

HCR

13

HFIN

FILE

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SPONSOR STATEMENT - HCR 13

HCR 13, "Relating to the nonresident fee differential for commercial fishing permits and licenses," expresses the Legislature's belief that all of the direct and indirect costs that the state has submitted to the court should be included in the fee differential formula.

The courts have been consistent in saying that the state must discontinue the practice of charging non-resident fishers three times the amount they charge a resident fisher. Instead they established a formula that is to be used to compute the maximum difference that the state can charge for non-resident licenses and permit fees. However, in a court trial in June 2000, the Superior Court ruled that only two of the six budget categories that the state submitted could be counted when calculating the annual expenditures for commercial fisheries management. By disallowing those four budget categories, the State of Alaska is faced with a potential \$22.5 million liability. The State has appealed that decision to the Supreme Court and will be arguing that all of the items listed in this resolution should be included in the formula.

By sending this resolution to the court system, we are saying that we support the Department of Law in its appeal and strongly believe that items such as hatcheries, harbors and capital improvements should be included in the formula.