

Bristol Bay Corp.--

Corporation Approves Bylaws

Mr. Harvey Samuelson, President, announced the formation of the new Bristol Bay Native Corporation. The organizational

ASNA Corp. ...

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thinking, no basis for a boundary dispute with other regions exists. ASNA regional boundary claims have been documented in "every legal area," he said.

As far as the Arctic Slope is concerned, we have no boundary dispute. Out boundaries have been clearly defined since the beginning," he stated.

In a statement to the American Indian Press Association earlier this month, Loesch suggested that Interior would be reluctant to approve the region's articles of incorporation until the boundary disputes were resolved.

Effective Argument for Borough...

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established as rapidly as possible."

"In this particular case," he added, "local government is desperately needed. That is the uniqueness."

Irregardless of Barrow's "uniqueness," the legal arguments that were presented in the Superior Court of Alaska, Anchorage, June 12, revolved around interpretations of existing laws, precedents set in other states and instances, definitions of the Local Boundary Commission's authority, practical application of the law in similar cases, and constitutional guidelines.

Attorneys for the oil companies based much of their argument on trying to interpret what was the intent of the Constitutional Convention of 1957. The drafters of the new state's constitution had to establish divisions into which the state was to be divided, as well as indicating what degree of local power would be granted by the legislature.

Assistant Attorney General, Charles Cranston presented arguments defending the Local Boundary Commission's approval of the North Slope Borough. The Arctic Slope Native Association participated in the suit as an intervenor, represented by Getches and Frederick Paul of Seattle.

The oil companies submitted a motion for summary judgment and the Attorney General's office with the intervenors, ASNA, moved for dismissal of the case.

Following a hearing in which both sides presented arguments, Judge Eben H. Lewis announced he would take both motions under advisement and would reserve his decision until later in the week.

In rebutting the oil companies' claims that the borough as proposed violates the state constitution, Cranston pointed out that the drafters of that document fifteen years ago, were "wrestling with a new concept."

When the constitution was adopted, the convention was not dealing with any boroughs. There were none in existence. There was still a possibility the state would be divided into counties.

The subsequent working out of the practical application of the borough concept came later. Cranston argued that it would be highly inappropriate not to consider the borough concept "TODAY, as it operates in Alaska."

The oil companies argued that the Local Boundary Commission violated the Constitu-

meeting was held in Dillingham at 1:00 p.m., June 18, 1972.

The Board of Directors of the Bristol Bay Native Corporation adopted the by-laws of the corporation and also adopted a resolution requesting advance funding from the Secretary of the Interior for organizational purposes, payment of loans, and land selections.

The newly-formed corporation also took action on hiring an executive director for the corporation. Nels Anderson, Jr. who was executive director for the Bristol Bay Native Association.

In another action the newly formed corporation hired a deputy director who was the former director of the Bristol Bay Area Development Corporation, Mr. Ted Anguson, formerly of Naknek, who now resides in Dillingham.

tion by not submitting the proposed borough to the state legislature for approval.

The exact wording of the ruling which outlines the functions of the Local Boundary Commission (created after Alaska adopted the Constitution) says: The Local Boundary Commission MAY present the change to the legislature" and refers to boundary changes in organized boroughs.

Cranston argued two points: (1) that formation of a new borough is not identical with a boundary change in an existing borough; and (2) the word MAY is not mandatory, but was an option given the Local Boundary Commission if they chose to invoke the help of the legislature in setting up new boroughs.

Since becoming a state, the legislature itself has NOT, in fact, required that "matters relating to local government be submitted to it."

At the time of statehood, the presently existing boroughs were all established with the exception of two. "All areas not incorporated as boroughs shall constitute a single unorganized borough," a left-over area.

The final report on local government by the Local Affairs Agency in 1961 was that the unorganized borough was not a local government.

"This left-over area," said Cranston, "is a governmental vacuum." The concept of the borough and the part of the unorganized borough was new. No other state had it, no other state had an agency comparable to the Local Affairs Agency.

There have been two boroughs formed since adoption of the constitution: the Bristol Bay Borough in 1962 and the Haines Borough in 1968.

"In both these situations," the assistant attorney general said, "the Local Boundary Commission followed EXACTLY the same procedures as was followed here."

There was no legislative response. The legislature did not compel the Local Boundary Commission to submit these two boroughs for legislative approval.

David Getches responded to the oil companies challenges on the apportionment of the proposed borough assembly, and their attempt to halt this week's elections.

"A taxpayer cannot bring a reapportionment action," he said. "He has to assert that he is a voter or a citizen and that hasn't been done here."

"It's quite obvious that the people that are bringing the suit are corporate people. They are

four children. Lord's mother lives in the village of Nenana.

Shortly after starting, two boats developed troubles, narrowing the field to thirteen. A grueling race, the Yukon 800 was initiated in 1960 by a hardy group of river rats and has become a Fairbanks tradition for the "longest day of the year" weekend.

Sponsored by the Fairbanks Outboard Motor Association, this year's group chartered a Wien F 27 to take about 44 race fans and officials downriver to Tanana, then to Galena for the Turn-Around.

Troubles started early when the plane was delayed from a 7:00 p.m. to a 9:00 p.m. take-off and officials missed the Tanana rendezvous. However, spirits rose again with champagne and at last the Wien plane caught up with the boats.

Captain Williams circled over

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the course and swooped low to give the plane's passengers a good look at the boats.

The Scotty H with Del Hayward as skipper was leading the pack toward Galena. At Galena, the plane beat the boats in by a short margin and the entire village turned out to clock the boats in, watch the refueling, and chat with crews during the two-hour layover.

The Galena Sports Association contributed \$1000 to the race to promote the sport and to establish Galena as the turn-around point. Pretty Eva Cook presented a large gold trophy to Hayward for "First To Turn Around In Galena."

When the last boat headed out again, the village was still celebrating and the planeload of Fairbanks visitors made their way home, circling once or twice over the speeding boats on the Yukon.

Bob Toombs, a former 800 winner, followed the riverboats in his float plane but in the early morning hours, the weather began to cloud, the river to get rough or rather rougher, and the plane lost contact with the racers.

Even the larger Wien plane hit rain, clouds, and turbulence. Safely back in Fairbanks, the comfortable passengers thought of the crews, still on the river.

At about 1:00 p.m. Sunday as the lead boats made it back to Fairbanks, a report came in by radio from Tanana. Bill Page, captain of Miss Alaska Too, reported that Jerry Evans' boat, the Jeannie M, had gone straight up in the air and the rear sunk, twenty minutes north of Ruby.

Page watched the boat float with the nose up in the air but could not cross the river as the waves were too bad for his flat-bottomed, hydro style boat. The other two crew members in the Jeannie M were John Bergamaschi, director of the Fairbanks Native Center, and Jack Rogers.

Shortly afterwards, Jim Movius' Icebreaker II came along and was hailed down by Page. Movius unloaded part of the weight in his boat, a V-bottom with better ability to cut through the waves, and left his wife, Toni Movius, the only woman in the race, with Page.

Movius then went across the river with Charlie Titus, Jr. and Roland Lord to give assistance.

Page continued on to Tanana to report the accident. Dennis MacKinnon, a teacher from Galena and Nulato, came from a nearby fish camp in a green boat and told Page that he had spotted the men at the mouth of the Junekakat Creek, about 4 miles from Kokrines.

He reported that Jerry Evans and crew, Jim Movius and Charlie Titus were the men found, and indicated that Roland Lord was missing.

State troopers and volunteers along the river began to search for Lord, while members of the Outboard Association kept a radio vigil in the Chamber of Commerce building in Fairbanks.

In an atmosphere of emptied coffee cups and overflowing ashtrays, of map checks and incomplete radio messages, of no sleep and jangling phone calls, the wait began.

The weather and the river had taken its toll on the other boats as well. Of the thirteen starters, only six had returned to Fairbanks.

First place went to Del Hayward, a part Tsimshian and part Tlingit Indian, who also won last year's 800. Hayward is originally from Metlakatla. His wife is also Tsimshian-Tlingit, and Scotty H. built by Del him-

self, is named after their youngest son.

Navigator of the Scotty H. is Darrell Martin and the engineer is Vance Heeg.

Second place was the Miss Texaco and third place went to the Scarecrow. The other boats in order of finishing were Brass Nose, Blue Goose and the Donna C.

A look at the list of boats on the blackboard told part of the story. By the Jeannie M was written the word - FLIPPED; by Movius' and Page's boats IN SEARCH; by the Jerry ENROUTE HOME W/MOTOR TROUBLE; Tiny Too? (LOST), then TIED 10 MI. BELOW MINTO; Hare HOME O.K.; TanaGal SCRATCHED, BROKEN RIB.

Nearly every boat had experienced rough water. Even the Scotty H. had almost flipped.

"The boats were coming apart," someone said, "Breaking up."

On Monday morning, Jim Movius, back in Fairbanks after an exhausting experience, described the accident.

Making it across in the Icebreaker, Movius with Charlie Titus and Roland Lord built a fire for the crew of the Jeannie M, then left them some sandwiches. Working in waist-deep water, they righted Evans' boat, recovered the motor, and mounted the Icebreaker's spare motor on it.

It was on the return trip across river that the Icebreaker flipped, throwing all three men in the water. The salvaged Jeannie M now came to the rescue of the rescuers, but Roland Lord drowned in the icy waters and attempts to revive him failed.

The rescued men were flown back to Galena in a BLM Grumman Goose, and then chartered a Cessna 206 back to Fairbanks. The accident occurred about 8:00 a.m. Sunday morning, and it was about 7:00 p.m. when they arrived back at Galena.

The 1972 Yukon 800 was over and the great river flowed on, as it has done for hundreds and hundreds of years.

Roll ...

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Longley's office is gearing up for an out-of-state enrollment campaign with the contract phase expected to come next month.

"We plan on completing our computerized encoding operation by mid-August and sending a list of applicants to all regional and village associations at that time. Our first computer printouts will be sent to the villages by the end of this month," he said.

Longley noted that applicants have until March 30, 1973, to change if they wish, the place to which they are permanently enrolled. This choice affects not only the individual but the amount of land the community they choose to permanently enroll in will receive.

To date, the number of persons enumerated in each region (with projected total in brackets) is as follows:

Aleut League, 1,525 (1,825); Arctic Slope, 2,617 (2,197); Association of Village Council Presidents, 11,681 (12,691); Bering Straits, 4,608 (4,908); Bristol Bay, 3,650 (3,650); Cook Inlet, 8,716 (9,016); Chugach, 1,223 (1,223); Copper River, 573 (573); Kodiak, 2,117 (2,117); Northwest Native Association, 3,683 (3,683); Tanana Chiefs Conference, 7,931 (8,031); and Tlingit-Haida Central Council, 10,460 (10,560).