

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

May 6, 2022

1:04 p.m.

MEMBERS PRESENT

Representative Josiah Patkotak, Chair
Representative Zack Fields
Representative Calvin Schrage
Representative Sara Hannan
Representative Mike Cronk (via teleconference)
Representative Tom McKay

MEMBERS ABSENT

Representative Grier Hopkins, Vice Chair
Representative George Rauscher
Representative Ronald Gillham

COMMITTEE CALENDAR

SENATE BILL NO. 219

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

- MOVED SB 219 OUT OF COMMITTEE

HOUSE BILL NO. 120

"An Act relating to state land; relating to the authority of the Department of Education and Early Development to dispose of state land; relating to the authority of the Department of Transportation and Public Facilities to dispose of state land; relating to the authority of the Department of Natural Resources over certain state land; relating to the state land disposal income fund; relating to the leasing and sale of state land for commercial development; repealing establishment of recreation rivers and recreation river corridors; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 219

SHORT TITLE: TRANSFER PERSONAL USE CABIN PERMITS

SPONSOR(s) : SENATOR(s) MICCICHE

02/22/22 (S) READ THE FIRST TIME - REFERRALS
02/22/22 (S) RES
03/14/22 (S) RES AT 3:30 PM BUTROVICH 205
03/14/22 (S) Heard & Held
03/14/22 (S) MINUTE(RES)
04/13/22 (S) RES AT 3:30 PM BUTROVICH 205
04/13/22 (S) -- MEETING CANCELED --
04/18/22 (S) RES AT 3:30 PM BUTROVICH 205
04/18/22 (S) -- MEETING CANCELED --
04/20/22 (S) RES AT 3:30 PM BUTROVICH 205
04/20/22 (S) Moved SB 219 Out of Committee
04/20/22 (S) MINUTE(RES)
04/22/22 (S) RES RPT 4DP 1NR 1AM
04/22/22 (S) DP: REVAK, STEVENS, MICCICHE, VON IMHOF
04/22/22 (S) NR: KIEHL
04/22/22 (S) AM: KAWASAKI
04/27/22 (S) TRANSMITTED TO (H)
04/27/22 (S) VERSION: SB 219
04/29/22 (H) READ THE FIRST TIME - REFERRALS
04/29/22 (H) RES
05/06/22 (H) RES AT 1:00 PM BARNES 124

BILL: HB 120

SHORT TITLE: STATE LAND SALES AND LEASES; RIVERS

SPONSOR(s) : RULES BY REQUEST OF THE GOVERNOR

03/01/21 (H) READ THE FIRST TIME - REFERRALS
03/01/21 (H) RES, FIN
04/30/21 (H) RES AT 1:00 PM BARNES 124
04/30/21 (H) Heard & Held
04/30/21 (H) MINUTE(RES)
05/12/21 (H) RES AT 1:00 PM BARNES 124
05/12/21 (H) Scheduled but Not Heard
05/13/21 (H) RES AT 1:00 PM BARNES 124
05/13/21 (H) Heard & Held
05/13/21 (H) MINUTE(RES)
05/02/22 (H) RES AT 1:00 PM BARNES 124
05/02/22 (H) Heard & Held
05/02/22 (H) MINUTE(RES)
05/04/22 (H) FIN AT 1:30 PM ADAMS 519
05/04/22 (H) Scheduled but Not Heard
05/06/22 (H) RES AT 1:00 PM BARNES 124

WITNESS REGISTER

SENATOR PETER MICCICHE
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor, presented SB 219.

MARK BELL
Soldotna, Alaska

POSITION STATEMENT: Testified in support of SB 219.

CHRIS LUITEN
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 219.

CHRISTIANNA COLLES, Chief of Operations
Division of Mining, Land and Water
Department of Natural Resources
Anchorage, Alaska

POSITION STATEMENT: During the hearing on SB 219, answered questions.

LAURA BOOMERSHINE, Legislative Liaison
Office of the Commissioner
Department of Natural Resources
Anchorage, Alaska

POSITION STATEMENT: During the hearing on SB 219, answered questions.

JOHN SONIN, representing self
Juneau, Alaska

POSITION STATEMENT: Testified during the hearing on HB 120.

BILL THOMAS, representing self
Haines, Alaska

POSITION STATEMENT: Testified in support of HB 120.

BECKY LONG, representing self
Talkeetna, Alaska

POSITION STATEMENT: Testified about her concerns with Section 13 of HB 120.

JAN CONITZ, representing self
Juneau, Alaska

POSITION STATEMENT: Testified about her concerns with HB 120.

MELISSA HEUER, Executive Director
Susitna River Coalition
Talkeetna, Alaska

POSITION STATEMENT: Testified in opposition to HB 120.

KATIE ROOKS, representing self
Prince of Wales Island, Alaska

POSITION STATEMENT: Testified in opposition to HB 120.

HEIDI TESHNER, Director
Finance and Support Services Division
Department of Education and Early Development
Juneau, Alaska

POSITION STATEMENT: During the hearing on HB 120, answered a question.

ACTION NARRATIVE

[1:04:52 PM](#)

CHAIR JOSIAH PATKOTAK called the House Resources Standing Committee meeting to order at 1:04 p.m. Representatives Hannan, Schrage, McKay, Fields, and Patkotak were present at the call to order. Representative Cronk arrived via teleconference as the meeting was in progress.

SB 219-TRANSFER PERSONAL USE CABIN PERMITS

[1:05:31 PM](#)

CHAIR PATKOTAK announced that the first order of business would be SENATE BILL NO. 219, "An Act providing for the transfer of and addition of names to a personal use cabin permit for a cabin on state land; and providing for an effective date."

[1:05:55 PM](#)

SENATOR PETER MICCICHE, Alaska State Legislature, as prime sponsor, presented SB 219. He said HB 219 would fix something that is wrong with the way Alaska state government is being administered. He stated that the bill is not a long-term fix, but it would allow families with recreational cabins additional time while the problem is solved. This problem, he explained, was created by [House Bill 109], passed in 1997, which terminated [the 1984 Personal Use Cabin Permit Program (PUCP)] and gave Alaskans the opportunity to purchase the land they had been leasing that had not yet been initiated by the [Department of Natural Resources (DNR)]. In the 25 years since that bill's passage, families have lost their cabins, he said.

SENATOR MICCICHE related that this issue came to a head for him after receiving several calls from affected families, including the family of Greg Bell, a friend of his killed in an airplane accident who owned a cabin on the west side of Cook Inlet. He said Mr. Bell's grieving widow was contacted by the state not long afterward that their cabin would be lost. He explained that SB 219 would allow a family to retain lease of their cabin until a bill is passed that allows purchase of that land. In the case of the Bell's, he continued, SB 219 would allow for a new name to be put on their lease for as long as Greg Bell would have lived in accordance with the life expectancy of the National Center of Health [Statistics], which would be 28 more years. The bill would allow other families to add an additional name to their permits, he further explained, because the permit program has been closed and the lease will go away. The bill will allow more time, Senator Micciche reiterated, for coming to a permanent solution given this problem will be growing as the last names on these permits pass on.

CHAIR PATKOTAK announced that the committee would hear invited testimony on SB 219.

[1:10:05 PM](#)

MARK BELL testified in support of SB 219. He thanked Senator Micciche for bringing forth SB 219 and said he is Greg Bell's older brother. He related that his father was a pilot and hunting and fishing guide who in the 1970s or 1980s purchased "the duck cabin" on the west side of Cook Inlet on the banks of Big River where he, Greg, and their other brother spent their summers growing up. Sometime after the cabin's purchase, he recounted, DNR required a permit for use of the cabin, so his father put the permit in Greg's name because Greg was the youngest child, but the family has been unable to find that original permit. He said that when their father died in 1987, he, Greg, and their mother continued the family's business, High Adventure Air Charter, Guides and Outfitters in Soldotna. He stated that on 7/31/2020 a pilot who did not have a medical license to fly flew into Greg's plane, killing Greg and all passengers aboard. This devastation was hard enough, Mr. Bell shared, but then Greg's wife received a letter from the state notifying her that the duck cabin permit would expire, and the cabin would have to be removed because Greg, the permit holder, had died. He said that this cabin extended his connection to remote Alaska, and he would like his kids, grandkids, and friends to continue being able to use it. He asked for the

committee's help and said he would appreciate the opportunity to renew the cabin's permit, possibly through Greg's son.

CHAIR PATKOTAK offered his empathy for the loss of a family member.

[1:21:16 PM](#)

CHAIR PATKOTAK opened public testimony on SB 219.

[1:21:36 PM](#)

CHRIS LUITEN testified in support of SB 219. He related that his 92-year-old father has a permit for a cabin in the Susitna Flats area, and when his father passes away the cabin will be taken away or burned down. The cabin is only accessible by airplane, he related, and for many years his family has let the [U.S. Fish and Wildlife Service] use the cabin for research on migratory birds. He said he would like the opportunity to pass the cabin to his children and grandchildren, and to have it taken away by the state would be terrible.

[1:23:29 PM](#)

CHAIR PATKOTAK closed public testimony on SB 219 after ascertaining that no one else wished to testify.

[1:23:51 PM](#)

REPRESENTATIVE HANNAN asked whether these are trespass cabins on state land that were permitted with a lifetime permit of the permittee, of which 126 are remaining. She inquired about the intention of the original because it doesn't seem from testimony that there is an expectation of a permanent transfer or a deed, but rather a permit transfer to extend the lifetime use.

SENATOR MICCICHE confirmed that it does not transfer a deed, it only extends the current usage. He referred to a letter of support from Commissioner Feige of DNR and said this has been a pressing long-time issue for the Division of Mining, Land and Water. While someone can call them trespass cabins, he stated, many other areas have been opened in the meantime. There is a list of the ones that are on the record, he noted, and these are the people that legally got a lease for a cabin that was there in the first place for whatever reason. There are thousands of cabins around the state that are trespass cabins that are not permitted and do not pay a state lease, he continued, but these

are the ones that are following the rules. He said SB 219 would extend their lease with the hope that there will be a longer-term solution in the future.

REPRESENTATIVE HANNAN said she isn't trying to impugn people's initial actions and doesn't know whether it comes from DNR that these are trespass cabins. She pointed out that line 2 of the sponsor statement says, "folks that had trespassed onto state land and built a cabin." Regarding the reference to a long-term solution, she asked whether the sponsor is meaning a transfer from state ownership to private ownership of those individual permit holders.

SENATOR MICCICHE replied that SB 219 is about extending current leases. He said if the legislature does not approve a long-term solution that includes a deeded piece of property, then that will not happen. The 1997 law was to close out permits and provide ownership of those cabin lands, he continued, and that has not occurred.

[1:28:02 PM](#)

REPRESENTATIVE HANNAN said she would like to know from DNR where this system broke down given there have been other land bills from DNR to fix problems, but this has never been mentioned. She said she would like to know if DNR is attempting to resolve it anywhere else or if it is another temporary fix and the ownership issue is not resolved.

SENATOR MICCICHE estimated that several hundred families have lost the use of their cabins over the years without a temporary Band-Aid. He said SB 219 is a Band-Aid so that more families won't lose their cabins right now until there is a final solution. These are the folks following, not breaking, the rules, he stated, and nothing has been done since the 1997 law.

[1:29:53 PM](#)

CHAIR PATKOTAK requested Ms. Colles to address Representative Hannan's questions.

[1:30:15 PM](#)

CHRISTIANNA COLLES, Chief of Operations, Division of Mining, Land and Water (DMLW), Department of Natural Resources (DNR), responded that these cabins were in existence prior to the legislation that allowed DNR in 1985 to authorize by permit

individuals who come to DNR to say who they would like to have on the permit for the cabin. The statute, AS 38.04.035(4), was repealed in 1997, she said. She explained that there has been discussion about the other program that was established - the remote recreational cabin permit program - which is a remote recreational cabin staking program that DNR developed and is competitive. The department couldn't provide a fix for the personal use cabin permit because DNR hasn't been able to establish a new statute that allows it to continue this program following its 1997 repeal. Ms. Colles said almost half of these are currently located in legislatively designated areas across the state, so it's not an easy fix even if legislation is found that allows DNR to convey these from state ownership. Most are in the Northern [Region] and Southcentral [Region], she continued, and none are currently in the Southeast [Region].

[1:32:23 PM](#)

REPRESENTATIVE HANNAN asked whether, since 1997, the department has proposed legislation to resolve this issue and be able to transfer from permits to deeds.

MS. COLLES replied that she is not aware of any such legislation that the department has put forward, although there might have been bills proposed in the legislature. She related that a current bill before the legislature, SB 133, would allow DNR to issue permits to individuals for recreational purposes. That bill, she continued, would help DNR authorize these under a new program and allow people to continue them without such strict regulation like what is currently on the books. The department cannot amend its regulations if it doesn't have a supporting statute for those regulations, she stated, and a new statute in SB 133 would provide a path for permitting as well as for a lease and then eventually sale.

[1:33:39 PM](#)

REPRESENTATIVE FIELDS observed in the DNR document, titled "NRO PUCP - 2022," that there are [23] locations. He asked whether these [23] cabins are all personal use cabins for the Northern Region.

MS. COLLES responded she is unsure which document is being referred to and so cannot answer the question.

SENATOR MICCICHE offered his belief that this list, provided by DNR, is specifically the Susitna Flats, Trading Bay, and Redoubt

Bay area. He said he thinks there are 126, and these are for a specific area.

REPRESENTATIVE FIELDS said he wants to understand this and directed his question to Ms. Boomershine.

[1:35:08 PM](#)

LAURA BOOMERSHINE, Legislative Liaison, Office of the Commissioner, Department of Natural Resources (DNR), explained that the "NRO," the Northern Regional Office, is more the Fairbanks area for the cabins. She said the second list is for the Southcentral Regional [Office], but it is in a different format than the other region. They are located only in those regions, she stated, not in Southeast Alaska or other areas.

REPRESENTATIVE FIELDS concluded that there are two dozen cabins in the north. He said it seems like DNR's assumption is that fewer cabins are wanted. He asked whether gradually phasing down the number of cabins is for environmental and game management reasons.

MS. COLLES answered that that is not the department's intention. She stated that since the statute was repealed in 1997 DNR was not able to do any changes to the regulations allowing the cabins to continue. She said DNR's understanding from when the legislature created the statute in the 1980s and then repealed it in the 1990s was that these cabins were to sunset; individuals would be allowed to use the cabins and then over time it would sunset, and the cabins would either come into state ownership or be removed by the owners. The department's understanding from its research on this specific program, she added, was that it was more of a legislative will for it to sunset.

[1:37:04 PM](#)

REPRESENTATIVE FIELDS asked whether any personal use cabins have become public and whether the department manages public cabins in these areas.

MS. COLLES responded that DNR manages public use cabins through the Division of Parks and Outdoor Recreation. She said there have been discussions in the past about opening to public use some of these cabins, including trapping cabins and others that might be left on state land. The concern, she continued, is whether it would then be a state responsibility to maintain them

and ensure they are safe for the public to utilize. She related that communities have come together and obtained a permit from DNR to utilize those cabins for safety cabins. She stated that DNR is not against allowing cabins on state land, rather DNR prefers to have somebody that is responsible for the cabins. Ms. Colles said a statute is needed that gives DNR the authority to authorize that cabin.

REPRESENTATIVE FIELDS asked whether any PUCPs in the areas of Trader Bay, Redoubt Bay, Susitna Flats, Palmer Hay Flats, and the Northern Region have been transferred into some manner of public use sponsored by a local group and managed by the department, for example.

MS. COLLES answered that there might be a few and she will get that information to the committee.

[1:38:50 PM](#)

SENATOR MICCICHE pointed out that there are many different types of cabin programs, many different types of cabins on state land, and SB 219 addresses only a small subset of those many cabins. He said there is no effort by the state to reduce the use of private recreational cabins on state land. He related that the reason for [House Bill 109] in 1997 was to rewrite the remote cabin program to a program that would allow for either the sale or lease of land for a remote cabin site. There are many other programs of state land being issued for sale, he continued, and committee members should not get the impression that that was the reason for SB 219.

REPRESENTATIVE CRONK related that he has run into a similar situation with his trapping cabin permit as there is no transfer after something happens to him; therefore, he said appreciates SB 219. He urged that there be clarification on "what we can do" and let those families continue using those cabins.

[1:42:15 PM](#)

REPRESENTATIVE HANNAN surmised that half of the 126 cabins being spoken of are in legislatively designated land areas. She asked whether permanent transfer deeds of ownership would be allowed on some of those lands or none of the lands.

MS. COLLES replied that DNR is disallowed from disposing of lands within legislatively designated areas, so it would be a complication DNR would have to work through to dispose of these

particular cabins and the property underlying them. She said that in the Southcentral region those areas are Redoubt Bay Critical Habitat Area, Susitna Flats, and Trading Bay, and in the Northern region they are Minto Flats and Tanana Valley.

[1:43:45 PM](#)

REPRESENTATIVE HANNAN asked whether the bill would allow a one-time transfer, or a continual sequence of permit transfers, or an addition.

SENATOR MICCICHE responded that the bill has two parts. He said one part would allow an immediate family member to add, one time only, an individual from his or her family to the permit. The other part, he stated, would apply to permit holders who die before their average life expectancy age as per the National Center for Health Statistics. So, he explained, if someone dies before his or her average life expectancy is up, the family could submit the name of an immediate family member to assume the privileges of that permit and that permit would be valid until reaching what would have been the life expectancy of the original permit holder. Senator Micciche noted that the current average life expectancy of Alaskans is 78.8 years old, so it would be a one-time extension to the natural [life] expectancy of [the permittee] who has passed. He said he has tried to provide a solution under SB 219 for the issue families are facing.

[1:46:06 PM](#)

REPRESENTATIVE HANNAN asked whether the Bell family is the only one of the 126 that is captured by the retroactive date of 1/1/2 or whether there are others. She further asked whether the Bell permit is no longer in the count of 126 because technically it is expired.

SENATOR MICCICHE answered that it does capture the Bell family and he doesn't believe the Bell family is included in the 126 because their permit is not active. He deferred to the department to answer further. He related that Caribou Hills on the Kenai Peninsula is an area of state land with many cabins. Most of them are permitted, he continued, these are the folks who followed the rules. Not all the cabins are the remote application, he added, they are far less remote, and it is a populous place on a February weekend.

[1:49:05 PM](#)

CHAIR PATKOTAK offered his belief that Representative Hannan's question was speaking to page 3, Section 2, line 9, where it states: "that expired on or after January 1, 2020, and before the effective date of this Act". He asked how many permits have expired during that window which would then potentially be able to be extended.

MS. COLLES replied that 45 files have closed since 1/1/2020. She said DNR would have to do some research on the reasons why those files were closed or have people come tell the department that they qualify under this new statute. She related that notification for permit renewal is sent by mail and oftentimes notifications are returned and new addresses for those individuals cannot be found. So, she continued, DNR is not always sure why a permit is closed and whether it is due to the permittee having passed away. She clarified that some permits do have additional individuals listed on the original 1985 application. She said she is unsure why the Bell family was not able to add additional individuals or whether they were unaware that they could, but at the time many people added 5-10 extra people onto the permit. The rule was they just had to be alive at the time and she believes they had to be [at least] 18 years of age, she continued, so DNR can go to those individuals if notified that someone has passed away.

CHAIR PATKOTAK offered his understanding that under SB 219, if any of those 45 died before their life expectancy age, an extension could be filed, and it would be the only extension that those 45 could apply.

MS. COLLES confirmed that is correct.

[1:51:34 PM](#)

REPRESENTATIVE HANNAN, if SB 219 is passed, asked whether the sponsor's expectation is that DNR would reach out to those 45 lapsed permit holder units to discuss if they are eligible or whether the sponsor's perception is that the onus would be on the permittees families to read about it in the newspaper and know they could [contact DNR].

SENATOR MICCICHE answered that his office will be collecting all 45 names and contacting them personally. He noted that the construction dates on some cabins would make them 72 years old. He stated he wasn't aware of the number of 45, but that if the individuals are not beyond their [life expectancy date] he hopes

they do get additional use of their cabin until there is a permanent solution.

[1:53:07 PM](#)

REPRESENTATIVE MCKAY asked [who owns the cabins].

SENATOR MICCICHE replied that the cabins are owned by individuals but are located on state land owned by the state.

REPRESENTATIVE MCKAY surmised the individuals are responsible for the maintenance. He stated that this is a great bill and that the Bell family [situation] is a tragedy. He asked how far back the bill goes to fix the loss of cabins over the years.

CHAIR PATKOTAK responded January 2020.

REPRESENTATIVE MCKAY asked whether it should go back further than that.

SENATOR MICCICHE answered that a lot of the cabins are gone. He said he didn't want to go back far enough that it might reopen old wounds that have already healed, but he did want the recent losses to be considered.

[1:55:20 PM](#)

REPRESENTATIVE FIELDS stated he doesn't have any issue with the bill. He posited that if owners of these cabins no longer wish to maintain them at some point in the future, it would be nice for DNR to have a process of looking at taking over maintenance of those cabins and renting them out like other state public use cabins because it would be a public benefit.

SENATOR MICCICHE replied that he thinks one of the reasons for the 1997 bill was the fear of obligating the state for providing additional services, and SB 219 doesn't do that. He stated that if there was an option by the state to do so, there are groups like the Cabin Hoppers that would be willing to take on the financial obligation of cabin maintenance. He said some cabins have been removed but he doesn't know the number, and that the leases have certain requirements [for cabin maintenance]. He said he hopes a solution is found for these families' legal lease usage, but if not, then an option should be looked at that would allow an organization to maintain them for the public.

[1:57:15 PM](#)

REPRESENTATIVE HANNAN stated she has served on the House Resources Standing Committee for four years and has seen several statutory changes proposed by DNR to resolve land use conflicts, but never once has DNR referenced trying to solve a problem for individuals who are current lease holders. She said it is extremely frustrating to hear DNR say it has been waiting since 1997 for the legislature to resolve this. A citizen legislature, she pointed out, doesn't know there is a problem at an agency level unless the agency says it has a problem and asks for a fix. She noted that the committee will be considering a bill today that focuses on commercial transfers, which she finds frustrating because she feels more compulsion to fix issues for individual Alaskans than for corporate Alaska, although there is a need for both. She said SB 219 isn't fixing the problem and DNR is saying it is waiting for the legislature to fix the problem, and she hopes the commissioner gets that message.

SENATOR MICCICHE responded that DNR has been aware of the problem for a long time. He said he thinks the department was feeling some of the pressure and he thinks SB 133 is worth looking at because it is the first solution that has come to bear in the 10 years he has been in the legislature. In the meantime, he continued, hundreds of families have lost the use of their cabins forever.

[2:00:14 PM](#)

The committee took an at-ease from 2:00 p.m. to 2:01 p.m.

[2:01:41 PM](#)

REPRESENTATIVE HANNAN moved to report SB 219 out of committee with individual recommendations and the accompanying [zero] fiscal note. There being no objection, SB 219 was reported out of the House Resources Standing Committee.

[2:02:14 PM](#)

The committee took an at-ease from 2:02 p.m. to 2:03 p.m.

HB 120-STATE LAND SALES AND LEASES; RIVERS

[2:03:30 PM](#)

CHAIR PATKOTAK announced that the final order of business would be HOUSE BILL NO. 120, "An Act relating to state land; relating

to the authority of the Department of Education and Early Development to dispose of state land; relating to the authority of the Department of Transportation and Public Facilities to dispose of state land; relating to the authority of the Department of Natural Resources over certain state land; relating to the state land disposal income fund; relating to the leasing and sale of state land for commercial development; repealing establishment of recreation rivers and recreation river corridors; and providing for an effective date." [Before the committee was the proposed committee substitute (CS) for HB 120, Version 32-GH1634\G, Bullard, 4/22/22, ("Version G"), adopted as the working document on 5/2/22.]

[2:04:08 PM](#)

CHAIR PATKOTAK opened public testimony on HB 120.

[2:04:36 PM](#)

JOHN SONIN, representing self, opined that the administration feels it is all about personal fantasies and doesn't consider the source of benefits, which he finds disdainful. He characterized the governor as having "turned [the Department of Natural Resources (DNR)] into a Safari Club." He said there is nothing more precious than fresh water and the oil Alaska has been extracting over the last 30 years. He stated that Alaska is losing its freshwater reserves from glaciers, and he cannot stand by while the administration takes control of those waters.

[2:07:41 PM](#)

BILL THOMAS, representing self, testified in support of HB 120. He expressed his support for the amendment that allowed a land exchange between the State of Alaska and potential Native Vietnam veteran Native allotments. He said he served in Vietnam in 1968 and doesn't intend to go to the Interior, so he supports the amendment and the bill.

[2:09:26 PM](#)

BECKY LONG, representing self, testified regarding her concerns with Section 13 of HB 120. She requested that the committee think about striking Section 13 because the regulatory process that would be initiated for a new commercial disposal would be broad and vague. She offered her belief that it circumvents the public process, which would create legal problems given the Alaska State Constitution provides the right of people to enjoy

state lands. She stated that a responsible and transparent public process would require legal notification of adjacent landowners, a public comment period, and the ability for the public to ask for a public hearing to express their opinions on a public record. She addressed the DNR commissioner's statement that it would be a process like the oil and gas leasing best interest process but related that she had just gone through that process with the huge coalbed methane exploratory licenses in the Susitna Valley where DNR did not do any adjacent landowner notification and said that there is no ability for a recorded public hearing. The department had two informational meetings that weren't recorded, she continued; therefore, it lost all the public comment. She urged that Section 13 be struck and that there be a robust public process if HB 120 is passed.

[2:11:27 PM](#)

JAN CONITZ, representing self, stated she is concerned about the provisions for public land disposal contained in HB 120. She said it seems there would be significant loss of public land under HB 120. She further said that the language to reclassify "any state land the department deems appropriate for commercial development" is irresponsibly broad and would give sweeping authority to the commissioner to reclassify state public lands without public process. She stated there doesn't appear to be a requirement for the commissioner to honor existing local and state land use plans that were developed through various public processes at significant time, effort, and cost. Nor does the bill appear to uphold existing riparian area protections, to notify adjacent landowners, or even to generate any profit or other public benefit, she pointed out. The bill, she continued, allows the removal of valuable land and habitat protections from the Alaska public at the discretion of a single politically appointed official. The effect of HB 120, Ms. Conitz added, would be to fragment Alaska's vast public lands and current access points to waterways, drainages, ridgelines, and historic trails, and put up no trespassing signs where people have been free to roam for countless generations. She said other serious consequences of HB 120 would be to accelerate and exacerbate salmon and other fish habitat loss, as well as to fragment wildlife habitat and cut off caribou migratory routes. She maintained that Alaska's wild resources and public land access and enjoyment are vastly more valuable in the long term than the gravel pit, vacation home, or box store that would permanently replace them if HB 120 were to pass. The only justified provision, Ms. Conitz continued, is for the Alaska Native

Vietnam era veterans to receive the allotments that they were unfairly denied.

[2:14:58 PM](#)

MELISSA HEUER, Executive Director, Susitna River Coalition, testified in opposition to HB 120. She expressed her concern that disposing of land with minimal consideration of the local land use plans is government overreach. Local governments throughout Alaska have spent thousands of hours drafting local land use plans, she continued, so it is highly concerning that the state thinks this bill is appropriate or beneficial for all Alaskans and Alaska communities. She said she values and supports Alaska's veterans but that this is not the way to go about doing it. She urged that the committee not advance the bill, but if it is moved, that Section 13 should be removed. She further urged that all language in the bill related to land use and disposal should be changed to require that any new owners need to comply with all local land use and management plans and that the commissioner should not be able to reclassify these lands without written approval by local land use management groups.

[2:16:25 PM](#)

KATIE ROOKS, representing self, stated that as a passionate advocate for public land she is in opposition to HB 120, particularly Section 13. She said state and federal public lands are Alaska's greatest assets, and their disposal to corporate entities, people from out of state, and others will result in not caring for those lands in the way the public can. Disposal [under HB 120], she continued, bypasses the public process, and ignores the desires of many folks on how to treat this land and what to do with it. She charged that it is another assault by the governor's administration on public lands and public processes and HB 120 should not be moved forward.

[2:17:44 PM](#)

CHAIR PATKOTAK closed public testimony on HB 120 after ascertaining that no one else wished to testify.

[2:18:37 PM](#)

REPRESENTATIVE HANNAN noted that the Tenakee Springs School is part of the Chatham School District, a Regional Educational Attendance Area (REAA), but that the transfer in the bill is to

the City and Borough of Sitka, which does not operate the Tenakee Springs School. She further noted that all the rest are changing to municipalities. She asked whether the bill's provision for the Tenakee Springs School has to do with it being an REAA. She said she is concerned because it is an REAA school district and she knows that the Tenakee Springs School has struggled, and transferring away the Tenakee school site has some ongoing policy implications.

[2:21:04 PM](#)

HEIDI TESHNER, Director, Finance and Support Services Division, Department of Education and Early Development (DEED), confirmed that the Tenakee Springs School is in the Chatham School District. She said she will get back to the committee with a follow-up to the question because she hasn't seen the document being referred to by Representative Hannan.

CHAIR PATKOTAK surmised it is clarifying whether that is the appropriate place that the land gets transferred to so that the Tenakee Springs School can take possession of it.

REPRESENTATIVE HANNAN responded that the Tenakee school is currently below the [required] student population, so is not functioning as a full attending school. She explained that Tenakee is a remote community and not everyone can do distance [schooling] from home, so it is being operated as "everybody come in and you can get on broadband from there and do your schoolwork." Of course, she added, the school district is hoping it will get back over the student population threshold and be able to operate as an in-person school again. She said it appears that the school is being transferred out of ownership of the state in an REAA and to the City and Borough of Sitka, which concerns her because it would preempt that REAA school district from ever being able to operate it because it is not part of the City and Borough of Sitka.

[2:23:06 PM](#)

CHAIR PATKOTAK announced HB 120 was held over.

[2:24:26 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 2:24 p.m.