

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

March 12, 2025

2:28 p.m.

MEMBERS PRESENT

Representative Robyn Niayuq Burke, Co-Chair
Representative Maxine Dibert, Co-Chair
Representative Carolyn Hall
Representative Donna Mears
Representative Zack Fields
Representative Dan Saddler
Representative George Rauscher
Representative Julie Coulombe

MEMBERS ABSENT

Representative Bill Elam

COMMITTEE CALENDAR

HOUSE BILL NO. 109

"An Act relating to the lease and sale of state land for recreational cabin sites; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 93

"An Act changing the residency requirements for hunting, trapping, and sport fishing privileges; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 109

SHORT TITLE: STATE LAND FOR RECREATIONAL CABIN SITES

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

02/19/25	(H)	READ THE FIRST TIME - REFERRALS
02/19/25	(H)	RES, FIN
03/12/25	(H)	RES AT 1:00 PM BARNES 124

WITNESS REGISTER

JOHN BOYLE, Commissioner
Department of Natural Resources
Anchorage, Alaska

POSITION STATEMENT: On behalf of the House Rules Standing Committee, sponsor by request of the governor, introduced HB 109 and described its purpose.

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

POSITION STATEMENT: On behalf of the House Rules Standing Committee, sponsor by request of the governor, presented a PowerPoint regarding HB 109.

ROD ARNO, Public Policy Director
Alaska Outdoor Council
Wasilla, Alaska

POSITION STATEMENT: Testified in opposition to HB 109.

STEPHENS HARPER, representing self
McCarthy, Alaska

POSITION STATEMENT: Testified in opposition to HB 109.

ACTION NARRATIVE

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CO-CHAIR BURKE called the House Resources Standing Committee meeting to order at 2:28 p.m. Representatives Fields, Hall, Mears, Dibert, and Burke were present at the call to order. Representatives Coloumbe, Rauscher, and Saddler arrived as the meeting was in progress.

HB 109-STATE LAND FOR RECREATIONAL CABIN SITES

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CO-CHAIR BURKE announced that the only order of business would be HOUSE BILL NO. 109, "An Act relating to the lease and sale of state land for recreational cabin sites; and providing for an effective date."

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JOHN BOYLE, Commissioner, Department of Natural Resources (DNR), on behalf of the House Rules Standing Committee, sponsor by request of the governor, introduced HB 109. He spoke about the governor's reasoning and support for the bill. He explained that the governor wanted to make the Alaska dream more available to residents. He gave examples of how HB 109 stimulates economic growth. The bill would create more outdoor recreation, economic opportunity, stewardship, and would provide more opportunities to live, work, and own state land.

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CHRISTY COLLES, Director, Division of Mining, Land and Water, Department of Natural Resources (DNR), on behalf of the House Rules Standing Committee, sponsor by request of the governor, presented a PowerPoint, titled "House Bill 109: State Land for Recreational Cabin Sites." She showed slide 2, titled "HB 109: Purpose," which read as follows [original punctuation provided]:

Article VIII, Section 1 of the Alaska Constitution:

It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest.

The bill will provide opportunities for Alaskans to utilize state land and will increase the amount of Alaska land owned by individuals.

The bill aligns with the Governor's priority to put Alaska land into Alaskan hands.

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MS. COLLES explained that expanding private land ownership would fuel economic growth, strengthen property rights, and foster responsible land stewardship. She pointed out that when individuals own land, they are more likely to invest in improvements, which drives demand for housing, infrastructure, and local businesses. This stimulates job growth, increases property values, and broadens the tax base which results in long-term economic prosperity. Private ownership enables diverse and efficient development, enabling communities to grow organically while ensuring local decision-making. She explained that selling state land is not new to DNR and that they have facilitated competitive and non-competitive land sales to individuals, industry, and municipalities. This legislation

helps reach the goal of putting more land in the hands of Alaskans, creating a stronger, more self-sufficient Alaska.

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MS. COLLES moved to slide 3, titled "State Land," and explained that it illustrated land ownership across Alaska. The state owns 100 million acres of upland, with approximately 5 million acres from the federal government slated for Alaska ownership.

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MS. COLLES showed slide 4, titled "Available Land." She pointed out that some state land has previously been withdrawn from the general public by the legislature to create parks and game refuges. She drew the attention of committee members to the vacant, unappropriated land designated on the map, referred to as VU lands.

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MS. COLLES moved to slide 5, titled "Current Land Sale Programs," which read as follows [original punctuation provided]

- Subdivision Sales
 - Create subdivision through platting
 - Complete survey and appraisal
 - Provide auction for purchase

- Remote Recreational Staking Program
 - Identifies and develops staking area
 - Offers land and holds drawing to stake
 - Applicant staking, leasing, and purchase

She explained that the focus of the subdivision sales has been individuals who want to be on the road system and described the bidding process. The remote recreational staking program would appeal to people who choose to be off the road system and are willing to stake their own boundaries. She presented slide 6, titled "Examples of Staking Areas," which showed photos of four staking areas as follows:

Mankomen Lake: 8,030 Acres, 25 Staking Authorizations

Mount Ryan II: 35, 700 Acres, 30 Staking Authorizations

East Fork Pass: 16, 350 Acres, 60 Staking
Authorization

Snake Lake: 25, 395 Acres, 50 Staking Authorizations

She described the history of the staking program which began in 2001 and has sold over 10 thousand acres.

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MS. COLLES moved to slide 7, titled "HB 109: Process," which showed the new procedure for land distribution created by the bill. This would include a nomination process by which an individual could nominate an area of up to 10 acres, excluding certain types of mineral or oil and gas lands. She described the steps an individual would take and an approximate timeline. She reiterated the goal of creating private ownership of remote cabin sites.

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MS. COLLES moved to the next three slides. Slide 8 described the process for purchasing land which had been leased; slide 9 described how cabin permit holders could nominate cabin sites; and slide 10 showed a map of personal use cabins. Ms. Colles turned to slide 8, titled "HB 109: Lease to Purchase," which read as follows [original punctuation provided]:

- Lease
 - 10-year leasing period
 - Allows for the assignment of a lease
 - Fees for leases shall ensure a fair return to the state
 - May purchase the site at any time during the term of the lease
 - Termination of lease for non-compliance

- Purchase
 - Purchase price set at fair market value, set at the time of entry
 - Lease fees will be applied to the purchase price
 - Applicant must pay for appraisal, survey, and platting
 - Contract term up to 30 years

MS COLLES continued to slide 9, titled "Personal Use Cabin Program," which read as follows [original punctuation provided]:

- HB 109 would allow previous and current Personal Use Cabin Program permit holders to nominate their cabin sites
- In 1984, the Legislature established the Personal Use Cabin Program
 - 421 applications were received and permits were issued
- In 1997, the Personal Use Cabin Program was repealed
- Status of permits today across the State:
 - 119 permits are issued and active
 - 140 permits are closed
 - 162 cabins exist but the permit is not active or is under appeal

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MS. COLLES moved to slide 10, titled "HB 109: Sectional Analysis," which provided a summary of the sectional analysis. She presented the full sectional analysis which read as follows [original punctuation provided]:

Sectional Analysis
House Bill 109 - State Land for Recreational Cabin Sites (34-GH1026\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)

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MS. COLLES stated that DNR anticipated that there would be high interest in the program and presented slide 12, titled "HB 109: Fiscal Note," which read as follows [original punctuation provided]:

- One Land Surveyor position (\$148.3) - survey remote cabin sites, survey instructions, and plat reviews
- Two Natural Resource Specialist 3 positions (\$124.7 each) - adjudicating nomination requests and identifying lands available through the annual offering; completing title work and issuing patents

\$ in thousands

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CO-CHAIR BURKE opened public testimony on HB 109.

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ROD ARNO, Public Policy Director, Alaska Outdoor Council, spoke in opposition to HB 109. He explained that the Alaska Outdoor Council was supportive of the personal use cabin program until it was repealed. The council had been supportive of the remote cabin site program on the books. However, they were not supportive of HB 109 because DNR had provided plenty of opportunity for people to get recreational cabins. He emphasized the importance of retaining public lands for the use of more people and that public land should not be fragmented.

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STEPHENS HARPER, representing self, spoke in opposition to HB 109. He explained that residents of McCarthy relied on the state lands for firewood and wildlife harvest, and that cabin sites would decrease the ability of residents to provide for themselves while increasing wildfire threat as well as placing additional pressure on emergency services. McCarthy was not incorporated, so it lacked a tax base and would not have the ability to increase services. The DNR Copper River Basin area planning process would be the best way to address the appropriateness of selling public land to private recreation cabin sites in the McCarthy area. The bill would circumvent the appropriate public process of the Copper River Basin area plan.

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CO-CHAIR BURKE closed public testimony on HB 109.

[HB 109 was held over.]

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ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 2:53 p.m.