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1 IN THE SENATE

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2 SENATE BILL NO. 189

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for a state historical, recreational,
7 and wilderness trails, waterways, and campsite system;
8 and providing for an effective date."

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

10 * Section 1. AS 41.20.070 is amended to read:

11 Sec. 41.20.070. ESTABLISHMENT. There is established in the state
12 a system of historical, recreational and wilderness trails, waterways,
13 and campsites. The system shall include all state trails, waterways,
14 and campsites designated under AS 41.20.080 and those local government
15 trails, waterways, and campsites nominated by local governments for
16 inclusion in the system which are approved by the commissioner of
17 natural resources.

18 * Sec. 2. AS 41.20.080 is repealed and reenacted to read:

19 Sec. 41.20.080. SELECTION. (a) The Department of Natural Re-
20 sources, in consultation with the Departments of Fish and Game and
21 Transportation and Public Facilities, shall designate a system of
22 wilderness trails, waterways, and campsites throughout the state.
23 Significant in the selection shall be the scenic, recreational, his-
24 toric, natural, or cultural qualities of the areas through which the
25 trails and waterways may pass.

26 (b) Trails, waterways, and campsites designated under this section
27 shall

28 (1) serve the recreational needs of a substantial number of
29 people;

1 (2) provide access to areas of historical, natural, or
2 recreational interest, including but not limited to other publically
3 owned land and resources;

4 (3) protect, provide for, or enhance the use and enjoyment
5 of publically owned land or resources by the public;

6 (4) provide linkage with other existing or potential units
7 of the system, including those located on federal or municipal land;

8 (5) contribute to the development of tourism;

9 (6) be included in an existing state or local government
10 capital improvement plan; or

11 (7) be otherwise consistent with long-range planning for
12 recreation, tourism, preservation of historical landmarks, protection
13 of traditional uses, or economic development.

14 (c) When practicable, trails designated to be part of this system
15 should follow traditional routes. When a trail is designated for its
16 historic value, the historic route shall be designated as the official
17 Alaska trail system unit. However, the commissioner may alter the
18 historic route if changing natural conditions of the land have rendered
19 the historic route infeasible or if portions of an historic route
20 cannot be located or the existing land status necessitates certain
21 rerouting to make the trail whole.

22 (d) The Department of Natural Resources may acquire the trail
23 sites selected under this section by grant, gift, purchase, lease,
24 dedication or prescription and hold them in the name of the state.
25 However, nothing in this chapter requires the transfer of title to land
26 within an existing or proposed unit of the system from a municipality
27 to the state or the transfer of maintenance or management responsibili-
28 ties except as may be contained in an agreement between the parties.
29 The Department of Natural Resources is also authorized to enter into

1 cooperative management agreements with federal agencies, municipal
2 governments, and private land owners to carry out the purposes of
3 AS 41.20.070 - 41.20.125.

4 (e) Trails, waterways, or campsites designated or acquired under
5 this section shall contain sufficient reservations of land to provide
6 for the purposes for which the unit is established.

7 (f) Money appropriated by the legislature to carry out the pur-
8 poses of AS 41.20.070 - 41.20.125 may be expended on any units within
9 the system, including portions of the system owned by municipalities,
10 and may be spent on management, maintenance, and administration of
11 existing units and planning or acquisition of proposed units. In
12 accordance with appropriations, the Department of Natural Resources,
13 division of parks, shall make payments to municipalities for these
14 purposes.

15 * Sec. 3. AS 41.20.090 is amended to read:

16 Sec. 41.20.090. UNIFORM MARKERS [MARKER]. The commissioner of
17 natural resources shall establish a uniform comprehensive statewide
18 system of markers [MARKER] for the historical, recreational, and wilder-
19 ness trails, waterways, and campsites system, including appropriate in-
20 formation of historical, geological, biological, or other significance.

21 * Sec. 4. AS 41.20.100 is amended to read:

22 Sec. 41.20.100. REGULATIONS. The commissioner of natural re-
23 sources shall adopt [PROMULGATE] regulations concerning the use, manage-
24 ment, development, and administration of the trails and for the inclu-
25 sion of local government trails within the system. The commissioner
26 shall also adopt regulations relating to payments of money to munici-
27 palities (under AS 41.20.080(f)) to carry out the purposes of AS 41.-
28 20.070 - 41.20.125.

29 * Sec. 5. AS 41.20 is amended by adding a new section to read:

1 Sec. 41.20.105. TRAILS IN LOCAL GOVERNMENT AREA. The Department
2 of Natural Resources may enter into cooperative agreements with local
3 governments for the acquisition, development, and marking of trails
4 within the local government area.

5 * Sec. 6. AS 41.20.110 is amended by adding a new subsection to read:

6 (c) In accordance with plans developed jointly with the division
7 of parks, the Department of Transportation and Public Facilities shall
8 develop and construct trail heads to serve the trail system, and shall
9 develop and provide for safe and adequate public access to waterways in
10 the system. The Department of Transportation and Public Facilities
11 shall incorporate these trailheads and means of access to waterways in
12 the design and development of all state highway projects which affect
13 the system.

14 * Sec. 7. AS 41.20 is amended by adding new sections to read:

15 Sec. 41.20.115. INFORMATIONAL MATERIAL. The division of tourism
16 shall prepare informational material for state and national distribu-
17 tion promoting the use of state historical, recreational, and wilder-
18 ness trails, waterways, and campsites and shall coordinate this promo-
19 tional material with information and advertising promoting tourism to
20 state parks and historical sites.

21 Sec. 41.20.125. REPORT. By the first Monday in January of each
22 year the division of parks shall file with the governor and the legis-
23 lature a report showing trails, waterways, and campsites included in
24 the system, arrangements made or entered into for use, development,
25 maintenance, or marking of units within the system, and money expended
26 or committed for these purposes.

27 * Sec. 8. This Act takes effect July 1, 1981.
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