

UAH CHAPTER OF ACCR FORUM
IN RE PROCESS FOR A NEW CONSTITUTION
TUESDAY, JULY 26, 2005

7 p.m.

Morton Hall

UAH

Huntsville, Alabama

Mr. L. Tennent Lee, III, Moderator

Rev. John Herndon, Panelist

Ms. Susan Parker, Panelist

Dr. Tommy Williams, Panelist

Mr. Michael Varchetta, Panelist

MR. VARCHETTA: Our forum tonight is about a Constitutional Convention. I am sure you are all aware of it. Let me start by thanking Hartwell Lutz. Without him this event would not even be taking place right now. So thanks, Hartwell. I want to thank in advance Lenora Pate, who is the State Chair of ACCR. She should be here in five or ten minutes.

Hopefully, you will bring away from this forum tonight the reason we should have a Convention and what should happen in that Convention and what should not happen in that Convention. A Convention is the only legitimate means by which a new Constitution can be adopted. And there is a State Supreme Court decision that re-enforces that, the State vs. Manley. And Mr. Tennent Lee here played a pretty big role in that case. So on that note, let me introduce Tennent Lee, our moderator.

MR. LEE: My role in that case was I lost, on behalf of the State. I don't know whether you remember, but back in the early '80s, the Legislature had sort of given up on anything in the nature of Constitutional reform ever being done, and so the Legislature proposed a Constitution. In fact, it was written totally and passed -- and I have got the Act number here, but I forget what it was -- that that

Constitution be published for a certain number of times and that a general election be held for the state to either adopt or not adopt that Constitution.

Rick Manley, who at that time was a state senator from, I think, Marengo County, on behalf of some of the interests he represented in the Legislature, filed a suit in Montgomery County Circuit Court to hold that legislative act as itself unconstitutional, on the grounds that the Constitution itself provided the means by which it could be amended or rewritten. I was lucky enough, on the appointment of Charlie Graddick, to represent the State of Alabama in that case, and it was one of the things in my legal career that I really, really enjoyed. It was a lot of fun, even though we did lose.

The Court basically in that case -- well, let me give you a little bit more background: One of the things that the Legislature did was not to change the entire Constitution; they changed only the articles other than what is called the "Judicial Article." I think the Judicial Article was adopted in -- I think 1975 -- or maybe several years prior to that -- but it provided for the uniform court system that we have in Alabama now, with an administrative office of courts, uniform rules, rules of procedure -- the whole thing came out of what

was called the "Judicial Article," which Howell Heflin, former Chief Justice of the Supreme Court and former U.S. Senator, was a spearhead behind that article.

So we had experience with an amendment that had been presented to the people. And you can present an amendment to the people. And one of the arguments that we had was, "We are not proposing a new Constitution; we are proposing that everything in the Constitution be changed except the Judicial Article." Well, first of all, the Supreme Court said, "You just can't do it; you have got to do it in the way that the Constitution says."

That is not as cut and dried as you would think. The vote was six to three. Sometime if you have a minute, you might want to read it. One of the dissents, written by Sam Beatty, who was a law professor of Hartwell's and mine, and was later a justice of the Supreme Court, really came out against the six who voted against it. And I will just read you a little of this: "Only the people have legitimate authority to change their form of government; not the Governor, not the Legislature, and not this Court. We not only dissent; we mourn the passing at the hands of six of our brothers of the most fundamental right upon which our government was founded. Until today, in Alabama, all

political power resided in the people. The majority, by denying the people the fundamental and inherent right to express their will at the ballot box, have stripped them of the sovereignty that they have held since this state was founded, by the simple expedient of ignoring the express language of Section 2 of the Constitution, which basically says the people are the source of all political power."

So it was sort of an acrimonious thing. That was back in -- I think 1983. Yes, 1983.

And what that case teaches us -- two things: No. 1, you have got to have a Constitutional Convention. You can't do it by any other means. The Legislature cannot propose a Constitution; nobody else can propose a Constitution. The only way a Constitution may be changed -- with the exception of amendments, the only way that a Constitution may be changed is through the process of a Constitutional Convention.

What we would like to talk to you about tonight, and get your views, and maybe get some of the panel members to give their views -- what we would like to talk to you about tonight is the process of how this happens. And don't get hung up tonight with what the new Constitution should say. That is not what we are here about. Everybody has their own little pet things that they would want in a new Constitution,

and that is not -- none of us are interested in the content.

What we are interested in is getting the process started so that a Convention can address those issues.

So let me introduce our panelists. Of course, you have met Michael Varchetta, who is the president of the local chapter here at UAH. And Dr. Tommy Williams, who is professor of political science at UAH; and the Rev. John Herndon, who is the pastor of the Fellowship Presbyterian Church; and on the end Susan Parker, who is a former state auditor and presently the North Alabama trainer for the Constitution Reform Education Campaign.

So with that being said, I would like to sit down, and maybe start down there with Susan and get some -- she works very diligently in this area, and she has a lot of good ideas, and maybe we can get some ideas started that we can discuss. And I am sure that all of you have some ideas that we can ourselves take -- and we have got a court reporter taking this down, so it is not that we are sitting here flapping our gums. Hopefully a record will come out of this forum that may come up with one or two good ideas.

Susan.

MS. PARKER: Actually, I was going to convince you I was Randy Hinshaw. "I'm for the Constitution. Thank you for

electing me."

But as you know, Randy is in Montgomery tonight with the Legislature's special session. They thought that perhaps, even as far as the end of last week, it would be over, but it is not. But I am honored to be a substitute.

Greater Birmingham Ministries, the organization that I work with -- Greater Birmingham Ministries has been serving the needs of the poor for 35 years, and they came to the conclusion that you could give people fish and they could eat for a day or you could teach people to fish and they could eat for the rest of their lives. Therefore, they came about trying to do something about Alabama's 1901 Constitution because it disenfranchises the poor; it hampers economic development; it has a terribly unfair tax structure that prohibits -- it has very regressive taxes that hurt the poor the most.

So that is how Greater Birmingham Ministries got involved in Constitutional reform. And they launched the Constitutional Reform Education Campaign to try to educate citizens of Alabama about why we need a new Constitution, how we might go about getting a Constitution, and getting these participants -- these people -- then to go out and tell their friends and neighbors why we need a new Constitution, because

we have seen efforts that have tried to change things before, like Amendment 2 that was to remove the racist language -- we have seen that be co-opted into scaring people into things that were totally untrue -- like it was going to raise your property taxes -- the courts can do that -- when, clearly, the Constitution says they may not do that, that that is not allowed.

So that's how we came about. We had three trainers who were North Alabama, Central Alabama, South Alabama, and we have others in spots like Birmingham, Montgomery, Mobile, Auburn, Tuscaloosa. And our job is to go out -- and some of you have been to the training program -- and we train people who will then go out and train others -- a true grassroots movement. People go out as volunteers to tell others about the need.

In terms of the process -- let me tell you what we are talking about as a process. This is not a -- you know, anything -- this is just my opinion, my ideas of how I think the process might work. We have 105 House districts in Alabama -- 105 members of the House of Representatives -- that has been approved by the Courts to be equally dispersed on racial barriers, geographic -- a one-person, one-vote kind of idea. We would suggest that we would have 105 delegates, each

delegate elected from one of these 105 House districts.

First of all, we would suggest that we are going to ask the Legislature to pass a call for a Constitutional Convention. In that call they would outline that we would have 105 delegates, how much they would be paid -- we are proposing that it be, you know, not a huge sum of money, so that people would run for it for the money or that it would cost the State a lot, but enough to cover expenses -- and how much they could spend -- we propose that they not be able to spend more than \$1,000 to get elected to this position, so special interests or only wealthy people would not be able to be the only delegates -- or that special interests couldn't influence it.

All right. So we have a call for a Constitutional Convention outlining all of this. People would vote, statewide, "Yes, we want this Constitutional Convention," "No, we do not want it." If they said, "Yes, we want it," then the next step would be the 105 delegates would be elected in this House district -- you know, anybody could run -- different people could run for it. The people would again vote, in their House district. We feel that House districts are small enough that people could get to know the people and -- you can sort of get around to get to know about that person.

Then those delegates would be elected. They would go to Montgomery; they would meet a determined amount of time -- probably four or five months. They wouldn't start probably from scratch. If it were me, if I were a delegate, I would pick out some model Constitution -- you can go to the internet and find model Constitutions. And take four or five of those and look at those and say, "Okay, this is what we think is good. Take this out. Put this in" -- and start from there, maybe, as a proposed -- and they would propose that Constitution, and the people would again vote, "Yes, we want this new Constitution," "No, we do not."

That is sort of the process, in a nutshell, that we are talking about. A little bit about the training that is going on: I have business cards here tonight. I need to be in your churches. Some of you people who have been in my training programs already need to be in the churches, in communities, in organizations -- at your soccer club, at a labor meeting, at a rally. We need to be out there educating people about the need and about the process.

Thank you.

MR. LEE: Thank you, Susan.

John, would you like to make any comments about this process?

REV. HERNDON: Well, Susan has covered just about everything.

MR. LEE: Yes. I was going to say we might as well go home --

REV. HERNDON: But I did want to make a comment about the impact of our present Constitution on attracting a labor force and industry to Alabama. It is very difficult, with the present image that we have as a state, to attract those types of businesses that we would be interested in, and also attract those types of individuals who will be the labor forces for these businesses. The present Constitution really has a very adverse effect on that effort.

MR. LEE: Rev. Herndon, let me ask you this question: How can we increase African-American participation in this process?

REV. HERNDON: Well, I was talking to Susan about that. One thing is we need to find just about every ministerial fellowship across the state and see if we can get on their agenda to come and talk to the ministers about it -- who in turn will either invite someone from the group to come talk to their congregation or they themselves will become an advocate and a spokesperson. But we have a tremendous educational process in front of us in this effort.

MR. LEE: Dr. Williams.

DR. WILLIAMS: Just one comment -- and we are not supposed to talk about the substance but the process, but -- I teach state and local government and Alabama and Southern politics, and studies suggest that any time the people are asked to vote to hold a Constitutional Convention, it usually fails. Now, what that says I don't know, but -- there would have to be a great deal of education campaign to convince people to vote for a Constitutional Convention which would in turn propose a new Constitution. I'm just passing that along.

MR. VARCHETTA: I would like to add one thing. I would just like to add that if there is anybody out there that fears a Convention will be a runaway Convention, there are ways to restrict a Convention from running away. You can -- the Fair Campaign and Practices Act -- you can have that in the Convention, with tighter restrictions. You can have -- there are a lot of things you can do to decrease the special interest influence in a Convention.

MR. LEE: Let me speak to that a minute. My perception in dealing with the public and discussing this -- and I have not been active in this group, but I hope to be shortly -- but my perception in talking with just members of the public is that the average member of the public is scared

to death of a Constitutional Convention.

And that is a perception that I don't think is correct. What they are saying is "We don't trust the people we elect." And, you know, we have a representative form of government -- if you don't trust the people you elect, then, you haven't done a very good job of electing them. But you have got to trust somebody. You can't take every citizen of Alabama down there to write a Constitution. But there is a fear -- and rightfully so, because once you convene the Constitutional Convention, they can do anything by -- even under the old Constitution, they can do anything they want to do.

You can send them down there and say, "Well, now, you can only amend Articles IV and V," and they can come back with a new Constitution. As you remember, our founding fathers went to Philadelphia to amend the Articles of Confederation and came back with a new Constitution, which was an entirely radical approach from what had previously been in place.

So I think that is what puts fear in people's minds about having a Constitutional Convention -- that it will be a runaway Convention. And I think the only way to get around that is to so educate the people and have good people run for

these offices and have a good, spirited election to put good people there and have citizen input -- and then I don't think you have to worry about a runaway Convention. But it is really going to take a lot of education.

Yes, ma'am.

SPEAKER FROM THE FLOOR: I know there are organized groups that really do not want a Constitution. And one of those that it is hard to believe they are against it is Roy Moore's group. And I wish we had a cartoonist who would perhaps portray Moses as saying, "Thou shalt not have a new Constitution."

MR. LEE: As an aside, one of the interesting power lineups in State vs. Manley -- you can file, with the Supreme Court's permission, what is called an "Amicus Brief," and there were half a dozen of them, and most of them were filed out of law firms in Birmingham who made their primary living out of doing municipal bond issues. And, clearly, their agenda was, "We don't want to change something we know and can maneuver through and nobody else can. We don't want a simple document." And that was clearly the organized opposition to the legislatively proposed Constitution.

SPEAKER FROM THE FLOOR: I just noticed that Lenora Pate came in.

SPEAKER FROM THE FLOOR: You could always end up, though, with the statement that the people have to approve the Constitution that is written. So if they draft a runaway Constitution, we all have the power within us to stop it. And the people who write it have to know there is the power to stop it in the state. And I think we can get that message across if we work at it.

MR. LEE: And you might hear that the people might be in favor of those runaway provisions, and all I can say to that, you know, you have to trust the majority of the people. You know, give them the process and allow them to do it, and if it comes out wrong, it's our fault.

Tommy, what do you think the qualifications ought to be for a delegate? Do you think there ought to be restrictions on those qualifications or --

DR. WILLIAMS: Well, we were talking about this in a group earlier, and some people say, "Well, you shouldn't have school teachers or State employees or State legislators," et cetera. I personally don't think there should be any restrictions. I mean, somebody mentioned in our group -- maybe Hartwell Lutz -- "Well, what if the Legislature is in session?" Well, plan the Convention when it wouldn't be in session. And I know there is the potential for special

sessions.

So I would not necessarily see any restrictions. I think, as Ms. Parker said, if you went with 105 legislative districts, you are going to have, hopefully, the kind of diversity among the delegates that you would expect, in terms of race, possibly gender, et cetera. So I personally would not be in favor of any kind of restrictions on delegates.

MR. LUTZ: I would like to make a comment on that. Some of you may know I served in the Legislature for several years. If I were in the Legislature and planned on staying there, I wouldn't want to be a delegate to the Constitutional Convention. They are going to have to handle some very tough issues, and they are the kinds of things that get you beat.

And by the way, Ileen Shoemaker, the court reporter, I told her on the phone last night that we would identify ourselves -- and I forgot to identify myself. But it would help in her record if any speaker who addresses the group would identify themselves. She knows me, so I don't have to identify myself.

MR. THOMAS: I am David Thomas. I have heard two ways to initiate this activity you have talked about tonight. One Ms. Parker talked about was having the Legislature have a call for a Convention, and then I have also heard a public

vote for a call for a Convention. So are both of those methods --

MR. LEE: They are two steps in the same process. The Legislature issues the call, and the public must vote whether they even want to have a Constitutional Convention. And you can have the election of delegates at that same election. You don't have to do three elections. You can have the election of delegates at the same time that you vote whether or not you are going to have a Constitutional Convention. And then, of course, you would vote on whatever the finished product was.

MS. PARKER: Something that we are often asked in the training sessions is -- and especially by ministers, Rev. Herndon - is "Who would be against this?"

SPEAKER FROM THE FLOOR: People who think their taxes are going to be raised.

MS. PARKER: That's right. People who fear that taxes are going to be raised. One thing -- the Tax Code, in my opinion, shouldn't even be in the Constitution -- in most states, the Tax Code is the Tax Code -- so there is no way that the Constitutional Convention would automatically raise property tax, or raise any tax. That is not a part of it.

But, in answer to that, if you look at special

interest groups and how they have been lining up thus far, we have seen Alfa come out in opposition -- which we know in their conjunction with the timber industries which fear that -- what you are saying -- and Roy Moore.

On the other hand, we are seeing the Alabama Education Association, possibly State employees -- we have had a lot of interest from labor -- some of those special interest groups would line up on the other side -- retired teachers -- I am working with retired State employees. So that is just to give you an idea as the process is going along where some people are lining up.

MR. LEE: Let me ask -- and we can throw this out to everybody: Should the delegates run as a member of a political party or should it be non-partisan --

(Several persons in the audience responded "Non-partisan.")

MR. LEE: Well, that was pretty much a no-brainer. I would expect, however, that you will have candidates that will run for delegates on some sort of a slate. You just can't get around that in politics -- whether it be a political slate or whatever.

DR. WILLIAMS: I was going to say, we had Woody Sanderson, who I think was on the ACCR Board, or Honorary

Society, several years ago, and he would say, "Well, if we elected citizens as delegates, then you wouldn't have influence by the special interests," such as Alfa, et cetera. And I think that is "pie in the sky." I think that is tremendously idealistic -- to even think that Alfa and these other groups -- Susan mentioned AEA and other groups -- that they are not going to be involved in the selection of delegates -- or election of delegates. So I pass that on --

MS. PARKER: But if we prohibit them from giving money to candidates -- you know, they might say -- Alfa might put people in their newsletter and say, "These are people we support to be delegates," but if they didn't give them fifty or one hundred thousand dollars -- you know, if we limited it that they could only spend a thousand dollars and take, say, no more than a hundred dollars from any one person or entity, that would eliminate a lot of the influence.

MR. LEE: The gentleman back in the rear.

MR. TIMBERLAKE: I am Ralph Timberlake. I am against tampering with the Constitution. We have a neotype of -- special interest groups -- people who profess to be carers of what happens to the Constitution and to address the inequities that the old Constitution did. The record does not bear them out. I think that if Alabama has such a low reading

as we claim, maybe if the legislators have to wade through all those amendments, it would teach us and them both to become better proponents and proficient readers.

I think once you let the chicken out of the barn, you have a hard time getting him back in. You know, this Constitution -- poor people have been served pretty good around here, because these politicians are anxious to get their hands in our wallets. Already the City is raising taxes, the County has raised taxes -- one thing after another. And none of us is standing up to them. Change the Constitution -- why does everything have to be done by law? Why don't we put our personal bodies out here and do something to stop the inequities that are going on right now so that when we get to the point that we need new laws it will make some sense and we will be abreast of it?

Thank you.

MR. LEE: Well, we appreciate your position. I think most of us here are -- our goal is to see what we can do to get a Constitution before the people, but we can understand that a lot of folks in this state -- and maybe a majority -- don't want to tamper with something that was terribly -- it was a bad thing in 1901, and it is a worse thing now.

Yes, sir.

MR. JENNINGS: Jerry Jennings. I would like to share with this gentleman a situation on Sand Mountain that exists today as an example of the lack of home rule. And that's folks who have lived there -- and they had a hog farm put right next door to them. And that was legal. They had no say in it. That was done in Montgomery. They went through all the Alabama court systems and got no satisfaction, and, yet, they have to endure the awful stench and all the other bad things that go on at this hog farm. So I think we do need a new Constitution.

And home rule is just one of the many issues that need to be corrected. Democracy begins at home. We don't want to delegate our home decisions to Montgomery; we don't want to delegate them to Washington; we don't want to delegate them to the United Nations. We need to make those decisions here, where we know what we want, what we need, and what is best for us.

MR. LEE: I may not attribute it to the right person, but I think it was James Carville that said, "All politics are local."

DR. WILLIAMS: Tip O'Neal.

(Discussion off the record.)

MS. DAVIS: I am Teresa Davis, and if I could add

just a little bit to this. I lobby in Montgomery for the AFL/CIO, and I know one thing that I have seen many times is good bills killed because of home rule. People go down and they say, "If you vote for this for my local entity, then I will kill workers' compensation rules," or "I will kill raises in unemployment compensation" -- things that could help people throughout the state. And that is wrong. And we need to have home rule. We need to take that power away from entities -- to come out and do that. And that is another reason why we need this.

Two questions, Susan, if you don't mind: You talked about limiting the money that a person can get. I agree with that. I have been killed many times in Montgomery because of Alfa and the Christian Coalition. There is something else that I would like for you to think about, though: Gifts, such as big fruit baskets from Alfa, dinners. You know, these are things -- there are all kinds of ways that in Montgomery people are coerced into doing things. It is not always just the money. And I think that we should limit gifts that they get.

And, Reverend, have you gotten with the A. Philip Randolph Institute in Alabama?

REV. HERNDON: Yes.

MS. DAVIS: Are they helping?

REF. HERNDON: Not yet.

MS. PARKER: About the gifts -- a response to that, Teresa: You know, when we have a Constitutional Convention, if I am a delegate, this is one thing that I would propose -- and that is campaign finance reform in Alabama. In many, many states a lobbyist, or anyone else, can't even give a legislator a cup of coffee.

In Alabama, when my husband was in the Legislature, and you went on a trip -- they can only spend \$250 per day, per legislator. So, say, if Alabama Power was wining and dining you and in mid-afternoon, they got to their \$250 limit, they might say, "I am going to pass you off to Bell South now, because I have reached my limit." And that kind of thing is terrible, and Alabama is one of the worst states in the nation with our campaign disclosure -- our campaign finance laws.

And I think you are exactly right. I don't think anyone should -- if you give a campaign contribution, that is one thing, because that money is recorded. It is recorded, and before you vote for that person, you can look in the newspaper and say, "This is where they got their money," "This is where the other one got their money," and this is -- I am going to choose, you know, because maybe these people are more

for me. But gifts, especially when they don't even have to report them -- if it's less than \$250 a day -- and nobody even knows what goes on.

MR. LEE: Let me ask one question about the compensation. How should the compensation -- or does anybody have any idea on how these delegates should be compensated? You know, how long a period of time? For expenses only? Some sort of per diem? Mike, what is your --

MR. VARCHETTA: I would say the same as the Legislature. We were talking earlier about making it -- the House districts -- having them the same as the Legislature -- for the delegates. It would make sense to pay the delegates the same way you pay the legislators. The logic follows, to me.

MR. LEE: Well, one of the things you run into: Unless you provide adequate expenses and some compensation, you are going to restrict who may be available. And you certainly don't want to do that. You don't want to leave it to, you know, folks that can finance their own way and leave others out who maybe can't do that. I think that is an important thing. Now, some people have suggested that you only agree to pay them for a certain length of time so they will go on and get the work out. And I don't know whether

that would work or not.

Yes, sir, back in the back.

DR. GOODSON: I'm Bill Goodson. Regarding the idea of the proposal that there be 105 delegates, Question: The ACCR, I believe, has in the last year come out with the statement that this should be done by a Constitutional Convention, not by selective amendments here, there, and the other. Okay. Has the ACCR come down on a way of selecting the delegates, or is there a general agreement that this 105 is the best idea? -- because I am sure there will be other proposals about other ways. What is the ACCR's position --

MS. PARKER: Perhaps Lenora Pate, who is the Chairman, could answer that.

MS. PATE: If I may comment, in 2002, ACCR did work and develop a compromise enabling Act to call for a Convention, and in that bill there was a provision that certain individuals could run -- there were some qualifications -- and it did call for positions from legislative districts, in addition to some other categories. That bill had prohibited legislators from running, but it did, as a compromise, include a certain number of legislators from the Legislative Council who could serve as delegates.

More recently, this past spring, Sen. Ted Little

introduced a bill that would call for the question, and in that bill it went through Senate Committee, and a number -- there was a public hearing, and many people commented on that issue, and it was reported out of that committee with two people from each legislative district -- one man, one woman -- and many of these things that you are talking about were in the bill; for example, the Fair Campaign Practices Act would apply; the ethics law would apply -- to the delegate races -- there could be no lobbyist contributions, no gifts, things of that nature. So that bill was one that ACCR did not work on specifically, but we went as a part of the public forum and made our comments.

And what we are trying to do now in ACCR is to hold forums like this across the state and take input from the public and almost build a bottom-up consensus on the types of things that should be included in that bill, because what ACCR desires to do is to complete its petition drive process.

And North Alabama has been terrific -- and you may have already spoken to this, Michael -- where individual petitions have now already been signed by over 50,000 people -- Chambers of Commerce throughout the state are urging their members to pass resolutions -- and our goal is between now and the next session, in early 2006, to do the petitions,

the corporate resolutions, and to have forums just like this.

And you are the first; you are the first forum, thanks to these great people who are serving, to take public input.

So that is a long way of saying that we don't have the answer; we are going to the public and saying, "Tell us," so that when we go to the Legislature and make a recommendation, we are going to say, "In forums across the state, people cared that either legislators could serve or they couldn't serve; they cared if it was one from a legislative district, two, male/female; they cared what kind of restrictions were on the race; they cared how long a Convention might be held." You are right that there are limitations in many of the enabling statutes that say the Convention will start at a certain point, last for 120 days, but only pay them for 60, so that they -- you know, "You can meet as long as you want to, but the State would only pay for 60," for example.

Those are just -- all of those issues have to be decided through the legislative process to even get the call on the ballots for the people to vote on, because once the vote goes "Yes" or "No" on the call, then, what has been sent forth in the enabling legislation, that timetable starts, whatever is laid out in there. And I know there are -- I

don't know if you all brought copies of those summaries and things of other bills, but I know that there are summaries of those bills that have been done in the past. But that is the purpose of gatherings like this.

MR. LEE: I think there is some question, too, as to how you -- you have got a Convention now, and you have got the delegates, and they arrive. How do you go about -- doing what they are going to do -- whether it be an amendment or a revision or a new Constitution? Susan, you mentioned the fact that there are out there model Constitutions. They are -- in the legal world, there are many model laws, or uniform laws, that people -- or groups -- spend their entire time working on. Some of them are adopted, like, the Uniform Commercial Code in Alabama. There are a lot of uniform laws that the Legislature will enact and every state's law will be the same on it. Sometimes they make little differences to accommodate a local matter, but -- there are Constitutions available. There are states that have very well-working Constitutions. And any other ideas -- Hartwell has got one on how we ought to do it.

MR. LUTZ: I know this will probably be shocking to a lot of people, but yes -- and this is not necessarily the best way; just one way -- would be to take the 1901

Constitution and start from there, because a lot of the concepts in there -- it wasn't all bad. And a lot of these concepts in there are things that we are familiar with. And a lot of stuff is bad, and it needs to be taken out. It shouldn't have ever been in there in the first place. But that is just one way to do it.

And, Bill Goodson -- this must be something that interests you -- the makeup of the Convention. How many people do you think there ought to be?

DR. GOODSON: Well, 105 seems like a lot in one sense, and that is, "How do you get that group working?" And, of course, you get subcommittees and whatnot. That just kind of surprises me, because the other models I have heard about were these that said, "Okay, we are going to have so many that the Legislative Council can appoint to this thing, and --" you know -- I don't know -- maybe the Governor could appoint so many -- you know, there are just so many different ways that you can conceive of getting this group together. But this idea appeals to me greatly, because I was afraid of that business of the Governor appointing some and the Legislature appointing some and all that -- you get all these special interests that are just going to be hogging it up. But this appeals to me a great deal. I don't have any quarrel with

that, Hartwell. Do you?

MR. LUTZ: No.

MR. LEE: Michael:

MR. VARCHETTA: Well, let me point out that a Legislative Council -- having legislators in the Convention in a limited way would be good in a way, because it would help get the bill passed, because you know, the delegates, not being legislators, they may not necessarily know the way to get a bill through, and the legislators do. So in that sense that would help in getting a bill through --

MR. LEE: I cannot imagine the Legislature would adopt a bill that said they couldn't be on it.

Yes, sir.

MR. JONES: Joe Jones. As to a model, I understand an excellent one exists already, put together under the leadership of Albert Brewer two or three decades ago. Would someone like to deal with that particular subject?

MR. LEE: I don't believe that that is too far different from what was proposed in 1983 that was the subject of the litigation.

DR. WILLIAMS: Roger Bedford wrote the one -- I read it. Did Albert Brewer do one, too?

MS. PATE: There was a commission that Albert Brewer

appointed, in the first year, I think, of his term, and they -- and, of course, he wasn't re-elected. The Commission continued, but by the time they finished their work, there was no one who really wanted to take that. I think it would have met the same fate as the Manley case did. However, you are correct. There is a document that has been drafted, just like that of the Manley case. I think they are very similar. And one of the ways that some people have talked about doing this is for us to not only gather those documents, but, as Hartwell suggested, take those and look at them against the 1901 Constitution in a Convention and begin to pick and choose.

Another way that has been talked about is that certainly a commission could be appointed -- like what you feared, Bill -- it was going to have final control -- but a commission could be appointed, even by our Governor now, to begin to work on issues like that to be able to give research and data -- I served on this Governor's commission that he called into being at the first of his term, which was primarily just to address five areas. And the way we started that was at the same time he appointed 35 citizens, and then we called together a team of experts to serve as an advisory board -- that Howard Walthall, who is a Cumberland School of Law professor, chaired. And that group and the commission

worked together over a series of -- a series of months,
really -- to come up with their recommendations.

But you could even do something like that -- that
would precede the convention. It doesn't take the power away
from the delegates; it just gives them a starting point.

MR. LEE: The idea of paid consultants, or
consultants, I think has been -- is a normal thing when you
are reorganizing the Legislature or when you are attempting to
write a constitution. There are scholars out there that can
give their input in it.

MS. PATE: I will tell you, of all the people who
served on the advisory board, there was not one person paid.
There was not one person paid -- there were professors from
all over the state. So -- I mean, it was amazing.

MR. LEE. Yes, ma'am.

MS. HOLDSAMBECK: I am Mary Holdsambeck, and I have
been with ACCR since we started this in this community. I
think we cannot discount any of this marvelous group of
experts that have already established goals, and certainly at
Samford Law School they have studied this through a fantastic
grant, for several years. And there are models all over that
could be worked out. And as most conventions work in terms of
committees, or councils, or commissions or whatever --

certainly, there are legitimate ways of doing it. My concern is when are we going to get started?

MR. THOMAS: I'm David Thomas. As far as an advisory council -- I mean, my recommendation would be that if we do have an elected set of delegates, let the Legislature and the Governor appoint an advisory council that could consult with the delegates, as needed -- or to evaluate proposals, and so forth, and give their comments back on the potential of success for those.

And now the question leads to what we have just heard -- what is needed to get the Legislature to vote on actually creating a call? What event is going to have to happen to make that -- I mean, do we need a march on Montgomery, or what do we need to make that happen?

MS. PARKER: If you want me to, I will address what we are doing on that.

MR. THOMAS: Yes.

MS. PARKER: And you asked the question "When do we get started?" What we are trying to do with our training groups is to -- first of all, we are getting signatures on a petition, which we are going to leave here tonight at the front, on this table here, and we would love for you to sign it -- just your name and ZIP Code. We have over 50,000

signatures -- and growing -- on that. We hope by December or January, when the session starts, to have 100,000 signatures. And we are getting ZIP codes so we can show the various legislators that these are from all over the state -- and they would be from various ZIP code areas -- so that these legislators can know, "These are people in my district." And with the citizens' movement to encourage the Legislature to pass a bill that -- something similar to what Sen. Little or -- that as we gather this information -- you know, this will be used -- like tonight -- this information will be used by ACCR to put together some recommendations. So we come with the bill, and in the next legislative session we put this forward.

And in the meantime, there will be an election. So that legislative session will have an election. And, also, we want people during this election time to be saying to your legislator, "Are you for Constitution reform?" "How do you see this happening?" "Are you for a new Constitution in Alabama?" And they are going to say "Yes" or "No," or whatever. And if they say "Yes," then you are going to make a note of that. And you are going to contact them when the time comes and say, "Remember when you told me that you were for a new Constitution? Now is the time. We need your help. Vote

'Yes.'" That kind of grassroots organization we think can help us.

And, also, if they say "No" during the election, then you can go to the other candidate and say, "How do you feel?" And if that person says "Yes," then you can vote for that person. So we can elect people who support it; we can encourage people who support it and get the grassroots movement that we have going.

MR. LEE: Yes, Hartwell.

MR. LUTZ: I think we ought to always give the devil his due. Now, this business about the petition -- we have got the granddaddy of the petition right here in the room: Mr. Bill Giardini. He is the one that -- it was his idea. He started it; he worked on it. He stood out in the rain; he stood out in the sun. He has walked up to people -- hundreds, or probably thousands, of people he didn't even know and got them to sign the petition. It probably never would have happened -- it never would have started if it hadn't been for Bill Giardini.

MR. GIARDINI: Thank you very much. There is going to be a crowd of people on the Square Thursday night, and we need to be standing out there with petitions, people. We will be there, with our chairs and petitions. We need your help.

MR. SINGLETON: Jeff Singleton, a Madison resident.

Are there examples of other states that have gone through this process successfully and when has it happened? It might be kind of nice to have available information like that, to lay a baseline and take some of the mystery out of it, for people for whom it is all new.

MR. LEE: Hartwell, do you know anything about that?

MR. LUTZ: I don't mean to hog the show, but yes.

Florida, Georgia, Tennessee -- just to name some neighbors.

MR. SINGLETON: How they did it --

MR. LUTZ: They all went through the same kind of thing that we are going through. They had the same kind of opposition -- they don't trust the people -- they are going to raise their taxes. And then finally they got into such a big problem -- what they did in Louisiana was that they finally just started voting "No" on all the amendments. And that threw a monkeywrench in the works, and so they had a Convention and got a new Constitution.

MS. PATE: And that has begun in Alabama.

MR. LEE: You know, it is ridiculous for Marengo County to impose an extra millage on some school tax, for us all to have to vote on that on the ballot. I think it is absurd. At Boys State they give the boys a Constitution

volume. About this much of it (indicating) is the U.S.

Constitution, another eighth of an inch is the Alabama

Constitution, and about four inches are the amendments to the

Alabama Constitution. That is the most graphic example of

what we have now and how difficult it is and unwieldy to deal

with.

MS. PARKER: And 70 percent of the 772 amendments apply to only one city or county.

MS. PATE: I brought a copy of the new recompiled version, which is supposed to be -- you know, this is, ironically, what came out of the Governor's Commission -- was the one thing that passed. We recompiled it -- which meant that it got organized. But that's about all. But I have clipped -- it is two volumes. But in the very front pages, those clipped pages, that is the U.S. Constitution, right here, those clipped pages right here. The next clipped pages, that is the 1875 Alabama Constitution. Now, I'm not sure why it got stuck in here, but it did. But everything else from here (indicating) in this whole volume is the current Alabama Constitution.

So it is still -- even though it has been recompiled -- and you will hear some individuals who oppose reform say, "Well, recompilation fixed it." What

recompilation did was re-order it and reorganize it. And, in fact, in this volume, they have -- our Code Commissioner at least tried to put the amendments that relate to counties in an organized fashion so that when you start you see all the local amendments that go with Autauga or Baldwin, and that kind of thing. But that is what we operate under today.

MR. LEE: That's the reason the bond lawyers, who have figured all that out, don't want to change it.

Has anybody got any comments that they would like to make on something we haven't touched on?

Let me get Bill first. Yes, sir.

MR. GIARDINI: I just want to go back to how we -- the legislation to set up a Convention. I hope it will have some sort of a sunshine clause in it that will absolutely prohibit any secret meetings, any nonpublic meetings, and things of that sort. It really needs to be out there in the open and let everybody know who is doing what to whom in the Convention.

MR. LEE: Yes, sir. Back in the back.

MR. TIMBERLAKE: I am concerned -- it seems like -- experts built the Titanic, and we had an amateur that built the Ark. And I hear a tremendous amount of people here talking about they want these experts; yet, on the other end,

we are talking about we want grassroots. I don't think grassroots is the expert.

Now, what is it that fixing the Constitution will do that electing good, quality legislators right now won't do? Because, see, the bottom line is we keep electing people who make decisions that we claim we disagree with. When we get this Constitution finished with, we are going to still be electing people, and they are probably going to be the same kind of people, if not the exact same person, that we are talking about. So -- I mean, we need to get real. We are spending a lot of capital, a lot of energy, but, yet, we are not getting down to what is really the problem. Alabama used to be big on saying "You cannot legislate morality." Well, we are talking today about legislating morality. So we don't want to legislate them. We need to elect people with good moral character who will listen to us, because the local people in Huntsville do not listen to their citizens now, and now you want to go and give them carte blanc rules to run wild in our pocketbooks and everything else. Thank you.

MR. LEE: Thank you.

Yes, sir.

MR. HARRIS: Steve Harris. I agree with this gentleman, but -- I think before we get to that point where we

are talking about the process here to arrive at a Convention and change the Constitution -- it would seem to me the first thing we have to do, in line with what he says, is determine the motivations of people who run for a delegate for the -- as a delegate. For example, if you look at State Legislators, you can point to power, money, influence, ego -- the reason they run for the State Legislature. And a second source of income, in some cases. And even altruism for a few of them.

So how do we do it and get a representative Convention of people -- for example, in this room we have a lot of young people, people who aren't retired like myself and some others in this room. Whenever this comes around, people like this are going to have to take three months off from their income source. How are we going to get people like that? How are they going to do it? How do we determine the motivation to get people elected to the Convention? -- and then we worry about the Legislature later.

MS. PARKER: I would like to address that, on the -- how we determine their motivation is the way we determine anyone's motivation when they are running for something. We hold public forums, and you can come and ask them. And in the newspaper -- they would interview all the people and ask them all the same questions, and you would be able to read and find

out what their motivations are. They would put their telephone numbers, their e-mails, their information, and you could call them and ask them. My husband first ran for the Legislature, and we didn't have any money, and we used shoe leather -- we walked the House district.

MR. HARRIS: Well, why did he run?

MS. PARKER: Because he wanted to better public education in Alabama.

MR. HARRIS: All right. And he also, I assume, had another job?

MS. PARKER: Yes. That is a good question. Now, his job allowed him, you know, to take the time and -- and to pay the person who took his place while he was gone. So that might work in some instances. And he paid that out of his own pocket.

And, also, there are a lot of retired people; there are a lot of people who are not working, like, parents -- you know, single moms -- I mean moms who don't work outside the home or dads who don't work outside the home -- where you only have one person in the family working. You know, I myself am retired. You have students who are in between situations. But that is something that I think -- and that goes back to how much we pay them if they are -- you know, are in between

jobs or something.

But in the Legislature you have lawyers; you have bankers; you have retired people; you have insurance -- you have educators -- you have a mix, a diverse mix. And I think you would have that just about with the delegates. If you look at the numbers that are in various professions, they are all across the board. Some of them are full time legislators. They live on that \$32,000 a year. Some of them -- most of them have other jobs.

SPEAKER FROM THE FLOOR: I am very naive and optimistic, but people have conventions all over this United States -- ever state in the Union has had them. We are smarter than most states, actually -- we don't get credit for it. There is no question we can get a group of good people, form a convention, and write a good Constitution. You know, it's all red herring, all the stuff about "You can't do this --" or "It is going to be taken over by special interests," or "It is going to raise your taxes." Those are all red herrings that people are throwing out that want to keep us from doing it. So, you know, I think we -- my position is, by god, we are smart enough to write a new Constitution, and we are smart enough to elect some good people that will write a new Constitution, so let's just go

ahead and have a Convention and write a Constitution.

MR. LEE: Let me pose a question. It seems to me that the key to the whole thing is to get the Legislature to do something.

SPEAKER FROM THE FLOOR: Yes.

MR. LEE: Now, how do we -- if any type of a call, regardless of the provisions of it, were to be put to the Legislature, the current Legislature, what would happen to it? Would it pass?

MS. PATE: Well, it hasn't so far. I will tell you, we have done it as a state six times -- because this is our sixth Constitution. So it is nothing novel that we -- we haven't done it in a hundred years. This bill that went through this last spring went through the Senate committee and was reported favorably out of the Committee. The one in 2002 was also reported favorably out of the House Committee, as I recall.

Terri, do you recall?

MS. DAVIS: It was a joint resolution, so --

MS. PATE: But it went through the --

MS DAVIS: It left the committee, yes.

MS. PATE: It came through the committee. So it has not gone -- it has not gotten out of there, but the reason, I

think, is because -- the Legislators tell us -- and this may be red herring as well -- that they don't hear about this from anybody in their district. And that's why we decided to take that issue away from them, and thanks to you, with the wonderful petition drive and what we hope will be not only hundreds of thousands of names but corporate resolutions -- and a massive march in Montgomery when we present those to the Legislature in 2006.

MR. THOMAS: David Thomas. You have mentioned that you thought an effective way to influence the Legislature would be after the election -- the next election for them, to get their position on this. On that basis, have you all considered coming up with a standard pledge or something that says, "If a vote is held during my term of office, I will vote for a Constitutional Convention," that could be requested of each of these and then publicized as to who has and who has not agreed to vote for that?

MS. PATE: We haven't addressed the pledge concept, but we have addressed the concept of making this an issue in every election across the state in 2006 -- because we are optimistic enough to believe that if we have a number of names and people that hit Montgomery in January of '06 -- and if that legislative session ignores us and doesn't pass the call,

then -- they are all up for a primary in June, and we hope that the men and women across this state will make that an issue in each of their races -- in every statewide race, every local race -- we hope that that is what will happen. But I think the pledge is a good idea.

MR. THOMAS: I think the benefit of that would be it is easier to call your legislator and say "Remember, you said you would vote for this." So it would be an objective thing instead of being subjective -- "Are you going to support it?" And they wishy-washy around it -- "Well, it isn't exactly worded like I thought it was going to be --" and if there is a pledge that is an umbrella enough that covers virtually any situation and they are on record, it is a lot easier to contact the representatives and --

MS. PATE: That is a good idea.

MR. LEE: Let's go around the room. Any other -- any new comments that we need to bring out tonight?

MR. GIARDINI: Before we adjourn: There is one thing that will keep you out of heaven, and that is driving around without a sticker on your car like that (indicating). Don't leave this room without getting at least a bumper sticker and a window sticker and all this.

MS. TOWER: Liz Tower. I have one question about

the petition itself. I have timidly collected a few signatures on the one that I am carrying, and I looked at it today, and one of the signatures was totally illegible. How much stock can you put in something like that? On most petitions I have signed in the past, you know, it was that you signed your name and you printed your name.

And the other question that worries me about that is that some people say, "You know, I think I have already signed that." And it has been a year or two since they did that. So how legitimate are these hundred thousand signatures?

MR. LEE: It is not like a --

MS. TOWER: It's not legal, but, I mean, how impressed is somebody going to be ----

MR. LEE: If you are going to have legal niceties -- if you want to get them to sign it twice, you can do that.

MS. TOWER: I mean, I could have done that myself. I could have signed several, you know -- and you can't read it.

MS. PARKER: I try to watch people sign, and if I can't read it, I ask them to print it underneath there. But that is a very good point.

MR. LEE: Yes, ma'am.

MS. DAVIS: I want to make the suggestion that if

our petition drive does not work -- the AFL and Labor tends to have one or two days that we call our legislators, and I know I get called -- Shelby and Sessions -- they will call me in the middle of the night and say, "Teresa, call your people off. I have had a million calls from them, and I can't get any work done." You know, it makes a statement, and they will sit up and take notice if you make a day or two with the number -- we even take a cell phone around at work, and we will give it to them and -- and you just click the "Send" button, and they go, "Hey, I want --" they have got a little script there -- "Hey --" and they talk to them. So that really gets a lot of notice there.

SPEAKER FROM THE FLOOR: Just out of curiosity -- about the actual procedure for the delegates -- will the delegates themselves determine their rules of operation or is this going to be something that would be specified in the call from the Legislature? For instance -- I mean, I was looking -- there are a hundred seats in this room -- and if we had 105 delegates, we are talking about this many people having to be -- to come to decisions, and so forth. Would it -- I mean, would it be majority vote -- I mean, within the delegates could it be, you know, 52 to 53 on whether or not a provision is included, or are there rules for that type of

thing?

MR. VARCHETTA: Under HJR 152 the enabling legislation allowed for Robert's Rules of Order to be in place until the delegates can adopt their own rules. And I don't know whether it is a majority, three-fifths, two-thirds -- I don't know that, but -- it just depends on the legislation. But more than likely, Robert's Rules of Order would be in effect until they could adopt something of their own.

MS. PATE: And the enabling legislation that Michael is referring to not only included that but it included that the Convention could be called into session in Montgomery at a certain time, but they would have the power, if they chose, to reconvene in another part of the state rather than to be in Montgomery. And they could elect their own president, I believe, of the Convention. So your enabling legislation does set forth -- did set forth those kinds of parameters. And those are the kinds of issues that I think your input is invaluable on.

MR. LEE: Yes, sir.

MR. JENNINGS: Jerry Jennings again. We started about five years ago, compliments of Mr. Bailey Thomson, and since that time we have made slow but steady progress in getting this issue before the people, in the newspapers, and

being talked about. I would counsel all here not to give up, not to get discouraged but keep the process going, because we are making progress. You can see it. You can look at articles -- you can pick up magazines dealing with Alabama, and more than likely you will see a Constitutional reform article. So we all need to keep the faith, keep plugging away and do what we need to be doing, and that is spreading the word, convincing your friends, and deciding what we need to do. And a Constitutional Convention is the way that it needs to be done.

MS. PARKER: Think of a group that you have that some of us can come and talk to about the need -- you know, a soccer group or - I don't care -- a women's club or a men's club -- you know, whatever it is -- a church -- we are doing a lot of work in Sunday school classes -- in synagogues and churches -- so, please, let me know.

MS. PATE: And not-for-profit's are a great source, as well. With school starting -- and, of course, with the student chapter here -- but in your public schools we have already made linkage with PTA's, PTO's -- they are very, very receptive. It would be wonderful if everybody in this room would just download the petition and the corporate resolutions off the web site. And they are ready right there, and they

have how-to information -- and if you would take them into your clubs -- or even into your workplace. I sat in a meeting today and passed the petition around the room -- and I had the same thing after I left -- I looked at it and three of the names I couldn't read. But, nevertheless, I got their ZIP codes. But you can do that amazingly easy. Not everybody can stand in at the polls, but there are going to be a lot of municipal elections in a few weeks -- in a lot of places throughout our state. And, of course, all of you all up here have done such an incredible job using that tool.

MR. LEE: Does anybody else have anything they would like to bring before us tonight? Would any of you panel members like to get one last word?

Yes.

SPEAKER FROM THE FLOOR: What is the specific flaw that resulted in what -- the last seven hundred and something amendments, the legislation --

MR. LEE: It's in the tax articles -- the fact that local governments cannot levy taxes.

MS. PATE: Well, it's not just taxes --

MR. LEE: Well, that's the main -- I think if you look at those 700 --

MS. PATE: I don't know the number, but there are a

lot of them that deal with raising simple fees, like, even -- there are stories out of Jefferson County that they couldn't set the postage fee so that they could mail out the tags when the postage went up because they didn't have the authority. That had to go through the process. But there are many other areas, such as any kind of land use, any type -- regulations for public health, safety, and welfare, you know. Many counties do not have the authority to do that. And --

MR. LEE: Counties have almost no power.

MS. PATE: -- economic development issues.

Hartwell, you --

MR. LUTZ: There are probably 150 dealing with court costs. Madison County must have five.

MR. LEE: If you want to change the court costs and pay for a Law Library or judges' assistants, you have to have a Constitutional amendment. If you want to support the Poultry Farmers Association --

MS. PATE: We added shrimp to our Constitution just like that --

MR. LUTZ: Bingo.

SPEAKER FROM THE FLOOR: Going back to the people understanding what is in the Constitution and what is wrong -- like, tax codes should not be in the Constitution. So my

question is: In the training and education that you do, are these issues addressed that -- you know, court costs are \$150 -- and Jefferson County can't send out the tags because they don't have the authority to raise the postage? If people understand what every single issue is and what is unfair about the Constitution -- back in -- you know, with the Ken Starr Commission -- I mean, everybody understood what the Monica Lewinsky and Bill Clinton thing was, but nobody understood, or would understand -- which to me was a thousand times more important -- you know, that a top-level government official accepted campaign contributions from a representative of a Communist country, which is, you know, treason. But people wouldn't fly with the commission, because people didn't understand all the issues. So my question is: Do people understand the issues? We don't want our taxes to go up, but -- here is what it also says -- you know, that interracial marriage is against the law and -- you know, all this other kind of crazy stuff.

MS. PARKER: Right. And, certainly, in an hour, an hour and a half, you can't cover all the issues, but the bases that we touch on are the unfair tax structure, the difficulty in economic development, the racist language and racist intent -- the issues that you alluded to -- and the length --

the complexity, the lack of efficiency. And on those amendments, the examples that I use are having an amendment to excavate human graves, an amendment to create a sheriff's posse in one county -- excavate human graves in this county -- you know, to allow Sunday sales at flea markets in Etowah County. Those kinds of ridiculous amendments are some of the examples that we use. So we do try to touch on all the bases -- you know, the major bases, but, of course, we can't do everything.

MR. VARCHETTA: I don't know what the percentage would be, but I would imagine that 80 to 90 percent of the people -- not just Alabama but any state -- don't even have a clue what their Constitution says.

MS. PARKER: Absolutely. And, also, having a Constitution that can be read and understood by the citizens. That is a basic -- without having to spend your next year --

MS. MASTERSON: I'm Marjorie Masterson, and I have to tell you that the signature on the petition that I really value the most is the one where the man was standing in line, and I said, "Sir, would you like to sign the petition?" And he said, "Oh, I don't want to elect another bunch of crooks to go down there." And I said, "Sir, your attitude is certainly understandable since you have lived under this Constitution

all of your life." And he said, "Give me that thing. I will sign it." And he did.

And while I have the floor, if you don't mind, I would like for anyone who can go to the Huntsville Bicentennial Party and manage the ACCR petition table on August 4th -- the Council District 5 party, which is at Oakwood, on the 4th -- and then, of course, Bill is handling the 6th, on the Square, I think.

MR. GIARDINI: This coming Thursday night on the Square.

MS. MASTERSON: This coming Thursday night, on the 28th.

MR. GIARDINI: A Blast From the Past, or whatever it is, from 6 to 10 o'clock, around the Square and at Constitution Village.

MS. MASTERSON: I believe that UAH would be in the Oakwood -- geographically, in the Oakwood College Council district -- and so if anyone -- I hope you will sign my little list, because I am scheduling the booth, from 2 to 8 p.m., on the 4th.

SPEAKER FROM THE FLOOR: The Constitution says that it will guarantee a republican form of government, which puts the power with the people, which it seems like that has been

retained at the State level in the state of Alabama. For some reason, that seems a little repugnant to the concept of a Constitution --

MR. LEE: It was written to keep the power in Montgomery. There is no question about that. That is why it was written the way it was. It was very artfully done.

SPEAKER FROM THE FLOOR: So do we have a republican form of government or not?

MR. LEE: Yes, sure. We elect representatives and send them to -- that's all you need for a republican form of government.

Yes, ma'am.

MS. EASON: I'm Nancy Eason, and I would like to ask a question of the lady down here.

Are you planning on taking any of these down to Ditto Landing on the 1st of August?

MS. MASTERSON: I'm not, but I -- does anyone know whether any ACCR person is going to be there? Or would you like to --

MS. EASON: I can take them down there. I am a member of the Charter Cherokee Tribe of the State of Alabama, and I also know tribal members and the chief of other tribes in the state that are state recognized. So if you want to

give me some of that paperwork, I can take it.

MS. MASTERSON: All right. Give us your name and address, and we will send you petitions, and so forth.

MS. EASON: Well, if I could get the web site, I could actually download them.

MS. PARKER: www.Constitutionalreform.org.

And I am also going to leave with my card here a list, and if you want to have information about training sessions, put your name and e-mail or your phone number, and I will put you on our list.

MR. LEE: Does anybody have anything else?

MR. VARCHETTA: And I am going to put a sign-in sheet here if anybody wants to --

MR. LEE: We will put a petition and sign-in sheet -- and if we don't have any other comments, I will adjourn the meeting.

Thank you all very much for coming. And thank you, panelists.