

Original sponsors: Bennett, Parr
and Fahrenkamp

Offered: 6/5/81
Referred: Judiciary

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 83 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act restricting the authority of the Department of
7 Natural Resources to regulate certain activities in
8 the Chena River State Recreation Area; and providing
9 for an effective date."

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

11 * Section 1. AS 41.20.020(6) is amended to read:

12 (6) adopt [ESTABLISH], in accordance with this section and
13 the Administrative Procedure Act [,] (AS 44.62), [RULES AND] regula-
14 tions governing the use and designating incompatible uses within the
15 boundaries of state park and recreational areas to protect the property
16 and to preserve the peace;

17 * Sec. 2. AS 41.20.020 is amended by adding a new paragraph to read:

18 (12) adopt, in accordance with the Administrative Procedure
19 Act (AS 44.62), regulations governing the use of the Chena River State
20 Recreation Area and designating incompatible uses within the boundaries
21 of the Chena River State Recreation Area except that regulations may
22 not be adopted which prohibit or unreasonably restrict

23 (A) work on valid mineral leases or mining claims;

24 (B) the legal taking of fur-bearing animals;

25 (C) the traditional use of roads and trails by any
26 means of transportation, including a vehicle propelled by machin-
27 ery, if the use occurred regularly in the area of a state recrea-
28 tion area before the effective date of the Act establishing the
29 state recreation area;

(D) the cutting of dead and down or burnt timber.

* Sec. 3. AS 41.20.505 is amended to read:

Sec. 41.20.505. INCOMPATIBLE USES PROHIBITED. The commissioner of natural resources shall designate by regulation incompatible uses within the boundaries of the Chena River Recreation Area in accordance with the requirements of AS 41.20.020(12) and 41.20.497, and those incompatible uses designated shall be prohibited or restricted, as provided by regulation.

* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-070(c).