

Offered: 4/22/85
Referred: Finance

Original sponsors: Rodey, Bennett,
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1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2

CS FOR SENATE BILL NO. 201 (Resources)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act creating a public access fund."

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

8 * Section 1. FINDINGS. The legislature finds that the people of the
9 state desire to ensure and improve public access to areas of recreational
10 value and enjoyment in the state. Therefore, the legislature shall estab-
11 lish a public access fund in the general fund.

12 * Sec. 2. AS 16.05 is amended by adding a new section to read:

13 Sec. 16.05.135. PUBLIC ACCESS FUND CREATED. (a) There is
14 created in the general fund a public access fund. The fund is estab-
15 lished in the Department of Fish and Game and consists of contribu-
16 tions from individuals and corporations. The state may contribute to
17 the fund. The commissioner shall administer the fund. The commis-
18 sioner, after public hearings and consultation with the commissioner
19 of natural resources and the commissioner of transportation and public
20 facilities, may purchase and lease land, easements, and rights of way
21 to enhance public access to recreational areas.

22 (b) The commissioner of revenue shall inform all applicants for
23 permanent fund dividends about the public access fund. The commis-
24 sioner of revenue shall permit an applicant for a permanent fund
25 dividend to pledge the applicant's dividend or a portion of it
26 directly to the public access fund, and an applicant may authorize the
27 commissioner to pay the applicant's dividend or a portion of it
28 directly to the fund.

29 (c) Title to rights of public access to recreational areas

1 obtained by the commissioner vests in the state. If land is acquired
2 for less than fair market value the commissioner shall include in an
3 instrument conferring title on the state a clause requiring that the
4 land be used for public access and providing that if the property
5 ceases to be used for public access, it will automatically revert to
6 the grantor and to the heirs of the grantor. However, if the commis-
7 sioner, after public hearing, authorizes the sale or exchange of a
8 right of public access in return for a similar or better right of
9 public access, the sale or exchange is valid and the property does not
10 revert to the grantor or to the heirs of the grantor.

11 (d) The commissioner may adopt regulations under the Administra-
12 tive Procedure Act (AS 44.62) that are necessary to carry out the
13 purposes of this section.