

"An Act relating to the issuance of permits for the construction of trapping cabins."

COMMITTEE REPORT

3/28/75

HOUSE

Mr. Speaker:

Date May 17, 1975

The Committee on FINANCE has had HB 17

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR HB 17 (CS) AND THAT

CS FOR HB 17 (CS) DO PASS

"and" recommends it BE REFERRED TO THE _____

COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

_____	<u>[Signature]</u>	_____
_____	<u>[Signature]</u>	_____
_____	<u>[Signature]</u>	<u>[Signature]</u>
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

[Signature] Chairman

Original sponsor: Swanson

Offered: 3/28/75
Referred: Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 17

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL.

6 For an Act entitled: "An Act relating to the issuance of permits for the
7 construction of trapping cabins."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 # Section 1. AS 38.95 is amended by adding a new section to read:

10 Sec. 38.95.080. TRAPPING CABIN CONSTRUCTION PERMITS. (a) The
11 director of the division of lands shall issue a nontransferable permit
12 for the construction of a trapping cabin on state land to a person who
13 meets the following qualifications:

14 (1) the person must have an established trapline with proof
15 of regular use, as determined by the director of the division of lands;

16 (2) the person must have a trapline of sufficient length, as
17 determined by the director, to justify the need for cabin construction.

18 (b) Nothing in (a) of this section prevents the director from
19 issuing a permit to more than one qualified person for the construction
20 and use of the same trapping cabin.

21 (c) The director, with the advice of the commissioner of fish and
22 game, shall establish, by regulation, conditions attaching to the permit
23 issued under (a) and (b) of this section. These conditions shall
24 include, but not be limited to, the following:

25 (1) permits shall be issued for a period of not more than
26 five years, with succeeding five-year renewal options, if continued use
27 and occupancy is established;

28 (2) a cabin shall be constructed and maintained according to
29 specifications established by the director; however, in no case may the

1 size of the cabin exceed 192 square feet;

2 (3) a permit shall specify the number of cabins allowed to be
3 constructed and indicate their specific geographical location; the
4 director, in his discretion, may establish a maximum number of cabins
5 per person or otherwise limit their number because of the probability of
6 adverse environmental consequences;

7 (4) a cabin shall be utilized for trapping purposes and
8 occupied only during the lawful trapping season, as established by
9 regulations of the Department of Fish and Game, except that repairs and
10 replenishment of supplies may be made at other times;

11 (5) adequate provision must be made at each cabin for waste
12 and garbage disposal, as determined by the director;

13 (6) no cabin may be constructed in an area where, in the
14 determination of the director in consultation with the commissioner of
15 environmental conservation, adverse environmental consequences are
16 likely to occur;

17 (7) the payment of a trapping cabin permit fee of \$10.

18 (d) A permit issued under (a) and (b) of this section entitles its
19 holder to use timber in the immediate vicinity of the cabin for personal
20 noncommercial purposes only. No ownership rights to the land are con-
21 veyed by the issuance of a trapping permit under this section.

22 (e) A person who makes a false statement as to any material fact
23 relating to a permit issued under this section is guilty of a misde-
24 meanor. A person who violates this subsection or any of the terms and
25 conditions of a permit issued under this section may have his permit
26 immediately revoked and is subject to payment of all costs required in
27 dismantling his cabin structure.
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1 IN THE HOUSE

BY SWANSON

2 HOUSE BILL NO. 17

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the issuance of permits for the
7 construction of trapping cabins."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 38.95 is amended by adding a new section to read:

10 Sec. 38.95.080. TRAPPING CABIN CONSTRUCTION PERMITS. (a) The
11 director of the division of lands, in his discretion, may issue a non-
12 transferable permit for the construction of a trapping cabin on state
13 land to a person who meets the following qualifications:

14 (1) the person must have an established trapline with proof
15 of regular use over a period of at least two years;

16 (2) the person must have a trapline of sufficient length, as
17 determined by the director, to justify the need for cabin construction.

18 (b) The director, with the advice of the commissioner of fish and
19 game, shall establish, by regulation, conditions attaching to the permit
20 issued under (a) of this section. These conditions shall include, but
21 not be limited to the following:

22 (1) permits shall be issued for a period of not more than five
23 years, with succeeding five-year renewal options, if continued use and
24 occupancy is established;

25 (2) a cabin shall be constructed and maintained according to
26 specifications established by the director; however, in no case may the
27 size of the cabin exceed 12 feet by 12 feet;

28 (3) a permit shall specify the number of cabins allowed to be
29 constructed and indicate their specific geographical location; the

1 director, in his discretion, may establish a maximum number of cabins per
2 person or otherwise limit their number because of the probability of
3 adverse environmental consequences;

4 (4) a cabin shall be utilized and occupied only during the
5 lawful trapping season, as established by regulations of the Department
6 of Fish and Game;

7 (5) a cabin may be occupied only by the licensed trapper
8 specified on the permit;

9 (6) adequate provision must be made at each cabin for waste
10 and garbage disposal, as determined by the director;

11 (7) no cabin may be constructed in an area where, in the
12 determination of the director in consultation with the commissioner of
13 environmental conservation, adverse environmental consequences are likely
14 to occur;

15 (8) the payment of a reasonable permit fee, established by
16 the director, to cover trapping permit administration costs.

17 (c) A permit issued under (a) of this section entitles its holder
18 to use timber in the immediate vicinity of the cabin for personal non-
19 commercial purposes only. No ownership rights to the land are conveyed
20 by the issuance of a trapping permit under this section.

21 (d) A person who makes a false statement as to any material fact
22 relating to a permit issued under this section is guilty of a misdemeanor.
23 A person who violates this subsection or any of the terms and conditions
24 of a permit issued under this section may have his permit immediately
25 revoked and is subject to payment of all costs required in dismantling
26 his cabin structure.
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March 25, 1975

HOUSE RESOURCES COMMITTEE REPORT

The special appropriation would initially establish two investigator positions, both of whom would be assigned to the existing criminal investigation unit.

Incumbents would be graduates of the State Public Safety Academy and would be scheduled for advanced investigative training outside the State of Alaska. A typical course of study suggested is the Internal Revenue Service Special Agent School offering an agenda of seven weeks duration in Washington D.C. where emphasis is placed on techniques, fraud, and investigative procedures. Upon completion of the training, immediate efforts would be directed towards operations to deter the unlawful commercial utilization of game resources, as well as to apprehend violations in the area of commercial fisheries.

Specifically, the two positions would be trained and would be directed to pursue a method of investigation in fish and wildlife that would include techniques normally associated with drug and narcotic units. Unlawful purchases would be made upon opportunity; hunts would be booked with individuals known to be conducting unlawful hunts; officers would be placed aboard fishing vessels to observe areas and vessels where fishing violations have been known to occur.

Funds appropriated for the specific purpose of this program would be assigned an individual code, and funds expended would be accountable for review. An annual report of activity and expenditure would be prepared and available for legislative review.

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. CSHB 17

Title: An act relating to the issuance of permits for the construction of trapping cabins

Requested by: The Resources Committee

Date: 4/9/75

Return Date Requested: Within 5 days

Agency: Natural Resources

Program: Lands

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Land Management

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES	0	8.	2	2.		
200 TRAVEL	0	3.	2.	2.		
300 CONTRACTUAL	0	1.	0	0		
400 COMMODITIES	0	0	0	0		
500 EQUIPMENT	0	0	0	0		
600 LAND & STRUCTURES	0	0	0	0		
700 GRANTS, CLAIMS, ETC.	0	0	0	0		
TOTAL	0	12.	4.	4.		

B. FUNDING: (Thousands of dollars)

GENERAL FUND	0	12.	4.	4.		
FEDERAL FUNDS	0	0	0	0		
OTHER	0	0	0	0		

C. POSITIONS:

PERMANENT/TEMPORARY	0 / 0	1 / 0	1 / 0	1 / 0	/	/
MAN MONTHS (P./T.)	0 / 0	4 / 0	1 / 0	1 / 0	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The largest expense will be the promulgation of the required regulations. Because state lands will be affected on a state wide basis a minimum of three hearings will have to be held. Permitting of the applicants will become mechanical. However, inspection of sites and conformance to use will be difficult because the site will be in inaccessible areas.

No new positions would be anticipated as it would be absorbed into the districts programs. It is assumed that 3 man months at pay range 16 will be required the first year. Included is \$1,000. for attorney time for regulation review. Helicopter travel will be the most expedient method of field inspection.

IV. ATTACHMENTS

Agency comments: This program can be handled by existing statutes AS 38.05.330 as a special land use permit with administrative discretion. The fee would be increased to cover administrative cost which would be approximately \$100.

It can be expected this program, as proposed, will invite other special user groups to request similar action!

V. DATE: 4/9/75

PREPARED BY: Dale P. Tubbs

Deputy Director, Division of Lands

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)