

**ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 86/2**

**4285 SRES SB 397 - SB 398**

165



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Signature of Camera Operator

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Date

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# Alaska State Legislature

ARLISS STURGOULEWSKI, Chairman  
BETTYE FAHRENKAMP, Vice Chairman  
MARK COGHILL  
JOE BLISSON  
VICKI FISHER  
RICH HALFORD  
STED CHANUTE



P. O. BOX V  
JUNEAU, ALASKA 99811  
(907) 485-4907

## 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 STURGULEWSKI, 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 *MSU*  
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: 907-465-2400

OFFICE OF THE COMMISSIONER

March 5, 1986

36

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

Dear Senator Sturgulewski:

*These amendments  
were included  
previously.*

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

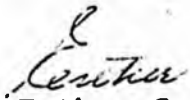
The department strongly supports the concept of the proposed bill. After adopting regulations for privately owned cabins on state land in 1984, we have made an important new beginning for cabins on state land. The bill before you will allow the people of the state to make beneficial use of abandoned 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

# 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						
---------	--	--	--	--	--	--

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. Arnold, Deputy *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)

# opinion

**Anchorage Daily News**



Winner, 1976 Pulitzer Prize Gold Medal for Public Service

Gerald E. Grilly  
Publisher

Howard Weaver  
Managing Editor

Suzan Nightingale  
Editorial Page Editor

Katherine Fanning, Editor and Publisher 1971 to 1983  
Lawrence Fanning, Editor and Publisher 1967 to 1971

Alaska's Only Morning Newspaper • Founded in 1946 by Norman C. Brown

## Catching the right kind of cabin fever

The "duck shack" controversy never will be resolved to everyone's satisfaction, but here's a program for using some of the so-called trespass cabins built on state land that makes sense. Under terms of identical bills introduced in the House and Senate this week, about 100 of the cabins would be converted into public recreation cabins managed by the state.

A 1984 change in state regulations mandated that people who built the cabins on state land could register them in exchange for lifetime title to them. Cabins that were not registered are being taken over by the state.

The program would be similar to the U.S. Forest Service's highly popular recreation cabin system. The 177 Forest Service cabins are so popular with campers here they're booked solid every summer. There's no reason why the state can't expect a similar response to its recreational cabins — especially since many are located in southcentral Alaska, where demand is greatest.

Division of Parks Director Neil Johannsen says the full 100 cabins could be open to the public within five years. Although Mr. Johannsen estimates it would cost between \$2,000 and \$3,000 to refurbish each cabin, he predicts the cabins will pay for themselves within three years with \$10-\$15 nightly fees.

New cabins are so expensive — about \$15,000 apiece — that the conversion of duck shacks into modest recreational cabins is a real bargain. The state shouldn't pass up this opportunity to put these abandoned duck shacks to good use.

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 : Red 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>				

<b>CAPITAL</b>	<b>----</b>	<b>----</b>				
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<b>REVENUE</b>	<b>72.</b>	<b>96.</b>				
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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 Phone: 762-4506  
 Division: Parks and Outdoor Recreation Date: 2/10/86

Approved by Commissioner: Wm. 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

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

includes fair market value & surveying costs

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unless, after a public hearing, the commissioner makes a written finding based on clear and convincing evidence that the sale would cause a resource conflict that cannot be resolved by restrictions on use under AS 38.05.880 (a) or (b)

MASTER

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2

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 and 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 It is further in the public interest to allow persons who are  
15 able to demonstrate historic use and occupancy of cabins on state land to  
16 purchase the land to resolve land conflicts; to ensure the legally protect-  
17 ed use and enjoyment of cabins; and to provide for the continued existence  
18 of emergency shelters in remote areas.

19 \* Sec. 2. AS 38.05 is amended by adding a new section to read:

20 Sec. AS 38.05.880. EXISTING CABIN PREFERENCE. On the applica-  
21 tion of a person <sup>before June 1, 1988</sup> who can demonstrate the historic use and occupancy of  
22 a cabin on state land and investments in the cabin before January 1,  
23 1978 and continuing until June 1, 1986, the commissioner of natural  
24 resources shall sell not to exceed one acre of state land occupied by  
25 the cabin. <sup>Insert unless</sup> If the cabin is located on state land that is adjacent to

26 a body of water, the commissioner shall reserve an easement for public  
27 access not to exceed 30 feet wide above the mean high water line. The  
28 commissioner may not establish restrictions ~~on the use of the cabin or~~  
29 on future transfers of the land sold under this section. However, the

at the time of sale

1 commissioner may establish reasonable restrictions:

2 (a) <sup>against</sup> ~~on~~ the commercial use of a particular cabin in the event  
3 that the local fish and game advisory committee of the area in which  
4 the cabin is located objects to the unrestricted commercial use of  
5 said cabin;

6 (b) <sup>against</sup> ~~on~~ the non-recreational use of a cabin which is located on  
7 land that has been withdrawn under AS 16 or AS 41. ~~prior to the sale of~~  
8 ~~the land to a person.~~

9 \* Sec. 3. AS 38.05 is amended by adding a new section to read:

10 ~~Sec. AS 38.05.881. APPLICATION PERIOD FOR EXISTING CABIN PREFER-~~  
11 ~~ENCE. An application for the purchase of land pursuant to AS 38.05.-~~  
12 ~~880 must be submitted prior to June 1, 1988.~~

13 \* Sec. 4. AS 41.21.020(a) is amended ~~to read:~~ <sup>by adding a new subsection</sup>

- 14 (a) The Department of Natural Resources shall
- 15 (1) develop a continuing plan for the conservation and
- 16 maximum use in the public interest of the scenic, historic,
- 17 archaeological, scientific, biological, and recreational resources of
- 18 the state;
- 19 (2) plan for and develop a system of state parks and
- 20 recreational facilities, to be established as the legislature
- 21 authorizes and directs,
- 22 (3) acquire by gift, purchase or transfer from state or
- 23 federal agencies, or from individuals, corporations, partnerships or
- 24 associations, land necessary, suitable and proper for roadside,
- 25 picnic, recreational, or park purposes;
- 26 (4) control, develop and maintain state parks and
- 27 recreational areas;
- 28 (5) provide for the acquisition, care, control,
- 29 supervision, improvement, development, extension, and maintenance of

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

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

9 (7) cooperate with the United States and its agencies and  
10 local subdivision of the state to secure the effective supervision,  
11 improvement, development, extension, and maintenance of state parks,  
12 state monuments, state historical areas, and recreational areas, and  
13 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  
21 agencies 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  
27 Procedures Act (AS 44.62), regulations governing the use of the Chena  
28 River State Recreation Act in accordance with AS 41.21.490;

29 (14) manage the cabins owned by the state under AS 41.21.

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1 880.

2 \* Sec. 5. AS 41.21 is amended by adding a new section to read:

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

8 (b) The commissioner shall establish a fee schedule for the use  
9 of the cabins. Fees collected under this subsection shall be deposit-  
10 ed in the general fund. The commissioner of administratio shall  
11 separately account for fees collected and deposited by the commission-  
12 er of natural resources under this subsection. The annual estimated  
13 balance in the account may be appropriated by the legislature to the  
14 Department of Natural Resources to carry out the purposes of this  
15 section. In establishing the fees, the commissioner shall consider

16 (1) the cost to the state of build'ng, renovating, and  
17 maintaining the cabins;

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

20 (3) the public interest.

21 (c) ~~Cabins that were constructed on public land without proper~~  
22 ~~authority and that have been or will be acquired by the state may be~~  
23 ~~renovated by the commissioner for inclusion in the Alaska Public Use~~  
24 ~~Cabin System. Within available appropriations, the commissioner may~~  
25 ~~build or acquire cabins for inclusion in the cabin system. However,~~  
26 ~~cabins that were constructed on public land without proper authority~~  
27 ~~may not be acquired by the State prior to June 1, 1988, unless the~~  
28 ~~consent of the person who is able to demonstrate historic use and~~  
29 ~~occupancy of the cabin pursuant to AS 38.05.80 is obtained. Under~~

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*[Handwritten signature]*

1 state contracting procedures the commissioner may contract for the  
2 construction, rehabilitation, operation, and maintenance of cabins  
3 within the system.

4 (d) The commissioner may cooperate with local groups with state  
5 and federal agencies to maintain and improve the cabin system. The  
6 commissioner shall evaluate existing and potential cabin sites and  
7 conduct resource planning and public review in the process of desig-  
8 nating cabins into the system. ~~The commissioner may develop an opera-~~  
9 ~~tional plan for the renovation, construction, or removal of cabins.~~  
10 ~~Cabins that were constructed on public land without proper authority~~  
11 ~~may not be removed prior to June 1, 1988.~~ Cabins which have been  
12 applied for pursuant to AS 38.05.880 may not be removed until the  
13 final disposition of the application is made and said application is  
14 denied.

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

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

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

27 ~~(h) In this section, "public use cabins" includes cabins desig-~~  
28 ~~nated by the commissioner that~~

29 (1) ~~were constructed on state land without proper authority~~

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1 ~~of law and that have been acquired by the state in the past or that~~  
 2 ~~are acquired by the state in the future and meet minimum standards for~~  
 3 ~~safety and liability requirements; or~~

4 ~~(2) are cabins owned by the state and used for temporary~~  
 5 ~~recreational use.~~

6 \* Sec. 6. This Act takes effect immediately in accordance with AS  
 7 01.10.070(c).

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1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act

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

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

13 It is further in the public interest to allow persons who are  
14 able to demonstrate historic use and occupancy of cabins on state land to  
15 purchase the land to resolve land conflicts; to ensure the legally  
16 protected use and enjoyment of cabins, and to provide for the continual  
17 existence of emergency shelters in remote areas.

18 \* Sec. 2. AS 38.05 is amended by adding a new section to read:

19 Sec. AS 38.05.880. EXISTING CABIN PREFERENCE. On the applica-  
20 tion of a person <sup>before June 1, 1987</sup> who can demonstrate the historic use and occupancy of  
21 a cabin on state land and investments in the cabin before January 1,  
22 unless the land was closed to entry by State or Federal Statute  
1978 and continuing until June 1, 1986, the commissioner of natural

23 resources shall <sup>except</sup> sell not to exceed one acre of state land occupied by  
24 the cabin. If the cabin is located on state land that is adjacent to  
25 a body of water, <sup>except that existing improvements are allowed to continue with</sup> the commissioner shall reserve an easement for public  
26 access not to exceed 30 feet wide above the mean water line. The  
27 commissioner may not establish restrictions on the use of the cabin or  
28 on future transfers of the land sold under this section. However, the  
29 commissioner may establish reasonable restrictions:

23  
24  
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Stack  
to  
existing  
structure

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1 (a) on the commercial use of a particular cabin in the event  
2 that the local fish and game advisory committee of the area in which  
3 the cabin is located objects to the unrestricted commercial use of  
4 said cabin;

5 (b) on the non-recreational use of a cabin which is located on  
6 land that has been withdrawn under AS 16 or AS 41 ~~prior~~ <sup>by</sup> to the sale of  
7 the land to a person. ~~prior~~

8 \* Sec. 3. AS 38.05 is amended by adding a new section to read:

9 Sec. AS 38.05.881. APPLICATION PERIOD FOR EXISTING CABIN PREFER-  
10 ENCE. An application for the purchase of land pursuant to AS 38.05.-  
11 880 must be submitted prior to June 1, 1988.

12 \* Sec. 4. AS 41.21.020(a) is amended to read

*by adding a new subsection to read*

13 (a) The Department of Natural Resources shall

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

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

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

25 (4) control, develop and maintain state parks and recre-  
26 ational areas;

27 (5) provide for the acquisition, care, control, super-  
28 vision, improvement, development, extension, and maintenance of public  
29 recreational land, and make necessary arrangements, contracts, or

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1 commitments for the improvement and development of land acquired under  
2 AS 41.21.010 - 41.21.040;

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

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

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

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

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

20 (11) perform other duties as are prescribed by executive  
21 order or by law;

22 (12) maintain memorials to Alaska veterans located in state  
23 parks;

24 (13) adopt, in accordance with the Administrative Procedure  
25 Act (AS 44.62), regulations governing the use of the Chena River State  
26 Recreation Area and designating incompatible uses within the boundar-  
27 ies of the Chena River State Recreation Area in accordance with AS  
28 41.21.490;

29 (14) manage the cabins owned by the state under AS

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41.21.880.

\* Sec. 5. AS 41.21 is amended by adding a new section to read:

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

(b) The commissioner shall establish a fee schedule for the use of the cabins. Fees collected under this subsection shall be deposited in the general fund. The commissioner of administration shall separately account for fees collected and deposited by the commissioner of natural resources under this subsection. The annual estimated balance in the account may be appropriated by the legislature to the Department of Natural Resources to carry out the purposes of this section. In establishing the fees, the commissioner shall consider

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

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

(3) the public interest.

(c) ~~Cabins that were constructed on public land without proper authority and that have been or will be acquired by the state may be renovated by the commissioner for inclusion in the Alaska Public Use Cabin System. Within available appropriations, the commissioner may build or acquire cabins for inclusion in the cabin system. However, cabins that were constructed on public land without proper authority may not be acquired by the State prior to June 1, 1988, unless the consent of the person who is able to demonstrate historic use and occupancy of the cabin pursuant to AS 38.05.880 is obtained. Under~~

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1 state contracting procedures the commissioner may contract for the  
2 construction, rehabilitation, operation, and maintenance of cabins  
3 within the system.

4 (d) The commissioner may cooperate with local groups with state  
5 and federal agencies to maintain and improve the cabin system. The  
6 commissioner shall evaluate existing and potential cabin sites and  
7 conduct resource planning and public review in the process of desig-  
8 nating cabins into the system. The commissioner may develop an opera-  
9 tional plan for the renovation, construction, or removal of cabins.  
10 ~~Cabins that were constructed on public land without proper authority~~  
11 ~~may not be removed prior to June 1, 1988.~~ Cabins which have been  
12 applied for pursuant to AS 38.05.880 may not be removed until the  
13 final disposition of the application is made and said application is  
14 denied.

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

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

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

27 ~~(h) In this section, "public use cabins" includes cabins desig-~~  
28 ~~nated by the commissioner that~~

29 ~~(1) were constructed on state land without proper authority~~

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1 of law and that have been acquired by the state in the past or that  
2 are acquired by the state in the future and meet minimum standards for  
3 safety and liability requirements; or

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

6 \* Sec. 6. This Act takes effect immediately in accordance with AS  
7 01.10.070(c).

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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

**FISCAL DETAIL**

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

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

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

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 *APA*  
Division: House Finance Committee

Phone: 465-3706  
Date: 3/24/86

Approved by Commissioner: \_\_\_\_\_  
Agency: \_\_\_\_\_

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

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.

Bradley  
3/6/86

Original sponsors: Josephson, V.Fischer,  
Rodey, et al

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2  
3 CS FOR SENATE BILL NO. 397 (Resources)  
4 IN THE LEGISLATURE OF THE STATE OF ALASKA  
5 FOURTEENTH LEGISLATURE - SECOND SESSION

6 A BILL

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

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

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

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

16 (a) The Department of Natural Resources shall

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

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

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

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

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

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

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

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

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

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

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

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

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

Take care of  
Belle's objects  
about land disposal

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

3 (14) manage the cabins owned by the state under AS 41.-  
4 21.880. (15) manage + maintain the Pioneer's cemetery in Sitka

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

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

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

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

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

20 (3) the public interest.

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

29 (d) The commissioner may cooperate with local groups and with

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

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

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

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

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

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

23 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.-  
24 10.070(c).

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1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 386 (FIN)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to cabins on state land; and pro-  
7 viding for and 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 It is further in the public interest to allow persons who are  
15 able to demonstrate historic use and occupancy of cabins on state land to  
16 purchase the land to resolve land conflicts; to ensure the legally protect-  
17 ed use and enjoyment of cabins; and to provide for the continued existence  
18 of emergency shelters in remote areas.

19 \* Sec. 2. AS 38.05 is amended by adding a new section to read:

20 Sec. AS 38.05.880. EXISTING CABIN PREFERENCE. On the applica-  
21 tion before June 1, 1988, of a person who can demonstrate the historic  
22 use and occupancy of a cabin on state land and investments in the  
23 cabin before January 1, 1978 and continuing until June 1, 1986, the  
24 commissioner of natural resources shall sell not to exceed one acre of  
25 state land occupied by the cabin. However, the land may not be sold  
26 if the land was specifically closed to entry under AS 16 or AS 41,  
27 before the cabin was built on state land. If the cabin is located on  
28 state land that is adjacent to a body of water, the commissioner shall  
29 reserve an easement for public access not to exceed 50 feet wide above

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1 the mean high water line except that existing improvements may con-  
2 tinue within the easement. The commissioner may not establish re-  
3 strictions on the use of the cabin or on future transfers of the land  
4 sold under this section. However, the commissioner may at the time of  
5 sale establish reasonable restrictions:

6 (a) against the commercial use of a particular cabin in the  
7 event that the local fish and game advisory committee of the area in  
8 which the cabin is located objects to the unrestricted commercial use  
9 of said cabin;

10 (b) against the non-recreational use of a cabin which is located  
11 on land that has been withdrawn under AS 16 or AS 41.

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

13 (a) The Department of Natural Resources shall

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

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

21 (3) acquire by gift, purchase, or transfer from state or  
22 federal agencies, or from individuals, corporations, partnerships or  
23 associations, land necessary, suitable and proper for roadside,  
24 picnic, recreational, or park purposes;

25 (4) control, develop and maintain state parks and recre-  
26 ational areas;

27 (5) provide for the acquisition, care, control, super-  
28 vision, improvement, development, extension, and maintenance of public  
29 recreational land, and make necessary arrangements, contracts, or

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1 commitments for the improvement and development of land acquired under  
2 AS 41.21.010 - 41.21.040;

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

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

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

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

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

20 (11) perform other duties as are prescribed by executive  
21 order or by law;

22 (12) maintain memorials to Alaska veterans located in state  
23 parks;

24 (13) adopt, in accordance with the Administrative Proce-  
25 dures Act (AS 44.62), regulations governing the use of the Chena River  
26 State Recreation Act in accordance with AS 41.21.490;

27 (14) manage the cabins owned by the state under AS 41.21.  
28 880.

29 Sec. 4. AS 41.21 is amended by adding a new section to read:

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1           Sec. 41.21.880. PUBLIC USE CABINS. (a) There is established a  
2 system of public use cabins to be managed by the commissioner and  
3 called the Alaska Public Use Cabin System. The commissioner shall  
4 publicize the existence of the public use cabins and shall establish a  
5 reservation system for the cabins.

6           (b) The commissioner shall establish a fee schedule for the use  
7 of the cabins. Fees collected under this subsection shall be deposit-  
8 ed in the general fund. The commissioner of administration shall  
9 separately account for fees collected and deposited by the commis-  
10 sioner of natural resources under this subsection. The annual estimated  
11 balance in the account may be appropriated by the legislature to the  
12 Department of Natural Resources to carry out the purposes of this  
13 section. In establishing the fees, the commissioner shall consider

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

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

18           (3) the public interest.

19           (c) Cabins that were constructed on public land with or without  
20 proper authority and that have been or will be acquired by the state  
21 may be renovated by the commissioner for inclusion in the Alaska  
22 Public Use Cabin System. Within available appropriations, the commis-  
23 sioner may build or acquire cabins for inclusion in the cabin system.  
24 However, cabins that were constructed on public land with or without  
25 proper authority may not be acquired by the State prior to June 1,  
26 1988, unless the consent of the person who is able to demonstrate  
27 historic use and occupancy of the cabin pursuant to AS 38.05.880 is  
28 obtained or unless the cabin is located on land which was closed to  
29 entry under AS 16 or AS 41 prior to the time the cabin was built.

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1 Under state contracting procedures the commissioner may contract for  
2 the construction, rehabilitation, operation, and maintenance of cabins  
3 within the system.

4 (d) The commissioner may cooperate with local groups with state  
5 and federal agencies to maintain and improve the cabin system. The  
6 commissioner shall evaluate existing and potential cabin sites and  
7 conduct resource planning and public review in the process of desig-  
8 nating cabins into the system. The commissioner may develop an opera-  
9 tional plan for the renovation, construction, or removal of cabins.  
10 Cabins that were constructed on public land with or without proper  
11 authority may not be removed prior to June 1, 1988. Cabins which have  
12 been applied for pursuant to AS 38.05.880 may not be removed until the  
13 final disposition of the application is made and said application is  
14 denied.

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

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

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

27 \* Sec. 6. This Act takes effect immediately in accordance with AS  
28 01.10.070(c).  
29

# Alaska State Legislature

ARLISS STURGULEWSKI, 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

## DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

BILL SHEFFIELD, GOVERNOR

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

March 5, 1986

536

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

# 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						
---------	--	--	--	--	--	--

REVENUE	72.0	96.0				
---------	------	------	--	--	--	--

**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 : Norm D Amundson, Deputy 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)

SB 397  
DNR AMENDMENT 1

The following amendments are technical in nature and are not intended to change the intent of the bill. They are suggested to facilitate interpretation of the statute and management of the public cabins system.

1. p. 1, line 11: delete "all"
2. p. 3, line 10: delete "shall", insert "may"
3. p. 3, line 17: after "the cost of" insert "administering reservations and"
4. p. 3, line 24, at end of sentence: add "Under state contracting procedures the commissioner may contract for the construction, rehabilitation, operation, and maintenance of cabins within the system."
5. p. 4, line 2, at the end of the line: add "cabins designated by the commissioner"
6. p. 4, line 3: delete "cabins"
7. p. 4, line 5, after "future": add "and meet minimum standards for safety and liability requirements"
8. p. 4, line 5: delete "and" and insert "or"
9. p. 4, line 6, delete "cabins"

3/5/86

SB 397  
DNR AMENDMENT TWO

The following amendment will allow the department to operate the public cabin system on a program receipts basis.

p. 3, line 13, after "cabins": insert "and may recover program costs through the administration of a program receipts account, subject to legislative approval"

3/5/86

SB 397  
DNR AMENDMENT THREE

This amendment would allow the department discretion to select the most appropriate cabins for designation into the public use cabin system with public participation, and to develop a system plan as needed.

p. 3, line 23, after "System.": insert "The commissioner shall evaluate existing and potential cabin sites and conduct resource planning and public review in the process of designating cabins into the system. The commissioner may develop an operational plan for the renovation, construction, or removal of cabins."

3/5/86

SB 397  
DNR AMENDMENT FOUR

This amendment allows the Department of Fish and Game to control the designation of public use cabins within refuges, critical habitats, and sanctuaries. This amendment, proposed by the Department of Fish and Game, is acceptable to DNR.

- p. 3, line 26: add at the end "The commissioner shall obtain the concurrence of the Department of Fish and Game in establishing and managing a public use cabin system on state game refuges, critical habitat areas, and game sanctuaries established pursuant to AS 16.20."

3/5/86

# Opinion

**Anchorage Daily News**



Winner, 1976 Pulitzer Prize Gold Medal for Public Service

Gerald E. Grilly Publisher      Howard Weaver Managing Editor

Suzan Nightingale Editorial Page Editor

Katherine Fanning, Editor and Publisher 1971 to 1983  
Lawrence Fanning, Editor and Publisher 1967 to 1971

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## Catching the right kind of cabin fever

The "duck shack" controversy never will be resolved to everyone's satisfaction, but here's a program for using some of the so-called trespass cabins built on state land that makes sense. Under terms of identical bills introduced in the House and Senate this week, about 100 of the cabins would be converted into public recreation cabins managed by the state.

A 1984 change in state regulations mandated that people who built the cabins on state land could register them in exchange for lifetime title to them. Cabins that were not registered are being taken over by the state.

The program would be similar to the U.S. Forest Service's highly popular recreation cabin system. The 177 Forest Service cabins are so popular with campers here they're booked solid every summer. There's no reason why the state can't expect a similar response to its recreational cabins — especially since many are located in southcentral Alaska, where demand is greatest.

Division of Parks Director Neil Johannsen says the full 100 cabins could be open to the public within five years. Although Mr. Johannsen estimates it would cost between \$2,000 and \$3,000 to refurbish each cabin, he predicts the cabins will pay for themselves within three years with \$10-\$15 nightly fees.

New cabins are so expensive — about \$15,000 apiece — that the conversion of duck shacks into modest recreational cabins is a real bargain. The state shouldn't pass up this opportunity to put these abandoned duck shacks to good use.

TELECONFERENCE PARTICIPATION

LEARN ALASKA  
562-2975

Sponsor SEN. PETERSON  
Subject \_\_\_\_\_  
Date/Time 3/7 FRIDAY

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Barrow	Sitka
Bethel	* Soldotna <del>ALASKA</del>
* Delta Junction	Valdez
V* Dillingham TOM NOJEN 397	<del>_____</del> <del>_____</del> <del>_____</del> <del>_____</del> <del>_____</del> LTC
V* Fairbanks	Cordova
Glennallen	Haines
* Juneau	Homer
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* Kodiak	Newhalen
Kotzebue	Saint Paul
* Mat-Su MARK WEAVER 155 JERRY GIAQUE 155 JOHN NASH 155	Sand Point
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	Unalaska
	Wrangell



# REPRESENTATIVE DON CLOCKSIN

Alaska House of Representatives

MAJORITY LEADER

1024 WEST SIXTH AVENUE  
ANCHORAGE, ALASKA 99501  
(907) 274-4031

WHILE IN JUNEAU:  
POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-3704

FOR IMMEDIATE RELEASE

Wednesday, February 12, 1986

For additional information, contact

Representative Don Clocksin	465-3704
Johnny Ellis	465-3718
Senator Joe Josephson	465-4525
David Finkelstein	465-4525

**CLOCKSIN AND JOSEPHSON INTRODUCE PUBLIC USE CABIN BILLS.**

House Majority Leader Don Clocksin, D-Anchorage and Senator Josephson, D-Anchorage, have introduced bills, HB 561 and SB 397, that direct that the state establish "AKPUCS" - the Alaska Public Use Cabin System - using unclaimed trespass cabins and cabins that will come into state ownership in future years.

The new cabin system is modeled on the highly successful 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.

While existing recreational cabins in state parks would be incorporated into the proposed system, the main source of cabins would be the unclaimed trespass cabins, often referred to in the Anchorage area as "duck shacks". According to Representative Clocksin, "There is a large demand all over the state, but especially in urban areas like Anchorage, by individuals and families who want to make use of recreational opportunities on state lands. This bill is a responsible approach to allowing the public to make use of a public resource."

Representative Clocksin went on to say, "This bill will make these cabins available to the general public for recreational purposes. I believe there are many Alaskans like me who want to have a retreat available for hunting, fishing, or other outdoor activities. The Alaska Public Use Cabin System will provide such cabins all over the state."

Senator Josephson stated, "There need not be any fear on the part of Alaskans that the Alaska Public Use Cabin System will take any rights away from current cabin users. Cabin owners will be unaffected by the bill, and even those with trespass cabins are being granted lifetime permits by the Department under recent regulations. Only unclaimed trespass cabins and those with expiring permits will become part of the system."

Josephson added, "Although there will probably be funds for only a few new cabins in future years, the cabins available now and in the near future will form a substantial state system. By working in concert with the U. S. Forest Service we can form a statewide system of over 300 public-use cabins available to Alaskans as well as out-of-state tourists."

# # #

# Lawmakers consider state cabin system

By BRUCE SCANDLING  
The Associated Press

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

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

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

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

The proposal would create

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

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

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

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

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

itself within three years.

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

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

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

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

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

Josephson said the proposal should not scare people

who already own cabins in Alaska.

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

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

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

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

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

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

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

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

## Official works on bid to hold Alaska summit

The Associated Press

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

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

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

"They cautioned us not to be too optimistic or too raise

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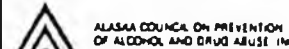
CLANCY

director of the Midnight Mission  
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8:00 p.m.

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# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

BILL SHEFFIELD, GOVERNOR

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

April 1, 1986

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

Dear Senator Sturgulewski:

In response to Senator Eliason's request at the Committee's meeting on SB 397, I am providing information about the question of management and maintenance of the Sitka Pioneer Home Cemetery.

The management and maintenance of cemeteries is not within the mission of the Division of Parks and Outdoor Recreation, which like other state agencies, is faced with budget reductions. Assignment of the Sitka cemetery to our parks division would both present new expenses and set a precedent for maintenance of other cemeteries by the state parks division.

The Sitka cemetery under consideration has been chemically denuded and is void of vegetation. To restore it will be a major expense for any agency. Our staff has estimated that rehabilitation alone would probably cost at least \$200,000 or more, with annual maintenance costs of \$50-100,000/year.

The state parks division operates four heavily used recreational sites in Sitka. Parks staffing for Sitka is minimal, depending largely on volunteers, youth employees and court referrals to achieve adequate levels of maintenance and operation. Recent extensive renovation of the Old Sitka State Historic Site and the resulting increase in management and maintenance requirements were not accompanied by additional operating funds. The division will be stretched thinner than before as it attempts to continue offering the same level of service to all areas.

The Hon. Arliss Sturgulewski -2-

April 1, 1986

My staff has discussed the predicament at the Pioneers Home Cemetery with Senator Eliason and state and federal agency staff and I believe we all recognize that the cemetery needs a lot of work. Without funding, the work cannot be done.

Sincerely,



Esther C. Wunnicke  
Commissioner

cc: Senator Eliason  
Linda Kruger

DF 4/17/86  
Compromise  
Proposal

SB 269 Provisions

Senate Passed  
Bill

House Resources  
Committee Bill

Compromise  
Proposal

SB 269 Provisions	Senate Passed Bill	House Resources Committee Bill	Compromise Proposal
1. Commissioner's discretion for approval	Shall	May	Shall, unless resource management conflict
2. Cut-off date	Erected before 1968	Occupancy 1981 to present	Erected before 1968
3. Land status at time of entry	Land must have been open to entry at the time cabin was erected	No provision	Land must not have been closed to entry
4. Effect of parks and refuges	Allowed in post 1968 withdrawals	Allowed regardless of withdrawals after cabin's erection	Allowed in post- <u>1968</u> withdrawals
5. Restrictions on use or sale of cabin	None	None	Two restrictions relating to parks & commercial use, etc.
6. Waterfront easement	20 feet	20 feet	50 feet; existing improvements allowed
7. Area plan effect	None	No sale if prohibited by area plan	None
8. Fair market value	As determined by Commissioner	At date of application	

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

BILL SHEFFIELD, GOVERNOR

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

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

February 28, 1986

Dear Representative Shultz:

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

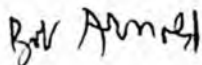
The department strongly supports the concept of the proposed bill. After adopting regulations for privately owned cabins on state land in 1984, we have made an important new beginning for cabins on state land. The bill before you will allow the people of the state to make beneficial use of abandoned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

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

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

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

Sincerely,



*f* Esther C. Wunnicke  
Commissioner

cc: Rep. Clocksin

HB 561  
DNR AMENDMENT 1

The following amendments are technical in nature and are not intended to change the intent of the bill. They are suggested to facilitate interpretation of the statute and management of the public cabins system.

1. p. 1, line 11: delete "all"
2. p. 3, line 10: delete "shall", insert "may"
3. p. 3, line 17: after "the cost of" insert "administering reservations and"
4. p. 3, line 24: add a new sentence: "Under state contracting procedures the commissioner may contract for the construction, rehabilitation, operation, and maintenance of cabins within the system."
5. p. 4, line 2: add at the end of the line: "cabins designated by the commissioner"
6. p. 4, line 3: delete "cabins"
7. p. 4, line 5: add after "future": "and meet minimum standards for safety and liability requirements"
8. p. 4, line 5: delete "and" and insert "or"
9. p. 4, line 6, delete "cabins"

2/28/86

HB 561  
DNR AMENDMENT TWO

The following amendment will allow the department to operate the public cabin system on a program receipts basis.

p. 3, line 13, after "cabins": insert "and may recover program costs through the administration of a program receipts account, subject to legislative approval"

2/28/86

HB 561  
DNR AMENDMENT THREE

This amendment would allow the department discretion to select the most appropriate cabins for designation into the public use cabin system with public participation, and to develop a system plan as needed.

p. 3, line 23, after "System.": insert "The commissioner shall evaluate existing and potential cabin sites and conduct resource planning and public review in the process of designating cabins into the system. The commissioner may develop an operational plan for the renovation, construction, or removal of cabins."

2/28/86

HB 561  
DNR AMENDMENT FOUR

This amendment allows the Department of Fish and Game to control the designation of public use cabins within refuges, critical habitats, and sanctuaries. This amendment, proposed by the Department of Fish and Game, is acceptable to DNR.

p. 3, line 26: add at the end "The commissioner shall obtain the concurrence of the Department of Fish and Game in establishing and managing a public use cabin system on state game refuges, critical habitat areas, and game sanctuaries established pursuant to AS 16.20."

2/28/86

DNR - MARK-UP 2/28

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

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

IN THE HOUSE

HOUSE BILL NO. 561

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - SECOND SESSION

A BILL

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

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

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

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

(a) The Department of Natural Resources shall

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 (3) the public interest.

20 (c) Cabins that were constructed on public land without proper  
21 authority and that have been or will be acquired by the state may be  
22 renovated by the commissioner for inclusion in the Alaska Public Use  
23 Cabin System. <sup>(insert DNR amendment three)</sup> Within available appropriations, the commissioner may

24 build or acquire cabins for inclusion in the cabin system. <sup>Under state contracting</sup>  
<sup>procedures the commissioner may contract for the construction, rehabilitation, operation and maintenance</sup> of cabins.

25 (d) The commissioner may cooperate with local groups and with <sup>(insert DNR amendment four)</sup> state and federal agencies to maintain and improve the cabin system. <sup>with the system</sup>

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

1 relevant by the commissioner.

→ 2 (f) As used in this section, "public use cabins" include *cabins*  
→ 3 *designated by the commissioner*  
4 (1) [cabins] that were constructed on state land without  
5 proper authority of law and that have been acquired by the state in  
6 *and meet minimum standards for safety and liability requirements,*  
7 the past or that are acquired by the state in the future, [and] *or*

8 (2) [cabins] owned by the state and used for temporary recre-  
9 ational use.

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

**COMMITTEE REPORT**  
**SENATE**

FURTHER: FINANCE

2/12/86

Date \_\_\_\_\_

Mr. President

The Committee on RESOURCES considered SB 397  
relating to public use cabins; efd.

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

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for \_\_\_\_\_
- new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS

\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Chairman recommendation

Introduced: 2/12/86  
Referred: Resources and  
Finance

BY JOSEPHSON, V. FISCHER,  
RODEY AND KERTTULA

1 IN THE SENATE

2 SENATE BILL NO. 397

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

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13 managed for the benefit of the residents of the state and visitors to the  
14 state.

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20 state;

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

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

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

COMMITTEE COPY

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3 recreational land, and make necessary arrangements, contracts, or  
4 commitments for the improvement and development of land acquired under  
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10 (7) cooperate with the United States and its agencies and  
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12 improvement, development, extension, and maintenance of state parks,  
13 state monuments, state historical areas, and state recreational areas,  
14 and secure agreements or contracts for the purpose of AS 41.21.010 -  
15 41.21.040;

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18 state;

19 (9) provide for consulting service designed to develop  
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21 (10) provide clearing-house services for other state agen-  
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12 (b) The commissioner shall establish a fee schedule for the use  
13 of the cabins. In establishing the fees, the commissioner shall  
14 consider

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

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

19 (3) the public interest.

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

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

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

1 relevant by the commissioner.

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

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

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

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

**ALASKA STATE LEGISLATURE**

14th... Legislature .....2nd Session

SENATE ...BILL..... NO. 397...

By JOSEPHSON, V.FISCHER, RODEY  
KERTTULA

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

Introduced in the Senate 2/12..., 19..86

**HISTORY IN THE SENATE**

1986

2 12

Read first time and referred  
to Committee on

**Resources & Finance**

Reported back with  
recommendation that

Read second time and

Read third time and

<b>PASS</b>	<b>Effective Date</b>
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

**Reconsideration**

<b>PASS</b>	<b>Effective Date</b>
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed  
Signed by President  
Sent to House

SECRETARY OF THE SENATE

**HISTORY IN THE HOUSE**

19

Read first time and referred  
to Committee on

Reported back with  
recommendation that

Read second time and

Read third time and

<b>FASS</b>	<b>Effective Date</b>
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

**Reconsideration**

<b>PASS</b>	<b>Effective Date</b>
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed  
Signed by Speaker  
Returned to Senate

CHIEF CLERK OF THE HOUSE

**HISTORY IN THE SENATE**

19

Received from House

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No. ....



# RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith  
Signature of Camera Operator

11/24/89  
Date

S B

z o o

# Alaska State Legislature

ARLISS STURGULEWSKI, Chairman  
BETTYE FAHRENKAMP, Vice Chairman  
JACK COGHILL  
DICK ELIASON  
VIC FISCHER  
RICK HALFORD  
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POUCH V  
JUNEAU, ALASKA 99811  
(907) 485-4907

## Senate Committee on Resources

TO: Senate Resource Committee Members March 7, 1986  
FROM: Senate Resource Committee Staff *MSH*  
RE: Senate Bill 398  
"An Act relating to establishing a moose habitat and conservation tag and fee; and providing for an effective date."

This bill is modeled on the existing duck stamp program. It would raise money for moose conservation and management in a manner similar to the money presently being raised for waterfowl work.

In this packet are:

- A copy of the bill
- A written statement from Stan Smith, the President of the International Moose Federation
- A fiscal note and analysis from the Department of Revenue
- A bill analysis and fiscal note from the Department of Fish and Game

MOOSE HABITAT AND CONSERVATION  
STAMP PROGRAM HB 478

PURPOSE AND GOALS

The purpose of HB 478 is to provide funding for habitat manipulation and moose research.

The Habitat Stamp itself would provide approximately four hundred fifty thousand dollars (\$450,000.00) annually to the Department of Fish and Game. Habitat manipulation could be achieved by mechanical means or by controlled burns. The cost of mechanical manipulation is approximately one thousand five hundred dollars (\$1,500.00) to one thousand seven hundred dollars (\$1,700.00) per acre, the cost of a controlled burn is approximately five hundred dollars (\$500.00) per acre. Therefore, it is easy to see what could be done to provide more habitat for our moose.

In South Central Alaska, as in the rest of our State, there is an ever increasing demand for more land to develop housing and industry. The land that is being encroached upon is most often critical winter moose habitat. If we don't begin now to replace this critical habitat, there will be very little future left for our moose in this expanding State.

Another problem moose are being made to contend with is the automatic suppression of wildfires. Wildfires are nature's way of providing food and habitat for wildlife. The suppression of these fires allow the immature growth (browse) to grow to maturity. Mature growth is insufficient browse, moose need new growth i.e., 3 years old. Mechanical manipulation is needed around communities where fire would be unsafe to the public.

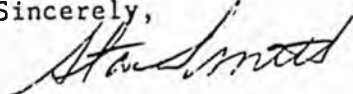
AREAS AND PROJECTS THAT NEED ATTENTION: The 1947 burn area on the Kenai Peninsula is becoming overgrown with mature growth blocking out the sun to feed new growth. Portions of the upper Kenai Peninsula, the Matanuska Moose Range, in and around Fairbanks as well as other areas in the State, could use manipulation of one kind or the other. The International Moose Federation is currently working to provide this additional information to you.

Research projects would benefit moose throughout the State. these studies could be: More biological data on diet, reproduction, calf survival. predator/prey relationships, seasonal movement, moose reaction to colors, sounds, smell, light. disease that threaten moose etc. This list could go on and on, as you can see. I hope that after seeing this, you will feel the need for a bill such as HB 478.

The International Moose Federation is busy gathering more data and as soon as it is compiled, you will be notified.

Thank you very much for taking the time to read this, we are looking forward to receiving your support.

Sincerely,



Stan Smith, President  
International Moose Federation

copy: Senator Tim Kelly  
Representative Terry Martin

STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: 2/18/86

**REQUEST**

Bill/Resolution No: SB 398  
 Title: An Act relating to establishing a moose habitat and conservation stamp and fee; and providing for an effective date.  
 Sponsor: Kelly  
 Requestor: Senate Resources  
 Date of Request: 2/14/86

**FISCAL DETAIL**

Agency Affected: Revenue, Fish and Game  
 BRU: Revenue Public Services  
 Components: Public Services Operating

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

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES	-	13.3	27.3	28.1	28.9	29.6
TRAVEL	-	1.5	0	0	0	0
CONTRACTUAL	-	2.0	62.0	63.8	65.6	67.5
SUPPLIES	-	1.8	1.8	1.8	1.8	1.8
EQUIPMENT	-	1.5	-	-	-	-
LAND & STRUCTURES	-	-	-	-	-	-
GRANTS/CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
<b>TOTAL OPERATING</b>	-	20.1	91.1	93.7	96.3	98.9

CAPITAL	-	-	-	-	-	-
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REVENUE	-	-	293.6	302.2	310.9	320.0
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND	-	20.1	91.1	93.7	96.3	98.9
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
<b>TOTAL</b>	-	20.1	91.1	93.7	96.3	98.9

**POSITIONS:**

FULL-TIME	-	1	1	1	1	1
PART-TIME	-	-	-	-	-	-
TEMPORARY	-	-	-	-	-	-

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

Prepared by: Sally Smith  
 Division: Public Services

Phone: 465-2392  
 Date: February 18, 1986

Approved by: [Signature]  
 Commissioner: [Signature]  
 Agency: Revenue

Date: 2/21/86

Distribution (by Agency preparing fiscal note):

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

HB 478 Analysis  
Public Services Division BRU

Estimated Revenue for Mandatory Moose Stamp Program

Figures for computation are based on 54,876 Moose harvest tickets distributed by vendors for the Department of Fish and Game during the 1984/85 hunting season. Since the 1983 hunting season there has been an average increase of 3% in the distribution of the Moose harvest tickets. It is assumed that this increase will continue. It is also assumed that an additional 1750 hunter stamps will be purchased each year by collectors. Hunter net revenue is based on gross revenue for all \$5.00 stamps minus a 5% commission to the license agent. Collectors' stamps are sold through Revenue Offices only; therefore no commission is deducted.

	<u>Harvest Tickets Issued</u>	<u>Hunters' Net Revenue</u>	<u>Collectors' Stamps Sold</u>	<u>Net Revenue</u>	<u>Total Net Revenue</u>
FY 1988	59,963	284.8	1,750	8.8	293.6
FY 1989	61,761	293.4	1,750	8.8	302.2
FY 1990	63,613	302.1	1,750	8.8	310.9
FY 1991	65,521	311.2	1,750	8.8	320.0

Estimated Costs for Mandatory Moose Stamp Program

It is assumed that the Department of Fish and Game will be responsible for the costs of the contest and printing the stamps. Below is a breakdown of estimated costs to the Public Services Division for FY 87 and FY 88. This program needs to be implemented prior to the receipt of any revenues. There are costs involved in informing the public of the program, distributing the stamps to the licensing agents, selling the stamps to collectors, and doing the accounting for the program. Per AS 16.05.390(a)(2) and (d), additional compensation must be paid to the licensing agents from the general fund. A new position will be required to handle these duties.

	<u>FY 87</u>	<u>FY 88</u>
<u>Personal Services</u>		
1 Accounting Clerk I (Range 8) (FY87 6 months; FY88 12 months)	\$13.3	\$27.3
<u>Travel</u>		
One trip to the Anchorage, Kenai, and Fairbanks areas to explain the program.	\$ 1.5	
<u>Contractual</u>		
Additional Compensation Payments		\$60.0
Postage	\$ 2.0	\$ 2.0

HB 478 Analysis  
Public Services Division BRU

Commodities

Miscellaneous paper, envelopes, mailing tubes.	\$ 1.8	\$ 1.8
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Equipment

Desk	\$800	
Chair	\$200	
Calculator	\$150	
Filing Cabinet	\$300	\$ 1.5

TOTAL PUBLIC SERVICES DIVISION COSTS	<u>\$20.1</u>	<u>\$91.1</u>
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Proposed Amendment for Mandatory Moose Stamp Program

Proposed Amendment #1: Establish an effective date for the sale of the Moose stamp. If the intent is to have this stamp available for the 1987-1988 Moose hunting season, then in order to have sufficient time to select an artist and contract for the stamp, we propose an effective date of July 1, 1987. Moose season extends from July 1 through March 31, so the stamps would have to be available through licensed agents no later than June 1, 1987.



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Game	BILL NUMBER SB 398	SPONSOR Kelly
DEPARTMENT POSITION  Neutral			
PREPARED BY Robert Hinman	DATE 3/6/86	COMMISSIONER'S SIGNATURE <i>[Signature]</i>	DATE 3/7/86

SUMMARY

OTHER AGENCIES AFFECTED BY BILL  Department of Revenue Department of Public Safety	CONSTITUENT GROUP(S) AFFECTED BY BILL  Subsistence and recreational hunters
ORGANIZATIONAL SUPPORT FOR BILL  Unknown	ORGANIZATIONAL OPPOSITION TO BILL  Unknown

FISCAL IMPACT:  NONE  FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

The intent of this legislation is to provide a new funding source for management and research on moose in the state.

ANALYSIS OF BILL/PROGRAM EFFECTS

This legislation is patterned after the existing statutory provisions for a waterfowl conservation stamp and would raise monies for moose conservation and management in a manner similar to the monies presently being raised for waterfowl work. It would require that all hunters, resident and nonresident, hunting moose in the state first purchase a moose tag (in the form of a \$5.00 stamp). Resulting revenues would go directly into the Fish and Game Fund, and would be earmarked for moose conservation work. Like the statute pertaining to the waterfowl stamp, this legislation would mandate a competitive program each year to select the design of the stamp and to provide for the production and issuance of a limited edition of art prints of the stamp. Like the waterfowl program, proceeds from the limited edition print sales would go into the General Fund, with legislative intent noting that a sum equal to this amount would be appropriated to the department for moose conservation purposes.

Unfortunately, there are several drawbacks to this proposal. First, we do not believe that the sale of art prints related to moose would enjoy the nationwide popularity of the [(see page 2)]

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

Page 2. Continued from preceding page.

waterfowl prints and, therefore, would not result in significant income to the state. Second, we are apprehensive about the tendency toward creating additional dedicated funds within a dedicated fund; creation of these stipulations on how various portions of the Fish and Game Fund may be spent greatly increases the difficulty of accurate accounting from the fund and it also limits the department's management flexibility to address unexpected wildlife management needs.

Moose are one of our more important big game species; for this reason, more money is spent on moose management than on any other species. There is no question that additional funding is desirable for adequate management of moose. However, we caution against going too far with the concept of spending on a species only that which is derived from fees relating to that species; if this were strictly followed, a number of species that are important to both hunters and non-consumptive users (e.g., bison and musk-oxen) would suffer.

Two other alternatives may be more useful in increasing the funding for management of moose. First, the contribution by Alaska residents to the Fish and Game Fund and therefore to the management of wildlife resources has not increased significantly for many years. An increase in resident license fees would add significantly to management monies. Second, a system of resident tags for all big game (not just moose) would provide an additional source of revenue to the Fish and Game fund.

Department costs to administer the program would be 6.0 to 10.0, plus personnel costs.

We estimate that a minimum of 550 prints would have to be sold annually before a profit would be enjoyed by either the dealer or the state. While the first year sales might exceed that figure, it is likely that subsequent year sales would drop below that level.

In this case, it is likely that the income from sale of tags (stamps) to hunters would constitute the only meaningful source of added income over a period of years. Total number of moose hunters who would buy a moose stamp is unknown, but estimated at 30 to 35,000. Income from the program is based on this figure only; if a profit were realized from sale of prints, that should be added to the revenue figure.

STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

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

REQUEST

Bill/Resolution No. : SB 398  
 Title : An Act relating to establishing  
 a moose habitat and conservation tag  
 and fee, efd  
 Sponsor : Kelly  
 Requestor : \_\_\_\_\_  
 Date of Request : \_\_\_\_\_

FISCAL DETAIL

Agency Affected : Fish & Game  
 BRU : Game  
 \_\_\_\_\_  
 Components : \_\_\_\_\_  
 \_\_\_\_\_

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

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES	18.8	18.8	18.8	18.8	18.8	18.8
TRAVEL	1.4	1.4	1.4	1.4	1.4	1.4
CONTRACTUAL	4.0	4.0	4.0	4.0	4.0	4.0
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>25.2</b>	<b>25.2</b>	<b>25.2</b>	<b>25.2</b>	<b>25.2</b>	<b>25.2</b>

CAPITAL						
---------	--	--	--	--	--	--

REVENUE	150.0	150.0	150.0	150.0	150.0	150.0
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**FUNDING : (Thousands of Dollars)**

GENERAL FUND	25.2	25.2	25.2	25.2	25.2	25.2
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS :**

FULL-TIME						
PART-TIME	3	3	3	3	3	3
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Figures are estimated on the basis of our experience with the state duck stamp program. Costs may vary appreciably, depending on amount of advertising, etc. that we are willing to invest in the program. (see attached page)

Prepared by : Robert A. Hinman *Robert A. Hinman* Phone : 465-4190  
 Division : Game Date : 3-5-86  
 Approved by Commissioner : *[Signature]* Date : 3/7/86  
 Agency : \_\_\_\_\_

Distribution (by Agency preparing fiscal note) :

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

SB 398 "An Act relating to establishing a moose habitat and conservation tag and fee"

SB 398 was introduced to provide a funding source for moose habitat programs in Alaska. The bill would require moose hunters to purchase a moose stamp for hunting and the money from the sale of these stamps would go to the state's Fish and Game Fund, specifically for the purpose of moose habitat projects. This program will also allow for the sale of stamps and prints to collectors.

The moose stamp program would be unique. Only Alaska, Wyoming and Maine have sufficient moose populations for hunting. Alaska would be the first to have a moose stamp program.

Currently, the Department of Fish & Game is involved in habitat manipulation and improvement programs in the Kenai National Wildlife Refuge, on the Mat-Su Moose Range, the Delta Bison Range and in the Tok area. Habitat improvement in these areas primarily involve tree crushers that crush old growth trees to allow for the growth of new trees for moose to graze. This method of habitat manipulation cost approximately \$1,500 per acre. Once crushing is completed, a new growth range will mean 80 moose per square mile as opposed to one moose per square mile in an old growth area.

Based on the number of moose hunting permits sold last year, revenue to the Department of Fish and Game through a moose stamp program would be about \$300,000. This does not account for additional money that will be made available from collectors who will buy the stamp and prints.

The competition for selection of this print will be limited to Alaskan artists.

The federal Wildlife Restoration Act, known as the Pittman-Robertson Act, provides money to the states for wildlife projects. This federal money is the 11% tax paid by manufacturers of sporting guns and ammunition to be used by the states for wildlife management and hunter education. To be eligible for P-R money, states must establish and maintain a dedicated fund in which money from the sale of fish and game permits and tags to hunters is deposited into this fund and used for wildlife programs.

Since moose prints would not be required for hunting, money from their sale cannot be deposited in the Fish and Game Fund. This money, as well as money from the sale of tags to collectors, would be accounted for through the Legislative Intent Language in Section 6 which says, "...a sum equal to the amount collected each year from the sale of moose habitat and conservation tags and limited addition prints to the public" under the Moose Habitat and Conservation Tag Program be appropriated to the Department of Fish and Game for moose habitat projects. Therefore, program receipts will fund these projects.

I would suggest some ammendments to SB 398:

1) page 2, line 5 (5) insert before emergencies ...wildlife or habitat. This is to make clear that money in the dedicated fund be used for only wildlife related emergencies for consistency with federal requirements.

2) page 3, line 27 insert after department ...of Fish and Game and the Department of Revenue. This allows program receipts for the Moose Tag Program to be used for administering the program which is the responsibility of the Department of Revenue. Because of Pittman-Robertson requirements for the use of money in the Fish and Game Fund, we have a provision in our state's statutes that prohibits the diversion of funds from the fish and game fund for wildlife projects or managment of these programs. This amendment would allow for money from the sale of prints and tags to the public to be appropriated to the Department of Revenue for the administration of the moose habitat and conservation program.

3) At the request of the Department of Revenue, make the effective date July 1, 1987.

A few comments about the fiscal note:

1) The new position Revenue is requesting, would be to administer both the duck and moose tag programs.

2) The \$60,000 compensation payment is the commission paid to vendors who sell moose tags. Based on the legislative intent language this money would be paid from program receipts.

introduced: 2/2/86  
Referred: Resources  
and Finance

*It is the intent of the leg in enacting  
this program that funds be used*

*fun*

1 IN THE SENATE

BY KELLY

2

SENATE BILL NO. 398

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 establishing a moose habitat and  
7 conservation tag and fee; and providing for an effective date."  
8

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

10 *→ Legislative Intent*  
\* Section 1. AS 16.05.110 is amended to read:

11 Sec. 16.05.110. COMPOSITION OF FUND. The fish and game fund  
12 shall be made up of the following money and other money the legisla-  
13 ture appropriates, which shall be deposited and retained in the fund  
14 until expended:

15 (1) money received from the sale of state sport fishing,  
16 hunting, and trapping licenses, special permits, moose habitat and  
17 conservation tags, and waterfowl conservation tags purchased by hunt-  
18 ers;

19 (2) proceeds received from the sale of furs, skins, and  
20 specimens taken by predator hunters and other employees;

21 (3) money received in settlement of a claim or loss caused  
22 by damage to the fish and game resources of the state;

23 (4) money received from federal, state, or other govern-  
24 mental unit, or from a private donor for fish and game purposes;

25 (5) interest earned upon money in the fund;

26 (6) money from any other source.

27 \* Sec. 2. AS 16.05.130 is amended by adding a new subsection to read:

28 (d) Money accruing to the state from moose habitat and conserva-  
29 tion tag fees may not be diverted to a purpose other than (1) the

*It is the intent of the law to establish a program to conserve and enhance moose and moose habitat*

*ref*

1 conservation and enhancement of moose and moose habitat (2) the  
2 acquisition, by lease or otherwise, of habitat that is important for  
3 moose and public use of moose in the state; (3) moose related projects  
4 approved by the commissioner; (4) administration of the moose habitat  
5 and conservation program; and (5) emergencies in the state as deter-  
6 mined by the governor. The department shall maintain a state moose  
7 habitat and conservation account within the fish and game fund to  
8 permit separate accounting records for the receipt and expenditure of  
9 money derived from the sale of moose habitat tags.

10 \* Sec. 3. AS 16.05.340(a) is amended by adding a new paragraph to read:

11 (18) Moose habitat and conservation tag ..... 5  
12 (A) A person may not engage in moose hunting without  
13 having the current year's moose habitat tag in the person's  
14 actual possession, unless that person

- 15 (i) qualifies for a 25-cent license under AS 16.-
- 16 05.340(a)(6);
- 17 (ii) is a resident under the age of 16;
- 18 (iii) is 60 years of age or older and has been a
- 19 resident for at least one year;
- 20 (iv) is a disabled veteran eligible for a free
- 21 license under AS 16.05.341.

22 \* Sec. 4. AS 16.05.350 is amended to read:

23 Sec. 16.05.350. EXPIRATION OF LICENSES AND TAGS. Licenses and  
24 tags required under AS 16.05.330 - 16.05.430, except biennial li-  
25 censes, the nonresident special sport fishing license, the resident  
26 trapping license, the moose habitat and conservation tag, and the  
27 waterfowl conservation tag, expire at the close of December 31 follow-  
28 ing issuance. Biennial licenses expire after December 31 of the year  
29 following the year of issuance. The resident trapping license expires

1 at the close of September 30 of the year following the year in which  
2 the license is issued. The waterfowl conservation tag expires at the  
3 close of January 31 of the year following the year of issue of the  
4 tag. The moose habitat and conservation tag expires at the close of  
5 March 31 of the year following the year of issue of the tag.

6 \* Sec. 5. AS 16.05 is amended by adding a new section to read:

7 Sec. 16.05.828. MOOSE HABITAT AND CONSERVATION TAG PROGRAM. (a)  
8 The moose habitat and conservation tag authorized in AS 16.05.-  
9 340(a)(18) shall be produced annually by the department in an amount  
10 the Department of Revenue considers appropriate. The department shall  
11 make tags available for the creation of moose habitat and conservation  
12 limited edition prints and shall provide for the sale of tags and  
13 prints to the public.

14 (b) The tag design shall be selected through competition open to  
15 artists residing in the state who have submitted entries to the de-  
16 partment. Selection shall be made by a panel of five judges comprised  
17 of two department employees and three members of nonprofit organiza-  
18 tions dedicated to state moose and moose habitat conservation.

19 (c) The department may contract to others the performance of the  
20 department's responsibility under this section, including provisions  
21 for advance payment or reimbursement for services performed under con-  
22 tract. All costs incurred under this section may be paid from the  
23 fish and game fund.

24 \* Sec. 6. LEGISLATIVE INTENT. <sup>V</sup> It is the intent of the legislature that  
25 a sum equal to the amount collected each year from the sale of moose habi-  
26 tat and conservation tags and limited edition prints to the public under  
27 AS 16.05.828 be appropriated to the department for the purposes listed in  
28 AS 16.05.130(d). *As per*

29 \* Sec. 7. This Act takes effect immediately in accordance with

1 AS 01.10.070(c).

V

1027 2012