

Other regions challenge Arctic Slope

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The next hearing in the one-and-a-half year attempt to clear up legal definitions in the Alaska Native Claims Settlement Act will take place some time in December on a motion requesting that Arctic Slope Regional Corporation place approximately 70 per cent of its monies in escrow.

The motion, brought by Kon-aig and supported by all other

regions, relates to section 7 (i) of ANCSA which requires the corporations to place 70 per cent of their revenues from subsurface resources and regionally-owned timber into a common pool to be shared among all twelve regions.

To date, most have complied. But Arctic Slope has not done that with what is estimated to be \$5 million worth of revenues from signature bonuses on its agreements with

oil companies, and some of the other regions are concerned.

The December hearing will be a continuation of discussion of the larger problem stemming from definitions of "revenues" (gross or net?) and whether sand and gravel are subsurface resources that have to be shared.

Last Friday, a hearing was held in Anchorage District Court on those two definitions, and Doyon's General Counsel, Bill

Timme, reports that a judge's decision on the hearing can be expected in about two months.

Timme says hearings like Friday's are part of an ongoing process by the corporations which are trying to first resolve the legal issues of ANCSA so that they can handle the factual side more effectively. The corporations can then embark on actual development of their resources having narrowed the set of facts they must

cope with.

For instance, if "revenues" means gross receipts, then the corporations will have to share all the money they receive and will retain much less to cover their individual expenses. Doyon, for one, has taken a position that revenue should mean net receipts, which is in keeping with the pattern that those regions less rich in resources favor the "gross

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revenue" position. Also, if sand and gravel are defined as surface resources, they will then belong to the village and not the regional corporations.

The outcome of these hearings will have a major impact on the ways in which the corporations will go out about tapping their resources for profit. Happily, says Timme with a sigh, the arguments over legal issues are about exhausted.