

HOUSE BILL NO. 322

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE KOTT

Introduced: 1/10/94

Referred: Community & Regional Affairs, Resources, Health, Education & Social Services

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the regulation of alcohol in state parks, recreation areas, and
2 historic sites."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * Section 1. AS 41.21.020(a) is amended to read:

5 (a) The department shall

6 (1) develop a continuing plan for the conservation and maximum use
7 in the public interest of the scenic, historic, archaeological, scientific, biological, and
8 recreational resources of the state;

9 (2) plan for and develop a system of state parks and recreational
10 facilities, to be established as the legislature authorizes and directs;

11 (3) acquire by gift, purchase, or transfer from state or federal agencies,
12 or from individuals, corporations, partnerships, or associations, land necessary, suitable,
13 and proper for roadside, picnic, recreational, or park purposes;

14 (4) develop, manage, and maintain state parks and recreational areas;

1 (5) provide for the acquisition, care, management, supervision,
2 improvement, development, extension, and maintenance of public recreational land, and
3 make necessary arrangements, contracts, or commitments for the improvement and
4 development of land acquired under AS 41.21.010 - 41.21.040; contracting for
5 improvement and development under this paragraph is governed by AS 36.30 (State
6 Procurement Code);

7 (6) adopt, under [IN ACCORDANCE WITH] this section and
8 AS 44.62 [THE] (Administrative Procedure Act) [(AS 44.62)], regulations governing

9 (A) the use and designating incompatible uses within the
10 boundaries of state park and recreational areas to protect the property and to
11 preserve the peace;

12 (B) the limitation or prohibition of the use or possession of
13 alcohol in a state park, recreational area, or historic site if the department
14 determines that the use or possession of alcohol is incompatible with
15 preserving the health and safety of the public or the preservation of the
16 peace;

17 (7) cooperate with the United States and its agencies and local
18 subdivisions of the state to secure the effective supervision, improvement,
19 development, extension, and maintenance of state parks, state monuments, state
20 historical areas, and state recreational areas, and secure agreements or contracts for the
21 purpose of AS 41.21.010 - 41.21.040;

22 (8) encourage the organization of state public park and recreational
23 activities in the local political subdivisions of the state;

24 (9) provide for consulting service designed to develop local park and
25 recreation facilities and programs;

26 (10) provide clearinghouse services for other state agencies concerned
27 with park and recreation matters;

28 (11) perform other duties as are prescribed by executive order or by
29 law;

30 (12) maintain memorials to Alaska veterans located in state parks; and

31 (13) adopt, in accordance with AS 44.62 [THE] (Administrative

1 Procedure Act] [(AS 44.62)], regulations governing the use of the Chena River State
2 Recreation Area and designating incompatible uses within the boundaries of the Chena
3 River State Recreation Area under [IN ACCORDANCE WITH] AS 41.21.490.

4 * Sec. 2. AS 41.21.950 is amended by adding a new subsection to read:

5 (b) A person who violates a regulation adopted under AS 41.21.020(a)
6 governing the use or possession of alcohol in a state park or recreational area is guilty
7 of a class A misdemeanor.

8 * Sec. 3. The Department of Natural Resources shall determine if the use or possession of
9 alcohol is incompatible with preserving the health and safety of the public or the preservation
10 of the peace in state parks, recreational areas, and historic sites within one year from the
11 effective date of this Act.