

Original sponsors: Fischer, Bennett,
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Offered: 5/11/81
Referred: Finance

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 189 (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 relating to outdoor recreational facilities;
7 providing for a state historical, recreational, and
8 wilderness trails, waterways, and campsite system; and
9 providing for an effective date."

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

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

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

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 AS 41.20.080 is repealed and reenacted to read:

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

28 (b) Trails, waterways, and campsites designated under this
29 section shall

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

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

6 (3) protect, provide for, or enhance the use and enjoyment
7 of publicly owned land or resources by the public;

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

10 (5) contribute to the development of tourism;

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

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

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

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

1 ties except as may be contained in an agreement between the parties.
2 The Department of Natural Resources is also authorized to enter into
3 cooperative management agreements with federal agencies, municipal
4 governments, and private landowners to carry out the purposes of AS 41.-
5 20.070 - 41.20.125.

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

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

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

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

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

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

1 PURPOSES OF AS 41.20.070 - 41.20.125.

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

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

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

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

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

17 Sec. 41.20.115. INFORMATIONAL MATERIAL. The division of tourism
18 in the Department of Commerce and Economic Development shall prepare
19 informational material for state and national distribution promoting
20 the use of state historical, recreational, and wilderness trails,
21 waterways, and campsites and shall coordinate this promotional material
22 with information and advertising promoting tourism to state parks and
23 historical sites.

24 Sec. 41.20.125. REPORT AND DEVELOPMENT PLAN. (a) By the first
25 Monday in January of each year the division of parks, Department of
26 Natural Resources, shall file with the governor and the legislature a
27 report showing trails, waterways, and campsites included in the system,
28 arrangements made or entered into for use, development, maintenance, or
29 marking of units within the system, and money expended or committed for

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these purposes.

(b) The division of parks, Department of Natural Resources, shall prepare and maintain a five-year development plan for the system and shall include the plan in the annual report required by (a) of this section.

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