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Name: Executive branch – Thomas Morehouse, John Hellenthal, John Havelock, Andrew Warwick, Chancy Croft, John Borbridge

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The recording starts with unclear talking and a man saying that each of the panelists has 20 minutes to talk, after which they will comment on each other [unclear]. He then introduces the panel that includes:

- John Borbridge, the president of Sealaska Corporation who holds a degree in political science.
- John Hellenthal who was a delegate to constitutional convention and is a lawyer.
- Andy Warwick is a commissioner of administration in Juneau and a former state legislator.
- [Unclear] of State Senate.
- John [Unclear], a former attorney general and a director of criminal justice [unclear] Alaska.

1:43 Some of the main questions that the moderator hopes the panelists will address are the basic question that have strong executive [unclear] in Alaska as it was envisioned in an article in the constitution. They want to look at the formal powers of the governor as they are laid out in the articles, but also the informal powers of the governor [unclear]. He wants a look into the different personalities and styles of the [unclear] of Alaska and different ways of using the formal power.

They want to look at the changing patterns of relationship between the governors and the bureaucracy, the governor and his immediate staff, executive and legislative branches, and state and different interest groups.

Finally, they may be able to answer the question in what ways, if any, the executive articles of Alaska constitution need to change. The moderator asks Hellenthal to speak about the original article [unclear].

4:13 Hellenthal says that the executive article is noteworthy because it creates a strong executive, and that was a matter of considerable discussion by the convention. [Unclear] and in Hellenthal's mind it has worked very well. In his mind, there has been very little criticism although there was lots of criticism in New Jersey. It didn't work in New Jersey but it has worked in Alaska.

Hellenthal remarks that the strong executive is not stronger [unclear talking]. The present governor is criticized for not being strong enough. The article says that the governor must be at least 30 years of age but Hellenthal doesn't see a reason for that. He hasn't seen a capable 21 year old, but thinks that one might exist one day.

6:35 Hellenthal never liked the business of having a lieutenant governor and says that when the constitution was passed, he voted against it. They called it the buddy-system of the governor and it only passed with a couple of votes, which shows that there were differences in opinion. He thinks that governor should appoint his own lieutenant governor prior to election so the people would know who it's going to be. It shouldn't be an elected office.

Hellenthal wrote an article about it. The system ensures that the governor and the secretary of the state will be in same party.

In the primary [election] of 1958, there was some criticism of innovation because of the possibility that successful candidates to governor and secretary, who belong to same party, might come from different political philosophies.

8:00 Some believe that the constitution will ultimately be amended, provided that the governor will appoint the secretary of the state. Hellenthal doesn't see a reason why the secretary of the state should be elected and thinks that it's "a ridiculous indulgence." The governor should be able to pick their own secretary of the state but that should happen before elections so that people would be informed about that.

It's nothing to cause a revolution over.

They used to argue over Section 25-26 boards, but passage of time has eradicated that argument. People are basically honest and not going to be a part of a scheme to thwart the well-being of the people of Alaska. The boards did their jobs well and the problem was eliminated.

10:26 They had a talk about martial law and that was another concession to tradition. The governor is a commander and chief of armed forces in Alaska. He

can call out the forces to suppress lawless violence or repellent [unclear]. Tradition requires that statement, but it could be eliminated completely.

One provision in the constitution is a restriction of martial law, which is there because of the abuses that have occurred during war when they declared martial law and kept it for three years, building up a bureaucracy of hangers-on who lived in people's homes without paying them anything and acting like a bunch of [unclear]. It has happened in other states, so Alaska tried to prevent that by saying that martial law shall not continue longer than 20 days. [Unclear talking.]

13:05 The beautiful thing about the Section 22 was that it had [unclear] to the legislature and the fact that it existed [unclear] unnecessary departments, and they have never had more than 19 departments. It has worked. [Unclear talking.]

15:33 Lots of people had worries about having a strong executive. They were worried about having a dictator and there was lots of talking about that. Hellenthal thinks that having a strong executive is one of the good things about the constitution. Hamilton had the right idea. Before statehood, governor didn't have any power so they wanted somebody who could do things without having to write letters to Washington.

A part of why they wanted the statehood was to stop committees from coming to Alaska, but now they have more committees than they had prior to statehood. Hellenthal thinks that the federal government still has too much influence over Alaska's local affairs which isn't efficient or desirable.

17:45 The moderator [?] thanks Hellenthal. [Unclear, quiet, talking.] Hellenthal says that there is problem with attorney general to whom he likes to refer to as governor's lawyer. The problem should be met head on and they should give lots of thought to divorcing attorney general from his other role in administering prosecution of criminal offences in Alaska.

He doesn't think [unclear].

Another man says that he wants to give some overall comments. Reading Vic [Victor] Fischer's book on the constitutional convention, he knows that there was one criticism of constitution in it and that was that it was a managerial constitution. The speaker thinks that that was a valid observation. "There were more Hamiltons and Washingtons in the convention and fewer Jeffersons and there's more emphasis on the distribution of managerial responsibility according to their nature, and less thinking about the kind of rights that might be relevant to the century ahead."

20:37 The best part of the Alaska Constitution is the executive article because it provides for a sound distribution of managerial responsibility based upon separation of powers.

The signal feature of the executive article is that it provides for a strong [unclear]. In contemporary national perspective, people are more worried about concentration of power in Washington. Those concerns were [unclear], but people who prefer strong executive prevailed and in light of the last 20 years of history, it's very fortunate thing that they did. The state couldn't afford the luxury of having the executive branch split off into competing executive departments. The experience of the territory was that the executive department was split up and there was a diffusion of responsibility among [unclear] commission.

The speaker thinks that a strong executive branch has helped in resisting the centrifugal forces of intersectional conflict. They found that some executive branches would get stronger than others. The speaker thinks that a strong executive helps in holding together a state that has varieties of opinions that are based on regional differences.

23:00 They had a small state with a big responsibility and they needed to have a strong and unified executive branch in order to deal with powerful entities like big oil, big government of Washington bureaucracy, and big labor. [Unclear] and what would have happened if they would have had an appointed attorney general as the focus of the executive power within the state over the last 15 years, attempting to deal with Washington. It would have been difficult to have two executives taking different views in state issues.

The speaker thinks that it would have been more fun to be elected attorney general. Looking at how the offices function, most of the criticism is based on misunderstanding on what attorney general does. There are number of functions that are performed by attorney general and one can't put them up and identify some of them as items that are handled in a different way.

25:34 Most of the criticism toward attorney general comes from individual cases in which they didn't deal with citizens' complaint or when their opinions in administrative matters were not independent of the governor. Any kind of criticism contains a grain of truth but they have established mechanisms for addressing complaints.

The opinions aren't related to the prosecution but to the administrative law. If they think that they want to have an independent opinion making individual, they are

talking about establishing an administrative court with the authority to issue advisory opinions. If they are talking about exercising judicial authority, they are talking about issuing opinions that are binding upon the executive branch regardless of what governor's opinions are.

27:26 Another man says that attorney general's opinions aren't binding anybody, and the previous speaker says that they are now. The governor is the ultimate attorney general and if he doesn't like the opinion of his attorney general, he can [unclear] because he commands the executive branch. Attorney general issues an opinion relating to management of the executive branch [unclear, cross talking] in violation of that is proceeding on his peril and [unclear, cross talking.]

The governor has to have an independent council and the man says that the independence of that council is guaranteed as a function of an attorney. They don't pay an attorney or attorney general to tell the governor what he wants to hear. They need to hear what the law is. Sometimes he tells things that the governor doesn't want repeated outside of the room and nowadays avoiding opinion requests is a very important art.

29:51 As far as being in charge of the process of prosecution, the speaker thinks that it's an executive function and that it is proper that the chief executive has [unclear] responsibility for carrying out the law. As far as the speaker knows, there have been no complaints about that. Criminal law in Alaska has been fair, even, and non-political. Elected district attorneys court the public in order to get re-elected.

The internal organization in section 26 [unclear] hasn't made a lot of difference. A commissioner is a person with a job to do. They are bureaucrats even if they are politicians and they have an administrative job so they start behaving like administrators. They have a board to deal with which is another constituency.

The governor is going to give the commissioners freedom to run their departments the way they see fit and won't let section 26 commissioner have more freedom than any other commissioner.

32:11 There have been some problems on organizational side. The difficult area that hasn't received much public attention has been the one of mixed function agency, meaning that constitution provides for having independent agencies that are [unclear] judicial.

The overall performance of the [unclear] boards and commission has left much to be desired. A part of the reason for that is that the people don't know whether they

are executive or judicial and because of that, they haven't responded according to tradition of either branch of government. There has been confusion over the question of whether they are supposed to respond to executive leadership or be independent, and the speaker says that that has been a problem.

Another man says that the main problem is that the legislature doesn't give them enough money to hire staff to do their work. The previous speaker says that the staff members don't know what to do either. They are caught between constituencies of the executive branch, [unclear] and they don't know where they are supposed to be. Legislature hasn't clearly defined what the public interest is for the boards.

34:28 There have been inadequacies in appointments. Confirmation power has been used unproductively. There are undoubtedly many reasons for it being so. The speaker asks if anybody has been turned down because of confirmation here [?]. A man's voice says he thinks it happened "this year" that [unclear cross talking]. The previous speaker says that he doesn't think that people were rejected for reasons of contemplating constitution. He sees lots of unqualified people and nobody spends time on the aspect of conformation power.

36:05 The speaker thinks that there's no buddy-system because the governors don't choose their running mates. J. [Jay] Hammond would [unclear] a solution to the problem and they think about ways to make that a constitutional requirement rather than just a convenience of the people involved.

They have a system that guarantees the second best because the best people will be running for governor. Lieutenant governor's job is a testing ground for politicians.

The system is designed to discourage people who are going to go to other roles in government. If they follow the federal model, they get selections, but there are problems in the level of public participation in selecting the person.

38:00 The speaker comments on military article, saying that when they look at the state militia, they haven't done the things that are recited in the constitution. The speaker thinks that the National Guard has served many important purposes in Alaska, most notably in disaster function. If they hadn't followed the tradition, they might have followed something else than a military model for dealing with those kinds of problems. The speaker is not sure that military forms of administration are well suited for dealing with issues of that kind.

There are number of issues in the executive branch that were not anticipated or that were anticipated poorly. The speaker will touch upon three of them.

First one is the reapportionment. One couldn't find out what reapportionment is by looking at the reapportionment article in the constitution. Nobody took the task of writing that article but the speaker would like to see that codified.

40:45 Another man asks how the previous speaker would word it. The speaker says the way it is now is fine.

41:00 The merit system is another problem. When that portion of the document was adopted, it was accepted as a modern enlightenment of the constitution. It worked, in a fashion, for 10 years but not as a merit system. It's a seniority system as far as pay scale goes. Merit promotions are based on executive filling of higher posts and picking the best person to do it, but they don't have anything to do with constitutional merit system.

During last decade, there has been a rise in government trade unions and the speaker thinks that that has finished off the merit system concept.

They might need a Supreme Court case [unclear cross talking]. Another man says that the act of congress that provided for statehood of Alaska required [unclear] being in the constitution and there's nothing they can do about it. The first month after statehood, the court system exempted the whole judicial bunch from the merit system. That's disgusting, but they got away with it.

43:25 The previous speaker says that the last item he wants to mention is the parole system which is a very modern concept. Parole boards might be junk but they are constitutionally mandated. Another man is confused over where parole is mentioned, but the previous speaker points out the section in the constitution.

The other man says that they have adopted the principle of rehabilitation and punishment of criminals, which is ignored by courts today. The courts "are riding winds of the moment."

The previous speaker says that another executive issue is the question of where they will locate the capital. It would be convenient if constitutional [unclear] would have decided that. [Unclear question.]

45:43 A man's voice says that he has had 4 years of experience in the legislature and two years of tutoring as the commissioner of administration. He has had the opportunity to develop a perspective of the constitution as a devise for executive and administrative branches. He's going to comment on some things that have been said already, and add a couple of things.

The issue of a lieutenant governor is an interesting one. The speaker agrees with John Havelock with his perspective on the role of the lieutenant governor, although during the campaign he said that they will make a position a different position. The only responsibility of the lieutenant governor, other than running the division of elections, is to serve as a successor if something happens to the governor. The speaker agrees with John that the principal fault is that if something happens to the governor, they have [unclear] serving as governor.

In the modern times, something frequently happens to the governor. When the speaker ran, he sided with Wally Hickel because he suspected that Hickel wouldn't serve the full four years and the speaker would become the governor. He thinks there should be a more honest way of choosing the lieutenant governor if something happens to the elected governor. He doesn't know how that would be done.

48:00 Initially, the constitution expected a strong executive but during the last couple of years, the powers of the governor have eroded. [Sudden break in the recording from 48:29 to 49:43.]

49:43 There is some conflict between the governor and the attorney general as perceived by the people of the state. Anchorage Times has frequently said that the attorney general should be elected.

Another man says that the concept of the attorney general is completely misunderstood. The position is useless and the attorney general is the governor's legal advisor. He's a political appointee and in charge of administration of justice, like prosecution of crimes. That should be a separate function that doesn't have anything to do with attorney general.

51:39 [Unclear] is just some guy's opinion on what should be done and he's usually wrong. John was an attorney general who was picked because he had an affinity to Indians. They couldn't have an attorney general who was not sympathetic to Indians without having a disaster. "The job was blown out of proportion."

52:30 Another man says that the present system has sensibility to prosecution and also interpretation of Alaska's laws. The previous man comments that attorney generals are usually intellectual types who don't know anything about prosecuting criminals. [Unclear discussion.]

Another man says that the constitution envisions the governor as a chief executive but over the last couple of years, some of that authority has been eroding. The

person mentions that he is in charge of the merit system. People fear that the government is run from bottom up, meaning that the governor and the commissioners have very little influence over the direction of the government and in certain areas that's true. It's important to recognize governor and other people as the leaders since people get directions from the top. There are problems, however.

The merit system in the constitution was designed to give the most qualified employees jobs, but it's difficult to quantify who's qualified.

In the merit system, the chief executives lose a lot of their authority in determining who is doing a good job and who is not.

55:06 Another area that is eroding is the decision making capability of the executive branch in the collective bargaining law. As most people know, collective bargaining has been [unclear] in Alaska for several years. The employees constantly want to negotiate for management rights, like determining working conditions, how something gets done, and in what manner. Management always resists that but it's an opportunity for getting those things picked at in negotiating process.

In one of the collective bargaining agreements, there was a clause that prevented the executive branch from contracting work out to the private sector, and the speaker anticipates that becoming a larger issue in years to come.

Another thing is Section 26 boards, like fish and game and department of education. John Havelock indicated that Section 26 commissioner [unclear], as much as a commissioner who is elected by the governor. There is one substantial difference and that is that the governor can choose a person [unclear] such as his, but with Section 26 commissioners, governor doesn't have that opportunity.

57:03 Commissioner of fish and game, who wants to allow shooting cow moose, will eventually get his way with the governor in spite of governor's opposition to it. The speaker thinks that the problem with Section 26 commissioners is that the governor doesn't have that opportunity to choose someone compatible with his philosophy.

The greatest erosion of the powers of the executive has been effectuated by the legislature partially because the legislature has matured in recent years under the leadership of senate president [Unclear]. [Unclear talking.] A part of it is a realization from the part of the legislature that they don't have adequate staff to deal with problems. Recently, they have taken [unclear] and their staff reflects the [unclear] of people who hired them.

Several areas of [unclear] conflict that they have had recently between the executive branch and legislature have had to do with money and how that money is spent. Recently, the legislature has added to the budget bill an appropriation bill, some rather stringent parameters that the governor need to follow in case he adopts the budget bill. [Gives an example.]

59:41 As a member of the executive branch, the speaker viewed it as an encroachment upon the executive branch. Judicially, it's an executive function. If the governor wants to create a position to do something, he should have that ability.

The speaker can appreciate the legislature's concern over the deliberation of new personnel, but he thinks that it's the responsibility of the governor and not necessarily the legislature's. Also, they recently had a conflict between the legislature and executive branch over Bonville [?]. The governor sent an ultimatum to the legislature that he would not accept general obligation authorization in excess of \$240 million dollars. The legislature sent him an authorization with \$280 million dollars.

The governor then vetoed some of the appropriations in Bonville. Superior court has recently ruled in favor of the legislature, and the supreme court of Alaska will eventually decide that fate.

1:02:08 Legislature demanded that [unclear]. Another man says that that was the next subject although he doesn't know if the governor was wrong in doing that. The supreme court of Alaska will make that determination.

The legislature also recently required that the directors and [unclear] commissioners go through the confirmation process that the commissioners do and the governor balked at the suggestion of the attorney democrat. He was also [unclear] by the courts and the speaker thinks that that issue alone [unclear] conflict between executive branch and the legislative branch.

Many legislators have become frustrated with their inability to effectuate their ideas and philosophies through executive branch and they thought that if they would have some confirmation powers over people, they would have better handle over peoples and philosophies that were appointed to them. They would also have an opportunity to discuss their problems with individuals at the confirmation hearings.

The court system disagreed, feeling that the responsibility of "these individuals" is with the court system and not with the legislative branch.

1:02:51 In summary, the constitution set up a strong executive and recently there has been erosion of executive powers. However, people in Alaska are happy with strong executive. The speaker thinks that the governor of Alaska needs to assume that responsibility. The people need to know that there's one individual they can go to who can solve their problems. He thinks that people are happy despite of the erosion of governor's problems.

[Unclear talking.] [Break in the recording.]

1:04:21 A man's voice says he has to leave but doesn't want anybody to think that it's because of what anyone said. He also wants to make some comments. He too thinks that people are happy with the concept of a strong executive [unclear]. The concept does have some ramifications that might not have been anticipated and it's important to comment on them.

He says it is significant that out of four elections where the incumbent governor has sought re-election, he's only been re-elected one time, in 1962. The speaker continues that in many ways, the constitution set up a system of naked power and the result of that has been that there's no place for the governor of Alaska to hide in terms of responsibility. There have been adjustments made by all governors to that fact that if there is any dissatisfaction with the way the executive branch performs, all the dissatisfaction focuses on the governor.

1:06:51 A sort of a palace guard has developed around the governor that shields the governor from the public and sometimes from commissioners as well. With regards to judicial branch, [unclear] in the court system and the relationship [unclear speaking.] The speaker considers the University as the fourth branch of government, and says that there has been increasing conflict between the executive of the university and legislators. That role isn't clearly defined in the constitution and that has [unclear].

As far as the legislatures are concerned, the conflict has been greater than [unclear] suggested and one of the reasons for that is that elimination of discourse and conflict by strong executive concept has meant that [unclear] has been shifted. [Unclear.]

1:09:11 It has covered a wide range of issues and the speaker thinks that the conflict [unclear talking.] A prerogative is associated with strong executive concept. [Unclear talking.]

1:11:15 A man says that with regards to confirmation, there has been [unclear] in the legislature and [unclear] that have come up in past years. One is commissioner [unclear] very familiar with. [Unclear talking.]

The bill requires legislative hearing with regards to the point and that is something that was discarded in 1975. Commissioner Warren's appointment didn't have anything to do with his qualifications. [Unclear talking.]

With regards to management of resources, there's likely to be [unclear] over constitutionality of oil and gas advisory board during the proposition in the ballot, proposition no. 3 clearly defining the authority between the legislature and the executive with regards to [unclear] land. The speaker thinks that their reinforcement system has faults but that it's better than many other systems and [unclear]. There have been at least 2 cases involving governor's authority, White vs. Nolan and Egan vs. Hammond.

1:13:41 With regards to veto, there have been several overrides, more this time than [unclear]. There's one other thing that Havelock mentioned and that is the relationship with the governor and other governors. Their strong executive concept has given the State of Alaska a power with regards to national government that they wouldn't have had with weak executive concept.

Some other states have to go back to Washington and have the governor say one thing and the attorney general another, thus not having unified position. [Unclear talking] are examples of what happens with strong executive concept and they have a voice that they wouldn't have had with a different concept.

One of the things that they see from the legislative point of view, being a result of the present system, is placing lieutenant governor in embarrassing position of being neutered by the way in which it [what?] is done. There's certain jockeying for position within the administration after every new governor comes in. First casualty is the lieutenant governor while everybody else wonders how much authority they have as compared to anybody else. People gang up on lieutenant governor and try to dispose of him first. That is unfortunate because they have the possible successor that goes [unclear].

1:16:33 With regard to the confirmation hearings, what John Havelock said was true until past couple of years. The speaker doesn't think that that was a power that the legislature had used as it was intended. It was a real weakness from the legislative point of view, but the strong executive concept [unclear] the legislature has had to get it back together.

One of the things the legislature has been doing has been to use powers they should have been using all along.

With regard to Andy's comments that governor was eluding some of his authority, the speaker doesn't think the governor has lost much of his authority. The legislature has failed recently to use some of the authority that they have.

With regards to Bonville, there's the divide between the legislature and the executive and the body is divided between executive and other branches because the governor tried to veto a portion of the firefighting at the University of Bonville [unclear] and the governor ended up suing himself.

1:18:46 There have been some ramifications of a strong executive concept that weren't intended and that may be desirable. Certainly they can't be changed by constitutional amendment. They have caused an impact on other areas. One of the more significant impacts has been on the legislative branch that has been forced to act in a more responsible manner. To some extent, that's a national trend. [Unclear talking.]

1:19:40 A man thanks John, and introduces John Borbridge who is a leader [unclear]. John thanks and says that he's curious about how an assessment is being made and says that one goes back to expectations as they were during the writing of constitution and passing of statehood [act] itself. As they are aware, much of the struggle for statehood was couched in similar terms, and he wonders what other expectations they had, because as they assessed the expectations of statehood, it lead them to question whether they had reached those expectations and whether or not the form of government they have analyzed today [during the conference] has proved to be one of the strongest in the states of the union.

The reasons for advancing statehood included the basic desire for self-determination and right to exercise prerogatives of choice within the context of Alaskan needs. They have gone through earlier neglect from federal government, followed by heavy hand colonialism along with deliberate and ignorant interference with laws that were inappropriate to Alaska. In developing a listing of why Alaska needs statehood, John found what the statehood committee itself had listed and in their report from 1953 the committee listed:

- Not having control over public lands.
- Not having control over resources like minerals, fish and game, and water power. They should evaluate how much progress has been made in this respect.

- Alaska can only govern itself as far as the Government permits it. There were special references made by previous speakers about the congressional impact of future of state of Alaska.
- They had 1,700 years of waiting for Alaska's lands to be surveyed and if the government continues surveying at the same rate than they have in past 80 years, it's been reduced to 1,000 years.

1:23:59 Those were some of the items that were means for persuading Alaskans and non-Alaskans that statehood should be supported. Yet today, many of the items that they face are similar, and a reference to the specific items that were advanced very analytically and carefully by the statehood committee [?].

John mentions that the D-2 issue and the question of what would be done with the more than 80 million acres of land is one of them [problems that they face?], and there still is a disposition to be made about oil that is shipped through oil pipeline, and its impact on the revenue expectations of the state.

Then there's the impact of outer continental shelf's development on the communities in Alaska. The questions about the gas pipeline, and other resource exploration and development also relate to the question of what a strong executive is going to do.

1:25:28 Fisheries and Alaska Native Claims Settlement Act are having a great impact, and they demand stronger leadership than even the items that faced them [the audience] before Alaska became a state.

John is optimistic because some of the inequities have been corrected, but still, many of the same problems remain. The statehood has set the stage for circumstances that perpetuate the problems and the circumstances in which Alaska functions are in a state of flux.

The battle for statehood was a battle for a statehood that would be just as dynamic and just as much of a challenge that was being challenged by the audience "today." The speaker says that sometimes he thinks that they shouldn't disband the committee for statehood but just have it change a little. He also thinks that the means of meeting the challenges have been put into "our hands."

1:27:57 They have the type of an executive that needs to be strong, although in speaker's opinion, none of the governors have been as strong as the power that has been available to them. Perhaps that was largely recognition of the political system that doesn't immediately encourage acquisition and utilization of power.

John notes that it's interesting to look at Governor Hammond's management and [unclear] review and remember that in 17 years of statehood, Alaska has rapidly growing demands for government services as well as substantial increases in providing those services. Government expenditures were approximately \$350 million in fiscal year of 1972, and in 1976 they were expected to be around \$600 million dollars. That was an 82% increase in 4 years and it's expected that the budget will continue expanding.

Clearly, the accelerated growth of management of the state is going to have an impact on the quality of lifestyle.

They are appearing to move from crisis of Alaska not having enough money to a crisis of affluence because they think they are going to have enough to meet all their needs and it's logical to assume that with the anticipated revenues from oil, the citizen expectations are going to rise again.

It is extremely important to have a leadership as to substance because a person to John's right would say that constitution gave them the substance and means of meeting the challenges. It becomes a matter of vision and dedication.

1:29:31 They seem to be moving toward overdependence on oil industry if they are not careful. How the strong executive can have an impact on rising expectations of the electorate remains to be seen.

There's also concern over input by the electorate into decision making process and they continue to need a strong executive for a governor. There is no question of utilization of power that is available to the executive, but there is concern about the citizens' input on the decision making process.

It is to be expected with democratic elections, but still there's a feeling among citizenry that having helped to establish who will serve in legislative and executive branches, they will still need further assurance that they will be heard in other dimension by having a direct impact as measurable as executive branch response to the electorate itself.

1:31:00 Some efforts are being made by development of Alaska Public Forum as an outgrowth and development by the Alaska Growth Policy Council.

There's another balance that seems to require careful approach: Some people feel that having a reference to the electorate and having involvement of the people in decision making process represents an abdication of executive power and represents passing the buck.

The speaker thinks there's a balance that needs to be achieved, and that could be possible. The past administrations used task forces and other means to supplement the sense of representative democracy and offer power to the people so they could have some input to the government and have that sense of involvement.

As they look at further developments, the speaker realizes that having the opportunity to present some views as a Native individual, what strikes him is the lack of monolithic opinions on where the Natives stand or what they think. The speaker thinks that there are some things that Native people agree on.

The speaker hopes that by looking at the passing of Alaska Native Claims Settlement Act, the audience could share with him the coincidence that Alaska Natives are faced with many of the same challenges and requirements as the state government itself is facing.

1:33:02 For example, Alaska Native Claims Settlement Act formed corporations that, out of necessity, chose to be for profit corporations. The appeal of the proponents of the Native Claims Settlement Act was based on a matter of national conscience. As the corporations are begun, they are established with a sense of people orientation. They start with a social consciousness and they have a justification for existing in their communities and they still must establish a balance between a bottom line and human needs that they represent.

State of Alaska finds itself in a similar situation in that as they look at utilization of permanent fund, and plan how the fund might be used. The speaker thinks that strong executive will give them an overview that will point out that there are needs in the state that are yet unmet.

The speaker thinks that it's unbelievable that even with their wealth they can go into rural areas and find poverty and substandard living. In business sense, there's opportunity in utilizing the funds that they will receive that addresses the future wellbeing of the state. Human needs have to be balanced within the state just as they are in Native corporations.

1:35:10 Taking a look at long-range planning, the Native corporations face the same needs. They must ask themselves what they want to be in 1991 when the [restriction on] alienation of stocks is removed, and what they want to be in relation to business community and the state.

If there is one area of vital need in the state that tends to get ignored, it is long range planning. It's characteristic in corporations that the executive with the vision incorporates long range planning and takes the first steps, but is gone by the time

when the benefits begin to be realized. That's also the same for any governor. Unfortunately, the public oftentimes isn't interested in it either. They are more interested in the immediate needs they have expressed and it's difficult for them to take a long range viewpoint. They view the governor as the goal setter of the state.

In conclusion, the speaker thinks that the [concept of] a strong executive has worked, that it is necessary, and that the constitutional convention gave them an executive who could exercise the vision and who foresaw the problems they might have to deal with.

Governor has more power than he has exercised but in the context of political environment, they have made choices that have been based on their particular knowledge.

1:37:32 Strong executive has been focused, because electorate requires it, on short term politically sensitive issues with detriment to long range planning. He thinks that in large parts, they have all made effort in that area and it's a matter of whether electorate is going to have enough backbone to say that they want to learn more "about what you are doing here."

Section 26 board's functioning depends on the style of the chief executive and his relationship with the board.

[End of the recording.]