

Introduced: 4/11/75
Referred: Resources and Finance

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1 IN THE HOUSE

2 HOUSE BILL NO. 408 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to acquisition and other development
7 of outdoor recreational, open space, and historic
8 properties; and providing for an effective date."

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

10 * Section 1. AS 41 is amended by adding a new chapter to read:

11 CHAPTER 22. OUTDOOR RECREATIONAL, OPEN SPACE,

12 AND HISTORIC PROPERTIES DEVELOPMENT.

13 ARTICLE 1. OUTDOOR RECREATIONAL, OPEN SPACE,

14 AND HISTORIC PROPERTIES DEVELOPMENT FUND.

15 Sec. 41.22.010. OUTDOOR RECREATIONAL, OPEN SPACE, AND HISTORIC
16 PROPERTIES DEVELOPMENT FUND. There is in the Department of Natural
17 Resources an outdoor recreational, open space, and historic properties
18 development fund to be administered by the division of parks. Appropri-
19 ations or other money deposited in the fund shall be utilized by the
20 department to pay the nonfederal share of costs of projects which are
21 initiated by the state to acquire, develop, or extend outdoor recreation
22 sites and facilities and to acquire, preserve, or protect historic
23 sites, buildings and monuments and which are recommended for expenditures
24 from the fund by the Park and Recreation Council established under secs.
25 40 - 90 of this chapter. Plans for expenditures from the fund shall be
26 submitted by the governor in accordance with the Executive Budget Act
27 (AS 37.07) as part of his annual budget presentation to the legislature.

28 Sec. 41.22.020. FUND UTILIZATION FOR LOCAL PROJECTS. (a) In
29 addition to uses of fund money authorized in sec. 10 of this chapter,

1 money of the fund shall be utilized to make grants to municipalities,
2 after consideration of the recommendations of the Park and Recreation
3 Council established under secs. 40 - 90 of this chapter, of up to one-
4 half the nonfederal share of costs of projects described in sec. 10 of
5 this chapter which are initiated by a municipality, and loans of amounts
6 necessary to enable municipalities to make option payments on parks and
7 open space land for the acquisition of which federal funds are antici-
8 pated.

9 (b) Priority of need for loans under (a) of this section shall be
10 determined by an examination of the value of lands for park and open
11 space purposes if permanently acquired, of the likelihood that the lands
12 will be permanently acquired by exercise of the option, and of the im-
13 minence of the risk of loss for park and recreation purposes if options
14 are not obtained.

15 (c) Loans under (a) of this section shall be conditioned on repay-
16 ment within 10 years, at an annual interest rate of six per cent.

17 (d) In (a) of this section "municipalities" includes cities or
18 organized boroughs of any class exercising powers to initiate projects
19 described in sec. 20 of this chapter and acquire parks and open space
20 land, as otherwise authorized by law, and includes but is not limited to
21 unified municipalities organized under AS 29.68.240 - 29.68.440.

22 Sec. 41.22.030. POWERS AND DUTIES OF DEPARTMENT. The department
23 may adopt regulations necessary to carry out the purposes of secs. 10 -
24 30 of this chapter and designate agents and delegate powers to them as
25 is necessary.

26 ARTICLE 2. ALASKA PARK AND RECREATION COUNCIL.

27 Sec. 41.22.040. PARK AND RECREATION COUNCIL. There is in the
28 Department of Natural Resources a Park and Recreation Council.

29 Sec. 41.22.050. COMPOSITION, TERM OF OFFICE, QUORUM. (a) Per-

1 manent members of the council are the lieutenant governor, who shall
2 serve as chairman, and the state liaison officer designated under the
3 provisions of the Land and Water Conservation Fund Act of 1965 (P.L.
4 88-578; 78 Stat. 897), who shall serve as executive director. Other
5 members of the council include one representative of each locally based
6 member organization provided for in sec. 60 of this chapter who shall
7 be selected by the organization to serve for a one-year term. Terms
8 begin on July 1, but a member shall serve until replaced and is eligible
9 to succeed himself.

10 (b) A council quorum is a majority of its membership.

11 Sec. 41.22.060. LOCALLY BASED ORGANIZATIONS. A locally based
12 organization which has a membership widely representative of public
13 interest in parks and recreation and which is limited to a defined
14 geographic area may be recognized by the council as a constituent
15 organization eligible for representation on the council. Geographic
16 areas of constituent organizations may not overlap. The initial
17 membership of the council shall be composed of the permanent members
18 and representatives of the Park and Recreation Council of Anchorage,
19 the Park and Recreation Council, Kachemak, the Juneau Park and Recrea-
20 tion Council, the Park and Recreation Council, Sitka, and the Park and
21 Recreation Council of Fairbanks. Additional members may be recognized
22 by application to the council, approved by vote of the members.

23 Sec. 41.22.070. INTERAGENCY COMMITTEE. An interagency committee
24 composed of representatives of state and federal agencies having park
25 and recreation functions as a recognizable part of their mission shall
26 serve in an advisory capacity to the council. Membership on the inter-
27 agency committee shall be granted to any state or federal agency which
28 requests membership in writing to the chairman of the council. The
29 director of the division of parks shall serve as chairman of the inter-

1 agency committee.

2 Sec. 41.22.080. DUTIES. The Park and Recreation Council shall

3 (1) make recommendations on the allocation of federal funds
4 granted under the provisions of the Land and Water Conservation Act of
5 1965 (P.L. 88-578; 78 Stat. 897);

6 (2) make recommendations on the allocation of funds from the
7 outdoor recreational, open space, and historic properties fund, as
8 provided in secs. 10 - 20 of this chapter;

9 (3) advise the department, the governor, and the legislature
10 on park and recreation matters;

11 (4) coordinate federal, state, and local actions in the
12 field of parks and recreation;

13 (5) upon request, comment on proposed actions of federal,
14 state, and local governments by means of clearinghouse reviews, environ-
15 mental impact statements, and similar means;

16 (6) perform other appropriate functions in the field of
17 parks and recreation.

18 Sec. 41.22.090. COMPENSATION. Members of the council serve with-
19 out compensation but are entitled to per diem and travel expenses as
20 authorized by law for boards and commissions.

21 * Sec. 2. This Act takes effect July 1, 1975.