

**SENATE BILL NO. 28****IN THE LEGISLATURE OF THE STATE OF ALASKA****SEVENTEENTH LEGISLATURE - FIRST SESSION****BY SENATOR ZHAROFF**

Introduced: 1/21/91

Referred: Judiciary, Resources and Finance

**A BILL****FOR AN ACT ENTITLED**

1 "An Act relating to the rental fee charged for shore fisheries leases; and providing for  
2 an effective date."

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

4 \* **Section 1. LEGISLATIVE FINDINGS.** The legislature finds that the residents of the state are  
5 responsible for the general financial support of the programs of state government and that the vast  
6 majority of support for the programs of state government comes from taxes and revenue from state-  
7 owned land. To a large extent, those who are nonresidents of the state do not financially support the  
8 programs of state government that provide services to both residents and nonresidents within the state.  
9 These services include the administration of the various state departments and agencies and their  
10 programs and specifically include the management of the tideland leasing program. While the United  
11 States Constitution prevents the state from discriminating in its delivery of services to nonresidents, the  
12 Constitution does not prevent the state from charging nonresidents a differential that compensates the  
13 state for the costs and expenses that nonresidents impose on state government.

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

1 (c) A lease for set net fishing may be issued for any period not exceeding 10 years. If  
2 the commissioner determines that the land is not being utilized for the purpose for which the  
3 lease is issued, the lease may be declared void. The director shall establish and may revise a  
4 [REASONABLE] rental fee for the lease to nonresidents of the state that includes a revenue  
5 generating component and [, EQUAL TO] the administrative costs involved in processing the  
6 leasehold applications. The director shall establish and may revise a rental fee for residents  
7 of the state that includes a revenue generating component and one-fifth of the  
8 administrative costs involved in processing the leasehold applications. The revenue  
9 generating component of the rental fee established or revised by the director shall be equal  
10 for residents and nonresidents.

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