

1 IN THE HOUSE

BY M. MILLER

2 HOUSE BILL NO. 443

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Department of Travel, Parks and  
7 Recreation; and providing for an effective date."

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

9 \* Section 1. AS 44.15.010 is amended by adding a new paragraph to read:

10 (18) Department of Travel, Parks and Recreation.

11 \* Sec. 2. AS 44 is amended by adding a new chapter to read:

12 CHAPTER 42. DEPARTMENT OF TRAVEL, PARKS  
13 AND RECREATION.

14 ARTICLE 1. ORGANIZATION AND FUNCTIONS.

15 Sec. 44.42.010. COMMISSIONER OF TRAVEL, PARKS AND RECREATION. The  
16 principal executive officer of the Department of Travel, Parks and  
17 Recreation is the commissioner of travel, parks and recreation.

18 Sec. 44.42.020. POWERS AND DUTIES OF DEPARTMENT. The department  
19 shall

20 (1) administer the state program for the conservation, manage-  
21 ment, and development of parks and recreational areas, including public  
22 scenic overlooks and cultural sites;

23 (2) promote and develop the tourist industry by publicizing  
24 the state's tourist attractions through display advertising in  
25 magazines and newspapers in the state, the United States and Canada,  
26 the printing of pamphlets and other graphic and pictorial publicity;

27 (3) further promote and develop the tourist industry through  
28 participation in travel shows, through the design and publication of  
29 materials used to answer inquiries concerning the state and its

1 attractions, and through surveys of existing tourist facilities and  
2 suggestions for their improvement;

3 (4) collect and disseminate information concerning the  
4 recreational attractions of the state which are useful in the promotion  
5 of tourism and travel;

6 (5) enter into contracts and cooperative agreements to  
7 promote the tourist industry of the state;

8 (6) stimulate the interest of the citizens of the state in the  
9 size and economic importance of the tourist industry and encourage  
10 in-state travel;

11 (7) study the effect of tourist promotion on statewide  
12 industrial development;

13 (8) cooperate with organizations which represent private  
14 tourist operations to inventory tourist attractions and facilities;

15 (9) assist potential investors in finding financial support  
16 for the development of tourist facilities;

17 (10) administer any program of the state in which the state  
18 matches political subdivisions and nonprofit organizations that under-  
19 take tourist attraction matching funds;

20 (11) make the necessary regulations and do all other acts  
21 necessary to perform its duties under this section.

22 Sec. 44.42.030. DEPARTMENTAL ORGANIZATION. The commissioner  
23 shall organize the department into the following operating divisions:

- 24 (1) parks and recreation,  
25 (2) travel promotion,  
26 (3) travel and recreational research,  
27 (4) convention promotion.

28 Sec. 44.42.040. LONG-RANGE PLANNING. (a) The departmens shall  
29 develop a comprehensive long-range parks and recreation plan for the

1 state, with an analysis of current conflicts and needs and a designation  
2 of potential park and recreation areas suitable for future use, based  
3 on current needs and population projections for the future.

4 (b) In developing the plan the commissioner may

5 (1) conduct public hearings;

6 (2) consult and cooperate with officials and representatives  
7 of the federal government, other states, interstate commissions and  
8 authorities, local agencies and authorities, interested corporations and  
9 other organizations concerning problems affecting parks and recreation  
10 in the state;

11 (3) request and receive from any agency or other unit of  
12 state government or of any political subdivision of it, or from any  
13 public authority, the assistance and data that may be necessary to en-  
14 able the commissioner to carry out his responsibilities under this  
15 section;

16 (4) to the extent he may consider necessary, make use of,  
17 and incorporate in the plan, any existing long-range parks and recrea-  
18 tion plan, survey or report developed by a public or private agency or  
19 person.

20 (c) Copies of the plan, as revised, shall be kept on file as a  
21 public document in the office of the commissioner.

22 Sec. 44.42.050. GRANTS TO THE DEPARTMENT. The commissioner may  
23 apply for and accept on behalf of the state grants from the federal  
24 government or any agency of it or from a foundation, corporation,  
25 association or individual, for any of the functions or purposes of the  
26 department, and may expend the money so received to effect those  
27 functions or purposes.

28 Sec. 44.42.060. ANNUAL REPORT. The commissioner shall submit to  
29 the governor and the legislature an annual report. The report shall

1 include the recommendations of the commissioner for legislation neces-  
2 sary to the development and promotion of travel, parks, and recreation.

3 ARTICLE 2. TOURISM ADVISORY BOARD.

4 Sec. 44.42.090. TOURISM ADVISORY BOARD. There is a Tourism  
5 Advisory Board in the Department of Travel, Parks and Recreation.

6 Sec. 44.42.100. COMPOSITION AND TERM OF OFFICE. The Tourism  
7 Advisory Board consists of nine members appointed by the governor for  
8 overlapping three-year terms.

9 Sec. 44.42.110. COMPENSATION, PER DIEM, OR EXPENSES. Members of  
10 the Tourism Advisory Board are not entitled to receive compensation for  
11 their services, but they shall receive the same travel pay and per  
12 diem as provided by law for board members, for attendance at a maximum  
13 of two meetings each year.

14 Sec. 44.42.120. QUALIFICATIONS OF BOARD MEMBERS. One member of  
15 the board shall be either the executive director or another officer of  
16 the Alaska Visitors Association. The remaining eight members of the  
17 board shall be persons with experience or interest in the Alaska travel  
18 industry.

19 Sec. 44.42.130. DUTIES. The board shall advise the department  
20 and make recommendations to it in regard to the promotion and develop-  
21 ment of a program to attract tourists to the state and the advertising  
22 and publicizing of the state's tourist attractions.

23 Sec. 44.42.140. ORGANIZATION AND COOPERATION WITH REGIONAL  
24 PROMOTION GROUPS. The board may plan for the organization of local  
25 tourism promotion groups in the several geographic regions of the state,  
26 acquaint these groups with the program of the department, receive  
27 recommendations from the groups as to the state programming, and en-  
28 courage the expenditure of private and regional funds for the promotion  
29 of tourism to supplement the program of the state.

1 \* Sec. 3. AS 43.18.300(c) is amended to read:

2 (c) If funds appropriated by the legislature to provide grants  
3 under this section are not adequate to satisfy amounts required by  
4 approved grant applications, funds shall be allocated on the basis of  
5 priority established by the Department of Travel, Parks and Recreation  
6 [ECONOMIC DEVELOPMENT] by regulations promulgated to carry out the  
7 provisions of this section.

8 \* Sec. 4. AS 43.18.300(h)(1) is amended to read:

9 (1) "commissioner" means the commissioner of travel, parks  
10 and recreation [ECONOMIC DEVELOPMENT];

11 \* Sec. 5. AS 44.37.020 is amended to read:

12 Sec. 44.37.020. DUTIES OF DEPARTMENT WITH RESPECT TO NATURAL RE-  
13 SOURCES. The Department of Natural Resources shall administer the state  
14 program for the conservation and development of natural resources, in-  
15 cluding forests, [PARKS, AND RECREATIONAL AREAS,] lands, waters,  
16 agriculture, soil conservation and minerals (including petroleum and  
17 natural gas), but excluding commercial fisheries, sport fish, game, and  
18 fur-bearing animals in their natural state.

19 \* Sec. 6. AS 44.45.020(a)(8) is amended to read:

20 (8) collect and disseminate information concerning the  
21 agricultural, historical, industrial, governmental, [RECREATIONAL,] and  
22 other economic advantages and attractions of the state which are useful  
23 in the promotion of [TOURISM,] commerce [,] and industry;

24 \* Sec. 7. AS 44.45.020(b)(7) is amended to read:

25 (7) to enter into contracts and cooperative agreements to  
26 promote the economic development [AND THE TOURIST INDUSTRY] of the  
27 state;

28 \* Sec. 8. AS 44.45.020(b)(8) is amended to read:

29 (8) to apply for and accept from the federal government, its

1 agencies, or other public or private sources, subject to reasonable  
2 limitations imposed by the grantors, gifts, grants, or other aids to  
3 promote the economic development [AND THE TOURIST INDUSTRY] of the  
4 state;

5 \* Sec. 9. AS 44.45.020(b)(16) is amended to read:

6 (16) to make necessary regulations to promote the economic  
7 development [AND THE TOURIST INDUSTRY] of the state;

8 \* Sec. 10. AS 44.45.050 is repealed and reenacted to read:

9 Sec. 44.45.050. DIVISION OF INDUSTRIAL DEVELOPMENT. There is a  
10 division of industrial development within the department. Subject to  
11 the supervision and control of the commissioner, the division of  
12 industrial development has the powers and duties described in sec. 60  
13 of this chapter.

14 \* Sec. 11. AS 38.05.295 is amended to read:

15 Sec. 38.05.295. PARKS AND RECREATION AREAS. [THE COMMISSIONER  
16 SHALL ESTABLISH A POLICY AND PRESCRIBE RULES AND REGULATIONS BY WHICH  
17 PARKS AND RECREATION AREAS, INCLUDING PUBLIC SCENIC OVERLOOKS AND  
18 CULTURAL SITES, SHALL BE DEVELOPED AND MANAGED IN A MANNER THAT WILL  
19 BEST SERVE THE INTERESTS OF THE PEOPLE OF THE STATE.] The commissioner  
20 may classify public lands as parks, scenic overlooks, cultural sites  
21 and recreation areas as long as the general intent of this chapter is  
22 maintained.

23 \* Sec. 12. AS 44.45.090 - 44.45.150, and AS 44.45.020(b)(12) - (14) are  
24 repealed.

25 \* Sec. 13. Subject to the provisions of AS 44.42.070, it is the intent  
26 of this Act that, as of the effective date of this Act, functions of  
27 acquisition, control, development and maintenance of state parks and recre-  
28 ational areas and the duties relating to trails and footpaths, and the Alaska  
29 Conservation Action Corps are transferred from the Department of Natural

1 Resources to the Department of Travel, Parks and Recreation. Accordingly,  
2 reference to the commissioner of natural resources and the Department of  
3 Natural Resources in AS 41.20 shall refer to the commissioner of travel,  
4 parks and recreation and the Department of Travel, Parks and Recreation,  
5 respectively, and where appropriate. In addition, it is the intent of this  
6 Act that, as of the effective date of this Act, the functions relating to the  
7 administration of grants for tourist development performed by the commissioner  
8 of economic development or the director of tourism in AS 41.25 are trans-  
9 ferred to the Department of Travel, Parks and Recreation.

10 \* Sec. 14. (a) The Department of Travel, Parks and Recreation is hereby  
11 vested with the duties, powers, and responsibilities formerly exercised and  
12 held by

13 (1) the Alaska travel division of the Department of Economic  
14 Development;

15 (2) the division of parks and recreation of the Department of  
16 Natural Resources.

17 (b) Appropriations, records, equipment and other property of the divi-  
18 sions of the state designated in (a) of this section are transferred to the  
19 Department of Travel, Parks and Recreation.

20 (c) This Act does not abate or otherwise affect an action or proceed-  
21 ing, civil or criminal, brought by or against a division designated in (a) of  
22 this section and pending on July 1, 1974. These actions or proceedings may  
23 be maintained in the same manner as if this Act had not taken effect.

24 (d) All applications, petitions, hearings and other proceedings pend-  
25 ing on June 30, 1974, before a division designated in (a) of this section  
26 shall be continued and determined by the division.

27 (e) Appropriations and other money available and to become available  
28 to a division, the functions, powers and duties of which have been trans-  
29 ferred to the department established under this Act shall be available for

1 the objects and purposes for which appropriated or otherwise made available  
2 for the objects and purposes for which appropriated or otherwise made avail-  
3 able, subject to terms, restrictions, limitations or other requirements  
4 imposed under this Act or other state or federal law.

5 (f) Regulations, orders or other acts in effect with respect to a  
6 division transferred to the department under this Act shall continue in full  
7 force and effect until amended, modified, repealed or rescinded as the com-  
8 missioner determines in accordance with law.

9 \* Sec. 15. This Act takes effect July 1, 1974.

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