

**ALASKA STATE LEGISLATURE**  
**SENATE RESOURCES STANDING COMMITTEE**

January 24, 2024

3:31 p.m.

**MEMBERS PRESENT**

Senator Click Bishop, Co-Chair  
Senator Cathy Giessel, Co-Chair  
Senator Bill Wielechowski, Vice Chair  
Senator James Kaufman  
Senator Forrest Dunbar  
Senator Matt Claman  
Senator Scott Kawasaki

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 125 (RES)

"An Act relating to trapping cabins on state land; and relating to trapping cabin permit fees."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 125

SHORT TITLE: TRAPPING CABINS ON STATE LAND

SPONSOR(S): RESOURCES

03/20/23	(H)	READ THE FIRST TIME - REFERRALS
03/20/23	(H)	RES, FIN
03/27/23	(H)	RES AT 1:00 PM BARNES 124
03/27/23	(H)	Heard & Held
03/27/23	(H)	MINUTE (RES)
03/29/23	(H)	RES AT 1:00 PM BARNES 124
03/29/23	(H)	Heard & Held
03/29/23	(H)	MINUTE (RES)
04/03/23	(H)	RES AT 1:00 PM BARNES 124
04/03/23	(H)	-- MEETING CANCELED --
04/05/23	(H)	RES AT 1:00 PM BARNES 124
04/05/23	(H)	-- MEETING CANCELED --
04/12/23	(H)	RES AT 1:00 PM BARNES 124

04/12/23	(H)	Moved CSHB 125(RES) Out of Committee
04/12/23	(H)	MINUTE(RES)
04/14/23	(H)	RES RPT CS(RES) 7DP 2NR
04/14/23	(H)	DP: MEARS, ARMSTRONG, DIBERT, SADDLER, WRIGHT, RAUSCHER, MCKAY
04/14/23	(H)	NR: MCCABE, PATKOTAK
04/27/23	(H)	FIN AT 1:30 PM ADAMS 519
04/27/23	(H)	Heard & Held
04/27/23	(H)	MINUTE(FIN)
05/04/23	(H)	FIN AT 1:30 PM ADAMS 519
05/04/23	(H)	Moved CSHB 125(RES) Out of Committee
05/04/23	(H)	MINUTE(FIN)
05/08/23	(H)	FIN RPT CS(RES) 8DP 1AM
05/08/23	(H)	DP: TOMASZEWSKI, CRONK, ORTIZ, GALVIN, STAPP, EDGMON, D.JOHNSON, FOSTER
05/08/23	(H)	AM: JOSEPHSON
05/13/23	(H)	TRANSMITTED TO (S)
05/13/23	(H)	VERSION: CSHB 125(RES)
05/15/23	(S)	READ THE FIRST TIME - REFERRALS
05/15/23	(S)	RES, FIN
01/24/24	(S)	RES AT 3:30 PM BUTROVICH 205

**WITNESS REGISTER**

REPRESENTATIVE TOM MCKAY, District 15  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented HB 125 as Chair of the House Resources Committee.

TREVOR JEPSEN, Staff  
Representative Tom McKay  
Juneau, Alaska

**POSITION STATEMENT:** Provided the Sectional Analysis for HB 125 and answered questions.

RANDALL ZARNKE, President  
Alaska Trappers Association (ATA)  
Fairbanks, Alaska

**POSITION STATEMENT:** Testified in support of HB 125.

CHRISTY COLLES, Director  
Division of Mining, Land and Water  
Department of Natural Resources (DNR)  
Anchorage, Alaska

**POSITION STATEMENT:** Answered questions on trapping cabin regulations.

## **ACTION NARRATIVE**

[3:31:33 PM](#)

**CO-CHAIR CLICK BISHOP** called the Senate Resources Standing Committee meeting to order at 3:31 p.m. Present at the call to order were Senators Wielechowski, Kaufman, Dunbar, Claman, Co-Chair Bishop, and Co-Chair Giessel. Senator Kawasaki arrived thereafter.

### **HB 125-TRAPPING CABINS ON STATE LAND**

[3:32:19 PM](#)

**CO-CHAIR BISHOP** announced the consideration of CS FOR HOUSE BILL NO. 125(RES) "An Act relating to trapping cabins on state land; and relating to trapping cabin permit fees."

[3:32:53 PM](#)

**REPRESENTATIVE TOM MCKAY**, District 15, Alaska State Legislature, Juneau, Alaska, presented HB 125 as Chair of the House Resources Committee.

[3:33:25 PM](#)

**SENATOR KAWASAKI** joined the meeting.

[3:33:53 PM](#)

**REPRESENTATIVE MCKAY** read the sponsor statement for HB 125.

[Original punctuation provided.]

### **SPONSOR STATEMENT**

Alaska has a rich history of trapping which far pre-dates the founding of our state. Trappers who run long lines in remote areas need cabins for shelter. These cabins are small, basic domiciles which serve as shelter in Alaska's harsh weather conditions. Roughly three decades ago, trapper advocates worked with the legislature to implement a program which allowed for the construction of trapper cabins on state lands (AS 38.95.075 - AS 38.95.085). Over the years, issues have been identified with that program which require statutory amendments. This bill would address several problems relating to Trapping Cabin Construction Permits (TCCP).

HB 125 updates the outdated statutes associated with receiving a TCCP and incorporates the use of existing trapping cabins on State lands. Current Statute does not allow the Department to issue permits for already constructed cabins. This bill would close that gap so all permits will be issued ~~as~~ Trapping Cabin Permits, covering both construction of a new cabin and allowing the continued use for an existing cabin.

As Alaskans, we have a unique respect for traditional ways of life, such as trapping. I urge my fellow colleagues of the 33rd legislature to support this legislation to help Alaskan trappers.

[3:36:18 PM](#)

TREVOR JEPSEN, Staff, Representative Tom McKay, Alaska State Legislature, Juneau, Alaska, provided the Sectional Analysis for HB 125 and answered questions. He spoke to slide 2.

[Original punctuation provided.]

#### **Trapping Cabin Permit Process**

- Trapping cabin permits currently issued under two statutes

AS 38.95.075 Permits for the Use of Trapping Cabins

AS 38.95.080 Trapping Cabin Construction Permits

Statutes create unnecessary confusion in permitting process and restricts DNR from permitting cabins under certain scenarios

[3:36:51 PM](#)

MR. JEPSEN moved to slide 3:

[Original punctuation provided.]

#### **AS 38.95.075 - Permits for the Use of Trapping Cabins**

- AS 38.95.075 states how the DNR issues permits for cabins that already exist
- Issue arises with cabins that have lapsed in ownership/use or have been abandoned

- DNR unable to issues new trapping cabin permits in these scenarios

[3:38:15 PM](#)

MR. JEPSEN moved to slide 4:

[Original punctuation provided.]

#### **AS 38.95.080 - Trapping Cabin Construction Permits**

- AS 38.95.080 authorizes the DNR issues permits for the construction of new trapping cabins
  1. The person must have an established trapline with proof of regular use;
  2. The person must have a trapline of sufficient length to justify the need for cabin construction
- 38.95.080 also outlines responsibilities of the department and additional requirements and restrictions for trapping cabin construction permits

[3:38:49 PM](#)

MR. JEPSEN read from slide 5 providing an overview of HB 125.

[Original punctuation provided.]

#### **HB 125 Highlights**

- HB 125 revises AS 38.95.080 (Trapping Cabin Construction Permits) to include all trapping cabin permit situations and repeals AS 38.95.075 (Permits for the Use of Trapping Cabins)
- Allows the DNR to permit existing cabins on state lands
- Updates application fee schedule and sets all related fees in statute
- Provides further clarity than current statute for issuing trapping cabin permits

- HB 125 was the result of the House Resources Committee working with DNR and the Alaska Trappers Association

3:40:05 PM

CO-CHAIR BISHOP opened invited testimony on HB 125.

3:40:40 PM

RANDALL ZARNKE, President, Alaska Trappers Association (ATA), Fairbanks, Alaska, testified in support of HB 125. The Alaska Trappers Association (ATA) represents over 120 members. The existing system for trapping cabins was created in 1983 by ATA and DNR, but members have expressed complaints within the past ten years about the renewal obstacle for existing cabins.

Conversations were held with DNR staff to address the issue that the original legislation did not allow them to renew permits. HB 125 would increase yearly permit fees and ensure stability to the permit system. Not all trappers need a cabin, but cabins are essential for survival when running long trap lines. The bill would benefit both urban and rural trappers. It solves a problem for those seeking a traditional lifestyle.

MR. JEPSEN stated that Section 1 is broad and there were concerns starting on page 2, line 1. This bill only clarifies that the commissioner must abide by the permitting fee regulations. He read the following sectional analysis for HB 125:

[Original punctuation provided.]

**Sectional Analysis for Version P**

"An Act relating to trapping cabins on state land; and relating to trapping cabin permit fees."

**Sec. 1** Conforming change to incorporate the new AS 38.95.080(g) (section 6 of this bill) into the fee schedule regulations under AS 38.05.850(a).

**Sec. 2 & 3** Restructures the existing AS 38.05.080(a) and (b), which authorize the commissioner to issue trapping cabin permits. Also clarifies who is entitled to a permit for existing cabins on state lands.

**Sec. 4** Clarifies the conditions for a permit that must be included in regulations. This clarification

includes: 1. Providing more guidance on permit renewals 2. Detailing the process for multiple cabins under the same permit 3. Specifying a procedure for unowned cabins 4. Setting statutory fee limits for the permits 5. Making several technical drafting changes

**Sec. 5** Provides more explicit language to ensure that a use permit cannot be misinterpreted as providing ownership rights or preference rights to future ownership.

**Sec. 6** Creates two new subsections, which: 1. Further define the nonexclusive nature of the permit by stating that the director may issue multiple trapping cabin permits for the use of the same cabin. 2. Bars the department from charging additional land use fees for the use or construction of a trapping cabin.

**Sec. 7** Conforming and technical changes to the definitions section.

[3:46:22 PM](#)

MR. JEPSEN noted that there are two stipulations under Section 5.

[3:46:58 PM](#)

CO-CHAIR GIESSEL asked if the DNR would like to establish an effective date for HB 125.

[3:47:06 PM](#)

MR. JEPSEN said he believes that the DNR would likely prefer an effective immediate date.

[3:47:21 PM](#)

SENATOR WIELECHOWSKI asked for clarification on HB 125 Section 4(c)(3) regarding construction authorization with regards to total square footage.

[3:48:00 PM](#)

MR. JEPSEN replied that the DNR would like the ability to issue trapping permits to out of use, trespass, or abandoned cabins. It offers a layer of oversight since they can't be monitored constantly and would help the cabins be in use.

[3:48:25 PM](#)

SENATOR WIELECHOWSKI asked if there are already existing cabins on state land.

[3:48:35 PM](#)

MR. DEPSEN said that there are abandoned cabins in current use, for which the DNR would like to issue permits.

[3:48:53 PM](#)

SENATOR WIELECHOWSKI asked for the number of abandoned cabins in use.

[3:48:56 PM](#)

MR. JEPSEN relayed that he does not have an exact number, but there are currently 76 trapping cabin permits issued, including some suspensions.

[3:49:18 PM](#)

SENATOR WIELECHOWSKI asked how the 76 permit holders obtained the cabins. He also asked if multiple permit leases could be issued for one cabin.

[3:49:37 PM](#)

MR. JEPSEN said that the 76 permit holders include passed down and construction permits. The DNR could permit multiple permits for an existing cabin. However, if the cabin was initially a construction cabin, the DNR would need to acquire authorization from the constructor.

[3:50:26 PM](#)

SENATOR CLAMAN asked if HB 125 would allow two permits to be issued for a construction cabin.

[3:50:47 PM](#)

MR. JEPSEN replied no. The current statute requires the constructor's permission.

[3:51:02 PM](#)

SENATOR CLAMAN asked for clarification on the current statute compared to HB 125.

[3:51:09 PM](#)

MR. JEPSEN responded that the legislation conforms with current statute.

[3:51:19 PM](#)

SENATOR CLAMAN asked if the requirement applies to existing cabins larger than 400 square feet.

[3:51:32 PM](#)

MR. JEPSEN replied that the problem with the current statute is that the DNR could not permit existing cabins unless regular use is demonstrated prior to August 1, 1984.

[3:51:54 PM](#)

SENATOR CLAMAN asked if old cabins could be leased to multiple people without demonstrating usage prior to 1984.

[3:52:08 PM](#)

MR. JEPSEN stated that it is his current understanding, but deferred to the Director of the Division of Mining, Land and Water.

[3:52:29 PM](#)

CHRISTY COLLES, Director, Division of Mining, Land and Water, Department of Natural Resources (DNR), Anchorage, Alaska, said that if a lessee demonstrated use prior to 1984, the DNR could issue multiple permits, but it is a rare occasion.

[3:53:06 PM](#)

CO-CHAIR BISHOP asked what guidelines the DNR uses to establish proof of regular use.

[3:53:22 PM](#)

MS. COLLES replied that there are several avenues to demonstrate proof including, ceiling receipts from Fish and Game, proof of fur sales, photos of furs, and tax returns. Not everyone sells all the furs each year so there are a variety of options.

[3:53:52 PM](#)

CO-CHAIR BISHOP asked about the DNR's protocol for determining sufficient distance to justify the need for a cabin.

[3:54:09 PM](#)

MS. COLLES replied that determinations are made on a case-by-case base. The department considers the surrounding geography and complications an applicant might encounter.

[3:54:49 PM](#)

CO-CHAIR BISHOP suggested that to avoid excluding use groups, such as mushers, snowshoers, and skiers, the DNR does not set distance thresholds.

[3:55:24 PM](#)

MS. COLLES said that the DNR regulations exclude authorization of cabins within two miles of an existing cabin unless a

physical barrier exists. The department also considers whether a cabin is at least ten miles from a road.

[3:55:55 PM](#)

CO-CHAIR Bishop added that cabins are beneficial amidst freezing temperatures.

[3:56:11 PM](#)

SENATOR WIELECHOWSKI asked if Alaskans could use cabins during the off-trapping season considering high demand and low supply.

[3:56:47 PM](#)

MR. JEPSEN deferred to Ms. Colles.

[3:56:52 PM](#)

MS. COLLES replied that the DNR does not currently allow recreational use. There is no reservation system in place. Given the low cost of trapping permits for cabins, the DNR would like to limit usage to trapping activities. There are other authorizations for commercial use on state land. Recently, the Governor submitted a bill regarding a remote recreational site, which would allow everyday Alaskans to have a cabin on state land.

[3:57:43 PM](#)

SENATOR WIELECHOWSKI wondered if certain areas could be designated for public use.

[3:58:20 PM](#)

MS. COLLES replied that some companies have requested a cabin rental on state land. The DNR can authorize companies and non-profits to establish cabins for recreation and safety use.

[3:58:54 PM](#)

SENATOR KAWASAKI asked for confirmation that the 10-mile off-road requirement on the application is in regulation.

[3:59:15 PM](#)

MS. COLLES replied that it is in regulation. If the statute passes, the DNR would consider updating regulations.

[3:59:25 PM](#)

SENATOR KAWASAKI requested a list comparing all the ways to acquire a permitted cabin or staked property on public land whether the cabins are commercial or non-commercial.

[4:00:48 PM](#)

CO-CHAIR GIESSEL asked Ms. Colles whether an effective date is desired.

[4:01:00 PM](#)

MS. COLLES responded that an immediate date would be appreciated as there are many pending trapping cabin applicants.

[4:01:21 PM](#)

CO-CHAIR BISHOP held HB 125 for future consideration.

[4:01:43 PM](#)

There being no further business to come before the committee, Co-Chair Bishop adjourned the Senate Resources Standing Committee meeting at 4:01 p.m.