

**HOUSE
COMMITTEE REPORT**

(11)

Date referred: 3/14/86

FURTHER REFERRALS:

DATE: 3-27-86

The FINANCE Committee has considered HB 561

"An Act relating to public use cabins; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS HB 561 (Finance) same title
 new title

and recommends do pass

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note

SIGNING DO PASS:

Celbert P. Adams
Mike Szymanski
Jim Dwyer
Pat Fouchat
Ripley
Steve [unclear]
[Signature]

SIGNING OTHER RECOMMENDATIONS:

Adopt no Rec.

Celbert P. Adams
Chairman

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : 3/24/86

REQUEST

Bill/Resolution No. : CS HB 561 (FIN)
 Title : Recreational cabin program

Sponsor : Clocksia
 Requestor : House Finance Committee
 Date of Request : 3/24/86

FISCAL DETAIL

Agency Affected : Dept. of Natural Resources
 BRU : Parks & Recreation Management

Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		0	0	0	0	0
TRAVEL		0	0	0	0	0
CONTRACTUAL		22.5	22.5	22.5	22.5	22.5
SUPPLIES		22.5	22.5	22.5	22.5	22.5
EQUIPMENT		0	0	0	0	0
LAND & STRUCTURES		0	0	0	0	0
GRANTS, CLAIMS		0	0	0	0	0
MISCELLANEOUS		0	0	0	0	0
TOTAL OPERATING		45.0	45.0	45.0	45.0	45.0

CAPITAL		0	0	0	0	0
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REVENUE		0	0	0	0	0
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FUNDING : (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS		0	0	0	0	0
OTHER		45.0	45.0	45.0	45.0	45.0
TOTAL		45.0	45.0	45.0	45.0	45.0

POSITIONS :

FULL-TIME		0	0	0	0	0
PART-TIME		0	0	0	0	0
TEMPORARY		0	0	0	0	0

ANALYSIS : Attach a separate page if necessary

See attached analysis

Prepared by : Al Adams, Chair ^{APA} Phone : 465-3706
 Division : House Finance Committee Date : 3/24/86

Approved by Commissioner : _____ Date : _____
 Agency : _____

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Fiscal Note
CS HB 561 (Finance)

This fiscal note provides a more reasonable estimate of program receipts. Additionally, expenses are limited to revenues generated by charging fees for the use of the cabins. If additional revenues are generated in future years, the Department may seek additional operating funds through the annual budget process.

Funds are divided equally between supplies and contractual since these are the only expenses that the department can not be expected to absorb within normal budget appropriations. These funds will be used to purchase supplies needed to renovate cabins and to pay necessary cabin labor and air fare to remote sites.

Each cabin is expected to generate approximately \$3,000 in fees. This fiscal note assumes that 15 cabins will generate this much in FY 87. The original fiscal note assumed 24 cabins would generate \$3,000, but only 12 are currently in operation. It is very unlikely that 12 additional cabins will be renovated in time to generate an additional \$36,000 in FY 87.

HOUSE FINANCE COMMITTEE
LETTER OF INTENT
FOR
CS HB 561 (FINANCE)

It is the intent of the Legislature that citizens of the State and visitors to the State be able to enjoy the natural environment to the greatest extent possible. The establishment of new public cabins may be particularly appropriate in areas of heavy recreational interest or use. In more remote locations public use cabins should be established only after consideration of the weather and physical environment in the surrounding area, and the reasons the area is most often used. Public cabins should be established on a priority basis with more remote cabins being added to the system only after a specific need for public facility is determined. Such need shall be based on Department findings and public comment from users and residents of the area.



Al Adams, Chair
House Finance Committee

Original sponsors: Clocksin, Szymanski,
Shultz, et al

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 561 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public use cabins; and providing
7 for an effective date."

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

9 * Section 1. LEGISLATIVE PURPOSE. The legislature determines that it
10 is in the public interest to create the Alaska Public Use Cabin System and
11 place within that system cabins owned or built by the state on the reserved
12 or unreserved public land of the state and that the system be managed for
13 the benefit of the residents of the state and visitors to the state.

14 * Sec. 2. AS 41.21.020(a) is amended to read:

15 (a) The Department of Natural Resources shall

16 (1) develop a continuing plan for the conservation and
17 maximum use in the public interest of the scenic, historic, archaeo-
18 logic, scientific, biological, and recreational resources of the
19 state;

20 (2) plan for and develop a system of state parks and recre-
21 ational facilities, to be established as the legislature authorizes
22 and directs;

23 (3) acquire by gift, purchase, or transfer from state or
24 federal agencies, or from individuals, corporations, partnerships or
25 associations, land necessary, suitable and proper for roadside, pic-
26 nic, recreational, or park purposes;

27 (4) control, develop and maintain state parks and recre-
28 ational areas;

29 (5) provide for the acquisition, care, control,

1 supervision, improvement, development, extension, and maintenance of
2 public recreational land, and make necessary arrangements, contracts,
3 or commitments for the improvement and development of land acquired
4 under AS 41.21.010 - 41.21.040;

5 (6) adopt, in accordance with this section and the Adminis-
6 trative Procedure Act (AS 44.62), regulations governing the use and
7 designating incompatible uses within the boundaries of state park and
8 recreational areas to protect the property and to preserve the peace;

9 (7) cooperate with the United States and its agencies and
10 local subdivisions of the state to secure the effective supervision,
11 improvement, development, extension, and maintenance of state parks,
12 state monuments, state historical areas, and state recreational areas,
13 and secure agreements or contracts for the purpose of AS 41.21.010 -
14 41.21.040;

15 (8) encourage the organization of state public park and
16 recreational activities in the local political subdivisions of the
17 state;

18 (9) provide for consulting service designed to develop
19 local park and recreation facilities and programs;

20 (10) provide clearing-house services for other state agen-
21 cies concerned with park and recreation matters; and

22 (11) perform other duties as are prescribed by executive
23 order or by law;

24 (12) maintain memorials to Alaska veterans located in state
25 parks;

26 (13) adopt, in accordance with the Administrative Procedure
27 Act (AS 44.62), regulations governing the use of the Chena River State
28 Recreation Area and designating incompatible uses within the boundar-
29 ies of the Chena River State Recreation Area in accordance with

1 AS 41.21.490₁

2 (14) manage the cabins owned by the state under AS 41.-
3 21.880.

4 * Sec. 3. AS 41.21 is amended by adding a new section to article 7 to
5 read:

6 Sec. 41.21.880. PUBLIC USE CABINS. (a) There is established a
7 system of public use cabins to be managed by the commissioner and
8 called the Alaska Public Use Cabin System. The commissioner shall
9 publicize the existence of the public use cabins and may establish a
10 reservation system for the cabins.

11 (b) The commissioner shall establish a fee schedule for the use
12 of the cabins. Fees collected under this subsection shall be de-
13 posited in the general fund. The commissioner of administration shall
14 separately account for fees collected and deposited by the commis-
15 sioner of natural resources under this subsection. The annual esti-
16 mated balance in the account may be appropriated by the legislature to
17 the Department of Natural Resources to carry out the purposes of this
18 section. In establishing the fees, the commissioner shall consider

19 (1) the cost to the state of building, renovating, and
20 maintaining the cabins;

21 (2) the cost of administering reservations and collecting
22 the fees charged for use of the cabins; and

23 (3) the public interest.

24 (c) Cabins that were constructed on public land without proper
25 authority and that have been or will be acquired by the state may be
26 renovated by the commissioner for inclusion in the Alaska Public Use
27 Cabin System. Within available appropriations, the commissioner may
28 build or acquire cabins for inclusion in the cabin system. Under
29 state contracting procedures the commissioner may contract for the

1 construction, rehabilitation, operation, and maintenance of cabins
2 within the system.

3 (d) The commissioner may cooperate with local groups and with
4 state and federal agencies to maintain and improve the cabin system.
5 The commissioner shall evaluate existing and potential cabin sites and
6 conduct resource planning and public review in the process of des-
7 ignating cabins into the system. The commissioner may develop an
8 operational plan for the renovation, construction, or removal of
9 cabins.

10 (e) A person using a public use cabin may not recover damages
11 from the state for an injury arising out of the use of the public use
12 cabin unless the injury was caused by the gross negligence of the
13 state.

14 (f) In establishing and managing a public use cabin system on
15 state game refuges, critical habitat areas, and game sanctuaries
16 established under AS 16.20, the commissioner shall obtain the concur-
17 rence of the commissioner of fish and game.

18 (g) The commissioner shall make an annual report to the legisla-
19 ture on the costs, occupancy rates, fees collected, the number and
20 location of cabins in the system, and other information considered
21 relevant by the commissioner.

22 (h) In this section, "public use cabins" includes cabins desig-
23 nated by the commissioner that

24 (1) were constructed on state land without proper authority
25 of law and that have been acquired by the state in the past or that
26 are acquired by the state in the future and meet minimum standards for
27 safety and liability requirements; or

28 (2) are cabins owned by the state and used for temporary
29 recreational use.

1 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
2 10.070(c).
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Original sponsors: Clocksin, Szymanski,
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BY THE FINANCE COMMITTEE

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ADOPTED

A M E N D M E N T

Offered in the HOUSE

By Rieger

TO: ~~CSHB 561(Res)~~

~~Page 4, after line 5, insert~~ a new subsection to read:

"(e) A person using a public use cabin may not recover damages from the state for an injury arising out of the use of the public use cabin unless the injury was caused by the gross negligence of the state."

Reletter remaining subsections.



Alaska State Legislature


HOUSE OF REPRESENTATIVES
COMMITTEE ON RESOURCES

POUCH V
JUNEAU, ALASKA 99811
(907) 465-3715

PUBLIC USE CABINS

Letter of Intent for CSHB 561 (Res)
Resources Committee

It is the intent of the Legislature that citizens of the State and visitors to the State be able to enjoy the natural environment to the greatest extent possible. The establishment of new public cabins may be particularly appropriate in areas of heavy recreational interest or use. In more remote locations public use cabins should be established only after consideration of the weather and physical environment in the surrounding area, and the reasons the area is most often used. Public cabins should be established on a priority basis with more remote cabins being added to the system only after a specific need for a public facility is determined. Such need shall be based on Department findings and public comment from users and residents of the area.


Representative Dick Shultz, Co-Chair

Fiscal note provided for the bill on BNR

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date : 03-13-86

REQUEST
 Bill/Resolution No. : HB 561
 Title : Establishing an Alaskan Recreation Cabin Program
 Sponsor : Rep. Clocksin
 Requestor : House Resources
 Date of Request : 03-13-86

FISCAL DETAIL
 Agency Affected : Natural Resources
 BRU : Parks & Recreation Mgmt
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES	-	6.6	10.0			
TRAVEL	-	2.5	2.5			
CONTRACTUAL	-	48.3	44.4			
SUPPLIES	-	42.0	43.0			
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		99.4	99.9			

CAPITAL						
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REVENUE		72.0	96.0			
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FUNDING : (Thousands of Dollars)

GENERAL FUND		99.4	99.9			
FEDERAL FUNDS						
OTHER						
TOTAL		99.4	99.9			

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Personal Services - inspection & maintenance of cabins by field personnel
 Contractual - rehabilitation of public cabins using local labor.
 Supplies - building materials for cabins.

Revenue - FY 87 based on operation of 24 cabins; FY 88 - 36 cabins.

Prepared by: Fred Vreeman Phone: 762-4506
 Division: Parks & Outdoor Recreation Date: 03-13-86

Approved by Commissioner: Thomas J. Smith, Deputy Date: 3/13/86
 Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

BILL SHEFFIELD, GOVERNOR

POUCH M
JUNEAU, ALASKA 99811
PHONE: 907-465-2400

The Honorable Dick Shultz
Co-Chair, Resources Committee
Alaska State House
P.O. Box V
Juneau, AK 99811

February 28, 1986

Dear Representative Shultz:

I am writing to suggest some amendments to HB 561, on public use cabins. Yesterday my staff presented these amendments to your staff and to Representative Clocksin's, and I am now submitting them for the Committee's consideration.

The department strongly supports the concept of the proposed bill. After adopting regulations for privately owned cabins on state land in 1984, we have made an important new beginning for cabins on state land. The bill before you will allow the people of the state to make beneficial use of abandoned and unauthorized cabins and may help reduce recreational and land disposal pressures statewide. The bill also provides our citizens better access to public lands and resources.

Contrary to a recent newspaper editorial, there is no conflict between HB 561 and SB 269, also under consideration by the committee. The intent of HB 561 is to establish a public cabins system for general public use, a very different goal from that in SB 269. Although the department does not support the passage of SB 269, I believe that both bills could be passed by the Legislature without conflict.

The purpose of each suggested amendment is given on the attached pages. I have also provided a marked-up copy of the original bill incorporating the proposed amendments.

HOW IN
RESOURCES
C.S.

Please contact me or my staff if you have questions or comments.

Sincerely,

Esther C. Wunnicke
for Esther C. Wunnicke
Commissioner

cc: Rep. Clocksin



Alaska Environmental Lobby, Inc.

204 N. Franklin Street, Suite 3 Juneau, Alaska 99801

907-586-2345

TESTIMONY ON HB 561 - Public Use Cabins
2/28/86 by Kate Pendleton

Good morning. The Alaska Environmental Lobby would like to express it's support of HB 561. We feel this bill would provide for convenient, remote recreational experiences while minimizing resource conflicts.

Much of the driving force behind the land disposal program is the public's desire for those "fabled" Alaskan experiences. Everyone wants a wilderness cabin. While the remote parcel and homestead programs will fill some of that demand, the number and size of land disposals in the future will eventually eliminate the wilderness character and locally deplete the subsistence resources which draw people to these areas. And as a practical matter, only a relative few will be able to take advantage of these programs.

An alternative way to provide recreational opportunities is to adopt HB 561. This would provide the public with a smorgasboard of superior recreational opportunities presently unavailable. Unlike most remote parcels which will probably remain undeveloped for many years and remote cabins which are frequently used only a few days each year, public use cabins will likely receive substantial use.

The popular US Forest Service Cabin system which was begun in 1954 now includes over 200 cabins statewide. Many of the cabins are used 12 months of the year and are accessible by a variety of means such as hiking, cross-country skiing, dog mushing, snow machines, boat and plane. In 1985, statistics for cabins in Yakutat, Admiralty Island and the Juneau area report use by 4,321 visitors. There was heavy request for the very popular walk-in cabins that are close to Juneau. The Forest Service has not been building cabins because of the high cost, but does work with volunteer groups such as the Taku Conservation Society to build and maintain cabins within the system. The current charge for overnight use of a cabin is \$10.

ALASKA CENTER FOR THE ENVIRONMENT • ALASKA CHAPTER, SIERRA CLUB • JUNEAU GROUP, SIERRA CLUB • SITKA GROUP, SIERRA CLUB
KNIK GROUP, SIERRA CLUB • DENALI GROUP, SIERRA CLUB • ANCHORAGE AUDUBON SOCIETY • ARCTIC AUDUBON SOCIETY
DENALI CITIZENS' COUNCIL • ALASKA FRIENDS OF THE EARTH • JUNEAU AUDUBON SOCIETY • KACHEMAK BAY CONSERVATION SOCIETY
KENAI PENINSULA AUDUBON SOCIETY • KODIAK AUDUBON SOCIETY • LYNN CANAL CONSERVATION • ALASKA WILDERNESS GUIDES ASSOCIATION
SITKA CONSERVATION SOCIETY • NORTHERN ALASKA ENVIRONMENTAL CENTER • SOUTHEAST ALASKA CONSERVATION COUNCIL

Page 2

Testimony on HB 561

We envision a system with a wide variety of cabins and locations, something to appeal to all, from hikers looking for a weekend trip near Anchorage to those seeking a week long, remote experience deep in the heart of the Alaska Range. A carefully planned and managed system would be able to provide, for a reasonable fee, use of a cabin and an opportunity to take advantage of Alaska's vast and beautiful public lands.

Actually the environmental and resource impacts at each public cabin site will probably be greater than for less used private lands. However, management problems could be resolved through adequate language addressing issues such as location and resource impacts. We are especially concerned about cabin use in areas of critical habitat. In addition, we would hope that serious consideration would be given to the impact of motorized vehicle access in these areas. We would expect the Commissioner to consider the wishes and concerns of local residents and users, and other state residents by means of a public comment, as the system is developed.

The increasing interest and demand for recreational opportunities demonstrates the desire for a public cabin system around the state for short-term use. We feel that HB 561 would provide for those needs and make good use of the abandoned and unauthorized cabins in the state.

Lawmakers consider state cabin system

By BRUCE SCANDLINO
The Associated Press

JUNEAU — Backpackers, fishermen and hunters would be able to hang their hats in about 100 state-owned recreational cabins around Alaska, if a new legislative proposal becomes law.

The state program would be modeled after a cabin system run by the U.S. Forest Service in Alaska, said Sen. Joe Josephson, an Anchorage Democrat who is one of the sponsors of the proposal.

But such a program could face tough opposition from Senate President Don Bennett, a Fairbanks Republican who has fought against the state takeover of once-private cabins.

Josephson said he planned to unveil his proposal Wednesday. An identical measure was introduced Tuesday in the House by Majority Leader Don Clocksin, D-Anchorage, and more than a dozen co-sponsors.

The proposal would create

the Alaska Public Use Cabin System and set aside money for the state to refurbish private cabins it has recently taken over.

A 1984 regulation change said people who built so-called "trespass cabins" on state land could register them in exchange for lifetime title to the property.

But unregistered cabins are being taken over by the state, under that rule. The state could eventually take over dozens of unclaimed cabins, said Neil Johannsen, director of the state Division of Parks.

He said the proposal would require about \$100,000 annually to set up a reservation system — and pay for remodeling cabins. About 15 to 20 cabins could be added to the system every year, Johannsen said. It would cost between \$10 and \$15 a night to reserve a cabin.

Johannsen pegged the average remodeling cost at \$2,000 to \$3,000 per cabin, and said the program could pay for

itself within three years.

Many of the newly refurbished cabins would be located in Southcentral Alaska, since that's where dozens of unclaimed cabins are located, Johannsen said.

"The trick is to initially make sure you concentrate on quality cabins in high-demand areas," he said.

Of the 177 forest service cabins in Alaska, 140 are located in the Tongass National Forest of Southeast Alaska. The rest are in the Chugach National Forest of Southcentral Alaska.

Johannsen said the state already operates about 30 cabins in Alaska, several near Nancy Lake north of Anchorage. But the emphasis is turning away from building new cabins, which cost up to \$15,000 each.

The state could operate as many as 100 cabins within five years, under the plan, Johannsen said.

Josephson said the proposal should not scare people

who already own cabins in Alaska.

"Cabin owners will be unaffected by this bill, and even those with trespass cabins are being granted lifetime permits," he said. "Only unclaimed trespass cabins and those with expiring permits will become part of the system."

Bennett said it's not the state's business to takeover and manage cabins once owned by private citizens.

"I think we're better off to let the people own them and decide if they want to rent them out," Bennett said Tuesday. "That way, it doesn't cost anything to manage."

Burglar strikes home twice, steals gold dust and jewelry crimestoppers/274-STOP

A house along Rabbit Creek Road was burglarized twice between November 25 and November 30. Both times entry was made through windows. The burglar was apparently familiar with the dog, the alarm system and the contents of the home.

Taken in the first burglary was a small, square, blue safe with wheels, weighing between 100 to 150 pounds. In the latter break-in, a second safe was

opened. More than 200 ounces of gold dust, gold nuggets and silver ingots, along with a quantity of coins, watches, jewelry and personal items were stolen with the two safes.

To date, Crimestoppers information has led to the arrest of 22 people in connection with more than 100 burglaries. Should your information lead to an arrest and indictment, you would be eligible for up to \$1,000 in cash.

Official works on bid to hold Alaska summit

The Associated Press

JUNEAU — Alaska's still in the running as a site for the next summit meeting between President Ronald Reagan and Soviet Leader Mikhail Gorbachev, but it's too early to count on winning the campaign, says an Alaska official in Washington.

The Senate State Affairs Committee last week passed a resolution encouraging an Alaska summit after hearing a status report on the bid from John Kats, Gov. Bill Sheffield's Washington representative.

Kats told the committee over a telephone hook-up that State Department officials have slowed efforts to find a site because the summit, originally planned for sometime this summer, has been postponed until autumn.

They cautioned us not to be too optimistic or too raise

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Thursday, February 20
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CHAPTER 65.
PERSONAL USE CABIN PERMITS

Section

- 10. Applicability
- 20. Applications
- 30. Application fee
- 40. Renewals
- 50. Permit decision
- 60. Density within state game refuges and critical habitat areas
- 70. Conflicting applications
- 80. Ownership and removal
- 90. Conditions of permit
- 100. Appeals
- 110. Public use cabins
- 900. Definitions

11 AAC 65.010. **APPLICABILITY.** This chapter applies to the issuance of personal use cabin permits for unauthorized cabins placed on state land before August 1, 1984. Cabins built on state land after August 1, 1984 will not be authorized. A permit under this chapter does not convey an interest in state land or establish a preference right for the lease or purchase of state land. It is the express intent of this chapter to phase out the use of unauthorized cabins on state land, and where appropriate, convert them to public use. (Eff. 12/16/84, Reg. 92)

Authority: AS 38.04.035 AS 38.05.020
AS 38.04.900 AS 41.21.020

11 AAC 65.020. **APPLICATIONS.** (a) An application for a permit to use an existing cabin on state land must

(1) be received by the department during a 60-day application period established by the department and announced by public notice; the application period will be open for one time only by geographic location;

(2) be made on a form provided by the department;

(3) be complete and correct to the best of the applicant's knowledge;

(4) contain a description of the cabin and site;

(5) contain a description of the proposed use of the cabin and site;

(6) be signed and dated by the applicant or, in the case of a group of applicants, by the applicant's authorized agent.

(b) An application made under this section must include the following:

(1) a \$25 application fee;

(2) identification of the cabin site on a United States Geological Survey map at 1:63,360 scale (1" to 1 mile) or its equivalent;

(3) a photograph (print) of the cabin taken within the past year;

(4) documentation demonstrating historic use and occupancy;

(5) documentation of any prior investments in the cabin; and

(6) any other information required by the director. (Eff. 12/16/84, Reg. 92)

Authority: AS 38.04.035 AS 38.05.020
AS 38.04.900 AS 41.21.020

11 AAC 65.030. **APPLICATION FEE.** The application fee required by 11 AAC 65.020 is not refundable. However, if the department determines that an application made under this chapter should have been made under a different chapter, the application fee may be applied to an application made under another chapter. (Eff. 12/16/84, Reg. 62)

Authority: AS 38.04.035 AS 38.05.020
AS 38.04.900 AS 41.21.020

11 AAC 65.040. **RENEWALS.** (a) Application for renewal of a permit must be made in writing at least 90 days, but not more than 180 days, before the expiration of the permit.

(b) A permit will be renewed if the continued use complies with 11 AAC 65.050 - 11 AAC 65.900.

(c) A permit issued and renewed under this chapter is valid only during the lifetime of the original holder of that permit. (Eff. 12/16/84, Reg. 92)

Authority: AS 38.04.035 AS 38.05.020
AS 38.04.900 AS 41.21.020

11 AAC 65.050. PERMIT DECISION. (a) The department will issue and renew an applicant's cabin permit if the director finds in writing that the application is for a cabin that complies with AS 38.04.035(4) and does not conflict with the public interest criteria as described in (b) of this section.

(b) No permit will be issued for a cabin on state land

(1) where a subdivision or agricultural sale has occurred or is anticipated or scheduled during the term of the permit;

(2) where homesteads are proposed for future disposal, unless the disposal is not anticipated within the term of the permit;

(3) if the land has been selected under the authority of the Municipal Entitlement Act, AS 29.18;

(4) in state park units, land managed under an interagency land management agreement, land classified as reserved use, or where the issuance of a permit would interfere with significant public recreational use;

(5) that is shoreland, submerged land, or tideland;

(6) that serves an important ecological function, or is especially sensitive to human disturbance, as determined by the department;

(7) located close to a center of population;

(8) where material extraction, timber sales, mining, or intensive recreational facility development is scheduled or anticipated during the term of the permit;

(9) overlying a mining location or mineral lease if the department determines that a cabin may interfere with development of the mining location or mineral lease during the term of the permit;

(10) under application or proposed for a public facility or highway right-of-way unless it is clear that the intended use will not occur during the term of the permit;

(11) for which a Native allotment application is on record with the Bureau of Land Management, or on land validly selected under the Alaska Native Claims Settlement Act;

(12) accessible by road within legislatively designated state game refuge or critical habitat area;

(13) in a legislatively designated state game sanctuary;

(14) where the cabin is used as a permanent residence; or

(15) if the department determines that the proposed use may more appropriately be allowed under another chapter of this title. (Eff. 12/16/84, Reg. 92)

Authority: AS 38.04.035 AS 38.05.020
AS 38.04.900 AS 41.21.020

11 AAC 65.060. DENSITY WITHIN STATE GAME REFUGES AND CRITICAL HABITAT AREAS. Densities and configurations of public cabins within state game refuges and critical habitat areas will be determined based upon habitat type, wildlife seasonal use patterns, wildlife sensitivity to disturbance, and the applicant's proposed type and season of use. Permits will be issued if the density and configuration of cabins and associated uses are not found in conflict with (1) the public interest during the term of the permit, (2) the maintenance or enhancement of fish and wildlife populations and their habitats, or (3) general public use. (Eff. 12/16/84, Reg. 92)

Authority: AS 16.20.050 AS 38.04.900
AS 16.20.250 AS 38.05.020
AS 38.04.035 AS 41.21.020

11 AAC 65.070. CONFLICTING APPLICATIONS. If the director determines that two or more applications for the same cabin are equally valid, the department will choose the permittee by lottery from the valid applications received. (Eff. 12/16/84, Reg. 92)

Authority: AS 38.04.035 AS 38.05.020
AS 38.04.900 AS 41.21.020

11 AAC 65.080. OWNERSHIP AND REMOVAL. (a) Except as otherwise provided in (b) or (c) of this section, a cabin subject to this chapter is the personal property of the

permittee, and remains so for the term of the permit.

(b) A cabin not applied for under this chapter becomes the property of the state if not removed within 60 days after notice by the department.

(c) Upon revocation or expiration of a permit, including renewals of it, or if an application was made but no permit issued, the cabin becomes the property of the state if not removed within 60 days after notice by the department. (Eff. 12/16/84, Reg. 92)

Authority: AS 38.04.035 AS 38.05.020
 AS 38.04.900 AS 41.21.020

11 AAC 65.090. CONDITIONS OF PERMIT.
A permit issued under this chapter

(1) is valid for a period of up to six years;

(2) may include site-specific conditions of use, such as seasonal use restrictions determined appropriate by the department and, on game refuges and critical habitat areas, by the Department of Fish and Game;

(3) is not valid unless signed by an authorized individual within the Department of Fish and Game if the permit is for a cabin located within a state game refuge or critical habitat area;

(4) is not valid unless an annual rental fee of \$100 is timely received by the department;

(5) is not valid unless the permit is signed by the applicant or applicant's authorized agent; and

(6) will contain the following general stipulations and conditions:

(A) the permit does not convey an interest in state land or grant any preference right for the lease or purchase of state land;

(B) the permit is revocable immediately upon violation of any of its terms, conditions, or stipulations, upon nonpayment of fees, or upon failure to comply with any other applicable statutes and regulations;

(C) the permit is not transferable or assignable;

(D) the permit must be displayed in general view on the cabin at all times;

(E) no additions to or enlargements of the cabin are allowed, except for routine maintenance and upkeep;

(F) all garbage and foreign debris brought into, or placed on, the cabin site must be removed by the permittee unless otherwise authorized by the director;

(G) the state must be held harmless from all claims, demands, suits, loss, liability, and expense for injury to, or death of, a person arising out of or connected with the uses covered by the permit;

(H) if the cabin is destroyed or damaged beyond repair, rebuilding the structure is not authorized without prior written approval of the director; this approval may not be unreasonably withheld;

(I) the cabin may not be used for a commercial activity or as a permanent residence;

(J) no new road or trail across state land is authorized under the permit, and access must be consistent with the provisions of 11 AAC 96;

(K) no restriction or interference with public access to or across state land is allowed;

(L) the permit does not relieve the permittee of the responsibility of securing other necessary state, federal, or local permits or authorizations; and

(M) the department reserves the right to require measures to mitigate disruptions to public use of the area, and to fish and wildlife populations and their habitats, which may be created by the permittee, or occur as a direct result of the permittee's failure to comply with the terms of the permit or any

applicable law. (Eff. 12/16/84, Reg. 92)

Authority: AS 38.04.035 AS 38.05.020
AS 38.04.900 AS 41.21.020

11 AAC 65.100. APPEALS. (a) The department will publish notice of its intent to issue a permit under this chapter in a newspaper of general circulation in the vicinity of the area covered by the permit.

(b) A person who disagrees with a permit decision by the director, or a permit decision by the Department of Fish and Game in the case of a cabin on a state game refuge or critical habitat area, may appeal to the commissioner of the department or to the commissioner of the Department of Fish and Game, as appropriate. The appeal must be in writing and must be received at the office of the appropriate commissioner within 30 days after the date of the decision. A decision of a commissioner is the final administrative decision, but does not exhaust an appellant's judicial remedies. (Eff. 12/16/84, Reg. 92)

Authority: AS 38.04.035 AS 38.05.020
AS 38.04.900 AS 41.21.020

11 AAC 65.110. PUBLIC USE CABINS. As of December 17, 1984, the department will consider making available for public use, any cabin for which a permit is not issued under this chapter. (Eff. 12/16/84, Reg. 92)

Authority: AS 38.04.035
AS 38.05.020

11 AAC 65.900. DEFINITIONS. As used in this chapter,

(1) "applicant" means an individual or group of individuals at least 18 years old who have resided in Alaska not less than one year immediately preceding the date of application and does not include an organization, association, or corporation;

(2) "authorized agent" means an individual who is the designated agent for a group of individuals who are applicants, and is one of the applicants;

(3) "cabin" means a permanent structure in existence as of August 1, 1984, consisting of at least four walls and a roof, and used for eating

and sleeping; the word includes a separate sanitary device or outhouse, and storage area or cache;

(4) "commercial" means an action or operation that generates income from the buying, selling, renting, bartering, or trading of goods or services relating to use of a cabin;

(5) "department" means the Department of Natural Resources;

(6) "director" means the director of the division of land and water management of the Department of Natural Resources;

(7) "shoreland" means land belonging to the state, which is covered by nontidal water that is navigable under the laws of the United States and extends up to the ordinary high water mark as modified by accretion, erosion, or reliction;

(8) "state" means the State of Alaska;

(9) "submerged land" means land covered by tidal water between the line of mean low water and seaward to a distance of three geographical miles or further as may be properly claimed by the state; and

(10) "tideland" means land which is periodically covered by tidal water between the elevations of mean high and mean low tides (Eff. 12/16/84, Reg. 92)

Authority: AS 38.04.035 AS 38.05.020
AS 38.04.900 AS 41.21.020

FACT SHEET
CONCERNING PERSONAL USE CABIN PERMITS

1. Q. - Who can apply for a permit?
A. - Any group or person 18 or older who claims an interest in an existing cabin may apply. Applications from corporations, agencies, or organizations will not be accepted.
2. Q. - What if I own a cabin used for a permanent residence or a commercial purposes such as set netting, guiding or air charter, can I get a permit?
A. - Not under this program. However the state will accept an application under other available state programs such as a negotiated lease.
3. Q. - Will permits be issued to all persons in a group who apply for one cabin?
A. - Only one permit will be issued. The group must designate an agent. The group may change the agent at any time provided the new agent was one of the original group applicants.
4. Q. - How many cabins or improvements can I apply for?
A. - Only one per applicant(s) (Permits will include an outhouse and cache as well as the cabin).
5. Q. - Do I have to be a resident to apply?
A. - Yes, you must have resided in Alaska at least one year prior to filing an application.
6. Q. - Will permits be issued within a state park unit?
A. - No.
7. Q. - How much money will a permit cost me?
A. - Initial application fee - \$25.00 (non-refundable)
Annual rental fee - \$100.00/year
8. Q. - If I have a cabin and apply do I automatically get the permit?
A. - Not necessarily. A permit will be issued if your continued use is found not to conflict with the public interest during the period of the permit.
9. Q. - If I apply and my application is denied, can I appeal the decision?
A. - You will have the opportunity to appeal any denial.

10. Q. - If I do not appeal the denial, or my appeal is rejected, can I remove the cabin?
- A. - Yes. You will be given a sixty-day period to remove the cabin. If the cabin is not removed, the department will pursue abatement action.
11. Q. - When can I apply for this permit?
- A. - When specific areas to be opened to permitting have been identified and advertised by the department.
12. Q. - Will there be any future application periods?
- A. - Not after the initial sixty-day filing period allowed each geographic area. This is a one-time only opportunity for those that claim an interest in a cabin in each of these areas. Permits for use of other authorized public use cabins will be available later.
13. Q. - If I receive a permit, how long is it good for?
- A. - Permits will be issued for a maximum of six years. They may be renewed only if at each renewal they are determined by the state not to conflict with the public interest. This six year renewal procedure is good for the lifetime of the permittee(s) only.
14. Q. - Can permits be transferred to someone else?
- A. - No.
15. Q. - Must I convey my cabin to the State of Alaska?
- A. - No. The cabin remains the personal property of the permittee for the term of the permit. If the permit is revoked, expires or is not renewed, the cabin becomes the property of the state if not removed within 60 days of notice by the department.
16. Q. - What if several people own an interest in the cabin?
- A. - All may apply, however, the group must designate a responsible agent. The group may change its agent at any time, but the agent must be one of those on the original application.

17. Q. - What if two or more conflicting applications are received for the same cabin?
- A. - Only one permit will be issued. The state will apply a list of criteria to each application to determine who should receive the permit. If the criteria determination is unsuccessful, there will be a drawing to determine the successful permittee.
18. Q. - Can I build a new cabin, or add on to an existing one once I receive my permit?
- A. - No. Only routine maintenance of an existing cabin is allowed.
19. Q. - If my improvement is destroyed after the permit is issued, can I rebuild it?
- A. - Yes, but only with the concurrence of the Department of Natural Resources.
20. Q. - Does the permit grant me any rights to the land that the cabin is on?
- A. - No, the permit is an authorization to use the cabin but does not convey any interest or preference to the land.
21. Q. - If I do not apply, then what?
- A. - Your cabin will be an unauthorized use of state land and will be converted to public use or removed. Prior to that action, you will be given sixty days to remove the cabin.
22. Q. - What happens if I built my cabin after August 1, 1984?
- A. - A permit will not be issued and abatement action will be taken by the department.
23. Q. - What happens to cabins not applied for - can I apply for one of them?
- A. - Not at this time. However, permits will be issued at a later date for use of public cabins under a separate program.
24. Q. - Does this program apply to all state lands?
- A. - Yes, although only specific geographic areas will be opened to application at one time. This will reduce the workload at any one time and allow for permits to be issued in a timely manner.

APPLICATION FOR PERSONAL USE CABIN PERMIT

NAME OF APPLICANT OR AGENT _____ AGE: _____ DATE OF APPLN: _____

MAILING ADDRESS: _____ PHONE: (H) _____

_____ (W) _____

other applicants claiming an interest (if any); _____

CABIN LOCATION: _____ Section, _____ Township _____ Range, _____ Meridian.

NAME OF DESIGNATED AREA (IF ANY) _____

CABIN: size of primary cabin; _____

when constructed; _____ length of use _____

other structures present and size; _____

primary purpose of cabin; _____

seasons of use requested _____ fall, _____ winter, _____ spring, _____ summer.

DOCUMENTATION REQUIRED *Photo (print) of improvement taken in the past 12 months.
OF APPLICANT:

*1:63,360 USGS map showing cab

*Documentation of use, i.e.,
receipts of use or transporta-
tion, correspondence, affida-
vits from others attesting to
your use, etc.

*Application filing fee \$25.00.

If a prior application for this cabin has been made under another state program,
please check the program(s); State - _____ preference right, _____ lease, _____ permit;

Federal - _____ homestead, _____ T&M site, _____ Native allotment, _____ headquarters site.

SPECIAL STIPULATIONS/CONDITIONS

(A) this permit does not convey an interest in state land or grant any preference right for the lease or purchase of state land;

(B) the permit is revocable immediately upon violation of any of its terms, conditions, stipulations, non-payment of fees, or upon failure to comply with any other applicable statutes and regulations;

(C) the permit is not transferable or assignable;

(D) the permit must be displayed in general view on the cabin at all times;

(E) no additions to or enlargements of the cabin are allowed except for routine maintenance and upkeep;

(F) all garbage and foreign debris brought onto, or placed on the cabin site shall be removed by the permittee unless otherwise authorized by the director;

(G) the state shall be held harmless from any and all claims, demands, suits, loss, liability, and expense for injury to, or death of, persons arising out of or connected with the uses covered by this permit;

(H) if the cabin is destroyed or damaged beyond repair, rebuilding the structure is not authorized without prior written approval of the director;

(I) the cabin may not be used for a commercial activity or as a permanent residence;

(J) no new roads or trails across state land are authorized under the permit and access must be consistent with the provisions of 11 AAC 96;

(K) no restrictions or interference with public access to or across state land is allowed;

(L) this permit does not relieve the permittee of the responsibility of securing other necessary state, federal or local permits or authorizations;

(M) the department reserves the right to require measures to mitigate disruptions to public use of the area, fish and wildlife populations and their habitats, which may be created by the project, or occur as a direct result of the permittee's failure to comply with the terms of this permit or any applicable law; and

(N) the permit may include site-specific conditions of use such as seasonal use restrictions determined appropriate by the department and, on game refuges and critical habitat areas by the Department of Fish and Game.

(O) other special stipulations or conditions:

PERSONAL USE CABIN PERMIT

ADL/LAS Number: _____ Cabin Site Number: _____

Issued to: _____

Address: _____

CABIN LOCATION: _____ Section, _____ Township, _____ Range, _____ Meridian.

DESCRIPTION OF CABIN: _____

TERM OF PERMIT: _____

_____ Seasonal use only, from _____ until _____ of each year.

I hereby agree to all stipulations and conditions included in this permit and further agree that upon revocation or expiration of this permit including renewals, the cabin herein permitted shall become the property of the State of Alaska if not removed within 60 days of notice by the department.

DATE

PERMITTEE'S SIGNATURE

Permission is hereby granted to the above permittee to occupy and use the cabin herein described for the purposes stated, upon the conditions and stipulations identified in this permit.

DATE

REGIONAL MANAGER, DIV. OF LAND AND WATER MANAGEMENT
DEPARTMENT OF NATURAL RESOURCES

DATE

DEPARTMENT OF FISH AND GAME

Offered: 3/14/86
Referred: Finance

Original sponsors: Clocksin, Szymanski,
Shultz, et al

1 IN THE HOUSE BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 561 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public use cabins; and providing
7 for an effective date."

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

9 * Section 1. LEGISLATIVE PURPOSE. The legislature determines that it
10 is in the public interest to create the Alaska Public Use Cabin System and
11 place within that system cabins owned or built by the state on the reserved
12 or unreserved public land of the state and that the system be managed for
13 the benefit of the residents of the state and visitors to the state.

14 * Sec. 2. AS 41.21.020(a) is amended to read:

15 (a) The Department of Natural Resources shall

16 (1) develop a continuing plan for the conservation and
17 maximum use in the public interest of the scenic, historic, archaeo-
18 logic, scientific, biological, and recreational resources of the
19 state;

20 (2) plan for and develop a system of state parks and recre-
21 ational facilities, to be established as the legislature authorizes
22 and directs;

23 (3) acquire by gift, purchase, or transfer from state or
24 federal agencies, or from individuals, corporations, partnerships or
25 associations, land necessary, suitable and proper for roadside, pic-
26 nic, recreational, or park purposes;

27 (4) control, develop and maintain state parks and recre-
28 ational areas;

29 (5) provide for the acquisition, care, control,

1 supervision, improvement, development, extension, and maintenance of
2 public recreational land, and make necessary arrangements, contracts,
3 or commitments for the improvement and development of land acquired
4 under AS 41.21.010 - 41.21.040;

5 (6) adopt, in accordance with this section and the Adminis-
6 trative Procedure Act (AS 44.62), regulations governing the use and
7 designating incompatible uses within the boundaries of state park and
8 recreational areas to protect the property and to preserve the peace;

9 (7) cooperate with the United States and its agencies and
10 local subdivisions of the state to secure the effective supervision,
11 improvement, development, extension, and maintenance of state parks,
12 state monuments, state historical areas, and state recreational areas,
13 and secure agreements or contracts for the purpose of AS 41.21.010 -
14 41.21.040;

15 (8) encourage the organization of state public park and
16 recreational activities in the local political subdivisions of the
17 state;

18 (9) provide for consulting service designed to develop
19 local park and recreation facilities and programs;

20 (10) provide clearing-house services for other state agen-
21 cies concerned with park and recreation matters; and

22 (11) perform other duties as are prescribed by executive
23 order or by law;

24 (12) maintain memori ls to Alaska veterans located in state
25 parks;

26 (13) adopt, in accordance with the Administrative Procedure
27 Act (AS 44.62), regulations governing the use of the Chena River State
28 Recreation Area and designating incompatible uses within the boundar-
29 ies of the Chena River State Recreation Area in accordance with AS

1 41.21.490;

2 (14) manage the cabins owned by the state under AS 41.-
3 21.880.

4 * Sec. 3. AS 41.21 is amended by adding a new section to article 7 to
5 read:

6 Sec. 41.21.880. PUBLIC USE CABINS. (a) There is established a
7 system of public use cabins to be managed by the commissioner and
8 called the Alaska Public Use Cabin System. The commissioner shall
9 publicize the existence of the public use cabins and may establish a
10 reservation system for the cabins.

11 (b) The commissioner shall establish a fee schedule for the use
12 of the cabins. The commissioner may recover program costs through the
13 administration of a program receipts account, subject to legislative
14 approval. In establishing the fees, the commissioner shall consider

15 (1) the cost to the state of building, renovating, and
16 maintaining the cabins;

17 (2) the cost of administering reservations and collecting
18 the fees charged for use of the cabins; and

19 (3) the public interest.

20 (c) Cabins that were constructed on public land without proper
21 authority and that have been or will be acquired by the state may be
22 renovated by the commissioner for inclusion in the Alaska Public Use
23 Cabin System. Within available appropriations, the commissioner may
24 build or acquire cabins for inclusion in the cabin system. Under
25 state contracting procedures the commissioner may contract for the
26 construction, rehabilitation, operation, and maintenance of cabins
27 within the system.

28 (d) The commissioner may cooperate with local groups and with
29 state and federal agencies to maintain and improve the cabin system.

1 The commissioner shall evaluate existing and potential cabin sites and
2 conduct resource planning and public review in the process of des-
3 ignating cabins into the system. The commissioner may develop an
4 operational plan for the renovation, construction, or removal of
5 cabins.

6 (e) In establishing and managing a public use cabin system on
7 state game refuges, critical habitat areas, and game sanctuaries
8 established under AS 16.20, the commissioner shall obtain the concur-
9 rence of the commissioner of fish and game.

10 (f) The commissioner shall make an annual report to the legisla-
11 ture on the costs, occupancy rates, fees collected, the number and
12 location of cabins in the system, and other information considered
13 relevant by the commissioner.

14 (g) In this section, "public use cabins" includes cabins desig-
15 nated by the commissioner that

16 (1) are constructed on state land without proper authority
17 of law and that have been acquired by the state in the past or that
18 are acquired by the state in the future and meet minimum standards for
19 safety and liability requirements; or

20 (2) are cabins owned by the state and used for temporary
21 recreational use.

22 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
23 10.070(c).

Introduced: 2/11/86
Referred: Resources and
Finance

BY CLOCKSIN, SZYMANSKI, SHULTZ,
PETTYJOHN, BOUCHER, COTTEN, DAVIS,
GOLL, GRUENBERG, KOPONEN, M.M. MILLER,
NAVARRE, PIGNALBERI AND POURCHOT

1 IN THE HOUSE

2 HOUSE BILL NO. 561

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

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11 place within that system all cabins owned or built by the state on the
12 reserved or unreserved public land of the state and that the system be
13 managed for the benefit of the residents of the state and visitors to the
14 state.

15 * Sec. 2. AS 41.21.020(a) is amended to read:

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18 maximum use in the public interest of the scenic, historic, archaeo-
19 logic, scientific, biological, and recreational resources of the
20 state;

21 (2) plan for and develop a system of state parks and recre-
22 ational facilities, to be established as the legislature authorizes
23 and directs;

24 (3) acquire by gift, purchase, or transfer from state or
25 federal agencies, or from individuals, corporations, partnerships or
26 associations, land necessary, suitable and proper for roadside, pic-
27 nic, recreational, or park purposes;

28 (4) control, develop and maintain state parks and recre-
29 ational areas;

1 (5) provide for the acquisition, care, control, super-
2 vision, improvement, development, extension, and maintenance of public
3 recreational land, and make necessary arrangements, contracts, or
4 commitments for the improvement and development of land acquired under
5 AS 41.21.010 - 41.21.040;

6 (6) adopt, in accordance with this section and the Adminis-
7 trative Procedure Act (AS 44.62), regulations governing the use and
8 designating incompatible uses within the boundaries of state park and
9 recreational areas to protect the property and to preserve the peace;

10 (7) cooperate with the United States and its agencies and
11 local subdivisions of the state to secure the effective supervision,
12 improvement, development, extension, and maintenance of state parks,
13 state monuments, state historical areas, and state recreational areas,
14 and secure agreements or contracts for the purpose of AS 41.21.010 -
15 41.21.040;

16 (8) encourage the organization of state public park and
17 recreational activities in the local political subdivisions of the
18 state;

19 (9) provide for consulting service designed to develop
20 local park and recreation facilities and programs;

21 (10) provide clearing-house services for other state agen-
22 cies concerned with park and recreation matters; and

23 (11) perform other duties as are prescribed by executive
24 order or by law;

25 (12) maintain memorials to Alaska veterans located in state
26 parks;

27 (13) adopt, in accordance with the Administrative Procedure
28 Act (AS 44.62), regulations governing the use of the Chena River State
29 Recreation Area and designating incompatible uses within the

1 boundaries of the Chena River State Recreation Area in accordance with
2 AS 41.21.490;

3 (14) manage the cabins owned by the state under AS 41.-
4 21.880.

5 * Sec. 3. AS 41.21 is amended by adding a new section to article 7 to
6 read:

7 Sec. 41.21.880. PUBLIC USE CABINS. (a) There is established a
8 system of public use cabins to be managed by the commissioner and
9 called the Alaska Public Use Cabin System. The commissioner shall
10 publicize the existence of the public use cabins and shall establish a
11 reservation system for the cabins.

12 (b) The commissioner shall establish a fee schedule for the use
13 of the cabins. In establishing the fees, the commissioner shall
14 consider

15 (1) the cost to the state of building, renovating, and
16 maintaining the cabins;

17 (2) the cost of collecting the fees charged for use of the
18 cabins; and

19 (3) the public interest.

20 (c) Cabins that were constructed on public land without proper
21 authority and that have been or will be acquired by the state may be
22 renovated by the commissioner for inclusion in the Alaska Public Use
23 Cabin System. Within available appropriations, the commissioner may
24 build or acquire cabins for inclusion in the cabin system.

25 (d) The commissioner may cooperate with local groups and with
26 state and federal agencies to maintain and improve the cabin system.

27 (e) The commissioner shall make an annual report to the legisla-
28 ture on the costs, occupancy rates, fees collected, the number and
29 location of cabins in the system, and other information considered

1 relevant by the commissioner.

2 (f) As used in this section, "public use cabins" include

3 (1) cabins that were constructed on state land without
4 proper authority of law and that have been acquired by the state in
5 the past or that are acquired by the state in the future; and

6 (2) cabins owned by the state and used for temporary recre-
7 ational use.

8 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
9 10.070(c).

Introduced: 2/11/86
Referred: Resources and
Finance

BY CLOCKSIN, SZYMANSKI, SHULTZ,
PETTYJOHN, BOUCHER, COTTEN, DAVIS,
GOLL, GRUENBERG, KOPONEN, M.M. MILLER,
NAVARRE, PIGNALBERI AND POURCHOT

1 IN THE HOUSE

2 HOUSE BILL NO. 561

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public use cabins; and providing
7 for an effective date."

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

9 * Section 1. LEGISLATIVE PURPOSE. The legislature determines that it
10 is in the public interest to create the Alaska Public Use Cabin System and
11 place within that system all cabins owned or built by the state on the
12 reserved or unreserved public land of the state and that the system be
13 managed for the benefit of the residents of the state and visitors to the
14 state.

15 * Sec. 2. AS 41.21.020(a) is amended to read:

16 (a) The Department of Natural Resources shall

17 (1) develop a continuing plan for the conservation and
18 maximum use in the public interest of the scenic, historic, archaeo-
19 logic, scientific, biological, and recreational resources of the
20 state;

21 (2) plan for and develop a system of state parks and recre-
22 ational facilities, to be established as the legislature authorizes
23 and directs;

24 (3) acquire by gift, purchase, or transfer from state or
25 federal agencies, or from individuals, corporations, partnerships or
26 associations, land necessary, suitable and proper for roadside, pic-
27 nic, recreational, or park purposes;

28 (4) control, develop and maintain state parks and recre-
29 ational areas;

1 (5) provide for the acquisition, care, control, super-
2 vision, improvement, development, extension, and maintenance of public
3 recreational land, and make necessary arrangements, contracts, or
4 commitments for the improvement and development of land acquired under
5 AS 41.21.010 - 41.21.040;

6 (6) adopt, in accordance with this section and the Adminis-
7 trative Procedure Act (AS 44.62), regulations governing the use and
8 designating incompatible uses within the boundaries of state park and
9 recreational areas to protect the property and to preserve the peace;

10 (7) cooperate with the United States and its agencies and
11 local subdivisions of the state to secure the effective supervision,
12 improvement, development, extension, and maintenance of state parks,
13 state monuments, state historical areas, and state recreational areas,
14 and secure agreements or contracts for the purpose of AS 41.21.010 -
15 41.21.040;

16 (8) encourage the organization of state public park and
17 recreational activities in the local political subdivisions of the
18 state;

19 (9) provide for consulting service designed to develop
20 local park and recreation facilities and programs;

21 (10) provide clearing-house services for other state agen-
22 cies concerned with park and recreation matters; and

23 (11) perform other duties as are prescribed by executive
24 order or by law;

25 (12) maintain memorials to Alaska veterans located in state
26 parks;

27 (13) adopt, in accordance with the Administrative Procedure
28 Act (AS 44.62), regulations governing the use of the Chena River State
29 Recreation Area and designating incompatible uses within the

1 boundaries of the Chena River State Recreation Area in accordance with
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10 publicize the existence of the public use cabins and shall establish a
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13 of the cabins. In establishing the fees, the commissioner shall
14 consider

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16 maintaining the cabins;

17 (2) the cost of collecting the fees charged for use of the
18 cabins; and

19 (3) the public interest.

20 (c) Cabins that were constructed on public land without proper
21 authority and that have been or will be acquired by the state may be
22 renovated by the commissioner for inclusion in the Alaska Public Use
23 Cabin System. Within available appropriations, the commissioner may
24 build or acquire cabins for inclusion in the cabin system.

25 (d) The commissioner may cooperate with local groups and with
26 state and federal agencies to maintain and improve the cabin system.

27 (e) The commissioner shall make an annual report to the legisla-
28 ture on the costs, occupancy rates, fees collected, the number and
29 location of cabins in the system, and other information considered

1 relevant by the commissioner.

2 (f) As used in this section, "public use cabins" include

3 (1) cabins that were constructed on state land without
4 proper authority of law and that have been acquired by the state in
5 the past or that are acquired by the state in the future; and

6 (2) cabins owned by the state and used for temporary recre-
7 ational use.

8 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
9 10.070(c).