

SCR32

SENATE FINANCE COMMITTEE REPORT

DATE: 3/16/92

FURTHER:

DATE TURNED INTO OFFICE: 3-24-92

RETURNED TO:
The Finance Committee considered

SENATE CONCURRENT RESOLUTION NO. 32

Requesting the Governor to take appropriate steps to make the state eligible for the benefits of the Symms National Recreational Trails Act.

and recommends:

replace with _____ CS _____ (FINANCE)
or adopt previous _____ CS SCR 32 (Res)
 attaches amendment(s)

same title
 new title
 technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

NEW FISCAL NOTES: Dept/Date
 zero fiscal notes DOR 3-23-92

PREVIOUS FISCAL NOTES: Dept/Date
 zero fiscal notes _____

fiscal notes DNR 5.0 3-23-92

fiscal notes _____

appropriation--no fiscal note

DO PASS:

OTHER RECOMMENDATIONS:

1. [Signature]
Co-Chair Signature/Recommendation

2. [Signature]
Co-Chair: Signature/Recommendation

FISCAL NOTE

**STATE OF ALASKA
1992 LEGISLATIVE SESSION**

BILL NO. CSSCR 32

Revision Date: March 23, 1992
 Title: Eligibility for benefits of the
Symms National Recreational Trails Act
 Sponsor: Sen. Cotten et al
 Requestor: _____

Department Affected: Department of Revenue
 BRU: Revenue Operations
 Component: Income and Excise Audit
 COMPONENT SERIAL NO. | 1 | 1 | 3 |

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LANDS & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE FUND SOURCE	0.0	0.0	0.0	0.0	0.0	0.0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
FUND SOURCE						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: 0

ANALYSIS: CSSCR 32 requests the governor to take appropriate steps to make the state eligible for benefits from the federal Symms National Recreational Trails Act. In order to be eligible, the state would be required to allocate nonhighway recreational fuel taxes for recreational trails.

Prepared By: Paul Dick Phone: (907) 465-2300
 Division: Income and Excise Audit Date: March 23, 1992

Approved by Commissioner: Darrel J. Rexwinkel Date: _____
 Agency: Department of Revenue

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CS-SCR32 (Res)

Revision Date: _____ Department Affected: DNR, DOT&PF
 Title: SYMMS NATIONAL RECREATION BRU: PARKS & RECREATION
TRAILS ACT, STATE ELIGIBILITY Component: PARK MANAGEMENT
 Sponsor: Cottler, et al
 Requestor: _____ COMPONENT SERIAL NO.

0	4	5	2
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL	5.0	5.0	5.0	6.0	7.0	7.0
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	5.0	5.0	5.0	6.0	7.0	7.0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND			**	**	**	**
FEDERAL FUNDS	5.0	5.0	5.0	6.0	7.0	7.0
OTHER						
FUND SOURCE:						
TOTAL	5.0	5.0	**	**	**	**

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.) Travel pays cost of appointed six member State Recreational Trails Advisory Board. **By FY'95, the state must appropriate funds for recreational trails in the amount equal to the revenue collected from non-highway recreational fuel taxes. A February 1992 statewide survey of 600 households indicates one-third of Alaskans own off-road recreational vehicles. A minimum of \$100,000 in FY'95 from state ~~gas taxes must be appropriated to the recreational trails program to continue eligibility~~ to receive \$291,000 annually from the federal government.

Prepared By: Neil C. Johanson Phone: (907) 762-2600
 Division: Parks & Outdoor Recreation Date: March 20, 1992
 Approved by Commissioner: Harold C. Heine
 Agency: Department of Natural Resources Date: 3/23/92

CS FOR SENATE CONCURRENT RESOLUTION NO. 32 (RESOURCES)**IN THE LEGISLATURE OF THE STATE OF ALASKA****SEVENTEENTH LEGISLATURE - SECOND SESSION****BY THE SENATE RESOURCES COMMITTEE****Offered: 3/11/92****Referred: Rules****Sponsor(s): SENATORS COTTEN, Pourchot, Rodey, Pearce****A RESOLUTION**

1 Requesting the Governor to take appropriate steps to make the state eligible for the
2 benefits of the Symms National Recreational Trails Act.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 WHEREAS the Symms National Recreational Trails Act was part of the Intermodal Surface
5 Transportation Efficiency Act passed by the Congress in federal fiscal year 1992; and

6 WHEREAS the Act authorizes up to \$30,000,000 annually to be distributed among the states
7 for acquisition, development, maintenance, and rehabilitation of trails and trailhead facilities, and

8 WHEREAS, to ensure Alaska's eligibility to participate in the Act's program, the state must
9 submit a letter to the federal Secretary of Transportation that designates a statewide program
10 administrator, establish a recreational trail advisory board, and allocate certain amounts of state fuel taxes
11 to recreational trails; and

12 WHEREAS the intent language of the Act encourages each governor to appoint the entity
13 currently administering the Land and Water Conservation Fund to administer the Trail Fund money; and

14 WHEREAS the division of parks and outdoor recreation, Department of Natural Resources, has
15 successfully administered the land and water conservation fund since its inception in 1965 and is charged

1 with outdoor recreation administration for the state;

2 **BE IT RESOLVED** that the Alaska State Legislature urges the Governor to take all appropriate
3 steps to make the state eligible for money under the Symms National Recreational Trails Act, including

4 (1) appointment of the division of parks and outdoor recreation as the administering
5 agency;

6 (2) establishment of a recreational trail advisory board with representation required under
7 the Act; and

8 (3) allocation of funds for recreational trails in an amount equal to the revenue collected
9 by the state from nonhighway recreational fuel taxes.

10 **COPIES** of this resolution shall be sent to Harold C. Heinze, commissioner of natural resources,
11 and Frank Turpin, commissioner of transportation and public facilities.

NEW BILL IN
COMMITTEE 3-16-92

CS FOR SENATE CONCURRENT RESOLUTION NO. 32 (RESOURCES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered: 3/11/92

Referred: Rules

Sponsor(s): SENATORS COTTEN, Pourchot, Rodey, Pearce

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Alaska State Legislature

SENATE

Official Business

P.O. Box V
State Capitol
Juneau, Alaska 99811

April 24, 1991

Commissioner Lee Fisher
Department of Revenue
PO Box SA
Juneau, AK 99811-0400

Re: A.S. 43.40.010(j)

Dear Commissioner Fisher:

Over the past few months, I have been researching the referenced statute. I have been advised that the Department of Revenue has never put funds into the special nonpublic highway use account referenced in this statute because it has no way to "monitor the sale of motor fuel for these purposes."

I would request that the Department come up with a formula in order to fund this account as set out in the statute. Information has been supplied to your Department regarding an estimate of the amount of fuel used in snow machines each year and the number of snow machines. It would seem to me that it would be an easy task for the Department to at least come up with a minimum amount that should be placed in this statutorily mandated account on a yearly basis.

The Senate Finance Committee has been requested to place \$35,416 from the general fund in the DOT/PF's FY '92 budget for trail staking and shelter construction and maintenance. Had the Department carried out its duties in funding the referenced account, the funds could have come out of that account for this program. I would appreciate your cooperation in the future in order to see that these funds are available for the purposes set forth in statute.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Cotten".

Sam Cotten
State Senator

cc: The Honorable Walter J. Hickel
Governor, State of Alaska

Cheryl Frasca, Director
Division of Budget Review

Alaska State Snowmobile Association

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF REVENUE

STATE OFFICE BUILDING
P.O. BOX 5A
JUNEAU, ALASKA 99811-0400

April 22, 1991

The Honorable Sam Cotten
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Dear Senator Cotten:

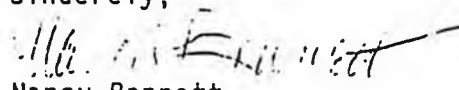
As you have requested, we are providing a brief analysis of the amount of money potentially generated by the sale of motor fuel to registered snow mobiles through the motor fuel tax under AS 43.40.010(j). As stated in my previous letter, the department has no way to monitor the sale of motor fuel for these purposes, as this information is unavailable to us, and have subsequently never set aside the taxable amounts in a separate account as required by the aforementioned statute.

In providing the information you requested, we have used the number of snow mobile registrations, and an average consumption of 100 gallons of fuel per year.

Commissioner Fisher does not feel it is appropriate for the department to be involved in any policy determining a method to allocate funds for trail maintenance for snow mobiles, as such policy is in the purview of the Legislative rather than the Executive branch of government.

Please contact me if you have any further questions.

Sincerely,


Nancy Bennett
Director
Division of
Administrative Services

Attach.
91-72

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF REVENUE

STATE OFFICE BUILDING
P. O. BOX SA
JUNEAU, ALASKA 99811-0400

4-22-91

Nancy J. Bennett
Director
Administrative Services

Dear Nancy:

Per your instructions, I have taken the last year (1990) of snow mobile registrations (4427) listed by the Department of Public Safety, multiplied it by an assumed 100 gallons of fuel use consumption per year, and multiplied that result by the existing tax rate (.08). The result is \$35,416.

Sincerely,


Vincent D. Wright



April 2, 1991

P.O. BOX 210427 ANCHORAGE, AK 99521-0427

Senator Sam Cotten
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Dear Senator Cotten

In 1984, five avid snowmobilers met and formed the Alaska State Snowmobile Association (ASSA). Today, this organization represents over 1,000 snowmobilers throughout Alaska. As the ASSA grew and became more involved in snowmobile issues, our membership began expressing concerns about the lack of safe and adequate riding trails, trail access, parking areas, shelters and rest facilities. The State of Alaska already has a Statute designating motor fuel tax revenue be used for trail staking, shelter construction and maintenance. Alaska could correct these inadequacies, but has never deposited fund into this account .

Alaska Statute 43.40.010 levies a tax of eight (8) cents a gallon on motor fuel sold within the State, whether used for on-road or off-road vehicles. Alaska Statute 43.40.010 (j) (attachment 1) states in part, "The proceeds from the tax on motor fuel used in snow vehicles shall be deposited in a Special Nonpublic Highway Use Account in the General Fund, appropriated to the Department of Transportation (DOT) and Public Facilities for trail staking, shelter construction and maintenance." No gas rebates have ever been deposited into this account nor appropriated to the DOT. In 1988, \$26,000.00 was appropriated to the Local Service Roads and Trails (LSR&T) Program for trail marking along the Kuskokwim 500 and other trails in the Bethel area and for trail rehabilitation in the same area. The people who managed the LSR&T Program retired and no funds have been appropriated to the LSR&T since. However, in 1989, \$25,000.00 was appropriated under Chapter 117 SLA to DOT, specifically for Pedro Bay Roads and Trails.

Snowmobiling is "Big Business". Nationwide, snowmobile sales increased nearly 5.5 percent over last year and over 163,400 units were sold in the United States and Canada. Outside States are clamoring for the snowmobiler's dollar by spending enormous sums of money on advertising (attachment 2), and are encouraging snowmobile tourism by allocating gas tax and registration fee rebates for trail maintenance and development (attachments 3 & 4). One northern tier State has over 13,600 groomed snowmobile trails. Over 5,000 new snowmobile were sold in Alaska in 1989, and there are approximately 46,514 snowmobiles within the State (this does not include snowmobiles bought outside the State), of which 2,000 are registered (attachment 5). If all the 46,514 snowmobilers used 100 gallons of fuel last year times the gas tax of eight (8) cents a gallon, a sum of \$372,112.00 should be deposited this year into the Special Nonpublic Highway Use Account in the General Fund. As you can see, this is not a small sum of money and if you add up all the years, the cumulative amount would be in the millions of dollars.

Snowmobilers are also a charitable group. During the 1989-90 season, snowmobilers throughout the United States and Canada raised more than 2.3 million dollars for charities. This is a 15 percent increase over the previous year's total. The ASSA and snowmobilers in Alaska are also involved in community services. The State's first snowmobile safety course, financed and presented by the ASSA, was held in January 1991. We are presently forming a highly trained and equipped snowmobile Search and Rescue Group to work with the Alaska State Troopers and other Search and Rescue Agencies. In March the ASSA financed an all day Avalanche Hazard Recognition workshop free to all snowmobilers. The financially strapped ASSA is continually trying to promote safer snowmobiling, but we are running out of money. It is time for the State of Alaska to start doing its part and join the ranks of other States and provide funding for safe, groomed trails, shelters and parking access.

The ASSA strongly encourages each State Legislator to become more involved in snowmobile issues and ensure the provisions of Alaska Statute 43.40.010 (j) are abided by and that gas taxes are deposited into the Special Nonpublic Highway Use Account in the General Fund. We also recommend that Alaska fashion a gas rebate formula after the other State Programs (attachment 4). In addition, a committee consisting of user groups could be formed to develop an equitable gas rebate formula and manage this account to ensure funds are spent to promote snowmobiling in Alaska.

If you have further questions or comments, please do not hesitate to call me at 344-1928 or contact Lobbyist Dana Pruhs.

Sincerely,



Ron Godden
ASSA, President

TR:sb

Attachments 5

cc: DOT, Regional Director
DNR, Regional Director

REGISTRATION AND TRAILS

3.

	Registration Fee	Trail Program	Trail Mileage (km)	Trail Funding
Alaska				
Alberta	\$30.00/year	Yes	622 (1000)	
British Columbia	5.00/one-time	No		
California	20.00/2 years	Yes	817	\$1,000,000
Colorado	10.00/year	Yes	4,100	76,000
Idaho	11.00/year	Yes	5,000	540,000
Illinois	12.00/3 years	Yes	3,000	80,000
Indiana	15.00/3 years	Yes	250	100,000
Iowa	20.00/2 years	Yes	5,200	450,000
Maine	16.00/year	Yes	9,400	790,000
Manitoba	30.00/3 years	Yes	300	
Massachusetts	30.00/2 years	No		
Michigan	15.00/3 years	Yes	4,551	2,500,000
Minnesota	18.00/3 years	Yes	12,500	2,280,000
Montana	25.00/year up to 5/yr. old 15.00/year greater than 5/yr. old	Yes	2,800	500,000
Nebraska				
New Brunswick	12.00/year	No		
New Hampshire	23.00/year resident 25.00/year non resident	Yes	6,000	
New York	10.00/year	Yes		
North Dakota	20.00/2 years	Yes	380	185,000
Nova Scotia	10.00/year	No		
Ohio	5.00/3 years	No	147	
Ontario	25.00/one-time	Yes	15,538 (25,000)	1,010,000
Oregon	20.00/2 years	Yes	3,000	235,000
Pennsylvania	10.00/2 years	Yes	3,000+	230,000
Quebec	36.00/year	Yes	15,538 (25,000)	400,000
Saskatchewan	11.00/year	Yes	1,177 (1,893)	
South Dakota	20.00/2 years	Yes	600	180,000
Utah				
Vermont	15.00/year resident 22.00/year non resident	Yes	2,500	349,000
Virginia	N/A	No	18	
Washington	14.50/year	Yes	3,000	476,000
Wisconsin	20.00/2 years	Yes	13,600	3,500,000
Wyoming	15.00/year	Yes	950	247,378

SOURCE: INTERNATIONAL SNOWMOBILE INDUSTRY ASSOCIATION

States Receiving Gas Tax - Snowmobiles, A.T.V.s

	Snowmobile Gas Tax Approval	Gas Tax for Other ATVs	Snowmobile Gas Tax Basis for Allocation	Total \$ Allocated - 1988-89 Snowmobile Gas Tax	Use of \$
California	1975	Yes	Estimated use of .. gasoline	\$10,000,000 combined ATV and snowmobile	Land acquisition, deve- lopment, maintenance, administration and enforcement
Idaho		Yes	1% of unre- funded gas tax.	\$ 800,000	Trail development. Up to 20% for administra- tion
Maine	1977	No	.45 of 1% gas tax.	\$ 373,000	.05 of 1% for enforce- ment. Remainder for trail dev., maintenance
Michigan	1988			\$ 1,600,000	
Minnesota			.75 of 1% of unrefunded gas tax	\$ 2,374,665	Trails and enforcement
Montana	1977	No	.50 of 1% of unrefunded gas tax	\$ 425,000	Develop and maintain facilities open to public; 10% for safety
New Hampshire	1980	Yes	\$4.50 per registered OHRV from gas tax	\$ 228,000 combined for ATV and snowmobile	\$3.00 per registered OHRV for grants. \$1. per for administrati- on
Oregon	1971	Yes	Estimated use of gasoline	\$ 187,637	Land acquisition, dev- elopment and mainten- ance of snowmobile facilit-
South Dakota	1981	No	Gas tax on 100 gallons gasoline/ registered snowmobile	\$ 85,891	Leases, trail develop- ment, maintenance, enforcement and admini- stration
Utah	1987	Yes	.30 of 1% of unrefunded gas tax	\$ 250,000 combined ATV and snow- mobiles	Construction, improv- ment, maintenance of trails. Administrati- on and education

Source: INTERNATIONAL SNOWMOBILE INDUSTRY ASSOCIATION
3975 University Dr Suite 310 FARM FAX, VIRGINIA 22030

	Snowmobile Gas Tax Approval	Gas Tax for Other ATVs	Snowmobile Gas Tax Basis for Allocation	Total \$ Allocated - 1988-89 Snowmobile Gas Tax	Use of \$
Washington	1971	Yes	Gas tax on 72.44 gal- lons of gas per regis- tered snow- mobile	\$ 275,467	Snowmobile programs
Wisconsin	1980	Yes	Gas tax on 50 gallons of gas per registered snowmobile	\$ 1,576,000	Grants to counties for snowmobile trail programs
Wyoming	1985	No	\$8.00 per registered snowmobile	\$ 110,560	Improvement of snow- mobile trails

5

ALASKA STATE SNOWMOBILE ASSOCIATION
P.O. BOX 210427
ANCHORAGE, ALASKA 99521

January 30, 1991

To Whom it may concern:

It is very difficult to determine the number of snow machines in use in Alaska. State law requires registration of snow machines if they are used on other than private property. However, the registration data is shared with the Boroughs and Municipalities. The Boroughs and municipalities normally assess a personal property tax even if they do not provide any services or even areas for snow machine use. Further, while the law requires snow machine registration, it is not mandatory at the point of sale. And, there is limited enforcement by officers of the law. The result is that only about 2,000 snow machines are currently registered in the State of Alaska.

Normally snow machine registration is used to determine the total number of machines in use. As explained above, this is not possible in Alaska. The only way to determine the number of machines in use is to estimate their number. I have contacted the four main manufacturers of snow machines, Ski Doo, Arctic Cat, Polaris, and Yamaha. I asked for the total number of machines sold in Alaska. I asked for the data to be based upon warrantee registrations to ensure the machines were actually sold in Alaska. The data was requested to be as far back as 1975.

There were problems with the data. One company did not manufacture machines for two years. Prior to that, the company has substantial Alaskan sales before it filed for Chapter 11 in 1981, but the data was not available. The data for another company was only for a partial year in 1990, and the data prior to 1984 was not available due to a complete loss of data due to reorganization. The best data is for the years 1984 through 1989. However, since 1975, the manufacturers sold more than 46,514 snow machines in Alaska. The data is as follows:

1990	3583*	1984	3049*	1979	1819*
1989	5033	1983	2832*	1978	2224*
1988	4066	1982	3137*	1977	2132*
1987	3267	1981	2780*	1976	1996*
1986	3260	1980	2219*	1975	1736*
1895	3381				

* denotes missing data

While not all machines remain in service, it is safe to assume that as someone buys a new machine, the older machine is sold to another user. The average life of a snow machine is over 5 years and/or 5,000 miles by best estimate.


Ronald Godden,
President, ASSA



QUESTIONS AND ANSWERS ON THE SYMME TRAIL FUND ACT

Now that the Symme Trail Fund Act has passed who will administer the program?

The Secretary of Transportation in consultation with the Secretary of the Interior will administer the program.

When do we get the money and how much?

30 million dollars for the whole country will be available each year starting in 1992 through 1997. It will be divided up this way:

Up to 3% or \$900,000 is set aside off the top for administration and the expenses of the advisory board. Some of this money goes to survey the non highway fuel consumption by State. Some will go for research on how to increase compatibility of uses, education, technical assistance, and preparation of a national trails plan.

Half of the remaining \$29,100,000 will be available to be divided equally among the 50 States, or \$291,000 per State.

The remaining half (\$14,550,000) will be available to be distributed to the States proportional to the amount of off-highway gas consumed in each State. Data from State registration programs may be used in this calculation.

State agencies active in working for this legislation have already estimated their share. For example, Idaho will get approximately a total of \$500,000, Wisconsin \$1,800,000, and Pennsylvania \$800,000.

States must apply to the Secretary of Transportation to get the money.

What State agency will administer the money?

The particular State agency in charge of administration will be identified by the governor of that State. Typically, it will be that State agency now in charge of recreation.

The Trails Bill specifies that in three years, each State must meet the following criteria in order to receive additional funds:

1. Establish a recreational trail advisory board with both motorized and non-motorized representatives.
2. The State must dedicate an amount equivalent to its own nonhighway recreational fuel taxes to recreational trails. Several States like Idaho, Montana, Washington, Arizona, and California do already.
3. The State governor has designated the State official/s who will be responsible for administration.
4. The State applies for recreational trail projects authorized by the Trails Fund Act.

How can the money be used?

The Statement Of Intent in the Trails Fund Act states that the money should be used for trails and trail related projects which have been planned and developed under existing laws, policies, and administrative procedures within each State. The projects should further a specific goal of a trail plan included or referenced in the Statewide Comprehensive Outdoor Recreation Plan (SCORP) required by the Land & Water Conservation Fund Act.

1. Up to 7% can be used for administration.
2. Up to 5% can be used for environmental protection and safety education.
3. Development of urban trails near homes and workplaces.
4. Maintaining existing trails, including snow trail grooming and maintenance.
5. Restoration of areas damaged by trail use and other types of back country terrain use (applies to all users).
6. Development of trail side and trail head facilities that meets the goals set by the National Recreational Trails Advisory Committee (they probably wouldn't approve of fancy toilets built next to gravel pits).
7. Providing handicapped access.
8. Acquiring easements or corridors for trails as identified in a State trails plan.
9. Acquiring property from a willing seller when access cannot be accomplished any other way.
10. Construction of new trails on State, municipal, county, or private lands where a need is shown.
11. Where necessary as required by SCORP, construction of new trails crossing federal land. Such construction must first comply with existing land management plans (and the federal laws governing those plans) and go through the National Environmental Policy Act (NEPA) process.

Are there any uses that are not permitted?

Yes. They are:

1. Condemnation of property.
2. Construction of new trails for motorized use on National Forest or BLM land that the respective agency has recommended for Wilderness designation.
3. Upgrading for motorized use trails that have been predominantly non-motorized and on which motorized use has not occurred or has been prohibited.

Are there any special provisions for existing trails that cross private property?

Yes. Trail Fund Act money can be spent maintaining and improving trails that cross private property. However, the State must obtain written assurances that the owner of the property will cooperate with the State. It also must be accompanied by an easement or legally binding agreement that ensures the public will have access to the funded trail improvements.

Who is represented on the National Recreational Trails Advisory Committee and how are they chosen?

There are 8 members appointed by the Secretary of Transportation from nominations submitted by trail recreational organizations:

1. Hiking
2. Cross-country skiing
3. Off-highway motorcycling
4. Snowmobiling
5. Horseback riding
6. All terrain vehicle riding
7. Bicycling
8. Four wheel driving

Any action, recommendation, or policy must be supported by at least 5 of the above members. There are two additional members appointed by the Secretary from nominations submitted by representative organizations.

1. Hunting & fishing
2. Water trails

There is an "appropriate official of government with a background in science or natural resources management", appointed by the Secretary. State, local government, or Federal officials are eligible. This official serves as the Chair and is non-voting.

How often do they meet? What are their terms?

They are required by law to meet at least twice annually. They can meet more often if necessary.

Three years. In order to stagger the terms, five of the eleven positions serve initially for two years, with subsequent appointments to those positions extending for terms of three years.

What are their duties?

1. Review how the States use their funds to assure it conforms to the purposes of the Trail Fund Act.
2. Establish and review criteria for trail side and trail head facilities that qualify for funding.
3. Recommend changes in Federal policy to the Secretary that will advance the purposes of the Trail Fund Act.
4. Present the Secretary with an annual report of activities.
5. Within four years, present Congress with a report that summarizes the annual reports, describes funded projects, and recommends changes in Federal policy.

To whom can the States grant money?

Private individuals, organizations, city and county governments, and other government agencies as approved by the State.

Any State issuing grants must assure that the recipients comply with the specified conditions for uses specified by the Trail Fund Act.

What are the conditions for use?

30% of Trail Fund Act funds received annually by a State must be spent for motorized recreation.

30% of Trail Fund Act funds received annually by a State must be spent for non-motorized recreation.

States must give preference to project proposals that:

1. Provide for the greatest number of compatible recreational purposes.
2. Provide for innovative corridor sharing that accommodates both motorized and non-motorized use.

States must spend 40% of their Trail Fund Act funds in the above manner.

When and how will applications to the National Advisory Board be collected?

There will likely be a public announcement from the Secretary of Transportation that applications will be accepted shortly after the first of the year in 1992.

Applications should take the form of a letter from a nominating organization stating the credentials of the organization and the qualifications of the nominee. Copies of this nominating letter should be sent to Senator Symms.

When can the States start applying for the money?

Sometime in the spring of 1992, after the National Advisory Board is in place.



P.O. BOX 210427 ANCHORAGE, AK 99521-0427

Senator Pat Pourchot, Chairman
Senate Finance Committee
Alaska Senate, MS 3100
P.O. Box V
Juneau, Ak 99811 563, 6527

March 20, 1992

Dear Senator Pourchot:

First, on the behalf of the Snowmobilers of Alaska, I would like to thank you for your assistance. I would also like to thank you for bringing Senate Concurrent Resolution No. 32 up for a hearing. The Alaska State Snowmobile Association, ASSA, represents the snowmobilers of Alaska. Twelve active clubs, from Kodiak to Haines, are directly affiliated with the Association with a total of near 3,000 members and 3 more clubs currently being organized. Association individual and club membership includes both the rural and metropolitan areas of Alaska. This family sport spends in excess of \$40,000,000 annually in Alaska, with over \$25,000,000 spent on more than 5,000 new machines each year.

The Alaska State Snowmobile Association supports the passage of SCR 32. In order to receive the funds from the Symm's Act, the Governor must take action to make Alaska eligible. The Association encourages the Governor to designate the Department of Natural Resources, Parks and Outdoor Recreation Division to administer the funds.

The funds from the Symm's Act will directly benefit both motorized and non-motorized outdoor recreational users. Since it is a rebate of collected highway tax from the sale of fuel used in off-road vehicles, it is being funded by the motorized user groups. A formula, required by the enabling legislation requires that the funds be spent: 30% motorized, 40% multiple use, and 30% non-motorized trails and allows a percentage to be used to fund the management of the state program. In today's fiscally troubled times, Alaska's portion, currently estimated as \$340,000 annually, will fund both jobs and recreation with no impact to the State. It's a win-win situation for all.

Again, thank you for your support. If the association can be of any assistance, please do not hesitate to contact me.

Sincerely,

Ronald E. Godden
President

WALTER J. HICKEL
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 9, 1992

COMMISSIONER'S OFFICE
JUNEAU

MAR 11 1992

DEPARTMENT OF
NATURAL RESOURCES

The Honorable Andrew Card, Jr.
Secretary of Transportation
400 Seventh Street, SW
Washington, DC 20590

Dear Mr. Secretary:

I am pleased that the Intermodal Surface Transportation Efficiency Act of 1991 was enacted because it will have many positive benefits for citizens throughout our state and the nation.

We noted that this Act directs \$180 million dollars to a six-year recreation trails program--referred to as the Symms National Recreation Trails Act. This money will provide a long needed boost to the deferred maintenance of our national, state, and local trail systems. We in Alaska welcome the opportunity to participate in this very important program.

The Division of Parks and Outdoor Recreation, within the Alaska Department of Natural Resources, oversees the preparation of the Statewide Comprehensive Outdoor Recreation Plan (SCORP) required by the Land and Water Conservation Fund program mentioned in the intent language for this Act. Accordingly, pursuant to Sections 1301 through 1304 of the Act, I am pleased to appoint the Alaska State Parks Division as the administering agency for the Symms National Recreational Trails program.

② During the next three years, Alaska will be working to establish a state recreation trails advisory board to ensure motorized and non-motorized recreation needs are equitably addressed. ③ Also, as required, we will pursue legislation to appropriate a portion of our non-highway recreational fuel consumption to our state trails program.

The Honorable Andrew Card, Jr.
March 9, 1992
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The hikers, skiers, dog mushers, equestrians, snowmobilers, and off-highway vehicle operators of Alaska will all benefit from this recreational trails program.

With best regards.

Sincerely,

S/S WALTER J. HICKEL
Walter J. Hickel
Governor.

cc: Commissioner Harold Heinze
Department of Natural Resources
Commissioner Frank Turpin
Department of Transportation
and Public Facilities
Neil Johannsen, Director
Division of Parks & Outdoor Recreation
Department of Natural Resources
John Katz, Special Counsel
State/Federal Relations
Office of the Governor, Washington, D.C.

**ISTEA FACT SHEETS
RECREATIONAL TRAILS**

GENERAL

- o The Symms National Recreational Trails Act of 1991 establishes a program for allocating funds to the States for recreational trails and trail-related projects. The program will be administered by the Department of Transportation (FHWA) in consultation with the Department of Interior. Projects must be from trail plans included or referenced in a Statewide Comprehensive Outdoor Recreation Plan required by the Land and Water Conservation Fund Act (Section 1302(a)(b)).
- o Permissible uses of the funds are: administrative costs, environmental and safety education programs, development of urban trail linkages, maintenance of existing trails, restoration of areas damaged by trail use, trail facilities development, provision of access for people with disabilities, acquisition of easements and fee simple title for property and construction of new trails (Section 1302(e)(1))
- o To remain eligible to receive funds after December 18, 1994, States must (1) have a recreational trail advisory board, (2) dedicate State fuel taxes on non-highway recreational fuels for recreational trails, and (3) have a State official designated by the Governor to administer Federal Trails funds (Section 1302(c)).

FUNDING PROVISIONS

- o The annual funding level may not exceed \$30 million and is subject to appropriations action each year. Administrative costs for FHWA are limited to 3 percent to pay expenses of Advisory Committee, to conduct national surveys and to research methods to accommodate multiple trail uses and prepare a National Trail Plan. (Section 1302 (d)(1) and (d)(3))
- o Funds are allocated to States by (1) 50 percent equally among all eligible States and (2) 50 percent in amounts proportionate to non-highway recreational fuel use. (Section 1302 (d)(2))
- o States may provide funds as grants to private individuals, organizations, city governments, county governments, or other government entities, but must consider guidance with input from the recreational trail advisory board. (Section 1302 (e)(3))

- o At least 30% of funds received annually by a State must be reserved for uses relating to motorized recreation. At least 30% of funds received annually by a State must be reserved for uses relating to non-motorized recreation. The remaining 40% is discretionary, but States must give preference to project proposals with the greatest number of compatible recreational purposes, and/or that provide for innovative recreational trail corridor sharing by motorized and non-motorized use. (Section 1302 (e)(4)(e)(5))
- o Small States may be excluded from the 30% minimum share requirements if their total land area is less than 3,500,000 acres and if recreational fuel use is less than 1% of U.S. use. (Section 1302 (e)(6))

Funds not expended or dedicated to a specific project within four years after receipt will be returned to the National Recreational Trails Trust Fund and reallocated. (Section 1302 (e)(8))

NATIONAL RECREATIONAL TRAILS ADVISORY COMMITTEE

- o A National Recreational Trails Advisory Committee consisting of 11 members representing various recreational trail user groups will be appointed by the Secretary of Transportation. (Section 1303 (a)(b)(c))
- o The National Recreational Trails Advisory Committee is responsible for:
 - Reviewing use of funds by States.
 - Establishing criteria for qualifying trail facilities for funding.
 - Making recommendations for changes in Federal policy to advance program purposes.
 - Presenting an annual report to the Secretary. (Section 1303 (f)(g))
- o The Committee must submit a report to the Congress by December 18, 1995. The report will summarize NRTAC annual reports, allocation and use of funds, and recommend changes in Federal policy. (Section 1303 (i))

NATIONAL RECREATIONAL TRAILS TRUST FUND

- o A National Recreational Trails Trust Fund is established. The first year it will receive 0.3% of the Highway Trust Fund. In subsequent years the amount will be based on non-highway recreational fuel tax receipts. (Section 8003)