

"An Act making a supplemental appropriation to the Department of Natural Resources; and providing for an effective date."

1/20/75

COMMITTEE REPORT

HOUSE

Mr. Speaker:

Date _____

The Committee on Finance has had House Bill 11

under consideration. A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AMENDMENT(S)

() recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS

() "and" recommends it BE REFERRED TO THE _____
COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:
_____ recommends:
_____ recommends:
_____ recommends:
_____ recommends:

Chairman

1 IN THE HOUSE

BY MILLER

2 HOUSE BILL NO. 11

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a supplemental appropriation to the
7 Department of Natural Resources; and providing for an
8 effective date."

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

10 * Section 1. The sum of \$104,813 is appropriated from the general fund
11 to the Department of Natural Resources for the fiscal year ending
12 June 30, 1975 for the purpose of providing grants for trails, footpaths,
13 shelter construction and maintenance under AS 41.20.355.

14 * Sec. 2. The sum appropriated under sec. 1 of this Act shall continue
15 to be available for expenditure for a period of three years after the close
16 of the fiscal year for which the sums are authorized, unless they are
17 obligated for expenditure, in which case they shall remain available until
18 spent. Any amounts not obligated remaining unexpended at the end of the
19 three-year period lapse into the general fund.

20 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
21 070(c).

Introduced: 1/20/75
Referred: Finance

1 IN THE HOUSE

BY MILLER, BEIRNE, BRADNER
AND SMITH

2 HOUSE BILL NO. 11

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

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7 Department of Natural Resources; and providing for an
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21 070(c).

ALASKA STATE LEGISLATURE

NINTH Legislature . . . FIRST Session

HOUSE BILL NO. . . 11 . . .

By MILLER, BEIRNE, BRADNER . . .
AND SMITH

"An Act making a supplemental appropriation to the Department of Natural Resources; and providing for an effective date."

Dept. of Natural Resources approp.
Trails, Footpaths

Introduced in the House . . . 1/20 . . . , 19 . . 75

HISTORY IN THE HOUSE

1975	Read first time and referred to Committee on Finance																						
Jan 20	Reported back with recommendation that																						
	Read second time and																						
	Read third time and																						
	<table border="0"> <tr> <td style="text-align: center;">PASS</td> <td style="text-align: center;">Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> <tr> <td colspan="2" style="text-align: center;">Reconsideration</td> </tr> <tr> <td style="text-align: center;">PASS</td> <td style="text-align: center;">Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused	Reconsideration		PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
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Nays	Nays																						
Absent	Absent																						
Excused	Excused																						
	Reported correctly engrossed																						
	Signed by Speaker																						
	Sent to Senate																						

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19	Read first time and referred to Committee on																						
	Reported back with recommendation that																						
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	Signed by President																						
	Returned to House																						

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19	Received from Senate
	Reported correctly enrolled
	Sent to Governor
 By Governor
	Filed with Lt. Governor
	Chapter No.

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. HB 11
 Title: Trails, Footpaths, Shelter Construction
 Requested by: Jay Hogan Date: January 23, 1975
 Return Date Requested: As Soon As Possible
 Agency: Highways Program: _____

II. FISCAL DETAIL

Budget Request Unit(s) Affected: _____
 A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See attached memorandum that reflects amount of funding referred to in AS 41.20.365 (a), per discussion with Jay Hogan January 23, 1975.

IV. ATTACHMENTS

V. DATE: January 23, 1975

PREPARED BY: _____

Charles S. Matlock
 Charles S. Matlock
 Deputy Commissioner of Highways

Original: Legislative Finance ✓
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

HB.11

MEMORANDUM


State of Alaska

TO: Joel F. Bennett
Legislative Counsel
Legislative Affairs Agency

DATE: January 8, 1975

FILE NO. 00-3077

TELEPHONE NO: 364-2121 Ext. 111, 113

FROM: 
Charles S. Matlock
Deputy Commissioner
Department of Highways

SUBJECT: Representative Miller's
Prefiled Bill

Please refer to your letter of January 3, 1975 concerning Representative Miller's prefiled bill.

The 111.8 million figure does not include estimated state matching funds of 9.6 million. The new total is 121.4 million.

It must be clearly understood that the federal funds amount is dependent upon many things and is not something that can be previously determined. Public Law 93-344, "Congressional Budget and Impoundment Control Act of 1974", could greatly affect the amount of dollars Alaska will receive from federal sources. The estimated state matching amount of 9.6 million is just that, an estimate of state matching dollars and will vary in accordance with federal dollars received. Both amounts will, also, change from year to year.

We, also, noted in your letter that you say the bill will be one-fourth of 3/8 of the total. Our calculations show this to be 11.38 million. It was our understanding that the bill would be one-fourth of 3/8 percent. This would be \$113,800 by our calculations.

CSM/DC/kk

cc: Administrative Director

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99801

9 JWP 2 55

January 3, 1974

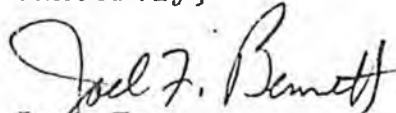
Mr. Charles S. Matlock
Deputy Commissioner
Department of Highways
Box 589
Douglas, Alaska 99824

Dear Mr. Matlock:

Enclosed is my letter to Representative Miller. Please confirm that (2) is correct as the total amount actually appropriated. The prefiled bill will be one-fourth of $\frac{3}{8}$ of the total yearly state and federal matching sum combined. This is \$104,813 by my calculations.

Please respond at your earliest convenience so he can file the bill.

Sincerely,


Joel F. Bennett
Legislative Counsel

JFB:pmk

Enclosure

3
1-6-75
47

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99801

December 27, 1974

Representative Mike Miller
Box 1494
Juneau, Alaska 99802

Dear Mike:

The figure used in your bill is somewhat arbitrary since there are four possible interpretations of "the total yearly state and federal matching sum combined, under the federal-aid highways program". According to Deputy Commissioner of Highways, Matlock, it could be (1) the total amount of money made available for obligation -- 66.8 million plus 10% of 66.8; (2) the total amount appropriated by federal and state -- 111.8 million; (3) the amount actually expended; and (4) the total amount "apportioned" for expenditure under the federal-aid highway act -- 83 million (but due to hold-back provisions, this figure would be less). (1) or (2) are the most reasonable and (2) would seem to square with the intent of the authorization.

I should make clear however that another interpretation can be made and that you may wish to consider clarifying AS 41.20.365 at a later time.

Apparently \$419,250 would provide for a substantial program (several hundred thousand of federal funds now goes into the construction of bike paths along federal-aid highways).

Please note lapse provision, conforming to AS 41.20.365(b).

Sincerely,

Joel F. Bennett
Joel F. Bennett
Legislative Counsel

JFB:pmk

Enclosure

The Legislature of the State of New York
FISCAL NOTE
 First Session - Ninth Legislature

I. REQUEST

Bill No. HB 11
 Title: Trails, Footpaths, Shelter Construction
 Requested by: Jay Hogan Date: January 23, 1975
 Return Date Requested: As Soon As Possible
 Agency: Highways Program: _____

II. FISCAL DETAIL

Budget Request Unit(s) Affected: _____

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	2000
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See attached memorandum that reflects amount of funding referred to in

AS 41.20.365 (a), per discussion with Jay Hogan January 23, 1975.

IV. ATTACHMENTS

V. DATE: January 23, 1975

PREPARED BY:

Charles S. Matlock

Charles S. Matlock
 Deputy Commissioner of Highways

Original: Legislative Finance ✓
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

MEMORANDUM


State of Alaska

TO: Joel F. Bennett
Legislative Counsel
Legislative Affairs Agency

DATE: January 8, 1975

FILE NO: 00-3077

TELEPHONE NO: 364-2121 Ext. 111, 113

FROM: 
Charles S. Matlock
Deputy Commissioner
Department of Highways

SUBJECT: Representative Miller's
Prefiled Bill

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The 111.8 million figure does not include estimated state matching funds of 9.6 million. The new total is 121.4 million.

It must be clearly understood that the federal funds amount is dependent upon many things and is not something that can be previously determined. Public Law 93-344, "Congressional Budget and Impoundment Control Act of 1974", could greatly affect the amount of dollars Alaska will receive from federal sources. The estimated state matching amount of 9.6 million is just that, an estimate of state matching dollars and will vary in accordance with federal dollars received. Both amounts will, also, change from year to year.

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CSM/DC/kk

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STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99801

9 JWP2 55

January 3, 1974

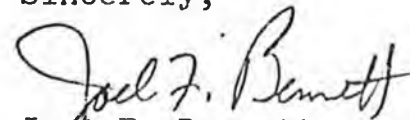
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Enclosure

3
1-6 75
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STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH 7 - STATE CAPITOL
JUNEAU, ALASKA 99801

December 27, 1974

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Please note lapse provision, conforming to AS 41.20.365(b).

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Joel F. Bennett
Legislative Counsel

JFB:pmk

Enclosure

The Legislature of the State of Oregon
FISCAL NOTE
 First Session - Ninth Legislature

I. REQUEST

Bill No. HB 11
 Title: Trails, Footpaths, Shelter Construction
 Requested by: Jay Hogan Date: January 23, 1975
 Return Date Requested: As Soon As Possible
 Agency: Highways Program: _____

II. FISCAL DETAIL

Budget Request Unit(s) Affected: _____
 A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	80-90
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See attached memorandum that reflects amount of funding referred to in
 AS 41.20.305 (a), per discussion with Jay Hogan January 23, 1975.

IV. ATTACHMENTS

V. DATE: January 23, 1975

PREPARED BY: Charles S. Matlock

Charles S. Matlock
 Deputy Commissioner of Highways

Original: Legislative Finance ✓
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

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Legislative Affairs Agency

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CSM/DC/kk

cc: Administrative Director

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99801

9 JAN 2 55

January 3, 1974

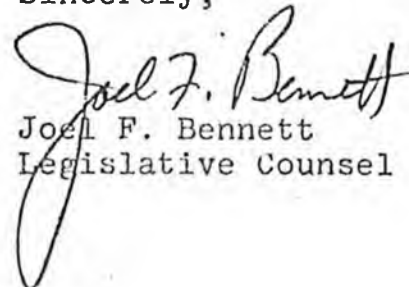
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Legislative Counsel

JFB:pmk

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STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99801

December 27, 1974

Representative Mike Miller
Box 1494
Juneau, Alaska 99802

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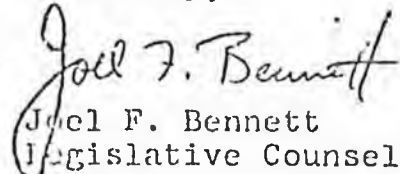
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Apparently \$419,250 would provide for a substantial program (several hundred thousand of federal funds now goes into the construction of bike paths along federal-aid highways).

Please note lapse provision, conforming to AS 41.20.365(b).

Sincerely,


Joel F. Bennett
Legislative Counsel

JFB:pmk

Enclosure

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST HB 11
Bill No.
Title: Grants for Trail, Footpath, & Shelter Construction per AS 41.20.35
Requested by: House Finance Comm. Date: Feb. 26, 1975
Return Date Requested: Mar. 4, 1975
Agency: Dept. of Natural Resources Program: Div. of Parks & Recreation

II. FISCAL DETAIL
Budget Request Unit(s) Affected: _____
A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES	.					
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	104.8					
TOTAL	104.8					

B. FUNDING: (Thousands of dollars)

GENERAL FUND	104.8					
FEDERAL FUNDS	-0-					
OTHER	-0-					

C. POSITIONS: None

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

- 1) The funding is 1/4 of the statutory minimum under AS 41.20.365(a) because 1/4 of the fiscal year remains; there is no lapse clause per § 365 (b).
- 2) Grant applications will be reviewed by existing staff; perhaps 2% of funding will be required for administrative costs other than personal services.
- 3) The communities with the most advanced plans for trails and footpaths are the City and Borough of Juneau and the Borough of Anchorage; the Division anticipates dividing the initial small funding between them in order that each may have a significant project. [Kenai has begun planning; Fairbanks and Matanuska-Susitna do not have recreation powers.]

IV. ATTACHMENTS

V. DATE: Mar. 4, 1975

WILLIAM A. SACHECK, Director
Division of Parks & Recreation
PREPARED BY: (Conveyed by phone to J. Rhode)
J. Rhode

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST HB 11
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Title: Grants for Trail, Footpath, & Shelter Construction per AS 41.20.35
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300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	104.8					
TOTAL	104.8					

B. FUNDING: (Thousands of dollars)

GENERAL FUND	104.8					
FEDERAL FUNDS	-0-					
OTHER	-0-					

C. POSITIONS: None

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

- 1) The funding is 1/4 of the statutory minimum under AS 41.20.365(a) because 1/4 of the fiscal year remains; there is no lapse clause per § 365 (b).
- 2) Grant applications will be reviewed by existing staff; perhaps 2% of funding will be required for administrative costs other than personal services.
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IV. ATTACHMENTS

V. DATE: Mar. 4, 1975

WILLIAM A. SACHECK, Director
Division of Parks & Recreation
PREPARED BY: (Conveyed by phone to J. Rhode)
J. Rhode

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

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300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	104.8					
TOTAL	104.8					

B. FUNDING: (Thousands of dollars)

GENERAL FUND	104.8					
FEDERAL FUNDS	-0-					
OTHER	-0-					

C. POSITIONS: None

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

- 1) The funding is 1/4 of the statutory minimum under AS 41.20.365(a) because 1/4 of the fiscal year remains; there is no lapse clause per § 365 (b).
- 2) Grant applications will be reviewed by existing staff; perhaps 2% of funding will be required for administrative costs other than personal services.
- 3) The communities with the most advanced plans for trails and footpaths are the City and Borough of Juneau and the Borough of Anchorage; the Division anticipates dividing the initial small funding between them in order that each may have a significant project. [Kenai has begun planning; Fairbanks and Matanuska-Susitna do not have recreation powers.]

IV. ATTACHMENTS

V. DATE: Mar. 4, 1975

WILLIAM A. SACHECK, Director
Division of Parks & Recreation
PREPARED BY: (Conveyed by phone to J. Rhode)

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

and development under AS 16.05.092 on lands lying within the parcels described in (a) or (b) of this section.

(e) Discharge of a firearm in Kachemak Bay State Wilderness Park, when authorized by the Department of Natural Resources by lawful regulation, is permitted. (§ 1 ch 82 SLA 1972)

Sec. 41.20.280. Discharge of firearms. Discharge of a firearm in Kachemak Bay State Park, when authorized by the Department of Natural Resources by lawful regulation, is permitted. (§ 1 ch 115 SLA 1970; am § 3 ch 47 SLA 1972)

Effect of amendment. — The 1972 report on ch. 47, SLA 1972 (CSHB amendment rewrote this section. 124 am), see 1972 House Journal, p. Legislative committee report.—For 171.

Article 10. Trails and Footpaths.

Section	Section
355. Grants for the establishment of trails and footpaths	370. Use and marking of trails and footpaths
360. Paths and trails along highways	375. Reports
365. Authorization of funds	

Sec. 41.20.355. Grants for the establishment of trails and footpaths. (a) Within the limits of available appropriations, a city or borough of any class is entitled to state grants for the purpose of acquiring land or rights-of-way over land and establishing and maintaining trails and footpaths on that land or those rights-of-way.

(b) Within the limits of available appropriations, the Department of Highways is entitled to state grants for the establishment and maintenance of footpaths and trails along certain designated existing highways or when a highway, road or street is being constructed, reconstructed or relocated after June 7, 1972.

(c) Before a grant is awarded under this section, application shall be submitted to the commissioner of natural resources, accompanied by a comprehensive plan for the establishment of trails and paths. The plan may provide for ski trails, dog sled trails, motorized vehicle trails, bicycle paths, bridle paths, footpaths and other trails and paths, and designate separate and incompatible uses of these trails and paths.

(d) Upon approval of the plan, funds shall be utilized and disbursed to cities and boroughs and to the Department of Highways according to regulations established by the commissioner of natural resources.

(e) Before the distribution of funds by the commissioner, consideration shall be given to the extent of funding available under other federal, local and state aid programs.

(f) Nothing in §§ 355—375 of this chapter prohibits a city or

rough for which a grant is authorized from entering into an agreement with the Department of Natural Resources for the establishment and maintenance of trails and footpaths outside cities and boroughs. (§ 1 ch 107 SLA 1972; am § 1 ch 75 SLA 1974)

Effect of amendment. — The 1974 amendment, in subsection (c), substituted "paths" for "footpaths" in the first sentence and added the second sentence.

Sec. 41.20.360. Paths and trails along highways. The commissioner of highways shall administer the plan and program providing for the establishment and maintenance of footpaths, bridle paths, bicycle paths, ski trails, dog sled trails, motorized vehicle trails and other paths and trails along certain designated existing highways, or when a highway, road or street is being constructed, reconstructed or relocated after June 7, 1972. Trails established under an approved plan submitted by the Department of Highways may be used for those types of uses written into the plan. A uniform system of marking the paths and trails established under this section shall be established by the commissioner of highways. (§ 1 ch 107 SLA 1972; am § 2 ch 75 SLA 1974)

Effect of amendment. — The 1974 amendment inserted "bridle paths, bicycle paths, ski trails, dog sled trails, motorized vehicle trails and other paths" in the first sentence, substituted "those types of uses written into the plan" for "more than one type of transportation, motorized or nonmotorized, as determined by the commissioner of highways" in the second sentence, and substituted "paths" for "footpaths" in the third sentence.

Sec. 41.20.365. Authorization of funds. (a) An amount of not less than three-eighths of one per cent nor more than one per cent of the total yearly state and federal matching sum combined, under the federal-aid highways program (23 U.S.C., secs. 101—511), shall be appropriated annually from the general fund to the Department of Natural Resources for the purposes of providing grants to eligible cities and boroughs for trails, footpaths and shelter construction and maintenance in appropriate areas, including but not limited to existing park and recreation areas and for the purpose of providing grants to the Department of Highways for developing the program specified in § 355 (b) and § 360 of this chapter.

(b) Except as provided in (c) of this section, the sums appropriated under this section shall continue to be available for expenditure by the departments or by eligible cities and boroughs for a period of three years after the close of the fiscal year for which the sums are authorized, unless they are obligated for expenditure, in which case they shall remain available until spent. Any amounts not obligated remaining unexpended at the end of the three-year period lapse.

(c) The amount expended by a city or borough under § 355 (a) of this chapter or by the Department of Highways under § 355 (b)