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1 IN THE SENATE

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2 SPONSOR SUBSTITUTE FOR 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 relating to outdoor recreational facilities;
7 providing for a state historical, recreational, and
8 wilderness trails, waterways, and campsite system;
9 providing for state assistance for acquisition and
10 development of local recreation sites; and providing
11 for an effective date."

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

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

14 Sec. 41.20.070. ESTABLISHMENT. There is established in the state
15 a system of historical, recreational and wilderness trails, waterways,
16 and campsites. The system shall include all state trails, waterways,
17 and campsites designated under AS 41.20.080 and those local government
18 trails, waterways, and campsites nominated by local governments for
19 inclusion in the system which are approved by the commissioner of
20 natural resources. The system shall be administered by the Department
21 of Natural Resources, division of parks.

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 AS 41.20.080 is repealed and reenacted to read:

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

1 (b) Trails, waterways, and campsites designated under this
2 section shall

3 (1) serve the recreational needs of a substantial number of
4 people;

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

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

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

12 (5) contribute to the development of tourism;

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

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

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

26 (d) The Department of Natural Resources may acquire the trail
27 sites selected under this section by grant, gift, purchase, lease,
28 dedication or prescription and hold them in the name of the state.
29 However, nothing in this chapter requires the transfer of title to land

1 within an existing or proposed unit of the system from a municipality
2 to the state or the transfer of maintenance or management responsibili-
3 ties except as may be contained in an agreement between the parties.
4 The Department of Natural Resources is also authorized to enter into
5 cooperative management agreements with federal agencies, municipal
6 governments, and private land owners to carry out the purposes of
7 AS 41.20.070 - 41.20.125.

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

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

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

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

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

26 Sec. 41.20.100. REGULATIONS. The commissioner of natural re-
27 sources shall adopt [PROMULGATE] regulations concerning the use, manage-
28 ment, development, and administration of the trails and for the inclu-
29 sion of local government trails within the system. The commissioner

1 shall also adopt regulations relating to payments of money to munici-
2 palities (under AS 41.20.080(f)) to carry out the purposes of AS 41.-
3 20.070 - 41.20.125.

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

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

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

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

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

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

25 Sec. 41.20.122. GRANTS AND ASSISTANCE TO LOCAL GOVERNMENTS. (a)
26 There is established a financial and technical assistance program to
27 aid local governments in the acquisition and development of outdoor
28 recreation sites and facilities. The program shall be administered by
29 the Department of Natural Resources, division of parks.

1 (b) Subject to the availability of money appropriated for the
2 purpose, the division of parks shall provide up to 75 percent of the
3 cost of acquisition and development of outdoor recreation sites and
4 facilities. The local government is required to provide at least 25
5 percent of the project cost as a condition of state assistance.

6 (c) Applications for recreational assistance shall be solicited
7 from local governments on an annual statewide basis, and available
8 money shall be allocated to local applicants in accordance with policies
9 and regulations adopted by the division of parks.

10 (d) At least two percent of the money appropriated to the division
11 of parks for the assistance program under this section shall be used to
12 employ staff within the division to assist local governments in planning
13 park and recreation lands, preparing applications for grants under this
14 section, and improving local recreation opportunities.

15 Sec. 41.20.125. REPORT. By the first Monday in January of each
16 year the division of parks shall file with the governor and the legis-
17 lature a report showing trails, waterways, and campsites included in
18 the system, arrangements made or entered into for use, development,
19 maintenance, or marking of units within the system, and money expended
20 or committed for these purposes. The division shall prepare and main-
21 tain a five-year development plan which shall be included in its annual
22 report each year.

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