law and policy is at the heart of a Democratic Society, and in that Spirit I'm asking our participants and audience members to please refrain from interrupting our speakers tonight regardless of how strongly you may feel about their position. Your best opportunity to help decide this issue is to vote on the question in November. Before I describe the format for tonight I want our audience to know that at the end of the debate we'll ask you to vote by text on the ballot question so please remember to linger for a few minutes at the conclusion to do that. Since its passage in 1956 Alaskans have voted yes only once to hold another convention. In 1970 the measure narrowly passed but was overturned in court after the ballot language was deemed biased. In 1972 the question again went to voters and was voted down but this year there are Alaskans actively campaigning on both sides of the ballot question. Before we meet tonight's guests we're going to take a look back at the history of Alaska's Constitution, how it was developed in the 1950s and what elements set it apart from other state constitutions. We'll also hear how the Permanent Fund dividend, Alaska's fiscal woes and abortion access have some saying now is the time to vote Yes; while others say the document continues to serve the state well. Erin McKinstry spoke to people on both sides of the issue and brings us this story.

6:09-10:48

Package: The hour appointed by the Alaska territorial legislature for three months during the winter of 1955 and 1956, 55 delegates from around Alaska created the state's founding document. Then 31-year-old Vic Fisher was among them. "Victor Fisher" "here" At 98 he's the last surviving delegate being late to the statehood game the Alaska delegates had the benefit of pulling the best parts from other states' constitutions and learning from past mistakes. It is very much like the United States Constitution in terms of being short and specific. The 12,000-word document has been updated 28 times since its passage with voter approved amendments to allow for the Permanent Fund dividend, prohibit sex discrimination and create a right of privacy clause, for example. But changing the Constitution on a broader and more fundamental level requires a convention. Alaska is one of 14 states that regularly asks voters directly if they want to hold one. Fisher can imagine a time for a new Constitutional Convention but right now he

worries about the cost, the current political climate and the possibility of outside interests and money influencing changes. "They could throw a big monies dark money at a constitutional convention and create this situation that would be just desperately miserable for Alaska." But Republican senator Robert Myers disagrees. He sees a Constitutional Convention as an opportunity for long-term planning to address fiscal questions about spending caps, the Permanent Fund dividend and Taxation. "Really what we've seen over the last few years is some very significant changes in in our economy and and how things operate in Alaska and our constitution needs to reflect some of those changes." Myers isn't alone. Conservative activists and politicians have joined forces to create a formal campaign called convention yes to advocate for the vote and not just to address fiscal issues. The recent Supreme Court decision to overturn Roe versus Wade has some looking at how Alaska's right to privacy Clause protects abortion access. Advocates like Alaska Independence Party chairman Bob Bird want to change Alaska's Judicial System, alter the education system and more. "The PFD is the spark but when you get the spark like that and there's no limit to what a constitutional convention might produce, then we can look at the incredibly long list of things that need correction." Bird says it's important for voters to understand that they're the ones in part of the process. "The people get to control whether or not there will be a constitutional convention and then we'll get to vote as to who our delegates will be and then we're going to get the voters to whether we like what is produced by the convention." A yes vote raises a lot of questions like how much it would cost, when it would be held and how delegates would be chosen. One white paper I put an estimated cost above 16 million dollars. And Alaskans could spend all that money and time and then reject the changes with the polls. Former Republican senator Kathy Giessel, who's running for state senate again right now, says it's too risky. "This is not the right time. With emotions running high on so many different issues, to try to sit down and craft a solid document that would continue to provide stability and a positive future for our state." Giessel and Fischer are co-chairs of defend our constitution, a broad-based coalition against holding a constitutional convention. They agree that the current Constitution provides a strong foundation for Alaska. "The new Constitutional Convention can take the existing convention and dump it just start from scratch and do something completely different and I'm not sure that that makes any sense." Voters will decide whether to hold the First new conventions in statehood on November 8th. For Alaska public media I'm Erin McKinstry.

10:48-15:48

Lori Townsend: Alright, now on to the structure and format of tonight's debate program and then we'll learn about The Debaters themselves and their backgrounds. The topic as everyone knows for this debate is the question specified in the Alaska Constitution that will appear on the November ballot: shall there be a constitutional convention ? We'll interrogate this topic in a debate organized into three phases. In the first phase we'll allow The Advocates a series of speeches to develop their cases for and against the motion. We'll begin by hearing from the pro side and alternate between the pro and con giving each of our four speakers four minutes to establish their position. In phase two we'll open the floor to questions posed by journalists from Alaska public Media the last the Anchorage Daily News and the Alaska Beacon. I'll moderate to be sure that each side gets a fair shot at responding to the questions in the Final Phase we'll provide each team One three-minute summary speech to close their position. In this phase the

con side will speak first and the pro-side will have the last word this order is an effort to balance the burden of proof that the pro-side bears in proposing that we change the status quo. I'd like to remind our debate teams that we'll run a timer on your statements and on answers to questions to ensure that everyone has time to clarify and defend their positions. Now let's meet the debate team members. We'll start with the folks in support of holding a constitutional convention. Representing the yes vote Yes side the pro-convention side is Bob Bird. Mr. Bird is Chairman of the Alaskan independence party and ran for U.S Senate in 1990 and 2008. He is a past president of Alaska right to life a 45-year Alaska resident and a retired public school teacher having earned a bachelor and master's degree in history, he has a passion for studying and teaching Alaska and U.S constitutional History. Mr. Bird lives on the Kenai Peninsula and is currently a daily radio talk show host for *The Talk of Kenai* or on KSRM 920AM from 3 to 5 and heard online at Radio kenai.com. Loren Lemann was raised in Ninilchik, but traces his family history in Alaska to a marriage in Kodiak in 1798 between a Russian shipbuilder and an Aleutian woman from Afognak. In 2002, Mr. Lemann became the first person of Alaska Native ancestry to be elected to Statewide office when he was chosen as Alaska's eighth lieutenant governor. Before that he served in the Alaska legislature for 14 years Mr. Lemann and his wife Carolyn raised three children, one a graduate of UAA, and are enjoying eight inquisitive and energetic grandchildren who will soon become Alaska voters. Representing the vote no-convention side is Joelle Hall. Ms. Hall grew up in a union family in California and enlisted in the Army after graduating from high school. She is a two-time graduate of the Defense Language Institute in Russian and Korean; she also served in the Army Reserves and the Alaska National Guard. In 1990 she moved to Alaska to attend the University of Alaska Fairbanks and graduated with a degree in foreign languages and a minor in political science. Ms Hall has run numerous electoral campaigns and ballot initiatives and had her own consulting firm for a decade. In 2009, she took a full-time position with the Alaska AFL-CIO as the Director of operations and was elected president in 2020, the first woman to fill the role. She is married to a retired command sergeant major and has two grown children. Matt Shuckerow is the spokesperson for the defend our constitution campaign and the owner of fathom strategic Communications, an Anchorage-based Communications firm specializing in public Affairs Advocacy and political campaigns. Mr Shuckerow was born in Kodiak and currently lives in Anchorage. He studied journalism and public relations at the University of Nevada Reno before moving to Washington D.C to work for each member of Alaska's Congressional Delegation. Mr Shuckerow has more than a decade of experience managing Communications and political operations for clients and government officials, is an avid sport fisherman and Hunter and previously worked as a commercial fishing deckhand in Prince William sound. The panel of journalists who will be asking questions of Debaters this evening are Kavitha George, Statewide Affairs reporter for Alaska public media, Tom Hewitt the opinions page editor for the Anchorage Daily News and Andrew Kitchenman editor of the Alaska Beacon. Alright let's get started let's begin we'll start with the pro convention side and I believe it's Mr bird. Alright if you're ready sir please begin you have four minutes.

15:59-20:23

Bob Bird: Good evening everyone. My wife gave me some very good advice she said don't tell people what you know tell them tonight what they need to know. I'm going to try and make

you understand that the fear campaign that's been generated by a lot of dark money that has come from the 1630 campaign is meant to keep you afraid. My debating partner Loren Leman tonight, we are not running for office we're not going to try to score debating points and we're not going to try to hostile face hostile questions from the journalists. We are here to speak to Alaskans to allow them to make up their own minds and to think for themselves. It would be silly to have a constitution that calls for a vote every 10 years, and it is simply yawned away, in my experience, uh 45 years worth. But all of a sudden, people are very interested. And now, oh no we can't take any trust in the people. This is uh the problem that we've got with the greatest crisis we've ever seen politically. Our lawmakers in the legislature, the law enforcers and the executive and the law interpreters in the Judiciary expect all of us to obey laws, but they themselves have been law breaking in both statutory and constitutional ways. The legislature has violated the statute that requires them to pay a full Permanent Fund dividend check. That is the engine that's pulling this Con-Con train. In ranked Choice voting the courts have ignored the statute that says the let that says that there shall be only one item per a citizen initiative limited to only one instead there were two. The courts have violated constitutional law in so many ways I won't bore you with the court cases, but they've seized the definition of privacy away from the legislature which is quite clearly stated. It has seized the power of the purse; it has refused grand juries to investigate potential crimes committed by the government. They have ripped from the governor the line item veto power, from the legislature the power to override it and they have seized the power of proposing Constitutional Amendments by the legislature for themselves and the people's power to approve it or reject it. Beyond this both the executive and legislative branches have ignored their oath to defend the Constitution by refusing to use their Superior power over the Judiciary to Halt their Brazen and numerous overthrows of the Constitution. And now election Integrity creates a pall over our state. You may be shocked — shocked — to learn that the federal government also operates outside of its own constitutional boundaries. It imposed upon Alaska as a condition for statehood a poison pill that does not grant us equal footing with our sister states. We are in fact a second class State and an eerie Twilight Zone. Neither the legislature nor the Congressional Delegation has had the courage to confront this. It keeps Alaska hobbling in a circle with one leg we are no different from our territorial days. You want a vibrant economy, you've got to stop having the federal government dictate to us they do not understand our geography, our climate our culture, our people. Our constitution does not even need an overhaul — it needs a facelift. Many of the systems and Provisions made in 1955 were experimental, and they've been proven flawed and even tyrannical. The status quo wants Alaskans to think that we can't take risks, but we're commercial fishermen we're flying airplanes over glaciers; we work long hours in the summer daylight. We defend the great land from military aggression. Now is the time to fix what 70 years has made obvious needs to be corrected. Thank you.

20:24-20:31

Lori Townsend: Thank you, Mr. Bird. Now we'll hear from the side opposed the first opening statement side opposed to Convention, Ms. Hall.

20:35-24:29

Joelle Hall: Good evening, everyone. Thanks for coming out tonight. Every 10 years, Alaskans are asked whether we should hold a constitutional convention. Each time Alaskans have rejected this question. This year A large group of Alaskans have formed a coalition with people from all across the political Spectrum to urge Alaskans to once again vote no on a constitutional convention. A convention is unnecessary, expensive and dangerous. Not only would it open up our entire founding document to a wholesale rewrite, it would create years of economic regular and Regulatory uncertainty in our state, lead to unpredictable changes and open a Pandora's box of hot button issues — like access to Natural Resources taxes abortion, gender and sexual orientation, the Permanent Fund land, and Wildlife Management, how we choose judges, whether we should spend public money on religious and private schools, and so much more. Alaska's Constitution has served us well for over 60 years. Our state's Founders included a separate, well-devised and transparent amendment process to make targeted changes to our Constitution. That process has worked well for us 40 on 42 separate occasions. Notably, Alaska has the strongest right to privacy of any constitution in this country. This mirrors Alaska's independent and libertarian nature. I for one am deeply concerned about the Nationwide attacks and the right to privacy, particularly targeting the right of women to make their own reproductive choices. Right now, our Alaska Constitution is the only guarantor of that fundamental right. Opening our constitution could result in the forces of both sides of that argument flooding into Alaska to use us as a proxy for this National fight. A convention will take years to bring to fruition. First A legislature must pass the past the rules of the road, elections for delegates must be held, then the proposed changes come back to the voters in some fashion. This process will take years. Years of not knowing what the outcome will be. Progress in our state will slow, business will pull back investment, and lawmakers will struggle to build a future as they wait for the verdict of the electorate what of the what the electric changes. The convention leads to a multi-year, costly and contentious process that will distract from the real work of addressing our shared State challenges. Hundreds of individual Alaskans representing Alaska's Geographic and political diversity have formed to a formally oppose the convention. This is a group of Alaskans who often disagree — Business and labor leaders, resource development Champions and conservationists, Republicans and Democrats — even folks who stand on the opposite sides of the abortion issue. But we all agree on this: a convention will be unnecessary, expensive and dangerous for Alaska. Our opponents like to make a lot of claims about what they hope this process will look like, but the stark reality is this: if we go down this road we can't and they can't control what this process looks like or what comes of it. The process used to create the rules of the convention will be determined by the legislature. The public will eventually get to vote for delegates, but will this group of delegates end up truly reflecting Alaska and the views of its citizens? Perhaps and perhaps not. We will get to vote on the final product, but we don't know in what manner; an up or down vote or section by section? We just don't know. Holding a convention carries a great risk. We urge Alaskans to vote to protect our founding document and oppose the Constitutional Convention this November by voting no on ballot measure one.

24:29-24:39

Lori Townsend: Thank you Miss Hall. Alright, Mr Leman, it's now your turn to continue defending the vote Yes position. You have four minutes.

24:50-29:11

Loren Leman: Within five years of Alaska becoming a state, my eighth grade teacher at Ninilchik school, Miles Coverdale told our class he was going to teach us the Alaska Constitution. I probably was like the other students thinking that would be boring; it wasn't. It was exciting to me and that gave me an appreciation for this document. What I found noteworthy as a boy, I now recognize as the most important principle in our constitution: Article 1 Section 2. Says: all political power is inherent in the people, all government originates with the people, is founded upon their will only and is instituted solely for the good of the people as a whole. Public officials in the legislative, executive and judicial branches of our government fill important roles, but the last word on what it means always remains with the true owners of the document: the people. Our constitution is a decent document. It is reasonably concise, states core principles and is understandable. However, as I said earlier, it's not perfect. During more than 63 years of statehood the legislature has offered 40 amendments to voters who have approved 28 of them I had substantial personal involvement in four of those. So why am I supporting a constitutional convention? Although the legislature represents the people, getting it to respond can be difficult, especially when a two-thirds vote is required. The Constitution provides that the people can step in and act, compare the constant disruption of multiple special sessions of the legislature from gridlock. When I was a freshman minority member of the House, Democrats outnumbered US 24 to 16. As Steve Cooper a Democrat was governor during an at ease near the end of session, a respected Democrat who was in leadership cited up to me and told me he expected me to be around for a while. I thanked him for his confidence, and he added that it was likely that someday Republicans would control the house and the Senate, and he even allowed he said you might even elect a governor. But what he said next caught my attention, I've never forgotten. He says "but we will always have you in the courts, because of the way we select judges." He was absolutely correct and unusually honest. That's a problem that needs to be fixed. Judges are selected by the Governor from a list created by the Alaska Judicial Council with only one notable exception during the last 34 years — that was Greg Stowers. The attorney members of the judicial Council and the Chief Justice have kept highly qualified candidates who believe in strict interpretation of the Constitution from even being considered by the governor for openings on the court, on the high court. The convention was worried, and warned, by its consultant that this power given to the Alaska bar was excessive. It could be abused; it has been. Many judicial rulings have been a disaster. Every Republican Governor since statehood has complained about this. Providing certainty with the spending cap and PFD is a high priority for many people and so is selection of judges. We believe the benefits are worth the time and cost of the convention.

29:13-29:21

Lori Townsend: Thank you Mr Leman. Alright Mr Shuckerow, you can continue defending the no position. you have four minutes.

29:25-33:33

Matt Shuckerow: Well thank you, and it's an honor to be here, on behalf of a large bipartisan Coalition of Alaskans. It's interesting members of Yes continue to make this issue and this

subject to partisan issue, while ignoring many of the underlying issues itself and what a convention would actually mean for Alaska, and the many inherent risks associated with it. As a republican myself, Joelle a Democrat we're here as part of a broad-based coalition of Alaskans — Republicans, Democrats, Independents, Libertarians — united behind one common issue. And we disagree on a lot, but we have found common ground on opposing ballot measure one. Alaskans have overwhelmingly rejected this question for five decades. Why? Because Alaskans when you begin to peel back the layers they understand the inherent risks of such an effort and the years of Social and economic uncertainty that this process would ultimately create, and that's why Chambers of Commerce, Economic Development corporations, cities and boroughs, hunting and fishing groups, industry groups, non-profits have all come out to impose a convention, and we'd encourage you to take a look uh it's it's there's a lot of information out there. They understand that opening our entire Constitution is fraught with risk and what set our state on a decades-long process that would create economic uncertainty, would drive away new investment and would open Alaska to years of political infighting at a time when we all just want to turn the corner. The business Community has made it very, very clear in no uncertain terms: they want economic stability and certainty, and they believe a convention would not allow for that. The convention yes often talks about process. They'll say that this is a simple process, but they ignore the very facts of around the basic rules of a convention. and Joelle mentioned this: this would be a years-long process four to six years with a better part of a decade to implement any changes made to our constitution. The entire process is predicated on the very legislature that they criticize; this enabling legislation something that further muddies the water on what a convention would bring. Sitting lawmakers would be permitted to serve, as our constitution very clearly allows in section in Article 2 Section Five, and the process for voting on proposed changes is entirely unpredictable. We know that there's no requirement for there to be single issue, line items, separate votes on changes. Delegates themselves would be permitted to dictate the terms of what that vote would look like, and favorable items could very likely be packaged with unfavorable items. Horse trading between delegates to would likely occur to garner favor for any such change. Regions could be pit against regions, industry against industry issues like taxation, education, privacy, fishing rights and so many others, just adding to the instability and unpredictability. The convention yes group often cites what could go wrong, what more could we lose? But as the more we explore this process, the only certainty we have again is that this process would be uncertain. They say that there's nothing to be afraid of, saying that arguments that it's dangerous or unfair are are risky are unfair, but the terminology that's being used is something that advocates on both sides of the argument have been making. In fact, Wasilla Senator Mike Schauer himself on the senate floor a year ago said that addressing the Permanent Fund dividend in the Constitution would be quote dangerous. He says if this goes to a constitutional convention we quote might very well lose control and have things that nobody on either side wants. This are the very serious issue. And lastly, Bob Bird himself has presented a proposal of what a constitutional rewrite could look like. As chair of Alaska independence party, he's brought forward those changes. we'll discuss some of those later this evening. Thank you.

33:34-34:33

Lori Townsend: thank you now that the teams have laid out their arguments on either side of the ballot one question, we'll turn to the reporter panel to allow them about 25 minutes to ask questions of both sides. A reminder that our panel of reporters consists of Kavitha George Statewide Affairs reporter for Alaska public media, Tom Hewitt the editorial page editor for the Anchorage Daily News— actually the opinion page editor for the Anchorage Daily News — sorry about that, and Andrew Kitchenman editor of the Alaska Beacon. So the debate teams, a reminder that when you're asked a question, you will have up to two minutes to answer but when you hear a bell at the two minute mark, you must end your comments at that time. The opposing team will then be given the option of up to two minutes to respond or rebut, and if the first side feels that they want to follow up after that, they will have 30 seconds to do so. Alright so uh who is starting here, Kavitha?

34:33- 34:46

Kavitha George: I'm starting thanks Lori. This question is for the pro side: if voters approve a constitutional convention, what specific changes to the Constitution are you hoping to see?

34:48-36:05

Bob Bird: I'll simply say that, that, we don't know, what changes could possibly come out um. Whether or not I'm even a delegate? As Mr Shuckerow has pointed out, I made that Constitution with a group of very erudite citizens as a way to begin a discussion. And I'm pleased as punch that somebody has finally noticed. It it's been posted for 14 years, and the ideas are there, but you don't know what's going to happen in the convention between committees and subcommittees, and floor debates and floor amendments and so forth. So to answer your question, obviously the Permanent Fund dividend needs to be constitutionalized, the judicial council is rotten and has to go, and beyond that, I would be very happy if even one or two things could come out. But I think certainly, the Constitution already recognizes that all persons have a right to life, liberty, and the pursuit of happiness. Who do you want to determine personhood? Unelected judges, or your friends and neighbors, or their elected representatives in the legislature?

36:05- 37:29

Matt Shuckerow: Well thanks, you know, Bob Bird mentioned, as I was in my remarks: there these aren't entirely hypotheticals; there is very tangible proposals to examine. The document that he mentions, the Constitutional rewrite that's been proposed, it has a an updated byline talking about the 2020 convention, but let's talk about some of those changes, and here they are for Alaskans: this would eliminate the borough system of government in our state, it would say that our lieutenant governor would be elected by the State House. The state would be required to make gold and silver coin as its tender for payment of debts. Native corporations would be dissolved; no state employee may vote in an election for State office; no member of the Armed Forces of the United States would be qualified to vote for a federal election. Those are proposals, as as Bob said, in the document. And this is the as he said in his opening video that the PFD is a spark, but when you get a spark quote there's no limit to what a constitutional convention might produce. So when we talk about the inherent risks, General consensus is that no one issue— you may have an issue that you would like to see changed but —and we have

advocated that through the amendment process that is worked successfully 28 times: that should be the Avenue for change. But no one amend- no one change for a constitution is worth opening up the entire document, because we don't know where it will lead us.

37:30-37:31

Lori Townsend: Would you like 30 seconds, Mr Bird?

37:31 – 38:07

Bob Bird: Yes. I can't do it all, Matt. But the borough versus County, my goodness if we had sheriffs, the Heupers would not have been rated in Homer by a renegade FBI. The sheriffs are the final say and the final Authority in that county. I think Alaska's boroughs are outgrown their usefulness, and we have to move to Anglo-Saxon common law with counties. And the gold and silver thing don't criticize me. That's in the U.S Constitution, and it's been cheerfully ignored for a long time.

38:07-38:14

Lori Townsend all right thank you any other follow-up or should we move on? Okay next question, Tom Hewitt.

38:15-38:36

Tom Hewitt: We can start with the yes team on this one. uh legislative inaction has been cited by convention proponents, including yourselves, as a reason why a convention is necessary. Assuming that convention delegates would be selected by popular vote like legislators are, do you expect the result of that vote and the resulting convention would be more productive than a legislative session?

38:38-38:40

Lori Townsend Mr Lehman are you answering?

38:41-40:33

Loren Leman: I'll take a shot at that, I guess. Since I'm the only one of us here who's served in the legislature. and um yes here I don't know that I would say if it would be more productive or less productive. I believe it would be productive. It has that capacity the first constitutional convention we had in Fairbanks was made up of lay people, I mean there were attorneys that were a part of it, but by and large people who just wanted to create a constitution to demonstrate that we could be a state. And and they were productive. They depended on resources from other people coming in, and I would expect that a constitutional convention would would hear things, would be thoughtful about it, would would consider things. There is a difference between an amendment from a constitutional convention I mean the process and an amendment in the legislature. Now I've accepted that I you know I mentioned that I personally was involved in four. I know how tough it is to get uh 14 votes in the Senate and and 27 in the house. I'm a good vote counter, and and you know did it but it wasn't easy and the Constitutional Convention would have the ability to function with a majority. But then don't forget the backup on all of this always is the people. This is going to go to the people, so

whatever comes from the convention is going to have to be palatable to where the people will be able to accept it.

40:34-40:36

with the opposition side like some time?

40:36 – 42:11

Joelle Hall: Sure, it is clear in the Alaska Constitution, it's clear in Article 2 Section Five that lawmakers will be permitted to serve, and the rules by which those the rules by which convention delegates get elected to serve in the convention are the exact same rules that lawmakers use currently to seek elected office: Alaska statute 1513-010. This is really important to understand the rules that govern getting elected to the legislature or Governor are the same rules that will affect getting elected to being a delegate. So, the odds of somebody who has massive name recognition, the ready machine to raise and garner money and to be able to tap into an existing system, I think it gives a distinct advantage to lawmakers to win a lot of those seats. There may be the legislature may deem that there will be five or six at-large seats, but once again, the Mandate from the Constitution is that this is convening is to Hew as closely as possible to the 1955 convening. Now I don't think it will heal exactly; there will be some changes. But it just kind of is common sense that the the setup will provide that by and large, the people who go to this Del to this Constitutional Convention will be lawmakers. Overall, by uh but in a great majority.

42:13 – 43:00

Loren Leman: I don't and I don't agree with Mrs Hall at all on the process for getting elected. And and I believe it it will be open to a lot of people. I think we're going to see a lot of people who aren't legislators serve in the the first convention, I think there were nine, uh either nine legislators, or had been or were soon to be out and out of the 55 and that was it. But the the process can be better defined by the by the legislature, and don't forget the lieutenant governor has the responsibility for making the call. What if what if the Constitutional Convention were called to start on oh January 17th?

...be good yeah....

43:06- 43:41

Matt Shuckerow: I have to say that, that there this discussion in and of itself, adds to the the wild uncertainty that we're even having on this stage. That when we examine this issue — the election of delegates, how it would move forward, what the process would look like, when it would even take place— these are all the questions that exist, and again adding to the the level of uncertainty, the uh the destabilizing factor. Again what we hear from so many people so many businesses and and groups the chambers that this sort of process this chaos this uncertainty is just bad for investment it's bad for the economy it's bad for Alaska.

43:43-43:45

Lori Townsend: your follow-up or should we move on?

43:45 – 44:27

Bob Bird: Quick follow-up: Jan Snyder, who runs the Constitutional Clearinghouse service, all state constitutions he studies I can't do that. But he talked about how legislators serving as delegates to a constitutional convention would be a disaster because legislatures and conventions should be kept separate as two different things. You'll have a sort of incestuous relationship if you have legislators inside. Now I know Article 2 Section 5 grants it but a nobility of purpose I think could actually restore confidence by keeping it to non-legislators.

44:28 – 44:32

Lori Townsend: Thank you, are we good? Alright, Andrew Kitchenman, you have the next question.

44:33- 44:59

Andrew Kitchenman: I'll ask it of the no side. It's been seven years since the Alaska since the state paid Alaskans the Permanent Fund dividend under the formula in state law, and the legislature has been unable to reach agreement on a change to it, which has been offered as a reason to have a constitutional convention. um If you don't if you don't agree with that reasoning, uh why not?

45:03 – 45:23

Matt Shuckerow: I mean, anyone that knows me knows that I've been a part of the working for people that advocated to end this issue, and and to resolve the issue. So, uh it is interesting. I I mean as someone who's personally advocated firsthand on the issue, I know it's easier said than done. um You know, a convention would open up the Constitution to changing the permit Fund dividend in a way that no one maybe even agrees upon. It could be a wholesale elimination of the fund, it could be solidifying the current system in which proponents of constitutionalizing a PFD don't like, and this is all with inadequate public input and participation. There's not consensus, and as I mentioned in my opening even conservative members of the legislature have acknowledged that this process is dangerous. And I can repeat the quote from Senator Mike Schauer. He says that solving this issue through convention, he says that's dangerous. We here can debate it in a controlled circumstance we can vet it and tweak it and make it all work all the math the structure said Senator Schauer. If this goes to a constitutional convention, we very well might lose control and have things that nobody on either side wants to see. That's a quote from someone who who is a pro-constitutional convention, but acknowledges that addressing the Permanent Fund dividend in this manner is inherently risky, as he used the term dangerous.

45:25-45:29

Lori Townsend: Mr bird or Mr Lehman would you like to follow up there?

45:31 – 48:05

Bob Bird: I'll say I'll say this about uh the the question was on the Permanent Fund all right. Had the legislature obeyed their own law, we wouldn't be here tonight. Because that is the truth that is the uh the choo-choo engine that's pulling this train. And the fact that the

legislature dragged their feet over a statute that they themselves crafted has infuriated people. I've traveled for the last two years all over the road system, and I can tell you people are ticked off about that a list of other things you can go on down the line. Had the legislature decided to obey its own law —and by the way there's no penalty unless they've ever posted a bond, — but if they obeyed their own law, we wouldn't be here tonight. Because it was instantly pounced upon by everybody that this was probably a bridge too far that they have defied the people over an issue. It's not connected, but many long-term Alaskans see the PFD as compensation for the fact that we are not on an equal footing with our sister States. We don't have subsurface mineral rights. And we would have all kinds of value-added businesses and prosperity had this been differently crafted at statehood. So I will simply say that if the PFD had been taken care of by the legislature, we wouldn't be sitting here tonight.

48:05 - 48:08

Lori Townsend: would you like a response? Miss Hall.

48:09 – 48:45

Joelle Hall: Let's walk this dog a little bit. You open up the Constitutional Convention to have a debate about the PFD for that will take five or six years. You get tied up in a ball over here , worried about this that will to produce a decision that will go to the voters that they could vote up or down, because who knows how many different versions of What would make this room Happy on the PFD? Meanwhile, investment goes away; meanwhile we don't know what our rights are; meanwhile nobody knows what the rules of the road are going to be while we're having this conversation seems better we should have it in the legislature where all those other things are not at stake.

48:46 - 48:49

Lori Townsend: all right thank you any other follow-up? Mr Leman.

48:50 – 49:28

Loren Leman: I will just say, as the only one who here on this stage who helped appropriate money to the Permanent Fund, to the Corpus, so we can even have increased Permanent Fund dividends, I will comment. It's it's a complex issue, the finances of the state. And my opinion: it ought to be tied to a meaningful spending limit otherwise it does it will not make sense. And that that will take time, it is complex but it's a worthy issue to be discussed and debated.

49:28- 48:32

Lori Townsend: all right thank you all right we'll leave it there the next question with kavitha George.

49:33 – 49:55

Kavitha George: This question is for both sides do you think the mindset of alaskans has changed significantly since statehood. In particular do you think our view of government and what it should do is different now than it was then? How does your opinion on that affect belief

how does your opinion on that affect your belief about why a new constitutional convention is or isn't necessary?

49:57- 50:04

Lori Townsend: who would like to start?

Bob Bird: Would you repeat that a little louder for me please?

50:05 – 50:28

Kavitha George: okay do you think the mindset of Alaskans has changed significantly since statehood? In particular do you think our view of government and what it should do is different now than it was then? How does your opinion on that affect your belief about why a new constitutional convention is or isn't necessary?

Lori Townsend: Mr Lehman you want to start?

50:28 – 51:40

Loren Leman: I'll take a stab at that. In the mid 50s, we were we were wanting to be fully recognized and become a state. Alaskans wanted to demonstrate that we could do that, and we wanted to have the opportunity so we could survive economically. We have now had 63 years 63 plus years of statehood. Some of it has been very good. I mean in terms of the relationship with the federal government. But a lot of it hasn't. We haven't realized fully the dream that we were promised. And so you ask has the thinking changed? Yes we've matured as a state; maybe as a as a people as well. In terms of you know is our thinking such so different that we need to re totally rewrite and revamp the Constitution, I don't think so. I think we're still an independent thinking State of people who really do want to take care of ourselves and take care of other people who can't.

51:41 – 53:39

Matt Shuckerow: You know through this process, I've spent a lot of time with uh with businesses and in trade groups and Chambers of Commerce and all variety of folks. and and I think it you know they look at the last 10 years, they see that the acrimony, the political infighting and I think a lot of people if you're a young person that's trying to move home if you're a person who's trying to raise a family here, they are ready to turn the corner, and they're ready to kind of have a semblance of normalcy; they want to to look towards the future build a bright and strong economy they want to have a place to raise their family and their kids. And when I talk to the business people of Alaska, they all understand that and they they will privately and many publicly tell you that this sort of concept, while there may be a one or two appealing items, they they really do get that there is risk. We have a lot going on. I mean we have a billion dollar project on our North Slope for a new resource development project. When I look at that sort of stuff and I talk to the business Community they say say that sort of stuff that instability that's what businesses look at when they look to move money elsewhere. We've seen it in the past, and we would see it again and that's the type of thinking I I would I would acknowledge that there is in in 2022 there's a new examination and lens to look things through

but as we've seen, when people really begin examining this issue and start kind of lifting the layers, they really start to understand as Alaskans have done for five decades, that this is just the wrong approach. They would like to see a more targeted approach, and to have these very nuanced discussions that have high stakes in the legislature to build consensus. You know, two-thirds is a high barrier, but that's how you have lasting change. Knee-jerk reactions done by simple majorities sometimes can have Tit for Tat responses that you're going back and forth year after year after year it's a destabilizing factor for for anything.

Lori Townsend: all right and would the yes –

53:39 – 54:22

Bob Bird: I'd like to I would say, I would like to point out of course that um. Yes everything changes. uh t=The Outlook of uh what the proper role of government has changed dangerously I believe because people basically see it as well I want the government to give me money for just about anything I want, start a business go to college and then have it forgiven? My goodness, of course that's Federal problem. But the problem we have now is that the cost that is behind the idea of limiting the government is far we're going to pay more if we don't make Corrections than what the cost will be if we do.

54:23 – 55:29

Lori Townsend: Alright, Miss Hall? Do you have anything further to say? Alright, Tom Hewitt next question.

Tom Hewitt: Alright, uh well this one is also to both sides. So I guess whoever started the last one can go second this time. We were talking about changes just now — Alaska's demographics and population centers have changed significantly since the Constitution was originally drafted. Assuming proportional representation for delegates, this could change the makeup of who gets to make those potential changes at the convention. For the no side, why shouldn't the delegates represent Alaska's current population? And for the yes side, how can minority groups in less populated regions of the state outside South Central, be assured that their lack of representation won't result in them losing out on priorities that are currently protected under our constitution?

Lori Townsend: So we'll start with the no side.

Joelle Hall: give me the no question again.

Tom Hewitt: the no question: why given the changes in our populations in statehood, why shouldn't the delegates represent Alaska's current population as it exists today?

55:33 – 57:05

Joelle Hall: well I think they will represent the the rep the populace as it is today I mean if the legislature will design a tool by which we will elect delegates. The last time somebody did a deep study of this was in 1971, and the author of that study is sitting in the crowd today; his

name is Victor Fischer. And he's the last time somebody took a deep dive into how we could actually do this and at that point they made this the summation that we would need 60 Representatives representing the the districts of Alaska meaning has 40 house districts 20 Senate seats and five at large seats that was the thinking of the moment in 1971. I would assume we would have something similar to that they would operate from the the base structure of one person, one vote based on Census Data based on reapportionment we already have clearly divided districts done by reapportionment just earlier this year. So I imagine that form of representation will absolutely be one person one vote. The other issues of representation are a concern. What how many women were in the original convention? I think there were nine. How many do we think would be suitable to have at this convention is that are we going to elect 32 of them? You know these are questions I have. If you talk about representation there's the one person one vote aspect of it and then there's the we're going to debate everything about what our society is all about. And who gets to be in that room?

57: 06 – 57:37

Lori Townsend: all right would you like the question restated for the pro side?

Tom Hewitt: so for the yes side, how can you know if delegates were apportioned based on the way that the state's population and demographics look today, how can minority groups and less populated regions of the state be assured that their lack of representation won't result on them losing out on priorities that are currently protected under our constitution?

Lori Townsend: Mr Lehman ?

57:37- 59:13

Loren Leman: I'm going to take a stab at that you said minority groups in less populated areas we have minority groups in all areas....

Tom Hewitt: Minority groups AND less populated areas.

Loren Leman: Oh, minority groups AND less populated areas. Well minority groups should be should be represented um number one you know. And they are right now in the legislature I don't see why they shouldn't be in a constitutional convention. Less populated areas should be represented they are now. They should be represented in a convention I don't see that there's any difference. You know, I would probably you know advocate for 55 delegates similar to what we did before except we have the the state split up with 40 districts and 20 in the Senate and 40 in the house so it probably would make more sense to have 60 than 55 then you don't have to do reapportionment and and all that that's tedious and that could take time as well. But doing that would get your population distribution fair in terms of I don't know that we mandate that certain minority populations have to be represented but if they run and get elected they will serve.

Lori Townsend: and Mr Shuckerow.

59:14 – 59:50

Matt Shuckerow: you know my thoughts on that question is if any of you have been listening to this I think it answers what I've been saying it's like, who really knows? what does this process hold? And as we've talked about this entire process is predicated on the legislature taking action. And I don't know about you, I've been watching the legislature last few years and they can't even organize in 30 days and pick who's in charge, and they're going to have to come together and say this is how we're going to elect people, this is how delegates are going to have picked, I mean there's a lot of questions here, but sending it down to Juneau and saying, you're going to pick and figure this out, a lot of questions; a lot of uncertainty.

Lori Townsend: Mr bird

59:51 – 1:00:30

Bob Bird: Matt, everything is uncertain. I don't know what I'm going to have for breakfast tomorrow. I don't know what will happen if the Democrats hold control of Congress, alright? So it's a it's a feeding of fear that we don't know how things are going to come up, and yet we all agree it's not going to happen, we're not going to choose delegates tomorrow after a yes vote we're going to it's going to be a deliberation there's going to be a lot of pressure on the legislature to decide how delegates will be chosen. We'll do this, but we've got to start making the changes sometime. And finally, we've got a chance at it.

1:00:31 – 1:00:57

Lori Townsend: any other further questions? all right, Andrew.

Andrew Kitchenman: for both sides, uh voters will have multiple opportunities to affect the outcome of a constitutional convention both by voting for delegates and by voting on any proposed amendments. Do you see these as adequate safeguards for avoiding outcomes that Alaskans will regret? why or why not?

Lori Townsend: let's start with your side since this side's –

1:00:57 – 1:01:51

Bob Bird: nothing. Nothing is secure if we don't have voter integrity. That's a risk we all have to take. And so I would I would say, to answer your question um repeat it again so I can get that?

uh voters will have multiple opportunities—

Bob Bird: Okay. So, we'll vote Yes or No for the convention, and then we'll vote for our delegates and then the approval. If there are our outlandish approvals, the general feeling is common sense will be able to see that. However I don't see much Common Sense — excuse me — in Anchorage, in certain assemblies. So that is a risk, I can tell you that, but uh if there's voter Integrity, I'll take that risk.

Lori Townsend: and on the opposition side, Miss Hall?

1:01:52 – 1:03:13

Joelle Hall: I think, the position I have at least, is the election of delegates is controlled by a system which sadly kind of has a relatively predetermined outcome. So, is that a mechanism for ensuring great participation and that everybody gets their say? Maybe yes maybe no. Is the question of can we voted up or down is that is that comfort in this whole process? I'm not sure that I find that particularly comforting, because we have a six-year process that ends in something being wrong or some poison pill or some constellation of things that people get wrong, and we've just had a very long, very expensive exercise in futility . and I I understand that there's that Fail-Safe at the back that if it's really really horrible, we can stop it from happening. But you've already had five years of nobody knowing what the rules are. The the horror —not horror that's a that's a Mis that's overstating it — the consequences are a rolling set of consequences. Whether or not you vote Yes on the Constitution or you vote no on the Constitution. There's consequence leading all the way up to it.

Lori Townsend: Mr Leman.

1:03:14 – 1:03:53

Loren Leman: I think I heard you know, would I trust the outcome or would I be happy with the outcome? uh I trust the voters. I'm not always happy with the results of certain votes. I was happy when I won, but but I really do. I trust the voters you know. Voters will vote their self-interest, which is fine. and They they look at things look at them carefully, and I and I really believe that the when this goes back to the people the results will be very fair very fine.

1:03:54 – 1:04:32

Lori Townsend: Alright any other further comments? No? Alright , well that wraps up the question section. Thank you to the debate teams for answering the questions. And now it's time for the Final Phase of tonight's debate. In this last segment, we'll provide each team One three-minute summary speech to close their position. In this phase the con side will speak first, the pro side will have the last word, and again— the order of summary speeches is to balance the burden of proof that the pro side bears in proposing that we change the status quo. So Ms. Hall, you have three minutes to close your case.

1:04:35 – 1:07:43

Joelle Hall: Well thanks again everybody for coming tonight. I hope you've enjoyed it. I hope you've learned a lot; we appreciate you being here. And thank you to Alaska public media, UAA debate, Commonwealth North and the journalists for being uh participating in this debate tonight. We joined everybody that I just mentioned in wanting the public to learn more about what's at stake in this Constitutional Convention, and thanks again. um hope you spread the word to your friends and family. Defend Our Constitution is a group of Alaskans from all parts of the state, all viewpoints who have put aside their differences to do what our name suggests: defend our constitution. Dozens of organizations are joined by over 350 individual Alaskans who have added their names to oppose ballot measure one you can read the list of the organizations and the Alaskans at our website: defendakconstitution.org. Many of the people

who are on that list or are listening tonight may have one issue they'd like to see changed. But on ballots, when faced with the threat of a complete rewrite, the lack of clarity of how this draft created at the convention would be voted upon, they have decided it's better not to open this Pandora's Box. The convention is unnecessary, because we have a functioning amendment process that has resulted in 28 amendments. It's expensive, because the convention itself is expected to cost at least 17 million dollars. In addition to the cost of the convention and the campaigns to elect the delegates, the risk to the overall economy as we wait for a period of years to know — who will have Rich rights, what will the rules be for developing our resources? This unpredictable and unstable environment will cause investment to avoid our state and paralyze existing Industries. Proponents say if we don't like what's produced we can just vote it down this is the question that was just asked. I'm going to give the same answer: that is a very expensive exercise in futility. It's dangerous. It's dangerous to the economy to workers businesses families communities and to our right to privacy. This is a Pandora's Box, pure and simple we don't know who will get elected as delegates and whether their views will represent us. We don't know how the vote on the end product will be conducted, up or down or section by section. The convention yes crowd is basically asking us what are we afraid of? The old expression: goes discretion is the better part of valor. This is not some semantic argument. This would mean a change to the foundational document that governs all of our lives Defend Our Constitution is proud to have the support of such a diverse group of Alaskans. We hope that once voters think through what could happen, they will come to the same conclusion that we've all come to: that I can mention is unnecessary expensive and dangerous. Again, visit us at defendakconstitution.org.

1:07:43 – 1:07:47

Lori Townsend: thank you Miss Hall. Mr Lehman, it's my understanding you'll make the closing statement? Alright thank you. You have three minutes.

1:07:55 – 1:10:22

Loren Leman: Well thank you for attending uh tonight, and thank you Steve Johnson, nationally recognized UAA debate coach for organizing this debate. and the I'm sure that you've observed as a debate coach that I could use some coaching. And thank you also to the moderator Lori, and media panelists, and and the very capable debate opponents for engaging us. Neither Bob Bird nor I subscribe to the notion of fear about a convention. Certainly no more fear than we might have when the legislature starts meeting in January. We Believe Alaska's voters will be thoughtful in selecting delegates and the delegates will be diligent. And finally, We Don't Fear the Alaska voter who will be asked to approve amendments. We don't know all the issues a convention might address but we expect they would include judicial reforms and a spending cap linked to Permanent Fund dividend commitments. The time is right for fixing problems with our Constitution and its interpretation by the courts. A convention is necessary. While there will be costs, they can be far less than the opposition suggests. We don't accept the 17 million dollar number. The benefit to Alaska will far surpass the cost of this investment. We commend the writers of our constitution for a document that has largely stood the test of time. But it's not perfect. And the question before us isn't can we do a better job, it really is can we make it better? I give a shout out to my friend Senator Vic Fischer now 98 years old. He was already

recognized as being in the house, but he's the last remaining convention delegate living. And while he and I often diverge on political thought, including this question he has always been kind and gracious to me, and we share a deep love for Alaska thank you Vic.

[Applause]

1:10:53 – 1:11:46

Loren Leman: As expected, monied and political interests who benefit from the status quo, mostly from outside Alaska — we might call dark money for much of it — are investing heavily in the no side. But we trust Alaskans to see through Scare Tactics and misleading information. In closing, I ask :are you better off than you were 10 years ago? Is Alaska more free? Is it more prosperous? Are you satisfied with Renegade courts? Are you confident the legislature will constrain its spending and live up to its PFD commitments? If your answer is yes you probably will vote no. But if your answer is no, please join us in voting yes.

1:11:47 – 1:15:03

Lori Townsend: Thank you very much to the debate teams. Mr bird Mr Lehmann, Ms Hall and Mr Shuckerow. And now, it's time for you to vote. It's our audience's turn to weigh in on the question. On the screen you'll see a poll to which you can respond by text to do so you'll choose the code that corresponds with your answer either yes, no, or undecided. And text that code to the number 37607. Would you like to hear that again? Three seven six zero seven is the number that you will text your response to.

Bob Bird: As aprocedural question, what about the people who didn't bring their phones?

Lori Townsend: I guess they will not be able to vote. Okay, voting is available to those who are here in the Wendy Williamson and to those watching on the live stream. Providing you have your phone of course. Once everyone has had a chance to vote, we'll reveal the results. and while you're voting I'd like to acknowledge a number of people and organizations that made tonight's debate possible thank you to the Alaskans, who vote who, debated tonight's question. thank you to the panel of journalists who asked questions of both teams. and thank you Alaskans for being in attendance whether you're here in person this evening or tuning in online. thank you for listening and informing yourself so you can make a decision that best reflects your values in considering the ballot question on the November ballot. Thank you to Alaska public media my organization, the UAA Seawolf debate program and director Steve Johnson, for hosting tonight's debate. Thanks to the Anchorage Daily News, the Alaska Beacon, Commonwealth North for co-sponsoring, and thanks to the Atwood foundation and the Alaska Center for excellence in journalism for funding support. And finally thanks to Jensen Hall creative for handling all elements of tonight's production. it's and for other voting decisions that you'll make in November as part of our collaboration with the Anchorage Daily News the Alaska Beacon and ktoo in Juneau, we've created an interactive candidate comparison tool for the Statewide races. It's a tool voters requested to make it easier to navigate this year's election. With it you can easily compare the candidates answers to the candidate questionnaire

we sent out earlier this month. You can also look at things like their campaign Finance disclosure reports and their voting records. The tool will go live tomorrow morning at about 8 A.M on Alaska public media's website as well as on the Anchorage Daily News site and on the Alaska Beacon. Alright I hope everyone's had a chance to vote now let's look at the results of the text vote on the ballot question. I can't see it but I hope somebody will tell me what it says. Alright I'm hearing, 23 percent yes and 74percent no. that concludes tonight's program thank you so much for your time and your attention. Good night.

[Applause] [Music] thank you [Music]