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COMMITTEE REPORT
SENATE

2/15/82

FURTHER: None

Date: 2/18/82

Mr. President:

The Committee on RESOURCES has had SB 759
relating to the size of trapping cabins

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]

[Signature]

[Signature]

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]
CHAIRMAN

Alaska State Legislature

BETTYE FAHRENKAMP, CHAIRMAN
VIC FISCHER, VICE-CHAIRMAN
BRAD BRADLEY
DICK ELIASON
DON GILMAN
BOB MULCAHY
ARLISS STURGULEWSKI



FOUCH V
STATE CAPITOL
JUNEAU, ALASKA 99811
(907) 465-3834
(907) 465-3635

Senate

Committee on Resources

March 8, 1982
1:35 p.m.

Beltz Room
Room 211 - Capitol

MEMBERS PRESENT

Senator Fahrenkamp
Senator Fischer
Senator Eliason
Senator Gilman
Senator Mulcahy
Senator Sturgulewski

Hearing:

SB 730 An Act establishing the Aleksandr Baranof State Game Refuge.
SB 745 An Act extending the lapse date for the FY 82 appropriation for land disposal surveys.
SB 759 An Act relating to the size of trapping cabins.
SB 832 An Act extending the lapse date for the FY 82 appropriation for the Citizen Advisory Commission.

SB 745

Jeff Haynes, Deputy Commissioner, Department of Natural Resources, explained that this capital appropriation is necessary to continue survey work (\$11 million) and municipal grants (\$2 million).

Senator Fischer asked that SB 832 be heard before any action was taken on SB 745.

SB 832

Senator Fischer stated he would like SB 745 and SB 832 combined since they both amend the same line of the same statute.

Senator Fahrenkamp expressed opposition in consideration of the sponsors.

Senator Mulcahy moved SB 745 and SB 832 with individual recommendations.

SB 759

Jeff Haynes stated that the existing statute limits the size of trapping cabins to 192 square feet. DNR feels the increase to 768 square feet that SB 759 would provide is too great. A smaller size would discourage the establishment of a permanent residence on a \$10/year trapping permit.

Senator Fahrenkamp said a Committee Substitute had been prepared that limits the size to 400 square feet.

Senator Eliason disagreed with the size limit, stating that criteria for obtaining a permit limit the cabin's use to trapping.

Senator Gilman moved the adoption of the Committee Substitute for SB 759. He then moved CSSB 759 with individual recommendations.

SB 730

Senator Sturgulewski moved to rescind the Committee's action on SB 730.

Senator Fahrenkamp explained that after action was taken last Friday, the land manager in Kodiak called about a technical error in the bill.

Senator Mulcahy stated that on page 1 line 29, and page 2 line 1, "21" should read "23". He moved the adoption of the Committee Substitute for SB 730. He then moved CSSB 730 with individual recommendations.

The meeting was adjourned at 2:00 p.m.

Senate

465-3834

TO: B Billy Berrier
Director
Legal Services

DATE: 3/2/82

FROM: Bettye Fahrenkamp
Chairman

RE: Committee Substitute for SB 759

I would appreciate you writing a Committee Substitute for SB 759 deleting "768" on page 4, line 18, and replacing it with "400".

If you have any questions please contact Resa King at 465-3834. Please return the final bill to Senate Resources Committee, Room 211, Capitol Building.

Attachment

SENATE RESOURCES COMMITTEE
LEGISLATION CHECKLIST

BILL NUMBER SB 759

IDENTIFICATION:

BILL NAME: "An Act relating to the size of trapping cabins."

SPONSOR(S): Kerttula (request)

RELATED BILLS PENDING:

DATE INTRODUCED: 2/15/82

REFERRALS Resources

INITIAL RESEARCH:

INITIAL BILL SUMMARY COMPLETED *yes*

SUMMARY BY LEGAL DIVISION:
DEPT. OF LAW SUMMARY:

SPONSOR CONTACTED FOR BACKUP
MATERIALS:

FISCAL NOTE:

AGENCY RESPONSE:

OTHER INTERESTED SENATORS OR
REPS. NOTIFIED:

BACKGROUND RESEARCH:

SIMILAR BILLS INTRODUCED IN PREVIOUS LEGISLATURES:

RESPONSES FROM INTERESTED PERSONS AND/OR GROUPS:

OTHER STATE OR FEDERAL PRECEDENTS, REGULATIONS, LAWS:

HEARING PREPRATION:

CHAIRMAN BRIEFED:

DATE AND PLACE SET:

STAFF MEMO TO COMMITTEE:

TELECONFERENCE

BACKGROUND MATERIAL DISTRIBUTED

PSA/PRESS RELEASE

LIST OF WITNESSES:

SUGGESTED AMENDMENTS/CS DRAFTED:

Mark Wittow, ONR

*3/4 3771
left word.*



Official Business

Alaska State Legislature

Senate

Resources Committee

Pouch V
State Capitol
Juneau, Alaska 99811

TO: Senate Resources Committee
FROM: Senate Resources Committee Staff
RE: Committee Meeting, March 8, 1982
DATE: March 5, 1982

Please find attached background information for
the Monday, March 8 meeting on the following bills:

- SB 745 Extending the lapse date for the FY 82
appropriation for land disposal surveys.
- SB 759 Relating to the size of trapping cabins.
- SB 832 Extending the lapse date for the FY 82
appropriation for the Citizen Advisory
Commission.

The meeting will be held at 1:30 p.m. in the Beltz Room.

LEGISLATION SUMMARY

SB 759: " An Act relating to the size of trapping cabins."

Sec. 1: Amends existing law to allow a trapping cabin permittee to construct one cabin of up to 768 square feet in size. Any other cabins constructed under the same permit may not exceed 192 square feet in size.

NOTE: Existing law allows a trapping cabin permittee to construct a specified number of cabins for established traplines, none to exceed 192 square feet in size.

PRIME SPONSOR: Kerttula (by request)

CO-SPONSOR(S): None

S38.95.080 DOCUMENT= 1 OF 1

READINGS TITLE 38.
PUBLIC LANDS:
CHAPTER 95:
MISCELLANEOUS PROVISIONS.
ARTICLE 2.
MANAGEMENT CONTRACTS AND LAND EXCHANGES; P.L. 92-203 CORPORATIONS.
CITATION SEC. 38.95.080.

ATTACH LINE TRAPPING CABIN CONSTRUCTION PERMITS.

EXT (A) THE DIRECTOR OF THE DIVISION OF LANDS SHALL ISSUE A NONTRANSFERABLE PERMIT FOR THE CONSTRUCTION OF A TRAPPING CABIN ON STATE LAND TO A PERSON WHO MEETS THE FOLLOWING QUALIFICATIONS:

(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.

(B) NOTHING IN (A) OF THIS SECTION PREVENTS THE DIRECTOR FROM ISSUING A PERMIT TO MORE THAN ONE QUALIFIED PERSON FOR THE CONSTRUCTION AND USE OF THE SAME TRAPPING CABIN.

(C) THE DIRECTOR SHALL ESTABLISH, BY REGULATION, CONDITIONS ATTACHING TO THE PERMIT ISSUED UNDER (A) AND (B) OF THIS SECTION. THESE CONDITIONS SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

(1) PERMITS SHALL BE ISSUED FOR A PERIOD OF NOT MORE THAN 10 YEARS, WITH SUCCEEDING 10-YEAR RENEWAL OPTIONS, IF CONTINUED USE AND OCCUPANCY IS ESTABLISHED, AND THE QUALIFICATIONS OF (A) OF THIS SECTION CONTINUE TO BE MET;

(2) A CABIN SHALL BE CONSTRUCTED AND MAINTAINED ACCORDING TO REASONABLE SPECIFICATIONS ESTABLISHED BY THE DIRECTOR; HOWEVER, IN NO CASE MAY A LINE CABIN EXCEED 192 SQUARE FEET;

(3) A PERMIT SHALL SPECIFY THE NUMBER OF CABINS ALLOWED TO BE CONSTRUCTED AND INDICATE THEIR SPECIFIC GEOGRAPHICAL LOCATION; THE DIRECTOR MAY ESTABLISH A MAXIMUM NUMBER OF CABINS PER PERSON OR OTHERWISE LIMIT THEIR NUMBER BECAUSE OF THE PROBABILITY OF ADVERSE CONSEQUENCES;

(4) ADEQUATE PROVISION MUST BE MADE AT EACH CABIN FOR WASTE AND GARBAGE DISPOSAL, AS DETERMINED BY THE DIRECTOR;

(5) THE PAYMENT OF A TRAPPING CABIN PERMIT FEE OF \$10.

(D) A PERMIT ISSUED UNDER (A) AND (B) OF THIS SECTION ENTITLES ITS HOLDER TO USE TIMBER IN THE IMMEDIATE VICINITY OF THE CABIN FOR PERSONAL NONCOMMERCIAL PURPOSES ONLY. NO OWNERSHIP RIGHTS TO THE LAND ARE CONVEYED BY THE ISSUANCE OF A TRAPPING CABIN PERMIT UNDER THIS SECTION.

(E) A PERSON WHO MAKES A FALSE STATEMENT AS TO ANY MATERIAL FACT RELATING TO A PERMIT ISSUED UNDER THIS SECTION IS GUILTY OF A MISDEMEANOR. A PERSON WHO VIOLATES THIS SUBSECTION OR ANY OF THE TERMS AND CONDITIONS OF A PERMIT ISSUED UNDER THIS SECTION MAY HAVE HIS PERMIT IMMEDIATELY REVOKED AND IS SUBJECT TO PAYMENT OF ALL COSTS REQUIRED IN DISMANTLING HIS CABIN STRUCTURE.

HISTORY (SEC. 1 CH 115 SLA 1976; AM SEC. 40 CH 113 SLA 1981)

LEGISLATIVE SUMMARY

CSSB 759 (res) "An Act relating to the size of trapping cabins."

Page 1, line 18, deletes "768" and inserts "400" in its place.

Sec. 1: Amends existing law to allow a trapping cabin permittee to construct one cabin of up to 400 square feet in size. Any other cabins constructed under the same permit may not exceed 192 square feet in size.