

Introduced: 3/6/89
Referred: Judiciary, Resources
and Finance

6-0369A

1 IN THE SENATE

BY ZHAROFF

2

SENATE BILL NO. 205

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the lease of certain tideland to
7 nonresidents of the state."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. LEGISLATIVE FINDINGS. The legislature finds that the
10 residents of the state are responsible for the general support of the
11 programs of state government and that, to a large extent, those who are
12 nonresidents of the state do not support the programs of the state govern-
13 ment that offer services to persons within the state. These general ser-
14 vices include not only the administration of the state departments and
15 agencies and their programs and the specific costs associated with the
16 management of the tideland leasing program, but also the protection and
17 regulation of the marine environment, the management of fisheries, and
18 other costs of government associated with the tideland of the state. While
19 the United States Constitution prevents the state from discriminating in
20 its delivery of services to nonresidents, the Constitution does not prevent
21 the state from charging nonresidents a differential that compensates the
22 state for the necessary added enforcement burden that nonresidents impose
23 on state government or for any conservation expenditures that nonresidents
24 do not help pay for through the usual resident taxation methods.

25 * Sec. 2. AS 38.05.082(c) is amended to read:

26 (c) A lease for set net fishing may be issued for any period not
27 exceeding 10 years. If the commissioner determines that the land is
28 not being utilized for the purpose for which the lease is issued, the
29 lease may be declared void. The director shall establish a

1 [REASONABLE] rental fee for the lease to residents of the state that
2 is [,] equal to the administrative costs involved in processing the
3 leasehold applications. The rental fee for nonresidents of the state
4 is five times the rental fee established under this subsection for
5 residents.