

**CS FOR HOUSE BILL NO. 322(CRA)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
EIGHTEENTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE**

**Offered: 2/4/94**

**Referred: Resources, Health, Education & Social Services**

**Sponsor(s): REPRESENTATIVES KOTT, Green**

**A BILL**

**FOR AN ACT ENTITLED**

**1 "An Act relating to the regulation of alcoholic beverages in state parks, recreation  
2 areas, and 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, archaeologic, 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 (Administrative Procedure Act), 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 public  
13 possession of an alcoholic beverage in a state park, recreational area, or  
14 historic site if the department determines that the use or public possession  
15 of an alcoholic beverage is incompatible with preserving the health and  
16 safety of the public or the preservation of the peace; in this subparagraph,  
17 "alcoholic beverage" has the meaning given in AS 04.21.080;

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

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

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

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

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

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

1                   (13) adopt, in accordance with AS 44.62 (Administrative Procedure  
2                   Act), regulations governing the use of the Chena River State Recreation Area and  
3                   designating incompatible uses within the boundaries of the Chena River State  
4                   Recreation Area in accordance with AS 41.21.490.

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

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

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