

HB

232

Alaska State Legislature

REPRESENTATIVE
HUGH "BUD" FATE

Mailing Address
119 N. Cushman, Suite 101
Fairbanks, Alaska 99701
(907) 452-4448
Fax: (907) 456-3346



House Of Representatives

While in session
State Capitol
Juneau, Alaska
99801-1182
(907) 465-4976
Fax: (907) 465-3883

House District 33

Sponsor Statement

HB 232

“An Act permitting state residents to purchase a remote recreational cabin site.”

Sponsor: Representative Hugh Fate

I have introduced HB 232 in an effort to provide land for remote recreational cabin sites. This act will allow state residents to stake state land that is not encumbered and is not a part of any current land disposal program.

This bill defines the eligibility, amounts of acreage allowed, procedures to be followed, and time sequence schedule. HB 232 may place current state land into municipal or borough property tax structures.

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House District 33

Sectional Analysis

House Bill 232

“An Act permitting state residents to purchase a remote recreational cabin site.”

This bill provides non-encumbered state land to be placed into a remote recreational cabin site purchase program.

Section 1 of the bill amends AS.38.05 by adding a new section. The new section is AS 38.05.610. It provides the following criteria:

- The commissioner shall sell state land at the request of a prospective purchaser
- State land classified for retention or land selected by a municipality may not be sold under this program
- At the time of application, you must be 18 years old and a state resident for at least one year.
- Purchaser can only stake a maximum of 2.5 acres
- Sets frontage maximum amounts on lakes, rivers or navigable water
- Sets amounts of land to be sold on lakes or river systems
- Sets time sequence and procedures for purchaser
- Sets time limit for commissioner to process the necessary paperwork and issue deed

This bill will provide remote recreational cabin site land and may place the selected land into property tax status in various locations.

Subject: Fate Proposes Selling State Land to Alaskans

Date: Thu, 05 Apr 2001 19:21:34 -0800

From: Dan Saddler <Dan_Saddler@legis.state.ak.us>

Organization: House Majority

To: reps <lsncdrs+housemajlegs@legis.state.ak.us>,
staff <lsncdrs+hmajstaff@legis.state.ak.us>,
media <lsncdrs+media@legis.state.ak.us>,
people <lsncdrs+people@legis.state.ak.us>

Alaska State Legislature
House of Representatives
Representative Hugh Fate

State Capitol, Suite 416
Juneau, AK 99801-1182
Phone: (907) 465-4976
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FOR IMMEDIATE RELEASE: April 5, 2001
CONTACT: Rep. Hugh Fate (907) 465-4976

Fate Proposes Selling State Land to Alaskans

HB 232 Would Open 2.5-Acre Remote Cabin Sites to Residents

(JUNEAU) – Rep. Hugh "Bud" Fate (R-Fairbanks) introduced legislation today that would allow every Alaskan to stake out and purchase a 2.5-acre remote recreational cabin site.

Fate said he introduced House Bill 232 in an effort to open up more of Alaska's outdoors for citizens to enjoy, to bring more land onto public tax rolls and to help stimulate the state economy by encouraging trade in building materials, transportation, real estate and other services.

"There are so many people in the state that have come up to me and said, 'Gee, I wish I could get a place on a lake or a river,'" Fate said. "But they can't. There is almost no place where a private citizen can actually get a piece of property that they can call their own. This bill is intended to try to make that possible."

Under HB 232, each adult Alaskan could select and stake out no more than 2.5 acres of unencumbered state land that was not part of any current or anticipated state, federal or Native land selection. They would then select from a state approved list of surveyors to have the parcel surveyed and its boundaries certified, pay the surveying and recording fees, and then pay the assessed fair market price to the state within two years to win fee simple title to the land.

The bill includes limits on the amount of lake or river frontage allowed in each parcel, and provides that, while family members would be free to stake adjacent land, no one individual could own more than one parcel at a time under this program.


HB 232 would satisfy Alaskans' hunger for personal land; promote more settlement in more areas of the state, bring in more property taxes where sites were inside taxing districts and bring in new revenue to the state through land sales at market prices, Fate said.

Past state land disposal efforts have not been widely successful in part because they limited the land available to certain areas, took more than seven years to transfer ownership, and in many cases offered unattractive land, Fate said. HB 232 would leave the choice to individuals, but would also expect them to bear the costs.

"Everybody I have talked to so far has said they really like this bill," Fate said. "I would expect that many people will take advantage of this bill, should it pass and the governor sign it into law."

###

Broadcasters note: Comments are available on the Majority Actuality Line 1 (800) 478-6540

 fate land 04052001.doc	Name: fate land 04052001.doc Type: Winword File (application/msword) Encoding: base64 Download Status: Not downloaded with message
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Dan Saddler <Dan_Saddler@legis.state.ak.us>

Recd 4-22

AMENDMENT

OFFERED IN THE HOUSE
TO: CS HB 232

BY REPRESENTATIVE FATE

- 1 Page 3, line 10, following "section":
2 Insert "from lands that were not selected by the state for mineral values and
3 lands having a low mineral potential based on a geophysical survey complete not more
4 than 15 years before the offering,"
5
6 Page 3, Line 22, following "use":
7 Insert ", other than merely transiting over the parcel by any means,"
8
9 Page 3, Line 22-24:
10 Delete "or at least five years of use including two years of active mining under a
11 mining claim, by the person immediately preceding the nomination,"
12 Insert "or that person has held the area under a mining claim, as shown through
13 not less than 5 consecutive years of production royalty reports to the state, on claims that
14 are contiguous with the parcel,"



Alaska State Legislature

Please enter into the record my testimony to the HOUSE RESOURCE
Committee name

Committee on HB 232, dated 4-22-02
Bill/Subject

1 PAGES

Signed: DANA L. OLSON
Testifier

Representing (Optional)
HC-30 BOX 5438 WASILLA, AK 99654
Address

373-4612
Phone number

DANA V. JENSEN
 HC-30 Box 5438
 WASILLA, AK 99654
 April 22, 2002

To House Resources Committee

Comments to HB 232 Remote Recreation ^(cabins site) SALE.
 (defenses AND unconstitutionality assertion)

I am of the belief, that Executive AND
 Legislative to Act concurrently AND jointly
 constitutes A UNLAWFUL interpretation of
 both U.S Constitution AND The Alaska Constitution,
 regarding Authority.

The right to own property must not be U.S. Constitution.
 nationalized by government. (14th Amendment)

In Acting Quasi-judicial, I remind the House Resources
 Committee of prior ~~precedent~~ precedent
 in SB 196 sec 19 ⁽¹⁹⁷¹⁾ (CHASE decision.) IT WAS
 HB that added sec 19. in 1987. (NOT statutory)

A program implementation, AND acting
 quasi-judicial are separate AND distinct
 from each other.

I recognize the means to change Law, is
 by Legislation. The means to change a
 Quasi-judicial decision, must have a Factual
 basis, not merely a program implementation.
 or change without legal basis.

I do not fear your arbitrariness, it only
 makes AND forces me to grow more.

... I live in thought that the American dream
 ... still lives on. In law, one doesn't engage
 ... in conflicts until it serves ~~the~~ one's ~~best~~
 ... best interest to do so.

... I suggest a fiscal note for this program's ^{determinat}_{ion}
 ... compatibility to others be added.

... I highly suggest, consideration of Alaskan
 ... property law be a requirement of this
 ... committee before any movement of this bill.

Sincerely
 Dana Olson
 April 22, 2002

... attachment
 (D. Olson 17 April 2002 ^{public} comment to SWR)

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

TO DNR Commissioner
AND
Department of Natural Resources

DANA L. OLSON
HC-30 Box 5438
Wasilla, AK 99654
17 April 2002
373-4612

Public Comment ON "Chase" Remote Cabin Program
AND Susitna Area Plan Amendments / Revisions.

Proposed Action

Where the Legislature is proposing changes to the
remote cabin program, I question why the public
comment period should occur before any
changes are made.

04-17-02 P04:52 IN

Scope of Project to be reviewed

When considering the method for disposal
of state land; I disagree that the issue is
only concerned with classification / amendment.
I allege the classifications ^{by themselves} are
meaningless, unless considered in relevant
and consistent reading with AS 38.05.300(a)
"The Commissioner shall classify for surface
use land in areas considered necessary
and proper. The classification of land by themselves
do not comply with the Commissioner required
duties. I allege the DNR Commissioner
has failed to comply with this provision
of law, as there is no factual basis provided
or inferred, in proposed amendments to Final Findings
AND decisions.
Also revision / reclassification must be
based on a factual determination of
public interest.

Changes to method of disposal is not ^A ~~an~~ amendment; it is a revision, AND requires a new determination/finding. Case law present has set DNR policy. I allege the DNR Commissioner lacks authority to change/ implement ^{DNR} contrary to case - presents (estoppel) I allege estoppel defense against DNR AND DNR Commissioner.

Classification must be consistent with 38, 04.010 These ^{are} ~~is~~ new relevant provisions of ^{this} law, not prior considered under the prior findings AND CLASSIFICATIONS. Classification made on the premise of remote may not be relevant anymore. A Factual finding is necessary. A classification itself can not determine the applicability. How can public facilities be determined in a classification? or a method of disposal. How can (38, 04.010 (b) "where development of sources of employment improbable" be determined in either a classification or method of disposal. The ^{Area} SUSTAIN PLAN data is out of date. AND 1970. Comprehensive ^{MSB} PLAN is out of date. Review (97219CU) (DNR A party), where I ~~was~~ allege since DNR ~~never~~ AND MSB never argued that ~~classification~~ Kirk Fairview

Comprehensive PLAN WAS DIFFERENT FROM ANY OTHER MSRB COMPREHENSIVE PLANS, IT CAN BE INFERRED CHASE COMPREHENSIVE PLAN IS A ZONING IMPLEMENTATION PLAN ONLY.

DOT + PF HAS NO REGIONAL TRANSPORTATION PLAN ITSELF, NOR THE ^{AK}RAILROAD. A REVISION IS A NECESSARY COMPONENT FOR THIS DECISION TO DISPOSE OF STATE LAND PURSUANT TO ^{AS} 38.04.010.

AS 38.05.300 CLASSIFICATION OF LAND

I ALLEGE THE SUSITNA AREA PLAN CONTAINS MORE THAN 640 CONTIGUOUS ACRES. FAILURE TO CONSIDER OTHER USE FOR DISPOSAL HAS THE EFFECT OF BEING CLOSED FOR MULTIPLE PURPOSE USE, WITHOUT LEGISLATIVE APPROVAL, IN VIOLATION OF THIS PROVISION OF LAW.

THE CONCEPT OF REMOTE IS A CRITERIA OF WHICH A CLASSIFICATION ^{FAILS} ~~FAILS~~ TO CONSIDER ITS AFFECT ON EXISTING AND PLANNED FOR USES. DNR HAS HAD PRIOR ^{KNOWLEDGE} ~~KNOWLEDGE~~ (LITIGATION) TO DNR. AS 38.95.300 (2) DOES NOT PROVIDE RELIEF, NOR ELIMINATE STATUTORY RESPONSIBILITIES.

CHASE Remote Cabin Staking

I Am requesting a determination of compatibility with 1984 Chase TU Agricultural Standards. I have continuously claimed and defended my interest in ADL 10023 AND ADL 10026.

This project was moot the remote standing as road development may significantly have secondary effects on the above disposal at Chase.

Program (Remote Cabin Staking) Staking Authorization might warrant more Staking Authorizations than proposed in order to offset the need for government to offer services to only a few. MSB Zoning PLAN is... Chase Comprehensive PLAN heavily recognizes the need for more recreational opportunities to utilize the vast resources planned for.

Funding for services is based primarily on number of people. I request more Staking Authorizations, if you go ahead with this project.

Rail Road Bridge is too narrow to provide a means to bring in building supplies resulting in possible risks and trespass on R.R. property and tracks. Thus this project may not be suitable for recreational cabin use, but (year-round settlement) where ^{MAY FOR} _{can visit} ^{EAST}

04-17-02

the issue is not whether a project is located next to a community. As Trapper Creek AND TALKEETNA are community. ~~near~~ ^{across} the river from each other. But a road (Parks Hiway) is the means of which they are connected. Access needs consideration today as well as it did before. Please revise some planning, and provide a means for public participation.

Sincerely
 Linda J. Olson
 17 April 2002

22-LS0791\U
Kurtz
4/4/02

Fate
4.4.02

CS FOR HOUSE BILL NO. 232()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES FATE, Wilson, Foster

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to the disposal of state land by lottery; and relating to sale or lease of
2 remote recreational cabin sites."

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

4 * Section 1. AS 38.05.057(a) is amended to read:

5 (a) The commissioner may dispose of land, including land limited to use for
6 agricultural purposes, by lottery. The purchase price of land sold by lottery shall be
7 the fair market value of the land as determined by the commissioner. The
8 commissioner may sell land by lottery for less than the fair market value of the land on
9 a determination that scarcity of land for private use in the area of the land to be sold
10 has resulted in unrealistic land values. The lottery shall be conducted in public by the
11 commissioner. A purchaser selected by lot shall deposit an amount equal to 20 [FIVE]
12 percent of the purchase price within 30 days after receiving notification of the
13 selection.

14 * Sec. 2. AS 38.05.125(a) is amended to read:

1 (a) Each contract for the sale, lease, or grant of state land, and each deed to
2 state land, properties, or interest in state land, made under AS 38.05.045 - 38.05.120,
3 38.05.321, 38.05.600, 38.05.810 - 38.05.825, AS 38.08, or AS 38.50, except as
4 provided in AS 38.50.050, is subject to the following reservations: "The party of the
5 first part, Alaska, hereby expressly saves, excepts, and reserves out of the grant hereby
6 made, unto itself, its lessees, successors, and assigns forever, all oils, gases, coal, ores,
7 minerals, fissionable materials, geothermal resources, and fossils of every name, kind,
8 or description, and which may be in or upon said land above described, or any part
9 thereof, and the right to explore the same for such oils, gases, coal, ores, minerals,
10 fissionable materials, geothermal resources, and fossils, and it also hereby expressly
11 saves and reserves out of the grant hereby made, unto itself, its lessees, successors,
12 and assigns forever, the right to enter by itself, its or their agents, attorneys, and
13 servants upon said land, or any part or parts thereof, at any and all times for the
14 purpose of opening, developing, drilling, and working mines or wells on these or other
15 land and taking out and removing therefrom all such oils, gases, coal, ores, minerals,
16 fissionable materials, geothermal resources, and fossils, and to that end it further
17 expressly reserves out of the grant hereby made, unto itself, its lessees, successors, and
18 assigns forever, the right by its or their agents, servants, and attorneys at any and all
19 times to erect, construct, maintain, and use all such buildings, machinery, roads,
20 pipelines, powerlines, and railroads, sink such shafts, drill such wells, remove such
21 soil, and to remain on said land or any part thereof for the foregoing purposes and to
22 occupy as much of said land as may be necessary or convenient for such purposes
23 hereby expressly reserving to itself, its lessees, successors, and assigns, as aforesaid,
24 generally all rights and power in, to, and over said land, whether herein expressed or
25 not, reasonably necessary or convenient to render beneficial and efficient the complete
26 enjoyment of the property and rights hereby expressly reserved."

27 * Sec. 3. AS 38.05.600(a) is amended to read:

28 (a) The commissioner may provide for the sale or lease of state land for
29 remote recreational cabin sites. Sales under this section shall be at fair market value
30 determined as of the time of entry by the department or by an appraiser from the
31 list of appraisers approved by the department. Land to be sold under this section

1 shall be surveyed before sale by the department or by a surveyor registered
 2 under AS 08.48. The appraisal and survey shall be completed within 12 months
 3 of entry. The [, AND THE] purchaser shall pay for the appraisal and survey or
 4 reimburse the state for the appraisal, survey, and platting costs for the recreational
 5 cabin site. Sales under this section may be at public or private sale.

6 * Sec. 4. AS 38.05.600 is amended by adding new subsections to read:

7 (d) Each year, subject to appropriation from the state land disposal income
 8 fund under AS 38.04.022, to implement this section, the commissioner shall

9 ~~*~~ (1) prepare a three-year schedule of proposed land offerings under this
 10 section identifying at least 300 parcels for disposal each year; and

11 (2) provide public notice of the proposed land offerings.

12 (e) The maximum number of staking authorizations the department may issue
 13 at a public offering for a designated staking area is equal to twice the number of
 14 square miles in the designated staking area.

15 (f) The commissioner may solicit nominations each year from the public for
 16 areas to be offered for disposal under this program. The commissioner may add areas
 17 nominated by the public to the schedule prepared under (e) of this section if the land is
 18 classified for disposal and the disposal is consistent with other requirements of
 19 AS 38.04 and this chapter.

20 (g) A person may nominate a parcel for disposal under this section. If the
 21 person provides an affidavit to the commissioner showing at least three consecutive
 22 years of recreational use of the parcel by the person, ^{#2} or at least five years of use
 23 including two years of active mining under a mining claim, by the person immediately
 24 preceding the nomination, before offering the parcel for disposal to the public, the
 25 commissioner shall offer the parcel to the person nominating the parcel for disposal.
 26 If the commissioner accepts the nomination of a parcel for disposal, the commissioner
 27 may also provide for disposal of additional parcels in the surrounding area, subject to
 28 (f) of this section.

29 (h) A parcel sold under this section may not exceed two and one-half acres. A
 30 parcel sold under this section may include lake, river, or other navigable water
 31 frontage, subject to the following limitations:

1 (1) the lake, river, or other navigable water frontage must be at least
2 300 feet and may not exceed 400 feet;

3 (2) only one parcel with frontage on a lake may be sold under this
4 section for each 25 acres of water of that lake; and

5 (3) a parcel sold under this section with frontage on a river must be
6 located at least two meander miles from any other parcel with river frontage sold
7 under this section.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

April 16, 2001

SUBJECT: Remote Recreation Cabin Site Purchase Program
(SSHB 232, Work Order No. 22-LS0791\O and \P)

TO: Representative Hugh Fate
Attn: Randy Clendaniel

FROM: Kathryn L. Kurtz *KK*
Legislative Counsel

Enclosed are two draft sponsor substitutes for HB 232. One exempts land sales under the program from the statutory public interest finding and notice requirements, but this version poses some constitutional issues. The other version provides for compliance with the constitution by keeping these sales under AS 38.05.035(e) and adjusting the timelines in the bill to accommodate those of the existing statute. If you want to take a different approach to meeting the constitutional requirements, let me know.

There are actually two provisions of the state constitution that relate to the public interest and land disposal. Article VIII, section 1, of the Constitution of the State of Alaska provides:

It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest.

Article VIII, section 10, provides:

No disposals or leases of state lands, or interests therein, shall be made without prior public notice and other safeguards of the public interest as may be prescribed by law.

In addition, the common law public trust doctrine and AS 38.05.502 must be considered in relation to any land disposal program. The public trust doctrine is a common law principle under which it is recognized that government owes its citizens duties of care with respect to the management of land and natural resources held by the state in trust for the public benefit. See CWC Fisheries, Inc. v. Bunker, 755 P.2d 1115 (Alaska 1988) (applying doctrine in the context of tidelands).

Representative Huge Fate

April 16, 2001

Page 2

The \P draft, as you requested, makes AS 38.05.035(e) inapplicable to sales under the new cabin site purchase program. Although the bill mentions the public interest in AS 38.05.610(a), removing the program from AS 38.05.035(e) means it will be left up to the commissioner how and when to determine whether the sale is consistent with the public interest. This is constitutionally questionable, given the "prescribed by law" language in Article VIII, section 10.

The \O draft uses the AS 38.05.035(e) public notice and best interest finding process. That statute requires that a preliminary written finding be made available at least 180 days before the sale. I used 240 days as the maximum allowable period between receipt of application and issuance of a final opinion in the enclosed draft. Let me know if you would prefer a longer or shorter timeline.

KLK:jhb
01-039.jhb

Enclosures



The Division is the primary manager of the State of

Alaska's 150+ million acres of land holdings. We acquire land from the Federal government under various entitlements, such as the Alaska Statehood Act, plan for its use, and through that process classify the land for various uses.

The use of land and its resources is made available to the public through sale, lease and the issuance of permits. The state sells land, sand and gravel and other materials. Other lands are retained in state ownership, but access is provided through lease and issuance of permits to use land for recreation, commercial, and industrial purposes.

This Division performs other land related functions as well as selling, leasing and permitting use of lands. Additional functions include :

land conveyances to municipalities and individuals, establishment of boundaries of ownership for state land through survey, serves as the title agency for the state, and maintains all land records for the state.

In order to maintain public access to waterways, the division manages the navigability program to determine which of Alaska's thousands of rivers and lakes flow over land owned by the state and maintain the records related to these decisions. We also coordinate interdepartmental review of major development projects for private interests on a cost reimbursable basis.

Other facts about the Division:

Manages 88 million acres of upland on behalf of all Alaskans.

Manages 34 thousand miles of coastline and 65 million acres of tide, shore, and submerged lands.

Generates about \$9 million in revenue annually from land sales, and fees for permits, leases, material sales.

Has transferred 555,000 acres to private ownership since 1960.

Manages over 2.8 million acres in Public and Recreational Use lands such as Hatcher Pass and the six Recreation Rivers of the Susitna River Drainage.



Link to this Article

Bill allows land claims for cabins

April 07, 2001

By AMY DARLAND
For the News-Miner

Come July, "build lake front cabin" may be on to-do lists of Alaskans throughout the state.

House Bill 232, introduced Thursday by Rep. Hugh Fate, R-Fairbanks, would allow every Alaskan to stake a 2.5-acre claim to state land on which to build a recreational cabin.

"There are so many people in the state that have come up to me and said, 'Gee, I wish I could get a place on a lake or river, but they can't,' Fate said. "There is almost no place where a private citizen can actually get a piece of property that they can call their own. This bill is intended to make that possible."

The bill includes a section specifically prohibiting the sale of lands that are tied up by state, federal and Native claims. Land in state park units would be off limits.

Under the bill, prospective buyers would have to apply for purchase of property within 30 days of claiming the plot. Upon approval of the application, the individual would have 24 months to pay for a surveyor and a state-approved appraiser to evaluate the claim. If the land is deemed unencumbered and available for purchase, a deed would be issued within 30 days after payment of the purchase price of the parcel.

There are also limitations on sales of popular waterfront properties. The bill allows for only one plot of land on any lake front to be sold for every 10 acres of water.

In addition, river properties sold under those conditions must be at least two "meander miles," a distance measured by following the contour of the river, from any other stake sold under the bill.

The construction of a cabin is not required under the bill, but provisions were included to prevent overcrowding in waterfront areas, as has occurred in other state sales, Fate said. The limitations would prevent the recreational properties from being split into multiple properties, creating mini-subdivisions and thereby causing overcrowding.

Rep. Jeannette James, R-North Pole, said there have been problems with remote parcel claims in the past, but she doesn't think Fate's bill will necessarily encounter the same difficulties. She listed surveying inaccuracy as one of several past concerns.

Despite having positive thoughts about the proposal, the North Pole representative isn't immediately committing herself.

"I would resist saying that I would be a 'vote yes' until I see how public debate goes," James said. "But in general, I support the concept."

The bill was read in the House on Thursday and referred to the Resources and Finance committees. Fate is confident that the bill will emerge relatively unchanged.

"It will go to the Senate about like it is, I believe. I don't think (the Resource and Finance committees) will make substantive changes, but in this system you never know," Fate said Friday. " If they do make changes it will be for the better. Most people that I've shown the bill to down here seem to like it."

If approved by the House, Senate and Gov. Tony Knowles, the measure will take effect July 1, 2001.

RECEIVED
APR 13 2001

Subject: Recreational Land for Alaskans
Date: Wed, 11 Apr 2001 23:16:53 -0800
From: Doug Fleming <tebay@alaska.net>
To: Representative_Hugh_Fate@legis.state.ak.us

Dear Representative Fate;

I have been very pleased with your efforts toward making recreational land available for Alaskans, particularly since it moves away from the more recent "remote subdivision" approach. I have been a member of the Fairbanks community since 1987, when I relocated here from Maine to get involved with fisheries. Since that time I went through a Master's program in Fisheries at UAF, married my wife Margaret, have been raising our two sons Hugh and Ian, and have been working as a fishery biologist for ADF&G here in Fairbanks. We have a busy life here in Fairbanks, and feel that we'll probably continue to be here for the long haul. We avidly pursue outdoor activities with our two sons that include fishing, camping, hiking, boating, and hunting as they become older.

Since 1990 I have been interested in finding a little place in the woods, or along a river, or on a lake that we could build a cabin, but not in close proximity to others. Being a fishery biologist who gets around in our great state, its easy for me to see that there certainly is enough land to allow Alaskans a more "Alaskan" option such as what you are supporting. I don't think that enough people here realize how big Alaska is, and how much land we truly have. I know other people too have moved from other rural places where people's homes and properties were not confined to 2 acre lots in subdivisions. I fully understand the economics for this in residential areas, but have not pursued purchasing recreational land in the most recent DNR system because of the irony associated with it when supposedly "remote". Some people say to me, "well you just should have gotten here earlier when a guy could go stake a piece of land...". I don't know about yourself, but I got here in Alaska as soon as it was feasible. I spent many nights reading about the adventurers in the North Country, such as in Sig Olsens books.

Now that I have a family who really lives in Alaska for the outdoors, I am really looking forward to my children being able to pass stories on about how it was to have a cabin out in the toolies, miles from anyone. I hope that you receive other support from other folks like me, that work hard to stay here for the long haul. I am sure that some people will nit-pick the idea and others will oppose the idea because the threat that someone might be interested in "their backyards". Anyway, I hope that your bill moves forward without problems.

Please feel free to contact me with updates or if I can be of any help-
Sincerely,

Douglas Fleming
1962 Red Leaf Rd.
Fairbanks, 99709

LEGISLATIVE RESEARCH REPORT

JANUARY 18, 2001



REPORT NUMBER 01.061

PROCEDURES FOR ACQUIRING STATE LAND

PREPARED FOR REPRESENTATIVE HUGH FATE

BY KEN ALPER, LEGISLATIVE ANALYST

You asked what laws apply when private citizens acquire public state land. You specifically wanted to know if statutes allow an individual to acquire state land without going through the traditional lottery or auction processes. After a brief summary, we describe the various land disposal programs, and then list the exceptions under which land can be transferred outside the programs.

SUMMARY

Statutes require the commissioner of the Department of Natural Resources (DNR) to classify all state-owned land (AS 38.04.060). Land classified as "settlement" is eligible for sale to the public through one of the programs administered by the DNR Division of Land, Mining, and Water (AS 38.04.070).¹ Land classified as "agriculture" is similarly eligible through programs administered by the DNR Division of Agriculture (AS 38.05.059).² The principal source of state land conveyed to private ownership is the Division of Land, Mining, and Water.³

¹ Through administrative reorganization, the DNR has combined the former Division of Lands and Division of Mining and Water. Statutory powers of the Director of the Division of Lands have been reassigned to the Deputy Commissioner (of DNR) for Operations, who has been given the additional title "Director of Lands" (AS 38.05, revisor's note).

² According to Mary Kaye Hession, regulation specialist with the Division of Land, Mining, and Water, agricultural land in most cases is sold with deed restrictions requiring agricultural use. Exceptions include land that is pledged as collateral under Division of Agriculture loan programs and is subsequently obtained through foreclosure.

³ Other state agencies that sell land are the Alaska Mental Health Trust and the University of Alaska. Both of these agencies maintain land inventories for the benefit of their respective clients. Both periodically conduct land sales. The Mental Health Trust has 52 unsold parcels from their 2000 land sale, which will be offered over the counter beginning February 15, 2001, at the 12th floor conference room, 550 West 7th Ave., Anchorage. Interested persons should call Alaska Legal Copy at 908-272-1265 and ask for Jenai Jent. The University also has parcels currently available over the counter. Interested persons should call the university's Statewide Office of Land Management at 907-786-7766.

According to Ron Schonenbach, Southeast Regional Manager for the Division of Land, Mining, and Water, all land that is offered must be placed into one of the DNR's land programs. Mr. Schonenbach reports that the state does not offer methods that bypass standard procedures. As a public body, the DNR is required to administer its programs competitively in a manner that equally benefits all Alaskans, and to make all land offerings available to the general public.

The only currently active DNR land acquisition program is direct sale through a sealed bid auction. The sale program can also operate via a lottery. Although statutes remain in effect for the homesite (AS 38.08) and homestead (AS 38.09) programs, no land has been offered in recent years and DNR officials report no intention to do so.⁴ A new program very different from the traditional sale program will offer land for remote recreational cabins after regulations take effect on February 9, 2001.

According to the web site of the Division of Land, Mining, and Water, an individual can request, in writing, that a particular parcel be considered for a land offering. There are no guarantees, however, that the parcel will be offered.

DIRECT SALE PROGRAMS

Land offered for sale by the Division of Land, Mining, and Water goes through an extensive preliminary process. According to Mr. Schonenbach, the Division first ensures that the land proposed for offering has been classified as "settlement," rather than recreation, wildlife habitat, or other categories. Division employees look for parcels that can be subdivided into a group of building lots. Officials seek input from the local community, often with public hearings well in advance of the offering. After advertising the proposed sale and a comment period, there is a final determination. If it is found that the land should be sold, the state pays for an appraisal and subdivision. The Division publishes an annual catalog that lists the subdivided lots offered for sale.⁵ At the commissioner's discretion, the lots can be offered via sealed bid auction (AS 38.05.045-055), or via lottery (AS 38.05.057). Recent offerings have been auctions.

Land that is offered but not purchased through the auction or lottery process becomes available "over the counter" at the three regional DNR offices. Land remaining from the 2000 offering went on sale Tuesday, January 9, 2001. Any Alaskan can go to the appropriate regional office, and purchase any offered parcel for the minimum bid amount.

HOMESTEAD AND HOMESITE PROGRAMS

Homestead land is substantively different from land sold through auction or lottery. A homestead permit entitles an applicant to enter an area and stake, occupy, and improve the land (AS 38.09.020). Typically the DNR will commission a survey of the entire homestead area in advance of the offering, and the homesteaders are responsible for surveying their individual parcels. Homestead parcels have a maximum size of 40 acres, or 160 acres if the land is agricultural (AS 38.09.010(f)). If a homesteader meets statutory criteria that include living on the property for at

⁴ This policy is confirmed by both Mr. Schonenbach and the "frequently asked questions" section of the Division of Land, Mining, and Water's web site (www.dnr.state.ak.us/land/disposals.htm).

⁵ The most recent version was titled "2000 Alaska State Land Offering." Copies are available for \$7 at DNR public information centers, and on the internet at www.dnr.state.ak.us/land.

least 25 months, title to the land is granted via a patent issued by the commissioner. In cases where the "proving up" requirements are not met, a homesteader retains the right to purchase the land at fair market value.

Homesites are parcels of five acres or less, that tend to be in less remote areas than homesteads. The state plats and surveys homesite land before permits are granted. A homesite permit holder who meets certain statutory criteria, including erecting a dwelling and reimbursing the state for the cost of survey and platting, is granted a patent for the land (AS 38.08.060). A participant who cannot meet all requirements may buy the land outright for fair market value.

The DNR has not offered land under either of these programs for several years. According to Kathy Means, natural resources officer with the Division of Lands, Mining, and Water, only about ten percent of all participants successfully completed the requirements of the homesteading program.⁶ Also, the programs are expensive to administer and produce little revenue. It is particularly expensive to send inspectors to remote locations to ensure that participants meet the terms of the programs.

REMOTE RECREATIONAL CABIN PROGRAM

In 1997, the legislature passed a law allowing for the sale or lease of remote recreational cabin sites (AS 38.05.600). New regulations required by this law will take effect on February 9, 2001. According to Mary Kaye Hession, regulations specialist with the Division of Lands, Mining, and Water, this will be the first time since 1987 that land will be offered "open to entry," in advance of surveying, subdivision, and appraisal. Parcels placed into this program will undergo a planning process with the local jurisdiction to determine the land's capacity for building and for supporting septic systems.

According to Ms. Hession, the Division will select an area for the remote cabin program, with a maximum number of potential lots. The Division expects there will be 10 to 20 lots in a typical remote cabin area. Individuals will sign up for the offering, and if more people apply than there are lots available, a lottery will determine the winners. On the appointed day, the winners will physically enter the land and compete to stake their claims, with a minimum lot size of 5 acres and a maximum of 20 acres. They then must return to the DNR office and register the approximate boundaries of their lots. For the first three years, program participants will make nominal lease payments to the Division, plus quarterly survey deposits. The Division will hold this deposit money, and after three years will commission a survey of all the parcels, plus an appraisal. The leaseholders will then be able to purchase their lots for fair market value. Under this program, unlike the homesite and homestead programs, there is no requirement to build on the land.

EXCEPTIONS

Mr. Schneidenbach identified those purposes for which the DNR may convey land outside the procedures of the land programs. Exceptions are listed in the statutes among the powers and duties of the director of lands, and may be allowed for the following purposes:

⁶ Personal communication with Legislative Research Services staff for prior research, January 14, 2000.

- ◆ To correct errors or omissions of a state or federal administrative agency;
- ◆ To make remedy to persons who show bona fide improvement to state land and in good faith sought to obtain title but who through the error or omission of others were denied title;
- ◆ To avoid injustice to a person (or his heirs) who used and made improvements to land before January 3, 1959;
- ◆ To convey to an adjoining landowner for fair market value a remnant of land considered unmanageable, or a parcel created by a highway right-of-way, or a parcel created by the vacation of a state-owned right-of-way; and
- ◆ To negotiate the sale of land at fair market value to a person who has acquired from another state agency either rights to improvements on the land, or a lease on the land itself.⁷

I hope you find this information useful. Please do not hesitate to contact us if you have questions or need additional information.

⁷ AS 38.05.035(b).

22-LS0791\T
Kurtz
3/15/02

CS FOR HOUSE BILL NO. 232()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES FATE, Wilson, Foster

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to the disposal of state land by lottery; and relating to sale or lease of
2 remote recreational cabin sites."

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

4 * Section 1. AS 38.05.057(a) is amended to read:

5 (a) The commissioner may dispose of land, including land limited to use for
6 agricultural purposes, by lottery. The purchase price of land sold by lottery shall be
7 the fair market value of the land as determined by the commissioner. The
8 commissioner may sell land by lottery for less than the fair market value of the land on
9 a determination that scarcity of land for private use in the area of the land to be sold
10 has resulted in unrealistic land values. The lottery shall be conducted in public by the
11 commissioner. A purchaser selected by lot shall deposit an amount equal to 20 [FIVE]
12 percent of the purchase price within 30 days after receiving notification of the
13 selection.

14 * Sec. 2. AS 38.05.125(a) is amended to read:

1 (a) Each contract for the sale, lease, or grant of state land, and each deed to
2 state land, properties, or interest in state land, made under AS 38.05.045 - 38.05.120,
3 38.05.321, 38.05.600, 38.05.810 - 38.05.825, AS 38.08, or AS 38.50, except as
4 provided in AS 38.50.050, is subject to the following reservations: "The party of the
5 first part, Alaska, hereby expressly saves, excepts, and reserves out of the grant hereby
6 made, unto itself, its lessees, successors, and assigns forever, all oils, gases, coal, ores,
7 minerals, fissionable materials, geothermal resources, and fossils of every name, kind,
8 or description, and which may be in or upon said land above described, or any part
9 thereof, and the right to explore the same for such oils, gases, coal, ores, minerals,
10 fissionable materials, geothermal resources, and fossils, and it also hereby expressly
11 saves and reserves out of the grant hereby made, unto itself, its lessees, successors,
12 and assigns forever, the right to enter by itself, its or their agents, attorneys, and
13 servants upon said land, or any part or parts thereof, at any and all times for the
14 purpose of opening, developing, drilling, and working mines or wells on these or other
15 land and taking out and removing therefrom all such oils, gases, coal, ores, minerals,
16 fissionable materials, geothermal resources, and fossils, and to that end it further
17 expressly reserves out of the grant hereby made, unto itself, its lessees, successors, and
18 assigns forever, the right by its or their agents, servants, and attorneys at any and all
19 times to erect, construct, maintain, and use all such buildings, machinery, roads,
20 pipelines, powerlines, and railroads, sink such shafts, drill such wells, remove such
21 soil, and to remain on said land or any part thereof for the foregoing purposes and to
22 occupy as much of said land as may be necessary or convenient for such purposes
23 hereby expressly reserving to itself, its lessees, successors, and assigns, as aforesaid,
24 generally all rights and power in, to, and over said land, whether herein expressed or
25 not, reasonably necessary or convenient to render beneficial and efficient the complete
26 enjoyment of the property and rights hereby expressly reserved."

27 * Sec. 3. AS 38.05.600(a) is amended to read:

28 (a) The commissioner may provide for the sale or lease of state land for
29 remote recreational cabin sites. Sales under this section shall be at fair market value
30 determined as of the time of entry by the department or by an appraiser from the
31 list of appraisers approved by the department. Land to be sold under this section

1 shall be surveyed before sale by the department or by a surveyor registered
2 under AS 08.48. The appraisal and survey shall be completed within 12 months
3 of entry. The [, AND THE] purchaser shall pay for the appraisal, survey, and
4 platting or reimburse the state for the appraisal, survey, and platting costs for the
5 recreational cabin site. Sales under this section may be at public or private sale.

6 * Sec. 4. AS 38.05.600 is amended by adding new subsections to read:

7 (d) Each year, subject to appropriation from the state land disposal income
8 fund under AS 38.04.022, to implement this section, the commissioner shall

9 (1) prepare a three-year schedule of proposed land offerings under this
10 section identifying at least 300 parcels for disposal each year; and

11 (2) provide public notice of the proposed land offerings.

12 (e) The maximum number of staking authorizations the department may issue
13 at a public offering for a designated staking area is equal to twice the number of
14 square miles in the designated staking area.

15 (f) The commissioner may solicit nominations each year from the public for
16 areas to be offered for disposal under this program. The commissioner may add areas
17 nominated by the public to the schedule prepared under (e) of this section if the land is
18 classified for disposal and the disposal is consistent with other requirements of
19 AS 38.04 and this chapter.

20 (g) A person may nominate a parcel for disposal under this section. If the
21 person provides an affidavit to the commissioner showing at least three consecutive
22 years of recreational use of the parcel by the person, or at least five years of use
23 including two years of active mining under a mining claim, by the person immediately
24 preceding the nomination before offering the parcel for disposal to the public, the
25 commissioner may offer the parcel to the person nominating the parcel for disposal. If
26 the commissioner accepts the nomination of a parcel for disposal, the commissioner
27 may also provide for disposal of additional parcels in the surrounding area, subject to
28 (f) of this section.

29 (h) In addition to the requirements of AS 38.05.065, in a contract for sale of a
30 parcel under this section, the purchaser shall agree to refrain from making any
31 permanent improvements to the parcel until at least half of the total purchase price has

1

been paid.

Representative Fate's Proposed Amendments to House Bill 232:

- 1) page 2 line 4: before the word river, add the words "a navigable"
- 2) page 2 line 10: before the word river, add the word "navigable"
- 3) page 2 line 13: add a new subsection under (c) to read:
 - (4) A parcel not described above must have at least one (1) mile of separation from private land in all directions.
- 4) page 2 line 27: add two new subsections after (e) to read:
 - (f) No permanent man made object may be placed on the ground after survey and appraisal and before 50% of the indebtedness to the state has been paid by the applicant.
 - (g) A parcel may be grandfathered for purposes of staking for acquisition if proof of occupancy of that parcel for 3 years accompanies the application.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 232
 () Publish Date: _____
 Dept. Affected: Natural Resources
 BRU: Minerals, Land & Water Dev
 Component: Land Sales & Muni Entite
 Component Number: 2456

Revision Date/Time (Note if correction): _____
 Title: Remote Recreational Cabin Site Program
 Sponsor: Representative Fate
 Requester: (H) RES

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	490.0	450.0	450.0	450.0	450.0	450.0
Travel	30.0	30.0	30.0	30.0	30.0	30.0
Contractual	50.0	50.0	50.0	50.0	50.0	50.0
Supplies	15.0	15.0	15.0	15.0	15.0	15.0
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	585.0	545.0	545.0	545.0	545.0	545.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (1153)				418.0	418.0	418.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	585.0	545.0	545.0	127.0	127.0	127.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
1153 Land Disposal Income Fund				418.0	418.0	418.0
TOTAL	585.0	545.0	545.0	545.0	545.0	545.0

Estimate of any current year (FY2001) cost: None
 Check this box if funding for this bill is included in the Governor's FY2002 budget proposal: []

POSITIONS

Full-time	9	8	8	8	8	8
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill creates a new state land disposal program that duplicates the Remote Recreational Cabin program established in 1997 (AS 38.05.600). The legislation gives limited guidance as to how DNR will implement the new program. Hence this fiscal note must make a number of assumptions regarding how to implement this program.

The law generally describes what state land would be available under the program (land not classified for retention, not selected by municipalities). Beyond these few restrictions, the law does not authorize the Department to determine what areas are open, when openings occur, ensure there is adequate access before areas are open, or control when or how people go into areas. The program is first come, first served. Applicants stake their 2.5 acres, then apply to DNR, then survey, appraise and purchase the parcel. (CONTINUED)

Prepared by: Bob Loeffler Phone 269-8600
 Division: Mining, Land and Water Date/Time 10-Apr-01
 Approved by: Pat Pourchot Date 11-Apr-01
 Agency: Natural Resources

For distribution information, call the Governor's Legislative Office

ANALYSIS: (continued)

Because HB 232 opens such large areas, there will be considerable public confusion regarding what land is available. With few rules up front, there will be conflicting claims to parcels. DNR also anticipates significant access concerns. This will place considerable demands on DNR to provide information, particularly through the DNR public information offices in Anchorage, Fairbanks, and Juneau.

DNR will need to provide the public with accurate land status information for millions of acres of state land so the public knows what land is available, including the location of existing third-party interests, Mental Health Trust land, Native allotment locations, and trail and access information.

Fiscal Note Assumptions/Process

FY 02 -- program start-up -- 6 staff full time for mapping effort, 2 staff for developing staking guidelines and materials, program regulations, 1 for public information office. Specific tasks include:

- 1) DNR develops regulations to implement this program, establish qualifications, methods for resolving conflicting claims, etc.
- 2) DNR identifies land available for entry under this program -- from state and federal status plats based upon state ownership, land classifications, municipal entitlements, existing private lands, Native allotments, etc. Would need to prepare maps of several million acres.
 - a. Produce maps from status plats
 - b. Print and distribute maps
- 3) DNR prepares appraisal, survey, and staking guidelines

FY 03 and following years -- staking period opens -- assume staking and filing period starts summer 2002 and continues indefinitely -- 2 staff for Public Information Offices (Fairbanks and Anchorage), 2 staff to review/approve applications, 1 appraiser and 1 survey position to review and approve appraisals/surveys, 1 staff to issue deeds (and conduct related title search), 1FT staff to keep land status maps current

- 1) DNR Public Information Office staff to field program inquiries
- 2) DNR accepts applications, certifies they qualify
- 3) DNR reviews and approves appraisals
- 4) DNR issues title documents

Alaska State Legislature



REPRESENTATIVE
HUGH "BUD" FATE

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While in session
State Capitol
Juneau, Alaska
99801-1182
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House District 33

House Of Representatives

MEMO

To: Representative Masek, Co-Chair
Representative Scalzi, Co-Chair
House Resources Committee Members

From: Representative Fate, Vice-Chair
House Resources Committee

A handwritten signature in cursive script that reads "Hugh Fate".

Date: April 20, 2001

Re: HB 232-Fiscal Note Assumptions/Process Rebuttal

FY 02 --program start up

- 1) The HB 232 presents the required qualifications of prospective purchasers for remote recreation cabin sites.
- 2) DNR claims that they have to prepare maps of several million acres. Very detailed maps are located at [HTTP://www.dnr.state.us/cgi-bin/lris/landrecords](http://www.dnr.state.us/cgi-bin/lris/landrecords). This land records information system for state status plots is very detailed information. Information includes: survey lines, township and section grids, roads, trails, title, boundaries, leases, surface water rights, etc. These maps are available and updated in an on-going process. As a matter of fact DNR already updates 15,000-25,000 transactions per year.

DNR should include procedures on their website explaining how to use the land records website. This would alleviate a great deal of duplication of map production costs. The printing and distribution of these maps could greatly lower costs, thus saving monies.

- 3) DNR prepares appraisal, survey and staking guidelines:

FISCAL NOTE REBUTTAL

- a) A state-approved appraiser will accomplish the appraisal. DNR currently has an appraiser list in their website. The costs of an appraisal are paid by the purchaser.
- b) DNR could provide a list of approved State of Alaska licensed surveyors in their website, like they do for assessors. The cost of surveying is the responsibility of the purchaser.
- c) Staking guidelines are provided in the text of the HB 232. Restrictions as to linear feet on a lake or river and other criteria are included. More detailed instructions may be included in the DNR website and at the local public information offices. *DNR ALREADY HAS STAKING INSTRUCTIONS IN HAC 67.280*

FY 03 and following years.

The DNR staff already has Public Information Offices in Fairbanks and Anchorage. This program can be augmented into other existing programs thus alleviating these staff costs.

The five other positions initially identified are like putting the cart in front of the horse. Why front-load a system with five additional personnel when there is a system in place that currently approves applications and keeps land status maps current? Furthermore, not knowing the response to this program, there is no firm justification for a full time person to approve appraisal/surveys.

In summation, it appears that the fiscal note provided by DNR is inflated. The true costs will be lowered if they augment this program into existing programs instead of creating a "stand-alone" program as provided.

Land Sale Income

The stated income from the remote recreation cabin site program land sales in the fiscal note is too low. My staff contacted three DNR approved land appraisers, one of which was a former State of Alaska chief land disposal officer. Current prices for land vary as to distance from urban centers, timber, water conditions, availability of water for personal use, means of transportation to the remote site etc.

The general range of land is provided below:

- 1) on a river (glacial or clear), \$1,000 to 5,000 per acre. (depending on above)
- 2) lakes \$700 to 3,000 per acre (depending on above)

Assuming that 250 parcels of 2.5 acres are sold at \$1,500 per acre that equates to a receipt of \$937,5000 per year. This is a very, very, conservative figure. Once the availability of land is known, the sale of parcels may more than quadruple.

DNR fiscal note provides an income of \$418,000 beginning in FY 2005. This is probably much later than when revenues actually arrive for the remote recreational cabin site land sales. The income provided by DNR in the fiscal note can be accounted for by:

- 1) Dividing \$418,000 by 209 (purchases) = \$2,000 per parcel.
- 2) Dividing the \$2,000 per parcel by 2.5 (acres in a parcel) = \$800 per acre.

DNR provided a very low estimate of income off this program.

If you have a choice, you will select prime land thus driving up the price per acre. It is anticipated that income will be much higher as this program gains notoriety.

Finally, as people receive title to this land, it may place it on the tax roll if it is in a borough or municipality that has a property tax. In any event, it will provide a basis for future taxation if a borough is established in the area or begins a property tax since the appraisal provides a threshold for a property assessment.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: HB-232
(H) Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: DNR
Title: HB-232:REMOTE RECREATIONAL CABIN SITE S BRU: Parks & Outdoor Rec.
Sponsor: Representative Hugh Fata Component: _____
Requester: House Resource Committee Component Number: _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (+)						
---------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill is expected to increase revenue as the state is able to collect fees for the sale of certain remote cabins. This amount is indeterminant, since information is not available as to the parcels or their appraised value that the state may expect to transfer.

Prepared by: Jennifer Yuhas, Committee Aide

Phone (907) 465-3715

Representative Beverly Masek / Representative Drew Scalzi
Committee Co-chairs

Date 04 01 01

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Alaska State Legislature



House Of Representatives

SPONSOR STATEMENT

HB 232

Remote Recreational Cabin Site Sales

While in session:

State Capitol
Juneau, Alaska
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(907)465-4976
Fax: (907)465-3883

House District 33

For far too long, Alaskans have not been able to acquire fee simple land in a state where vast unencumbered lands exist, this bill corrects that situation. House Bill 232 makes it possible for residents of the state of Alaska to purchase remote cabin sites of two and one half (2½) acres from the state given that the individual covers the direct cost of applying for, surveying, and appraising.

Basically, this allows for individuals with a favorite hunting spot, a mining claim without any private property nearby, or someone just in search of a secluded cabin spot to get a small parcel of land from the state without having to enter the risky lottery of land disposal.

HB 232 removes the need for the state to do the surveying on the land and places it on the individual, eliminating most of the cost of land disposal to the state. It's a win-win situation. The state doesn't pay for surveying the land it disposes, and the residents of Alaska get a chance to have a secluded land parcel for a recreational cabin.

Two fiscal notes will be provided; one from the state, which I believe to be ballooned, and another which more closely reflects the likely costs and revenue stream.

The Constitution of the State of Alaska Reads:

Article VIII; Section 1 – STATEMENT OF POLICY

It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for the maximum use consistent with the public interest.

Article VIII; Section 2 – GENERAL AUTHORITY

The Legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people.

Alaska State Legislature

Interim: (May - Dec.)
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Session: (Jan. - May)
State Capitol, Suite 416
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Representative Hugh Fate

FOR IMMEDIATE RELEASE: April 5, 2001

CONTACT: Rep. Hugh Fate (907) 465-4976

Fate Proposes Selling State Land to Alaskans HB 232 Would Open 2.5-Acre Remote Cabin Sites to Residents

(JUNEAU) – Rep. Hugh “Bud” Fate (R-Fairbanks) introduced legislation today that would allow every Alaskan to stake out and purchase a 2.5-acre remote recreational cabin site.

Fate said he introduced House Bill 232 in an effort to open up more of Alaska’s outdoors for citizens to enjoy, to bring more land onto public tax rolls and to help stimulate the state economy by encouraging trade in building materials, transportation, real estate and other services.

“There are so many people in the state that have come up to me and said, ‘Gee, I wish I could get a place on a lake or a river,’” Fate said. “But they can’t. There is almost no place where a private citizen can actually get a piece of property that they can call their own. This bill is intended to try to make that possible.”

Under HB 232, each adult Alaskan could select and stake out no more than 2.5 acres of unencumbered state land that was not part of any current or anticipated state, federal or Native land selection. They would then select from a state-approved list of surveyors to have the parcel surveyed and its boundaries certified, pay the surveying and recording fees, and then pay the assessed fair-market price to the state within two years to win fee simple title to the land.

The bill includes limits on the amount of lake or river frontage allowed in each parcel, and provides that, while family members would be free to stake adjacent land, no one individual could own more than one parcel at a time under this program.

HB 232 would satisfy Alaskans’ hunger for personal land; promote more settlement in more areas of the state, bring in more property taxes where sites were inside taxing districts and bring in new revenue to the state through land sales at market prices, Fate said.

Past state land disposal efforts have not been widely successful in part because they limited the land available to certain areas, took more than seven years to transfer ownership, and in many cases offered unattractive land, Fate said. HB 232 would leave the choice to individuals, but would also expect them to bear the costs.

“Everybody I have talked to so far has said they really like this bill,” Fate said. “I would expect that many people will take advantage of this bill, should it pass and the governor sign it into law.”

###

Broadcasters note: Comments are available on the Majority Actuality Line 1 (800) 478-6540

DRESS RELEASE

thanks for the update and request

Subject: thanks for the update and request

Date: Wed, 02 May 2001 16:11:41 -0800

From: "Nevada Bovee" <Nevada@northernschoolsfcu.org>

To: <Representative_Hugh_Fate@legis.state.ak.us>

HB 232

Thank you for the update. I too, support getting land into the hands of the people. and wish you success on the recreational cabin site sales bill. I would also like to see that the Fairbanks North Star Borough School District has the needed funding this year. I would like to see our representative working on a solution for school funding that addresses the inflation factor. Thanks again!

Nevada Bovee
Marketing AVP

Subject: Recreational Land for Alaskans

Date: Wed, 11 Apr 2001 23:16:53 -0800

From: Doug Fleming <tebay@alaska.net>

To: Representative_Hugh_Fate@legis.state.ak.us

RECEIVED

APR 13 2001

232

Dear Representative Fate;

I have been very pleased with your efforts toward making recreational land available for Alaskans, particularly since it moves away from the more recent "remote subdivision" approach. I have been a member of the Fairbanks community since 1987, when I relocated here from Maine to get involved with fisheries. Since that time I went through a Master's program in Fisheries at UAF, married my wife Margaret, have been raising our two sons Hugh and Ian, and have been working as a fishery biologist for ADF&G here in Fairbanks. We have a busy life here in Fairbanks, and feel that we'll probably continue to be here for the long haul. We avidly pursue outdoor activities with our two sons that include fishing, camping, hiking, boating, and hunting as they become older.

Since 1990 I have been interested in finding a little place in the woods, or along a river, or on a lake that we could build a cabin, but not in close proximity to others. Being a fishery biologist who gets around in our great state, its easy for me to see that there certainly is enough land to allow Alaskans a more "Alaskan" option such as what you are supporting. I don't think that enough people here realize how big Alaska is, and how much land we truly have. I know other people too have moved from other rural places where people's homes and properties were not confined to 2 acre lots in subdivisions. I fully understand the economics for this in residential areas, but have not pursued purchasing recreational land in the most recent DNR system because of the irony associated with it when supposedly "remote". Some people say to me, "well you just should have gotten here earlier when a guy could go stake a piece of land...". I don't know about yourself, but I got here in Alaska as soon as it was feasible. I spent many nights reading about the adventurers in the North Country, such as in Sig Olsens books.

Now that I have a family who really lives in Alaska for the outdoors, I am really looking foreward to my children being able to pass stories on about how it was to have a cabin out in the toolies, miles from anyone. I hope that you receive other support from other folks like me, that work hard to stay here for the long haul. I am sure that some people will nit-pick the idea and others will oppose the idea because the threat that someone might be interested in "their backyards". Anyway, I hope that your bill moves foreward without problems.

Please feel free to contact me with updates or if I can be of any help-
Sincerely,

Douglas Fleming
1962 Red Leaf Rd.
Fairbanks, 99709

Dist 29

Keep Alaska open to adventure

Select few would benefit from cabin land sale proposal

By

DAVE KELLEYHOUSE One good thing about Alaska's legislative process is that questionable legislation seldom makes it through the scrutiny of the committee system. I sincerely hope that HB 232, Rep. Hugh Fife's legislation opening state land sales for recreational cabin sites, dies a quiet death in that process.

Last spring I was asked to co-chair the Natural Resources Committee at the Alaska Republican Party Convention. Of all the pressing issues brought before the committee, a burning need to sell off prime state lands for private recreational cabin construction wasn't one of them. HB 232 just blew in out of the blue like other special interest legislation over the years.

As a conservative, I am not opposed to the concept of private land ownership. But, as a natural resource manager, I am opposed to helter-skelter public land disposals that would do far more harm than good for typical Alaskans.

As a matter of fact, there is land available for private recreational cabins on lakes and rivers easily accessible from Fairbanks and Anchorage. Harding, Birch, and even George and Healy Lakes are dotted with private parcels. The Delta and Richardson Clearwater and the Goodpastor, Salcha and Chatanika Rivers also offer opportunities for the acquisition of private recreational cabins and building sites. In Southcentral there are properties available on Big Lake and Lake Louise and along the Kenai, Gulkana and other popular recreational waters.

No, the real shortage is undeveloped state land easily accessible for weekend and holiday outings for family fishing, camping and hunting. As young Fairbanksans, my wife, daughter and I would load our tent and freight canoe into the pickup and in short order be in the "wilderness" of the Chatanika River or George Lake fishing for giant pike or hunting for wily bull moose. Today we would find ourselves pitching camp near the front yard of someone else's private weekend cabin! Regrettably, some pretty special parts of the "Last Frontier" are looking more and more like any number of unremarkable private recreation areas in the Lower 48.

There is no doubt that those few, well off individuals who can afford to build recreational cabins on a previously isolated lake or stretch of river truly enjoy their own private piece of the bush. But, there is also no denying that, forevermore, thousands of other less fortunate Alaskans will no longer feel comfortable setting up a tent camp nearby for a weekend of camping, fishing or hunting. To my way of thinking, the proliferation of private property and recreational cabins along state waterbodies is the ultimate land lockup, even worse than parks.

It's been my experience that Alaska's unproductive fish and game resources are easily overharvested following the settlement of formerly wild lands and waters. The huge 30 year-old pike and lake trout, abundant slab grayling and resident moose that draw private development are soon depleted with more continuous pressure to the detriment of occasional campers and private landowners alike.

Proponents of HB 232 are touting the economic benefits of the bill. But they

are overlooking substantial costs to the state that will go on forever. There is the matter of increased and continuing costs of protecting scattered private cabins from forest fires. Consider the millions spent in a futile effort to protect private cabins near Big Lake just a few years ago. Any speculative increases to nonexistent tax rolls in remote areas will be more than outspent in firefighting costs where fires are now simply monitored, but not fought.

Alaskans can have the best of both worlds if we develop our state lands thoughtfully. On the other hand, we will have a monumental legal and ecological mess on our hands if we do it wrong. The state has spent millions on land use planning. Lands have been designated for timber harvesting, mining, wildlife habitat and, yes, disposals in the future. Let's pull together on this one. The magic of the Last Frontier should not be lost for our children, our grandchildren and newcomers to Alaska with the same thirst for outdoor adventures that many of us were able to enjoy not so long ago.

Dave Kelleyhouse is former chief of wildlife conservation for the Alaska Department of Fish and Game. He's now retired and lives near Tok.

5/3/01

Representative Hugh Fate
119 Cushman St.
Fairbanks, AK 99701-2879

Dear Representative Fate,

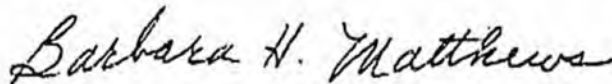
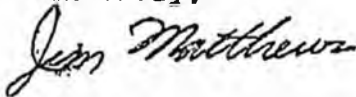
Your bill ^{Hugh}#232 was reviewed recently by members of the Goodpaster Property Holders Association at their annual meeting. During our consideration, several important questions were raised. For your information, nearly 40 owners belong to the Association, most of whom live in the Fairbanks community. Like us, most of these are lifelong Alaskan residents and users of the river.

Although the Bill appears to provide for some spacing buffers for its own regulation, it does not appear to provide similar protection for recreation sites acquired under prior statutes. It also appears to lack any spacing buffer provisions for property previously acquired by other means, such as native allotments, mining claims, Federal regulation, and even homesteads in recreation land areas. Such consideration appears particularly important.

For example, we own a recreation site acquired from the state through public auction. It has modest separation from other properties. However, as we assess your bill, it appears that a staker could select a site immediately adjacent to our cabin. If we have misinterpreted that provision or there has been an addition to your bill in that respect, we would appreciate a clarification.

Allowing applicants to stake sites and purchase them without allowing any other interested parties to bid, is quite different than the public auction process that we and other persons had to use to acquire state recreation sites in the past. We don't believe that current land stakers should have that protection, especially since Alaska's remote areas are easily accessed by today's machines such as tracked vehicles, float planes, etc.

Sincerely,



James W. and Barbara H. Matthews
P.O. Box 10553
Fairbanks, AK 99701

April 7, 2001

Bill allows land claims for cabins

By AMY DARLAND
For the News-Miner

Come July, "build lake front cabin" may be on to-do lists of Alaskans throughout the state.

House Bill 232, introduced Thursday by Rep. Hugh Fate, R-Fairbanks, would allow every Alaskan to stake a 2.5-acre claim to state land on which to build a recreational cabin.

"There are so many people in the state that have come up to me and said, 'Gee, I wish I could get a place on a lake or river, but they can't,'" Fate said. "There is almost no place where a private citizen can actually get a piece of property that they can call their own. This bill is intended to make that possible."

The bill includes a section specifically prohibiting the sale of lands that are tied up by state, federal and Native claims. Land in state park units would be off limits.

Under the bill, prospective buyers would have to apply for purchase of property within 30 days of claiming the plot. Upon approval of the application, the individual would have 24 months to pay for a surveyor and a state-approved appraiser to evaluate the claim. If the land is deemed unencumbered and available for purchase, a deed would be issued within 30 days after payment of the purchase price of the parcel.

There are also limitations on sales of popular water front properties. The bill allows for only one plot of land on any lake front to be sold for every 10 acres of

water.

In addition, river properties sold under those conditions must be at least two "meander miles," a distance measured by following the contour of the river, from any other stake sold under the bill.

The construction of a cabin is not required under the bill, but provisions were included to prevent overcrowding in waterfront areas, as has occurred in other state sales, Fate said. The limitations would prevent the recreational properties from being split into multiple properties, creating mini-subdivisions and thereby causing overcrowding.

Rep. Jeannette James, R-North Pole, said there have been problems with remote parcel claims in the past, but she doesn't think Fate's bill will necessarily encounter the same difficulties. She listed surveying inaccuracy as one of several past concerns.

Despite having positive thoughts about the proposal, the North Pole representative isn't immediately committing herself.

"I would resist saying that I would be a 'vote yes' until I see how public debate goes," James said. "But in general, I support the concept."

The bill was read in the House on Thursday and referred to the

See LAND CLAIMS, Page B-2



FATE

LAND CLAIMS

Continued from Page B-1

Resources and Finance committees. Fate is confident that the bill will emerge relatively unchanged.

"It will go to the Senate about like it is, I believe. I don't think (the Resource and Finance committees) will make substantive changes, but in this system you never know," Fate said Friday. "If they do make changes it will be for the better. Most people that I've shown the bill to down here seem to like it."

If approved by the House, Senate and Gov. Tony Knowles, the measure will take effect July 1, 2001.



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the JERRALD D. STANSEI ^(H) RESOURCES
 Committee on House Bill 232 Committee Name
 Dated 4/22/02
 Bill / Subject

This is the 3rd time I have come down
 to TESTIFY IN FAVOR OF House Bill 232
 PRESENTED BY Representative Hugh B. FATE. This
 is a GREAT Bill & is desperately needed.
 I am the parent of 6 children who have just
 become adults. I now have 6 grand children. They
 feel there is nothing here for them at times regarding
 remote parcels. We are all avid outdoors people &
 greatly need LAND to go to, to develop & hunt & fish
 & to ~~SUBSIST~~ SUBSIST if we have to.

Thank You

SIGNED:

Jerrald D. Stansei
 Testifier

Representing

11775 Lyport Dr, FAIRBANKS, ALASKA 99709
 Address / Phone Number

The Constitution of the State of Alaska Reads:

Article VIII; Section 1 – STATEMENT OF POLICY

It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for the maximum use consistent with the public interest.

Article VIII; Section 2 – GENERAL AUTHORITY

The Legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people.

MEMORANDUM:

Alaska State Legislature

REPRESENTATIVE
HUGH "BUD" FATE

Mailing Address:
119 N. Cushman, Suite 101
Fairbanks, AK 99701
(907)488-0862
Fax: 488-4271



While in session:
State Capitol
Juneau, Alaska
99801-1182
(907)465-4976
Fax: (907)465-3883

House Of Representatives

House District 33

To: Representative Masek

From: Representative Fate

Concerning: House Bill 232

Date: January 17, 2002

I would like to request a hearing for House Bill 232, "An act permitting residents to purchase remote recreational cabin sites" in the House Resources Committee at your earliest possible convenience.

I have attached relevant information for the back up packet. Thank you for your assistance

Amendments to House Bill 232, "Remote Recreational Cabin Sites":

- 1) Page 1 line 4: after **program**, add the words "INTENT: It is the intent of this section that subsurface rights, which constitutionally accrue to the state, are in no way infringed if and when an entity leases or otherwise applies for exploration and/or development of subsurface assets.
- 2) page 2 line 4: before the word river, add the words "a navigable"
- 3) page 2 line 10: before the word river, add the word "navigable"
- 4) page 2 line 13: add a new subsection under (c) to read:

(4) A parcel not described above must have at least one (1) mile of separation from private land in all directions.

- 5) page 2 line 27: add three new subsections after (e) to read:

- (f) The Department of Revenue shall make regulations and procedures for payments on the sale of the appraised and surveyed state properties that have been applied for under this section.
- (g) No permanent man made object may be placed on the ground after survey and appraisal and before 50% of the indebtedness to the state has been paid by the applicant.
- (h) A person who shows proof of at least three years of use or occupancy on a parcel of land shall receive priority over a non-occupant if proof accompanies the application.
- (i) If all conditions are met after the applicant has applied for purchase of property under this section, and the procedures for payment have been established, the applicant may sell said property to a third party who will continue payments on the balance as originally prescribed in the procedures by the Department of Revenue.
- (j) The issue of a warranted deed shall not take place until all requirements of attaining the deed are met including full payment of costs and land. If the applicant has paid at least 50% and in that process has constructed permanent structures under subsection (f) of this section, the applicant shall have the right to sell his holdings to a third party provided that the Department of Natural Resources receives the proper sales documents.
- (k) The Department of Natural Resources shall nominate land for remote cabin site application provided that those lands nominated can facilitate the acceptance of 1,500 applications in the first year and no less than 5,000 each of the following years. Those areas applied for under subsection (g) of this section do not require nominating status for acceptance of the application

FISCAL NOTE

**STATE OF ALASKA
2002 LEGISLATIVE SESSION**

Fiscal Note Number: _____
 Bill Version: HB 232
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Natural Resources
 Title Remote Recreational Cabin Sites BRU Mining, Land & Water
 Component Land Sales & Muni Entitlements
 Sponsor Representative Fate
 Requester Representative Fate Component No. 2456

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services	163.0	150.0	150.0	150.0	150.0	150.0
Travel	10.0	10.0	10.0	10.0	10.0	10.0
Contractual	50.0	50.0	50.0	50.0	50.0	50.0
Supplies	15.0	15.0	15.0	15.0	15.0	15.0
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	238.0	225.0	225.0	225.0	225.0	225.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()	937.5	937.5	937.5	937.5	937.5	937.5
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	238.0					
1005 GF/Program Receipts						
1037 GF/Mental Health						
1153 Land Disposal Income Fund		225.0	225.0	225.0	225.0	225.0
TOTAL	238.0	225.0	225.0	225.0	225.0	225.0

Estimate of any current year (FY2002) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time	3	3	3	3	3	3
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

After email discussions with state cartographers Representative Fate has reworked the Fiscal Note associated with House Bill 232. An explanation follows:

Fiscal Note Assumptions/Process:

FY 03— program start-up – 1 staff full time for mapping effort, 1 staff for developing staking guidelines and materials, program regulations, 1 for public information office.

Via email, Representative Fate has been informed by state cartographers for the division of land that mapping a 2.5 acre parcel would take between 1 and 1.5 hours to map. Given this assumption, one full time cartographer would be more than adequate to accept the load.

State land is sold at cost ranging from \$750 to \$4,000 per acre. Assuming 500 applicants per year at the minimum of \$750, the revenue is far above the expense. In fact, assuming as few as 150 applicants, the revenue is still positive.

Prepared by: Jay Hardenbrook Phone 465-4967
 Division Office of Representative Fate Date/Time 1/22/02 2:06 PM
 Approved by: Representative Fate Date 1/22/2002
 Agency Alaska State Legislature

Fairbanks Legislative Information Office

119 N. Cushman Street - Suite 101

Fairbanks, Alaska 99701

(907) 452-4448 - phone

(907)456-5346 - fax

To:

(14) RESOURCES

465-4822

From:

MICK MANN

Notes:

RE: HB 232

Date:

3/4/02

Time: _____

Sent by:

ML

3 pages

Page - One - of new

*Paradise valley
Bettes .ok. 99726*

HOUSE BILL 232

*FAX- 907-474
3000*

Phone: 479-5704

LINE 13 SEC D SHOULD HAVE A LINE ADDED THAT SAYS,

A MINER, TRAPPER, GUIDE, OUTFITTER, LOGGER, OR LEGAL USER OF STATE LAND WHO WAS DEPRIVED OF AN I,T,M, SITE, HOME SITE. OR OTHER LEGAL USE BECAUSE OF A,N,C,S,A, D-2. NATIVE LAND SELECTIONS, THE NATIONAL MONUMENT ACT, OR OTHER STATE. FEDERAL. OR NATIVE OVER SELECTIONS SHOULD BE ENTITLED TO FILE ON UP TO 5 ACRES, IF HE OR SHE HAS BEEN IN POSSESSION OF THAT LAND AND USED THAT LAND FOR HIS LIVELYHOOD SINCE THE INTERRUPTION BY THOSE ACTS, REGARDLESS OF ITS PRESENT CLASSIFICATION.....

A. SECTION SHOULD BE ADDED THAT A PERSON WHO HAS A BUSINESS OR PRESENT LEGAL SITE HE HAS HAD FOR 5 OR MORE YEARS HE OR SHE MAY FILE ON THAT SITE OF PRESENT BUILDINGS.

RATHER THAN FORCE THE INDIVIDUAL TO STAKE MORE LAND NEAR BY AND CONSTRUCT MORE BUILDINGS WOULD MAKE NO SENSE AT ALL....

THE LEGISLATURE SHOULS HAVE A COPY OF EACH APPLICATION SENT TO A LEGISLATIVE SPECIAL LEASHION OFFICER SO ALL OF THESE APPLICATIONS GET PROSSESD.

WHEN THE IMOSLATURE PASSED S,B.,H,B, 130 IN 1983. MANY OF US APPLIED FOR LAND AND THE RADICALS IN D,N,R, CAME UP WITH SO MANY SCAMS TO DERRAIL THE PROSSES THAT GOVERNOR SHEFFIELD AND A FEW OF HIS CRONIES WERE THE ONLEY ONES WHO GOT LAND BEFOR THE ENTIRE PROSSES WAS SHUT DOWN SO NO ONE GOT LAND

FOR A STATE WITH 104 MILLION ACRES TO BE SO STINGY WITH THERE LAND DISPSAL IS A NATIONAL DISCRACE, ITS ABOUT TIME THE LEGISLATURE SAYS THE DUCK STOPS HERE AND TAKE CONTROL OF GIVING LAND TO ALASKANS WHERE ALASKANS OF EVERY CLASS CAN GET GOOD USEFABLE LAND WHEN AND WHERE THEY NEED OR WANT IT..

Page - two of two

THE PRESENT SYSTEM OVER THE LAST 30 YEARS HAS BEEN A
 RIDICULOUS DISASTER, OUR STATE CONSTITUTION SAYS,
 THE LEGISLATURE SHALL DISPOSE OF LAND LEASE LAND AND
 GRANT LAND FOR 30 YEARS RADICALS IN D,N,R, HAVE MADE A MOKERY
 OF EVERY LAND DISPOSAL OR LEGISLATURE HAS PROPOSED,

(A FEW MONTHS AGO ONE OF THE GOOD GUYS IN D.N.R, TOLD ME..)

YOU KNOW I HAVE ALMOST GOT FIRED IN THIS AGENCY, JUST FOR
 DOING MY JOB AND TRYING TO HELP PEOPLE GET LAND THEY
 WERE ENTITLED TO, AND UNTILL THE LEGISLATURE STEPS IN,
 AND PUTS SOME TEETH IN THESE LAWS SO RADICALS IN THIS
 AGENCY CANT SURCOMVENT THE INTENT OF THE LEGISLATURE WERE
 NEVER GOING TO GET DECENT LAND TO PEOPLE THAT NEED AND WANT IT

LET'S DRAFT THIS SO SIMPLE ACURATE G, P, S, SURVEYS DO THE JOB.

MAKE THE STAKING SIPLE AND FOOL PROOF

Many eyes were at the worst. Bashed in 83-84-

DONT LEAVE ANY LOOP HOLES, WHERE A HAND FULL OF RADICAL
 PEOPLE WHO WANT ALASKA ON BIG ANTI DEVELOPMENT COSTLY
 PARK CAN KEEP ALASKANS FROM HAVING A PLACE TO ENJOY
 THERE OWN PLACE IN THERE OWN STATE, SOME PLACE TO TAKE
 THE KIDS AND GRAND KIDS PREINDS AND FAMILY

ALASKAS CHILDREN OUGHT TO HAVE A PLACE IN THE COUNTRY
 TO PLAY, FISH, CANOE, SNOW GO AND LIVE LIKE ALASKANS.

ITS LONG PASSED TIME TO GIVE ALASKAN KIDS MORE TO DO THAN
 STEEL HUB CAPS, SMOKE POT AND BECOME T,V. COUCH POTATOE.
 THIS IS A DEMOCRACY NOT A COMMUNIST LAZY DO NOTHING DICTATORHIP
 WEVE GOT 200 MILLION ACRES OF PARKS AND DO NOTHING LANDS
 FOR SPECIAL INTEREST GROUPS ITS TIME THE PEOPLE OF ALASKA
 GET A PLACE FOR REAL ALASKANS,