

Introduced: 1/18/83
Referred: Resources and
and Finance

1 IN THE SENATE

BY V. FISCHER AND JOSEPHSON

2

SENATE BILL NO. 9

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH 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 and 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
13 state a system of historical, recreational, and wilderness trails,
14 waterways, and campsites. The system includes all state trails,
15 waterways, and campsites designated under AS 41.20.080 and those local
16 trails, waterways, and campsites nominated by local governments for
17 inclusion in the state system and 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 AS 41.20.080 is repealed and reenacted to read: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 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) connect with other existing or potential units of the
9 system, including units 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, a trail designated to be part of this
17 system shall follow historic routes. When a trail is designated for
18 its historic value, the historic route shall be designated as a unit
19 of the Alaska trail system. The commissioner may alter the historic
20 route if changing natural conditions of the land have made the his-
21 toric route not feasible, if portions of a historic route cannot be
22 located, or if the existing status of the land necessitates rerouting.

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

1 (e) The Department of Natural Resources may enter into coopera-
2 tive management agreements with federal agencies, municipal govern-
3 ments, and private landowners to carry out the purposes of AS 41.-
4 20.070 - 41.20.125.

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

8 (g) Money appropriated by the legislature to carry out the pur-
9 poses of AS 41.20.070 - 41.20.125 may be expended on any units within
10 the system, including portions of the system owned by municipalities,
11 and may be spent on management, maintenance, and administration of
12 existing units and planning or acquisition of proposed units, includ-
13 ing, payments to municipalities for these purposes.

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

15 Sec. 41.20.090. UNIFORM MARKERS [MARKER]. The commissioner of
16 natural resources shall establish a uniform comprehensive statewide
17 system of markers [MARKER] for the historical, recreational, and
18 wilderness trails, waterways, and campsites system, including appro-
19 prate information of historical, geological, biological, or other
20 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,
24 management, development, and administration of the trails and for the
25 inclusion of local government trails within the system. The commis-
26 sioner of natural resources shall also adopt regulations relating to
27 payments of money under AS 41.20.080(f) to municipalities to carry out
28 the purposes of AS 41.20.070 - 41.20.125.

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

1 Sec. 41.20.105. TRAILS WITHIN A MUNICIPALITY. The Department of
2 Natural Resources may enter into a cooperative agreement with a muni-
3 cipality of the state for the acquisition, development, and marking of
4 trails within the municipality.

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
10 in the system. The Department of Transportation and Public Facilities
11 shall incorporate these trail heads and access to waterways in the
12 design and development of all state highway projects that affect the
13 system. As used in this subsection, a "trail head" is an area provid-
14 ing parking for the public and marking the existence of a trail.

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

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

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

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

5 * Sec. 8. This Act takes effect July 1, 1983.