

Offered: 3/5/90
Referred: Finance

6-0369H

Original sponsor(s): SEN. ZHAROFF

1 IN THE SENATE BY THE RESOURCES COMMITTEE
2 CS FOR SENATE BILL NO. 205 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act relating to the rental fee charged for shore
7 fisheries leases; and providing for an effective
8 date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. LEGISLATIVE FINDINGS. The legislature finds that the
11 residents of the state are responsible for the general financial support of
12 the programs of state government and that the vast majority of support for
13 the programs of state government comes from taxes and revenue from state-
14 owned land. To a large extent, those who are nonresidents of the state do
15 not financially support the programs of state government that provide
16 services to both residents and nonresidents within the state. These ser-
17 vices include the administration of the various state departments and
18 agencies and their programs and specifically include the management of the
19 tideland leasing program. While the United States Constitution prevents
20 the state from discriminating in its delivery of services to nonresidents,
21 the Constitution does not prevent the state from charging nonresidents a
22 differential that compensates the state for the costs and expenses that
23 nonresidents impose on state government.
24 * Sec. 2. AS 38.05.082(c) is amended to read:
25 (c) A lease for set net fishing may be issued for any period not
26 exceeding 10 years. If the commissioner determines that the land is
27 not being utilized for the purpose for which the lease is issued, the
28 lease may be declared void. The director shall establish and may
29 revise a [REASONABLE] rental fee for the lease to nonresidents of the

1 state that includes a revenue generating component and [, EQUAL TO]
2 the administrative costs involved in processing the leasehold applica-
3 tions. The director shall establish and may revise a rental fee for
4 residents of the state that includes a revenue generating component
5 and one-fifth of the administrative costs involved in processing the
6 leasehold applications. The revenue generating component of the
7 rental fee established or revised by the director shall be equal for
8 residents and nonresidents.

9 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).