

HOUSE BILL NO. 57

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE NAVARRE

Introduced: 1/22/91

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to leases of state land for fisheries development; and providing for an
2 effective date."

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

4 * Section 1. AS 38.05.082(b) is amended to read:

5 (b) The director may classify land as subject to leases for fisheries development. In the
6 absence of a land management plan adopted under AS 38.04.065, the director may designate
7 land for lease under this section after notice under AS 38.05.945. The director shall [
8 AND] publicly invite applications for lease of the selected areas. Each application shall be
9 accompanied by an affidavit to the effect that the applicant presently intends to personally utilize
10 the leased area for fishing purposes the following season. If two or more applications are
11 received for the same shore area, the director shall award the lease to the most qualified
12 applicant. In determining the qualifications of applicants, the director shall consider the length
13 of time during which the applicant has been engaged in set netting, the proximity of the past
14 fishing sites of the applicant to the land to be leased, the present ability of the applicant to utilize

1 the location to its maximum potential, and other factors relevant to the equitable assignment of
2 the disputed area. If the director cannot determine a preference between conflicting applicants
3 for the same lease site on the basis of qualifications, the director shall select between the
4 applicants by lot. An aggrieved applicant may appeal to the commissioner within 30 [FIVE] days
5 for a review of the director's determination.

6 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).