



## *Court issues confusing stay*

In a move which appears to be very helpful — but also extremely confusing — the Alaska Supreme Court has issued a six-month stay of its recent controversial subsistence ruling.

The court last month threw subsistence preference in Alaska into chaos by ruling in a 4-1 decision that the state's subsistence preference for "rural" residents discriminates unnecessarily against "urban" residents.

The Supreme Court ruling had the effect of declaring Alaska's subsistence laws unconstitutional.

In the latest chapter, however, Alaska State Supreme Court Chief Justice Warren W. Matthews postponed implementation of the court's December decision.

The thing that's good about this stay is that Alaska Department of Fish and Game officials say upcoming subsistence hunts and fisheries generally will proceed as originally scheduled. This will be at least for the next six months while the stay is in place.

Until the stay was announced, it was felt that the state would cancel many hunts. In fact, ADF&G already had announced plans to cancel three hunts.

This is a very serious matter to the many Native people who depend on those hunts to put food on the table.

We've already made it clear that we strongly oppose the Supreme Court's ruling. While we support a six-month stay because it will put off the many detrimental effects of the ruling, we question just how it is that a law can be declared unconstitutional but allowed to remain in place.

Our hope at this point is that the "extra" six months will give people time to find alternatives and answers to the Supreme Court's decision.

It still appears, however, that the only solution at this point is an amendment to the Alaska Constitution or a change in federal law, granting subsistence priority to Alaska Natives.

