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o/c

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*

Al Adams, Chair  
House Finance Committee

*Adopted by House April 9*

**STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE**

Revision Date : 3/24/86

**REQUEST** Page 1 of 2

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

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

**FISCAL DETAIL**

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

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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
<b>TOTAL OPERATING</b>		<b>45.0</b>	<b>45.0</b>	<b>45.0</b>	<b>45.0</b>	<b>45.0</b>

<b>CAPITAL</b>		0	0	0	0	0
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<b>REVENUE</b>		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
<b>TOTAL</b>		<b>45.0</b>	<b>45.0</b>	<b>45.0</b>	<b>45.0</b>	<b>45.0</b>

**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 <sup>APA</sup> 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)

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.

Offered: 4/1/86  
Referred: Rules

Original sponsors: Clocksin, Szymanski,  
Shultz, et al

*Public Interest.*

1 IN THE HOUSE

~~BY THE FINANCE COMMITTEE~~

2 *SCS fore* CS FOR HOUSE BILL NO. 561 *(Resources) OK*  
~~(Finance) am~~

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 41.21.490;  
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 shall 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

HB 397  
House  
addition

Suggested  
deletion

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.

House  
addition

Den  
397

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~~

Suggested  
deletion

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 ~~residential use.~~

1 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.-  
2 10.070(c).

# Alaska State Legislature

WILSON STURGULEWSKI, Chairman  
BETTYE FAHRENKAMP, Vice Chairman  
JACK COGHILL  
DICK ELIASON  
BOB FISHER  
BILL HALFORD  
BOB CHAROFF



P O BOX V  
JUNEAU, ALASKA 99811  
(907) 465-4907

## Senate Committee on Resources

TO: Senate Resource Committee Members April 18, 1986

FROM: Senate Resource Committee Staff

RE: Proposed SCS for CS for House Bill No. 561 (Resources)  
"An Act relating to public use cabins and providing for  
an effective date."

HB 561 is the House companion to SB 397 which the committee has previously heard. The House made two changes to HB 561 that differ from the committee has previously looked at. These changes are marked on the enclosed bill. The first change (page 3, lines 12 - 18) is designed to eliminate any possible constitutional problem with dedication of funds. The second change (page 4, lines 10 - 13) specifies that the state is not liable for damages a person using a public use cabin may suffer unless the injury was caused by the gross negligence of the state.

The proposed Resources CS would make two deletions to the House bill. These deletions were suggested by Senator Josephson's office because it was felt that the language suggested for removal was unneeded and caused confusion. Senator Josephson is the prime sponsor in the Senate. The first proposed deletion is on page 3, lines 24 - 27, and the second is on page 4, lines 22 - 29. Both of these changes are marked on the enclosed bill. Deletion of these passages will not cause any policy change in the bill.

Attached in this packet is a copy of the write up for SB 397 plus a fiscal note and sectional analysis for HB 561.

# Alaska State Legislature

ARLISS STURGULEWICKI, Chairman  
BETTYE FAHRENKAMP, Vice Chairman  
JACK COGHILL  
DICK ELIASON  
VIC FISCHER  
RICK HALFORD  
FRED ZHAROFF



POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-4907

## Senate Committee on Resources

TO: Senate Resource Committee Members March 7, 1986  
FROM: Senate Resource Committee Staff *MEU*  
RE: Proposed Resources Committee Substitute for SB 397  
"An Act relating to public use cabins and providing for  
an effective date."

SB 397 will set up the Alaska Public Use Cabin System using unclaimed trespass cabins and other cabins that will come into state ownership in future years. The new cabin system is modeled on the public rental cabin system administered by the U.S. Forest Service.

The bill gives the Department of Natural Resources the responsibility to make necessary improvements to the cabins and allows the Department to cooperate with private groups and other government agencies to improve the cabins in the system. Once established, the Department will publicize the state cabin system and take reservations from the public.

In this packet is a letter and fiscal note from DNR. The letter suggests a number of technical amendments and these amendments are incorporated in the proposed CS. An identical CS was recently adopted by the House Resources Committee.

# STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

## DEPARTMENT OF NATURAL RESOURCES

POUCH M  
JUNEAU, ALASKA 99811  
PHONE: 907-485-2400

OFFICE OF THE COMMISSIONER

March 5, 1986

The Honorable Arliss Sturgulewski  
Chair, Resources Committee  
Alaska State Senate  
P.O. Box V  
Juneau, AK 99811

Dear Senator Sturgulewski:

I am writing to suggest some amendments to SB 397, on public use cabins.

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 this bill and SB 269, passed out last year by the committee. The intent of SB 397 is to establish a system of specially designated cabins for general public use, a very different goal from that in SB 269, which would provide for the sale of state land to owners of some cabins built without authorization on state lands. 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.

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

Sincerely,



Esther C. Wunnicke  
Commissioner

cc: Senator Josephson

*These amendments  
were included  
previously.*

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STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

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

**REQUEST**

Bill/Resolution No. : SB 397  
 Title : Public Use Cabins  
 \_\_\_\_\_  
 Sponsor : Senate Josephson  
 Requestor : Senate Resources  
 Date of Request : 03-04-86

**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				
TRAVEL	2.5	2.5				
CONTRACTUAL	48.3	44.4				
SUPPLIES	42.0	43.0				
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>99.4</b>	<b>99.9</b>				

CAPITAL						
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REVENUE	72.0	96.0				
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**FUNDING : (Thousands of Dollars)**

GENERAL FUND	72.0	96.0				
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS :**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

Personal Services - inspection and maintenance of cabins by field personnel;  
 Contractual - rehabilitation of public cabins using local labor;  
 Supplies - building materials for cabins;  
 Revenue - FY 87 on operation of 24 cabins; FY 88 - 36 cabins.

Prepared by: Fred Vreeman, Econ. Programs Manager *FV* Phone: 762-4506  
 Division: Parks and Outdoor Recreation Date: 3-05-86

Approved by Commissioner: Nancy D Amund *NDA* Date: 3/5/86  
 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 1987 LEGISLATIVE SESSION  
FISCAL NOTE

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

**REQUEST**

Bill/Resolution No. : HB 561  
 Title : An Act Establishing an  
Alaska Public Recreation Cabin  
Program  
 Sponsor : Rep Clocksin  
 Requestor : HOUSE RESOURCES  
 Date of Request : 2-10-86

**FISCAL DETAIL**

Agency Affected : Natural Resources  
 BRU : Parks & Recreation Mgmt  
Parks & Recreation Mgmt  
 Components : \_\_\_\_\_

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

OPERATING	FY 87	FY 88	FY	FY	FY	FY
PERSONAL SERVICES	6.6	10				
TRAVEL	2.5	2.5				
CONTRACTUAL	48.3	44.4				
SUPPLIES	42.0	43.0				
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>99.4</b>	<b>99.9</b>				

CAPITAL	----	----				
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REVENUE	72.	96.				
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**FUNDING : (Thousands of Dollars)**

GENERAL FUND	72.0	96.0				
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS :**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

Personal Services - inspection and 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, Econ. Programs Manager *Fred Vreeman* Phone : 762-4506  
 Division : Parks and Outdoor Recreation Date : 2/10/86

Approved by Commissioner : *Thomas D. Arnold, Deputy* Date : \_\_\_\_\_  
 Agency : Natural Resources

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

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agencies)

STATE OF ALASKA  
THE LEGISLATURE

POUCHY STATE CAPITOL  
JUNEAU ALASKA 99811  
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 18, 1986

SUBJECT: Public use cabins  
(HB 561)

TO: Representative Don Clocksin

FROM: Richard A. Bradley  
Legislative Counsel

John Ellis has requested a sectional analysis of the above described bill.

As a preliminary matter, note that a sectional analysis or summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1 of the bill states legislative purpose in the establishment of a public use cabin system.

Section 2 of the bill amends AS 41.21.020(a), a section dealing with the duties of the Department of Natural Resources with regard to AS 41.21, Parks and Recreational Facilities. A new paragraph (14) is added relative to the subject of this bill.

Section 3 of the bill provides the substantive provisions of the bill. It adds a new section, Sec. 41.21.880, to article 7, an article relating to "trails, footpaths, and campsites." The section establishes the "Alaska Public Use Cabin System."

Sec. 880(b) provides that the commissioner may establish a fee schedule for use of cabins within the "system". Considerations to be used in setting the fees are provided.

Representative Clocksin  
Page 2  
February 18, 1986

Sec. 880(c) provides that the commissioner may renovate the cabins "constructed on public land without proper authority". The authority to build or acquire cabins is also granted.

Sec. 880(d) permits the commissioner to "cooperate with local groups" and with other state and federal agencies to maintain and improve the "system."

Sec. 880(e) requires the commissioner to make an annual report to the legislature on stated aspects of the "system."

Sec. 880(f) defines the term "public use cabins".

Section 4 of the bill provides an immediate effective date.

If I may be of further assistance, please advise.

RAB:csh  
c5/078