

SENATE BILL NO. 219

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY SENATOR MICCICHE

Introduced: 2/22/22

Referred: Resources

A BILL

FOR AN ACT ENTITLED

1 **"An Act providing for the transfer of and addition of names to a personal use cabin**
2 **permit for a cabin on state land; and providing for an effective date."**

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

4 * **Section 1.** The uncoded law of the State of Alaska is amended by adding a new section
5 to read:

6 TRANSFER OF PERMIT FOR PERSONAL USE CABIN ON STATE LAND. (a)
7 Notwithstanding regulations adopted by the Department of Natural Resources in 1984 and
8 amendments to those regulations adopted by that department in 1993, 2001, and 2018 under
9 the authority of AS 38.04.035, 38.04.900, AS 38.05.020, AS 41.21.020, and AS 44.37.011 as
10 those provisions read on the date those regulations were adopted, that state that a personal use
11 cabin permit is not transferable or assignable and is valid only during the lifetime of the
12 original holder of the permit, the department shall,

13 (1) at the request of an original permit holder,

14 (A) transfer the permit holder's permit to an immediate family member

1 of the permit holder; or

2 (B) add an immediate family member of the permit holder as an
3 additional permittee with a right of survivorship in the permit; and

4 (2) if the original permit holder of a permit that has not been transferred or
5 assigned dies before the age provided by the National Center for Health Statistics as the
6 average life expectancy of a person residing in the state at the time of the permit holder's
7 birth, allow an immediate family member of the deceased permit holder to assume the
8 privileges of the permit for a period equal to the difference between the original permit
9 holder's age at death and the life expectancy determined under this paragraph.

10 (b) Notwithstanding the regulations that state that a personal use cabin permit is not
11 transferable or assignable and is valid only during the lifetime of the original holder, an
12 immediate family member of an original personal use cabin permit holder or deceased
13 personal use cabin permit holder may assume the privileges of a permit under (a) of this
14 section only if the person is qualified under regulations adopted by the Department of Natural
15 Resources.

16 (c) For an immediate family member of a personal use cabin permit holder

17 (1) to be added to or transferred a permit under (a)(1) of this section, the
18 original permit holder must submit the immediate family member's name to the Department
19 of Natural Resources;

20 (2) to assume the privileges of a permit under (a)(2) of this section, the
21 immediate family member must apply to the Department of Natural Resources within 30 days
22 after the permit holder's death.

23 (d) Once the original permit holder has died, a personal use cabin permit that an
24 immediate family member has been transferred, or had the individual's name added to, under
25 (a)(1) of this section is valid only during the lifetime of the immediate family member.

26 (e) The Department of Natural Resources shall adopt regulations to implement this
27 section.

28 (f) In this section, "personal use cabin permit" means a permit issued by the
29 Department of Natural Resources under regulations adopted by the department in 1984 and
30 amendments to those regulations that were adopted in 1993, 2001, and 2018 to an individual
31 to use an existing cabin that was placed on state land before August 1, 1984.

1 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
2 read:

3 PERSONAL USE CABIN PERMITS THAT EXPIRED ON OR AFTER JANUARY
4 1, 2020, AND BEFORE THE EFFECTIVE DATE OF THIS ACT. (a) The Department of
5 Natural Resources shall allow an immediate family member of the holder of a personal use
6 cabin permit that allowed the holder to use an existing cabin that was placed on state land that
7 was issued by the Department of Natural Resources under regulations adopted by the
8 department in 1984 and amendments to those regulations that were adopted in 1993, 2001,
9 and 2018 that expired on or after January 1, 2020, and before the effective date of this Act,
10 because of the death of the original permit holder, to assume the former privileges of the
11 expired permit as provided under sec. 1(a)(2) of this Act as though the permit had not expired.

12 (b) Notwithstanding sec. 1(c)(2) of this Act, for an immediate family member of a
13 personal use cabin permit holder to assume the former privileges of an expired permit under
14 (a) of this section, the immediate family member must apply to the Department of Natural
15 Resources within 60 days after the effective date of this section.

16 (c) In calculating the period for which an immediate family member may assume the
17 former privileges of an expired permit under (a) of this section, the Department of Natural
18 Resources shall count the period after January 1, 2020, that the original permit holder was
19 deceased against the period the family member may assume the former privileges of the
20 expired permit.

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