

**HOUSE BILL NO. 240**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES CHENAULT, Johnson, Olson

Introduced: 4/17/11

Referred: Resources, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the replacement of a personal use cabin that is destroyed by a**  
2 **wildland fire or other act of God; and providing for an effective date."**

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

4 **\* Section 1.** AS 38.05 is amended by adding a new section to article 14 to read:

5 **Sec. 38.05.610. Replacement of destroyed personal use cabin.** (a) An  
6 individual who holds a permit issued by the department for a personal use cabin that  
7 has been destroyed by a wildland fire or act of God may replace the destroyed cabin as  
8 provided in this section.

9 (b) A cabin that is built to replace a destroyed cabin

10 (1) may not cover an area of land greater than the area covered by the  
11 destroyed cabin;

12 (2) may exceed the height of the destroyed cabin; and

13 (3) except as provided in this section, is subject to the same terms and  
14 conditions that are applicable to the permit issued for the destroyed cabin.

1 (c) In this section,

2 (1) "act of God" has the meaning given in AS 46.03.826;

3 (2) "destroyed cabin" means a personal use cabin that has been  
4 destroyed by a wildland fire or act of God;

5 (3) "personal use cabin" means an unauthorized cabin placed on state  
6 land before August 1, 1984, for which the department issued a permit after July 31,  
7 1984, under regulations adopted by the department and includes a replacement for a  
8 destroyed cabin;

9 (4) "wildland fire" has the meaning given in AS 26.05.070.

10 \* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
11 read:

12 **RETROACTIVITY.** AS 38.05.610, added by sec. 1 of this Act, is retroactive to  
13 January 1, 2007.

14 \* **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).