

Native leaders praise Cowper for session Starts June 25

by Geoff Kennedy
for the Tundra Times

More praise than optimism.

That's how several leaders of Alaska Native groups reacted to Gov. Steve Cowper's calling the Legislature into special session next week.

"It's good that the Legislature's going back and taking another look at it," said Bruce Oskolkoff, the executive director of the Ninilchik Native Association.

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Now that the federal government has released its plans for taking over management of fish and game on its lands in Alaska, lawmakers may take a fresh look at the issue, he said.

"There may be more opportunity for a compromise," Oskolkoff said.

But he was less optimistic about chances of getting a constitutional amendment providing a subsistence preference for rural Alaska Natives.

Even if the state changes the constitution to provide a rural preference, he said, that's not what the villages had in mind.

"We're real happy," Mitch Demientieff, chairman of the Tanana Chiefs Conference, said about Cowper's action. But Demientieff expressed concern that the governor is considering a compromise that would

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require another vote in four years to continue whatever subsistence law emerges.

The governor needs to continue to pressure the Legislature to enact a subsistence law, Demientieff said.

He has the "hammer of the budget," Demientieff said, but he's uncertain whether the governor has the conviction to use the threat of vetoing the state budget to force a vote on subsistence.

"We've seen the legislators under fire at home to do something about subsistence," he said. "I hope we can leverage that to get the issue before the voters."

Demientieff said he doesn't know why legislators are reluctant to put the issue before the voters in the November general election.

Like Demientieff, Julie Kitka, president of the Alaska Federation of Natives, praised Cowper's action.

"We are delighted that the governor has taken this step," she said. "We feel that such a federal takeover will be a tragedy. Outside bureaucrats and judges should not be managing state fish and game."

Kitka predicted the complexity of a system managed by both the state on state lands and the federal government on federal lands would impose hardships on subsistence users and create widespread confusion and litigation.

She also warned that the Native community will oppose any attempt to weaken federal legislation that protects subsistence rights of rural Alaskans.

Sam Demientieff, the executive director of the Fairbanks Native Association, also supported Cowper's action.

Sam Demientieff wouldn't predict what the legislators will do, but he said Alaskans should have the right to determine their own destiny, instead of letting the federal government manage fish and game in Alaska.

"I would hope the legislators would give the people of Alaska the right to vote on it," Sam Demientieff said.

Bob Polasky, the director of subsistence and natural resources for the Rural Alaska Community Action Program, also praised the call for a special session.

"I'm happy that he did it," Polasky said, "even though he doesn't have the votes."

Polasky accused legislators opposed to a constitutional amendment of "holding up the public's opportunity to speak up on this issue."

Forcing the special session was the correct strategy, Polasky said.

"It puts the onus on the Legislature."

Polasky wouldn't predict whether the governor's strategy would work, but he believes the governor should threaten to veto the budget if legislators don't support a constitutional amendment.

Robert Willard, president of the Southeast Native Subsistence Commission agrees with this "hardball" approach.

"He's got a red pen," Willard said. "That line item veto is a big club on his side."

But Willard wouldn't predict whether the governor would use the approach.

He agreed with Kitka that the federal takeover would be bad for everyone.

"It makes no sense to turn over management to the federal government just because 8 percent of the people take 4 percent of the fish and game," he said. In Southeast Alaska, he said, subsistence users take just 1 percent of the region's salmon.

"I don't see why all the furor."

The governor's action pleased him,

Willard said, but he doesn't know how lawmakers can devise a subsistence solution to conform to the 1980 Alaska National Interest Lands Conservation Act and to the state constitution.

The federal law requires a subsistence preference for rural Alaskans, but the state Supreme Court declared the state rural preference law unconstitutional.

Willard said trying to amend ANILCA would only backfire.

"It's going to take a while before Congress would even consider that; it would be years," he said. After that time, "I doubt they would give it back."

The federal government could even try to take over management of fish and game on state land as well, Willard said.

Myron Naneng, president of the Association of Village Council Presidents, was lukewarm in his praise of Cowper's action.

"The governor finally did something," Naneng said. "It's in the right direction. It will show us which direction the state Legislature will go."

Urban legislators will probably recognize the need for solving the subsistence problem and come up with some type of solution, Naneng predicted.

But if they fail to do so, he said, they will re-affirm the AVCP position that rural Alaskans need to work more closely with the federal government.

The association was disappointed with the temporary regulations that go into effect July 1 when the federal government takes over management of fish and game on its lands, he said. Those regulations were too similar to the state ones, Naneng said.

Terry Hoefflerle, the executive director of the Bristol Bay Native Association, had even less praise for the governor's action.

"The timing and the moment may have passed," Hoefflerle said.

But Cowper realizes he had to do something because people were calling on him to exercise leadership, Hoefflerle said.

But Hoefflerle doubts Cowper has the necessary two-thirds vote in both the House and Senate to pass a constitutional amendment onto the voters.

'We've seen the legislators under fire at home to do something about subsistence. I hope we can leverage that to get the issue before the voters.'

—Mitch Demientieff

Too many legislators are "strict constructionists," who need to be educated on Alaska Natives' "birth-right" to live off the land.

Hoefflerle called subsistence the "cornerstone of their lifestyle."

"Subsistence rights are part of the social contract that we have forged," he said.