

**HOUSE**  
**COMMITTEE REPORT**

(11)

Date referred: 5/7/86

FURTHER REFERRALS:

DATE: 5-10-86

The FINANCE Committee has considered CSSB 269 (Res)

"An Act relating to cabins on state land; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with HCS, CSSB 269 (JUP)  same title
- new title

and recommends do pass

further referral to the \_\_\_\_\_ Committee

- and attaches:
- letter of intent
  - first fiscal note
  - new fiscal note 5/7/86 67.2
  - zero fiscal note

SIGNING DO PASS:

[Signature]

[Signature]

Michael Synnadesi

[Signature]

Ronald J. Jarm

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

SIGNING OTHER RECOMMENDATIONS:

[Signature]

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[Signature]  
Chairman

STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 5-7-86

**REQUEST**

Bill/Resolution No.: HCS CSSB 269 (Jud)  
 Title: Cabins on state land  
 \_\_\_\_\_  
 Sponsor: Bennett  
 Requestor: House Judiciary  
 Date of Request: 5-7-86

**FISCAL DETAIL**

Agency Affected: Natural Resources  
 BRU: Land and Water  
Parks and Recreation  
 \_\_\_\_\_  
 Components: \_\_\_\_\_  
 \_\_\_\_\_

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		43.2	43.2	43.2		
TRAVEL		5.0	6.0	6.0		
CONTRACTUAL		12.0	12.0	12.0		
SUPPLIES		3.0	3.0	3.0		
EQUIPMENT		4.0	2.0	2.0		
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		67.2	66.2	66.2		

CAPITAL						
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REVENUE		145.0	145.0	145.0	145.0	145.0
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**FUNDING : (Thousands of Dollars)**

GENERAL FUND		67.2	66.2	66.2		
FEDERAL FUNDS						
OTHER		45.0	45.0	45.0		
<b>TOTAL</b>		112.2	111.2	111.2		

**POSITIONS :**

FULL-TIME		1	1	1		
PART-TIME						
TEMPORARY						

**ANALYSIS :** Attach a separate page if necessary

The committee substitute reduces the costs of implementing the cabin sale program by setting a deadline for applications, placing some costs on the applicant, and establishing conditions that may reduce the number of cabin sales. The public use cabin system will be administered under program receipts.

Prepared by: Ned Farquhar Phone: 465-2400  
 Division: Commissioner's Office Date: 5-7-86

Approved by Commissioner: *Ned Farquhar* Date: 5-7-86  
 Agency: Natural Resources

**Distribution (by Agency preparing fiscal note):**

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

Offered: 5/7/66  
Referred: Finance

Original sponsors: Bennett, Ferguson  
and Coghill

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 269 (Judiciary)

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 cabins on state land; and provid-  
7 ing for an effective date."

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

9 \* Section 1. LEGISLATIVE PURPOSE. (a) The legislature determines that  
10 it is in the public interest to create the Alaska Public Use Cabin System  
11 and place within that system 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 (b) It is further in the public interest to allow persons who are  
16 able to demonstrate historic use and occupancy of cabins on state land to  
17 purchase the land to resolve land conflicts; to ensure the legally protect-  
18 ed use and enjoyment of cabins; and to provide for the continued existence  
19 of emergency shelters in remote areas.

20 \* Sec. 2. (a) Except as otherwise provided in this section, on the  
21 application before June 1, 1988, of a person who can demonstrate the his-  
22 toric use and occupancy of a cabin on state land and investments in the  
23 cabin before December 31, 1974, and continuing through June 1, 1986, the  
24 commissioner of natural resources shall sell not to exceed one acre of  
25 state land occupied by the cabin, if the land was not closed to entry under  
26 applicable federal or state law at the time the cabin was constructed, un-  
27 less the commissioner makes a written best interest finding based on clear  
28 and convincing evidence that a land or resource management conflict exists.

29 (b) The land shall be sold for the fair market value of the land as

1 determined by the commissioner on the date of the approval of the applica-  
2 tion. The applicant shall pay the costs of appraisal, public notice, and  
3 surveying the land.

4 (c) Except as provided in (c) of this section, on the application  
5 before June 1, 1988, of a person who can demonstrate the historic use and  
6 occupancy of a cabin on state land and investments in the cabin before  
7 December 31, 1974, and continuing through June 1, 1986, the commissioner  
8 may sell the state land occupied by a cabin within an area that was with-  
9 drawn under AS 41 after the cabin was built. The land may not be sold if  
10 the state land was withdrawn under AS 41 before the cabin was built. The  
11 use of the cabin and the land may not exceed the use that existed at the  
12 time the land was withdrawn under AS 41.

13 (d) The commissioner may not sell land occupied by a cabin within an  
14 area withdrawn under AS 16.

15 (e) The commissioner may not sell land occupied by a cabin within  
16 mental health trust land or school land of the state.

17 (f) If the cabin is located on state land that is adjacent to a body  
18 of water, the commissioner shall reserve a 50-foot easement for public  
19 access above the mean high water line. The commissioner may establish  
20 reasonable restrictions in the grant of the land at the time of sale or  
21 under AS 38.05.037(a) on the use, access to, and the transfer of the land  
22 sold under this section, including a restriction against the commercial use  
23 of the cabin.

24 (g) A cabin on land that may be sold under this section may not be  
25 acquired or removed by the commissioner before June 1, 1988; a cabin that  
26 has been applied for under this section may not be acquired or removed  
27 until the application has been adjudicated and unless the application is  
28 denied.

29 \* Sec. 3. AS 41.21.020(a) is amended to read:

- 1 (a) The Department of Natural Resources shall
- 2 (1) develop a continuing plan for the conservation and
- 3 maximum use in the public interest of the scenic, historic, archae-
- 4 ologic, scientific, biological, and recreational resources of the
- 5 state;
- 6 (2) plan for and develop a system of state parks and
- 7 recreational facilities, to be established as the legislature author-
- 8 izes and directs;
- 9 (3) acquire by gift, purchase, or transfer from state or
- 10 federal agencies, or from individuals, corporations, partnerships or
- 11 associations, land necessary, suitable and proper for roadside, pic-
- 12 nic, recreational, or park purposes;
- 13 (4) control, develop and maintain state parks and recre-
- 14 ational areas;
- 15 (5) provide for the acquisition, care, control, super-
- 16 vision, improvement, development, extension, and maintenance of
- 17 public recreational land, and make necessary arrangements, contracts,
- 18 or commitments for the improvement and development of land acquired
- 19 under AS 41.21.010 - 41.21.040;
- 20 (6) adopt, in accordance with this section and the Admin-
- 21 istrative Procedure Act (AS 44.62), regulations governing the use and
- 22 designating incompatible uses within the boundaries of state park and
- 23 recreational areas to protect the property and to preserve the peace;
- 24 (7) cooperate with the United States and its agencies and
- 25 local subdivisions of the state to secure the effective supervision,
- 26 improvement, development, extension, and maintenance of state parks,
- 27 state monuments, state historical areas, and state recreational areas,
- 28 and secure agreements or contracts for the purpose of AS 41.21.010 -
- 29 41.21.040;

1 commissioner under this subsection. The annual estimated balance in  
2 the account may be appropriated by the legislature to the Department  
3 of Natural Resources to carry out the purposes of this section. In  
4 establishing the fees, the commissioner shall consider

5 (1) the cost to the state of building, renovating, and  
6 maintaining the cabins;

7 (2) the cost of administering reservations and collecting  
8 the fees for the use of the cabins; and

9 (3) the public interest.

10 (c) Within available appropriations, the commissioner may build  
11 or acquire cabins for inclusion in the cabin system. Under state  
12 contracting procedures the commissioner may contract for the construc-  
13 tion, rehabilitation, operation, and maintenance of cabins within the  
14 system.

15 (d) The commissioner may cooperate with local groups with state  
16 and federal agencies to maintain and improve the cabin system. The  
17 commissioner shall evaluate existing and potential cabin sites and  
18 conduct resource planning and public review in the process of des-  
19 ignating cabins into the system. The commissioner may develop an  
20 operational plan for the renovation, construction, or removal of  
21 cabins.

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

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

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- 2           (1) develop a continuing plan for the conservation and
- 3 maximum use in the public interest of the scenic, historic, archae-
- 4 ologic, scientific, biological, and recreational resources of the
- 5 state;
- 6           (2) plan for and develop a system of state parks and
- 7 recreational facilities, to be established as the legislature author-
- 8 izes and directs;
- 9           (3) acquire by gift, purchase, or transfer from state or
- 10 federal agencies, or from individuals, corporations, partnerships or
- 11 associations, land necessary, suitable and proper for roadside, pic-
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- 14 ational areas;
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- 28 and secure agreements or contracts for the purpose of AS 41.21.010 -
- 29 41.21.040;

1           (8) encourage the organization of state public park and  
2 recreational activities in the local political subdivisions of the  
3 state;

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

6           (10) provide clearing-house services for other state agen-  
7 cies concerned with park and recreation matters; [AND]

8           (11) perform other duties as are prescribed by executive  
9 order or by law;

10          (12) maintain memorials to Alaska veterans located in state  
11 parks;

12          (13) adopt, in accordance with the Administrative Procedure  
13 Act (AS 44.62), regulations governing the use of the Chena River State  
14 Recreation Area and designating incompatible uses within the bound-  
15 aries of the Chena River State Recreation Area in accordance with  
16 AS 41.21.490;

17          (14) manage the cabins owned by the state under AS 41.21.-  
18 880.

19 \* Sec. 4. AS 41.21. is amended by adding a new section to article 7 to  
20 read:

21           Sec. 41.21.880. PUBLIC USE CABINS. (a) There is established a  
22 system of public use cabins to be managed by the commissioner and  
23 called the Alaska Public Use Cabin System. The commissioner shall  
24 publicize the existence of the public use cabins and shall establish a  
25 reservation system for the cabins.

26           (b) The commissioner shall establish a fee schedule for the use  
27 of the cabins. Fees collected under this subsection shall be deposit-  
28 ed in the general fund. The commissioner of administration shall  
29 separately account for fees collected and deposited by the

1 commissioner under this subsection. The annual estimated balance in  
2 the account may be appropriated by the legislature to the Department  
3 of Natural Resources to carry out the purposes of this section. In  
4 establishing the fees, the commissioner shall consider

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14 system.

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18 conduct resource planning and public review in the process of des-  
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27 state game refuges, critical habitat areas, and game sanctuaries  
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29 rence of the commissioner of fish and game.

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

5           \* Sec. 5. Section 2 of this Act is repealed June 1, 1988.

6           \* Sec. 6. This Act takes effect immediately in accordance with AS 01.-  
7           10.070(c).

# STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : \_\_\_\_\_

**REQUEST** House Judiciary Committee **FISCAL DETAIL**

Bill/Resolution No. : HCS for CS for SB269 (Jud) Agency Affected : \_\_\_\_\_

Title : An Act relating to cabins on state land; and providing for an effective date. BRU : \_\_\_\_\_

Sponsor : Judiciary Committee Components : \_\_\_\_\_

Requestor : House Judiciary Committee

Date of Request : May 7, 1986

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0

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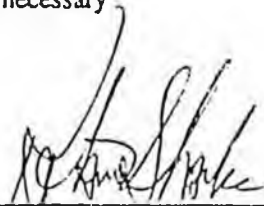
**FUNDING : (Thousands of Dollars)**

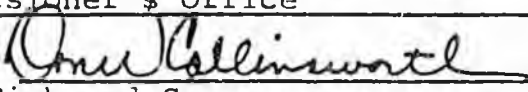
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS :**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** Attach a separate page if necessary

Prepared by : Roland Shanks  Phone : 465-4100  
 Division : Commissioner's Office Date : May 7, 1986

Approved by Commissioner : Don Collinsworth  Date : 5.7.86  
 Agency : Dept. of Fish and Game

Distribution (by Agency preparing fiscal note) :

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

Offered: 5/7/86  
Referred: Finance

Original sponsors: Bennett, Ferguson  
and Coghill

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2 HOUSE CS FOR CS FOR SENATE BILL NO. 269 (Judiciary)  
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5           \* Sec. 5. Section 2 of this Act is repealed June 1, 1988.

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Offered: 5/7/86  
Referred: Finance

Original sponsors: Bennett, Ferguson  
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2 tion. The applicant shall pay the costs of appraisal, public notice, and  
3 surveying the land.

4 (c) Except as provided in (e) of this section, on the application  
5 before June 1, 1988, of a person who can demonstrate the historic use and  
6 occupancy of a cabin on state land and investments in the cabin before  
7 December 31, 1974, and continuing through June 1, 1986, the commissioner  
8 may sell the state land occupied by a cabin within an area that was with-  
9 drawn under AS 41 after the cabin was built. The land may not be sold if  
10 the state land was withdrawn under AS 41 before the cabin was built. The  
11 use of the cabin and the land may not exceed the use that existed at the  
12 time the land was withdrawn under AS 41.

13 (d) The commissioner may not sell land occupied by a cabin within an  
14 area withdrawn under AS 16.

15 (e) The commissioner may not sell land occupied by a cabin within  
16 mental health trust land or school land of the state.

17 (f) If the cabin is located on state land that is adjacent to a body  
18 of water, the commissioner shall reserve a 50-foot easement for public  
19 access above the mean high water line. The commissioner may establish  
20 reasonable restrictions in the grant of the land at the time of sale or  
21 under AS 38.05.037(a) on the use, access to, and the transfer of the land  
22 sold under this section, including a restriction against the commercial use  
23 of the cabin.

24 (g) A cabin on land that may be sold under this section may not be  
25 acquired or removed by the commissioner before June 1, 1988; a cabin that  
26 has been applied for under this section may not be acquired or removed  
27 until the application has been adjudicated and unless the application is  
28 denied.

29 \* Sec. 3. AS 41.21.020(a) is amended to read:

1           (a) The Department of Natural Resources shall  
2           (1) develop a continuing plan for the conservation and  
3 maximum use in the public interest of the scenic, historic, archae-  
4 ologic, scientific, biological, and recreational resources of the  
5 state;  
6           (2) plan for and develop a system of state parks and  
7 recreational facilities, to be established as the legislature author-  
8 izes and directs;  
9           (3) acquire by gift, purchase, or transfer from state or  
10 federal agencies, or from individuals, corporations, partnerships or  
11 associations, land necessary, suitable and proper for roadside, pic-  
12 nic, recreational, or park purposes;  
13           (4) control, develop and maintain state parks and recre-  
14 ational areas;  
15           (5) provide for the acquisition, care, control, super-  
16 vision, improvement, development, extension, and maintenance of  
17 public recreational land, and make necessary arrangements, contracts,  
18 or commitments for the improvement and development of land acquired  
19 under AS 41.21.010 - 41.21.040;  
20           (6) adopt, in accordance with this section and the Admin-  
21 istrative Procedure Act (AS 44.62), regulations governing the use and  
22 designating incompatible uses within the boundaries of state park and  
23 recreational areas to protect the property and to preserve the peace;  
24           (7) cooperate with the United States and its agencies and  
25 local subdivisions of the state to secure the effective supervision,  
26 improvement, development, extension, and maintenance of state parks,  
27 state monuments, state historical areas, and state recreational areas,  
28 and secure agreements or contracts for the purpose of AS 41.21.010 -  
29 41.21.040;

1           (8) encourage the organization of state public park and  
2 recreational activities in the local political subdivisions of the  
3 state;

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

6           (10) provide clearing-house services for other state agen-  
7 cies concerned with park and recreation matters; [AND]

8           (11) perform other duties as are prescribed by executive  
9 order or by law;

10           (12) maintain memorials to Alaska veterans located in state  
11 parks;

12           (13) adopt, in accordance with the Administrative Procedure  
13 Act (AS 44.62), regulations governing the use of the Chena River State  
14 Recreation Area and designating incompatible uses within the bound-  
15 aries of the Chena River State Recreation Area in accordance with  
16 AS 41.21.490;

17           (14) manage the cabins owned by the state under AS 41.21.-  
18 880.

19 \* Sec. 4. AS 41.21. is amended by adding a new section to article 7 to  
20 read:

21           Sec. 41.21.880. PUBLIC USE CABINS. (a) There is established a  
22 system of public use cabins to be managed by the commissioner and  
23 called the Alaska Public Use Cabin System. The commissioner shall  
24 publicize the existence of the public use cabins and shall establish a  
25 reservation system for the cabins.

26           (b) The commissioner shall establish a fee schedule for the use  
27 of the cabins. Fees collected under this subsection shall be deposit-  
28 ed in the general fund. The commissioner of administration shall  
29 separately account for fees collected and deposited by the

1       ccommissioner under this subsection. The annual estimated balance in  
2       the account may be appropriated by the legislature to the Department  
3       of Natural Resources to carry out the purposes of this section. In  
4       establishing the fees, the commissioner shall consider

5               (1) the cost to the state of building, renovating, and  
6       maintaining the cabins;

7               (2) the cost of administering reservations and collecting  
8       the fees for the use of the cabins; and

9               (3) the public interest.

10              (c) Within available appropriations, the commissioner may build  
11       or acquire cabins for inclusion in the cabin system. Under state  
12       contracting procedures the commissioner may contract for the construc-  
13       tion, rehabilitation, operation, and maintenance of cabins within the  
14       system.

15              (d) The commissioner may cooperate with local groups with state  
16       and federal agencies to maintain and improve the cabin system. The  
17       commissioner shall evaluate existing and potential cabin sites and  
18       conduct resource planning and public review in the process of des-  
19       ignating cabins into the system. The commissioner may develop an  
20       operational plan for the renovation, construction, or removal of  
21       cabins.

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

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

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

5       \* Sec. 5. Section 2 of this Act is repealed June 1, 1988.

6       \* Sec. 6. This Act takes effect immediately in accordance with AS 0 -  
7       10.070(c).

Offered: 3/19/86  
Referred: Judiciary  
and Finance

Original sponsors: Bennett, Ferguson  
and Coghill

1 IN THE SENATE BY THE RESOURCES COMMITTEE  
2 HOUSE CS FOR CS FOR SENATE BILL NO. 269 (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 cabins on state land; and provid-  
7 ing for an effective date."

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

9 \* Section 1. Unless prohibited by an area plan adopted under AS 38.04.-  
10 065, on the application of a person who can demonstrate the historic use  
11 and occupancy of a cabin on state land and investments in the cabin before  
12 January 1, 1981 and continuing until the effective date of this Act, the  
13 commissioner of natural resources may sell not to exceed one acre of state  
14 land occupied by the cabin. If the cabin is located on state land that is  
15 adjacent to a body of water, the commissioner shall reserve an easement for  
16 public access not to exceed 20 feet wide above the mean high water line.  
17 The commissioner may not establish restrictions on the use of the cabin or  
18 on future transfers of the land sold under this section. The land may be  
19 sold notwithstanding the location of the cabin on state land that has been  
20 withdrawn under AS 16 or AS 41 subsequent to the erection of the cabin.  
21 Land sold under this section shall be sold for the fair market value of the  
22 unimproved land on the date of the application and the person is respon-  
23 sible for the costs of surveying the land.

24 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-  
25 10.070(c).

Offered: 5/2/85  
Referred: Finance

Original sponsors: Bennett, Ferguson  
and Coghill

1 IN THE SENATE BY THE RESOURCES COMMITTEE  
2 CS FOR SENATE BILL NO. 269 (Resources)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - FIRST SESSION  
5 A BILL  
6 For an Act entitled: "An Act relating to cabins on state land; and provid-  
7 ing for an effective date."  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:  
9 \* Section 1. On the application of a person who owns a cabin on state  
10 land on the effective date of this Act, the commissioner of natural  
11 resources shall sell not to exceed one acre of state land occupied by the  
12 cabin if the cabin had been erected on the land before January 1, 1968 and  
13 if the land was open to entry under applicable state or federal law at the  
14 time the cabin was erected. The state land shall be sold for the fair  
15 market value of the land as determined by the commissioner. The applicant  
16 shall pay costs of surveying the land. If the cabin is located on a  
17 waterfront, the commissioner shall reserve an easement not to exceed 20  
18 feet wide above the mean high water line. If the cabin is located in land  
19 that has been withdrawn under AS 16 or AS 41 since January 1, 1968, the  
20 land shall be sold notwithstanding its withdrawal. The commissioner may  
21 not establish restrictions on use of the cabin or on future transfers of  
22 the land sold under this section.  
23 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-  
24 10.070(c).

Introduced: 4/3/85  
Referred: Resources

BY BENNETT, FERGUSON  
AND COGHILL

1 IN THE SENATE

2 SENATE BILL NO. 269

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to cabins on state land; and provid-  
7 ing for an effective date."

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

9 \* Section 1. On the application of a person who possesses a cabin on  
10 state land on the effective date of this Act, the commissioner of natural  
11 resources shall sell not to exceed one acre of state land occupied by the  
12 cabin if the cabin had been erected on the land before January 1, 1980.  
13 The state land shall be sold for the fair market value of the land on  
14 January 1, 1980 as determined by the commissioner. The applicant shall pay  
15 costs of surveying the land. If the cabin is located on a waterfront, the  
16 commissioner shall reserve an easement not to exceed 20 feet wide above the  
17 mean higher high water line. If the cabin is located in land that has been  
18 withdrawn under AS 16 or AS 41 since January 1, 1980, the land shall be  
19 sold notwithstanding its withdrawal. The commissioner may not establish  
20 restrictions on use of the cabin or on future transfers of the land sold  
21 under this section.

22 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.-  
23 10.070(c).