



Sectional Analysis

Senate Bill 105 – State Land for Recreational Cabin Sites (34-GS1026\A)

Section 1 – Amends AS 38.04.020(i) to remove the word “remote.”

Section 2 – Amends 38.05.035(e)(6) to add a new paragraph (I) to exclude a recreational cabin site lease or sale from written finding requirements.

Section 3 – Amends AS 38.05.045 to include repealed and re-enacted AS 38.05.600 in list of statutes under which land may be disposed.

Section 4 – Amends AS 38.05.065(b) to include the repealed and re-enacted AS 38.05.600 in the requirements for land sale contract payments.

Section 5 – Amends AS 38.05.125(a) to include the repealed and re-enacted AS 38.05.600(a) in existing statute providing reservations that must be included in the sale, lease, or grant of state land, and in each deed to state land, properties, or interest in state land.

Section 6 – Amends AS 38.05.600 by repealing the existing remote recreational site statute and re-enacting it as follows:

- (a) Provides and intent statement for this section of statute that draws from the Constitution of the State of Alaska and the Alaska Land Act.
- (b) Directs the Commissioner of DNR to administer a program to lease and sell state lands for recreational cabin sites and to make sites available through both a scheduled offering program and a nomination process.
- (c) Modifies existing staking program to allow eligible applicants to apply for the lease or sale of land from the schedule of land offerings published annually by the department.
- (d) Allows an eligible applicant to nominate and apply for the lease and sale of up to 10 acres of general domain state lands not included in the schedule of land offerings and requires that all nominated lands have legal access, including access provided through generally allowed uses. The applicant has the burden on demonstrating that nominated land is eligible for lease and sale.
- (e) Prohibits the commissioner from approving the sale or lease of land under this program that is classified as mineral or oil and gas land unless the applicant has held a valid mining claim located on the parcel or contiguous to the parcel for the preceding five years. Allows an applicant holding a valid mining claim to nominate land that is within one-quarter mile of another recreational cabin site.
- (f) Requires the department to provide public notice of the intent to lease or sell land if the commissioner approves the application.
- (g) Authorizes the commissioner to issue a lease for up to 10 years to an eligible applicant. Limits use of leased land to recreational purposes only during the term of the lease,

unless the applicant also have a valid mining claim on the land. Requires leased land to be surveyed at the cost of the lessee no later than five years after commencement of the lease. Allows the commissioner to terminate a lease if the lessee fails to comply with lease terms. Allows the lessee to purchase the land at any time during the term of the lease.

- (h) Requires the commissioner to set lease fees to ensure a fair return to the state based on the use granted. Directs the department to manage improvements or remaining personal property consistent with existing statutes at AS 38.05.090 regarding removal or reversion of improvement when a lease is terminated on state land. Allows assignment of a lease.
- (i) Provides discretionary authority to sell lands to an eligible applicant and requires the sale be at fair market value. Requires the sale price to a lessee to be determined as of the time of entry and allows lease payments to be credited toward the purchase price. Requires the purchaser to pay for appraisal, survey, and platting fees.
- (j) Provides discretionary authority to the commissioner to adopt regulations necessary to implement these statutes.
- (k) Defines the terms “eligible applicant” and “resident” as they apply to this section of statute. Provides that an eligible applicant must be at least 18 years of age and has not leased or purchased a recreational cabin site in the previous 10-year period.

Section 7 – Exempts reclassification of land under AS 38.05.600 from notice requirements under AS 38.05.945.

Section 8 – Amends the uncodified law of the State of Alaska to add a new section that addresses the transition of personal use cabins permitted under a previous program into the new recreational cabin sites program established in Sec.6:

- (a) Allows limited exemption from provisions in existing statutes (AS 16.20 or AS 41.21) and regulations adopted by DNR under specific statutes (AS 38.04.035, AS 38.05.020, AS 41.21.020, and AS 44.37.011) that state a personal use cabin permit does not convey any interest in state land or grant any preference right, and provides discretionary authority for the commissioner to:
 - (1) Approve a nomination to purchase or lease land as a recreational cabin site by a current valid permit holder of a cabin site and surrounding land.
 - (2) Approve a nomination to lease or purchase land as a recreational cabin site by a former permit holder, or an immediate family member of a former permit holder, whose permit for a cabin site and surrounding land expired, if the personal use cabin was maintained.
- (b) Allows the department to authorize recreational cabin sites from prior permits under this section less than one-quarter mile from another recreational cabin site.
- (c) States that the eligible lands in regard to this section are those sites listed in the 2025 Personal Use Cabin Permit Master List located in the office of the director of the division of lands.
- (d) For personal use cabins previously permitted on land set aside as special purpose sites, provides that the land can be leased or sold regardless of its classification and directs the commissioner to consider whether the disposal is consistent with the use of the land, including the preservation of public access.

Section 9 – Amends the uncodified law of the State of Alaska to add a new section relating to transition as follows:

- (a) Provides that existing leases under AS 38.05.600 before the effective date of this act are not subject to AS 38.05.600 as repealed and reenacted and will continue pursuant to the lease terms.
- (b) Provides that land leased or sold before the effective date of this act will be considered a recreational cabin site for the purpose of establishing future program eligibility.

Section 10 – Repeals section 9 on June 30, 2030.

Section 11 – Provides for an immediate effective date under AS 01.10.070(c).