

Offered: 2/4/87
Referred: Finance

Original sponsors: Navarre, Koponen,
Swackhammer, et al.

1 IN THE HOUSE BY THE RESOURCES COMMITTEE
2 CS FOR HOUSE BILL NO. 16 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to the levy and collection of fees
7 for the use of state park system facilities and the
8 contractual operation of facilities of the state park
9 system; and providing for an effective date."
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
11 * Section 1. AS 41.21 is amended by adding new sections to read:
12 Sec. 41.21.027. FEES FOR THE USE OF STATE PARK SYSTEM FACILI-
13 TIES. (a) The department may by regulation establish and collect
14 fees for the
15 (1) rental of public use cabins or other overnight lodg-
16 ings;
17 (2) overnight use of a developed campsite;
18 (3) special park use permits;
19 (4) noncompetitive and nonexclusive commercial use permits;
20 and
21 (5) guided tours of historic sites.
22 (b) When setting fees under (a) of this section, the department
23 shall consider at public hearings
24 (1) the cost to the state of operating the facility or
25 managing the activity;
26 (2) the fees charged for a similar facility or activity by
27 a nongovernmental entity;
28 (3) the cost of administering a fee collection program for
29 the facility or activity; and

1 (4) the public interest.

2 (c) The commissioner of administration shall separately account
3 for fees collected under this section and deposited under AS 41.21.-
4 030. The annual estimated balance in the account may be used by the
5 legislature to make appropriations to the department to carry out the
6 purposes of this chapter.

7 (d) In this section, "developed campsite" means a campsite
8 having access to the following public facilities:

- 9 (1) restrooms;
10 (2) a picnic table;
11 (3) an outdoor cooking facility; and
12 (4) an approved water source.

13 Sec. 41.21.028. CONTRACTUAL OPERATION OF FACILITIES IN THE STATE
14 PARK SYSTEM. (a) The commissioner may allow contractors to operate
15 facilities in the units of the state park system.

16 (b) Before allowing a contractor to operate a facility in a unit
17 of the state park system, the commissioner shall determine that the
18 operation would protect park values and resources and maintain a
19 high-quality environment and recreation experience.

20 (c) Before the state enters into a contract under AS 36.30 for
21 the operation of a facility, the commissioner shall

22 (1) determine the services or goods that the contractor is
23 to provide;

24 (2) establish the terms and conditions of the contract,
25 including a provision that the contractor shall provide the state, in
26 money or services, with a fair and equitable portion of the contrac-
27 tor's receipts from the operation of the facility;

28 (3) set the length of the contract after considering the
29 useful life of any facility to be constructed by the contractor;

1 (4) issue notice to the public on the proposed contract and
2 hold public hearings as appropriate to respond to public demand;

3 (5) assess the ability of the proposals or bids to meet the
4 standards of performance established by the commissioner; and

5 (6) determine that the proposed contract is in the best
6 interest of the state and the state park system, and is consistent
7 with any applicable park management plan.

8 (d) A contract to operate a facility under this section must
9 provide that the

10 (1) department retains control over the

11 (A) level of fees, in order to prevent unreasonable or
12 excessive charges for essentially public services;

13 (B) design and appearance of facilities;

14 (2) contractor accommodate, as appropriate, those visitors
15 with special circumstances, including handicapped persons, senior
16 citizens, and school children;

17 (3) operation of the facility is subject to regular review
18 and inspection by the commissioner;

19 (4) contract shall be terminated if the contractor fails to
20 protect park values and resources or fails to maintain a high-quality
21 environment and recreation experience in accordance with (b) of this
22 section as embodied in the contract.

23 (e) Users of the park who do not choose to use the facilities
24 run by contractors may not be charged fees for ordinary park uses,
25 including fishing, hunting, walking, swimming, picnicking, or automo-
26 bile parking associated with an ordinary park use.

27 (f) The commissioner shall

28 (1) regularly review and inspect the operations of each
29 contractor;

1 (2) allow public review before a contract under this sec-
2 tion is renewed or extended;

3 (3) by the 15th day of each first regular session of the
4 legislature, report to the legislature on the operation of facilities
5 under this section during the previous two fiscal years, including

6 (A) concessions;

7 (B) new or expiring contracts over \$25,000; and

8 (C) violations of contract standards.

9 (g) The commissioner may adopt regulations to implement this
10 section.

11 (h) In this section, "facilities" includes campgrounds, boat
12 launches, lodges, food service operations, and gift shops.

13 * Sec. 2. AS 28.10.411(e) and AS 41.35.045 are repealed.

14 * Sec. 3. This Act takes effect July 1, 1987.