

**SB**

**230**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

DATE: 3/14/96

DATE TURNED INTO OFFICE: 3/27/96

The Finance Committee considered SENATE BILL NO. 230

Providing that state land, water, and land and water may not be classified so as to preclude or restrict traditional means of access for traditional recreational uses.

and recommends:

be replaced with \_\_\_\_\_ CS SB 230 (Fix)

adopt previous \_\_\_\_\_ CS \_\_\_\_\_

attached amendment(s)

adopt Letter of Intent by \_\_\_\_\_ Committee

further referral to the \_\_\_\_\_ Committee

Senate Bill:  
 same title  
 new title  
 House Bill:  
 same title  
 technical change  
 new: SCR# \_\_\_\_\_

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>Steven Papp</i>	✓		
		<i>Loell E. Jero</i>	✓		
		<i>Timothy J. ...</i>	✓		
Co-Chair: <i>Rita Halford</i>	✓	Co-Chair:			
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal
<i>DNR</i>	<i>3/24/96</i>		<i>105.8</i>

**PREVIOUS FISCAL NOTE(S):\***

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# FISCAL NOTE

**STATE OF ALASKA**  
**1996 LEGISLATIVE SESSION**

**BILL NO. SB230**

Revision Date: original Dept Affected Natural Resources  
 Title: An Act providing that state land, water, and BRU: Parks & Recreation Management  
land and water may not be classified so as to preclude or... Component: Parks Management  
 Sponsor: Senator Pearce, Frank, Green, Halford  
 Requestor: Senate Resources Component Serial No. 452

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES						
TRAVEL	1.0	1.5	1.5	1.0	1.0	1.0
CONTRACTUAL	1.0	2.0	2.0	1.0	1.0	1.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>2.0</b>	<b>3.5</b>	<b>3.5</b>	<b>2.0</b>	<b>2.0</b>	<b>2.0</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF	2.0	3.5	3.5	2.0	2.0	2.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>2.0</b>	<b>3.5</b>	<b>3.5</b>	<b>2.0</b>	<b>2.0</b>	<b>2.0</b>

Estimate of any current year (FY96) cost: \$ none

POSITIONS	FY97	FY98	FY99	FY00	FY01	FY02
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

When parks receives an ILMA under the terms of this bill, it will either appear before the legislature to request restrictions on traditional access (travel expenses) or will promulgate regulations to open the area, under Title 41, for motorized recreational use (travel and contractual). It is anticipated that 1 to 2 ILMAs will occur in FY97, 3 to 4 in FY98 and FY99, back to 1 to 2 in FY00, FY01, and FY02.

Lands transfered to Parks come in under title 41, which restricts vehicular use. Allowing for motorized use requires parks to promulgate regulations opening a unit of the park system to motorized use.

Prepared by: Jim Stramon, Director Phone: 266-8700  
 Division: Parks Date: 1-Feb-96  
 Approved by Commissioner: [Signature] Date: 1-Feb-96  
 Agency: Natural Resources

# FISCAL NOTE

**STATE OF ALASKA**  
**1996 LEGISLATIVE SESSION**

**BILL NO. SB230**

Revision Date: original Dept Affected: Natural Resources  
 Title: An Act providing that state land, water, and BRU: Parks & Recreation Management  
land and water may not be classified so as to preclude or... Component: Parks Management  
 Sponsor: Senator Pearce, Frank, Green, Halford  
 Requestor: Senate Resources Component Serial No. 452

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES						
TRAVEL	1.0	1.5	1.5	1.0	1.0	1.0
CONTRACTUAL	1.0	2.0	2.0	1.0	1.0	1.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>2.0</b>	<b>3.5</b>	<b>3.5</b>	<b>2.0</b>	<b>2.0</b>	<b>2.0</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	2.0	3.5	3.5	2.0	2.0	2.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>2.0</b>	<b>3.5</b>	<b>3.5</b>	<b>2.0</b>	<b>2.0</b>	<b>2.0</b>

Estimate of any current year (FY96) cost: \$ none

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

When parks receives an ILMA under the terms of this bill, it will either appear before the legislature to request restrictions on traditional access (travel expenses) or will promulgate regulations to open the area, under Title 41, for motorized recreational use (travel and contractual). It is anticipated that 1 to 2 ILMAs will occur in FY97, 3 to 4 in FY98 and FY99, back to 1 to 2 in FY00, FY01, and FY02.

Lands transferred to Parks come in under title 41, which restricts vehicular use. Allowing for motorized use requires parks to promulgate regulations opening a unit of the park system to motorized use.

Prepared by: Jim Stratton, Director Phone: 269-8700  
 Division: Parks Date: 5-Feb-96  
 Approved by Commissioner: \_\_\_\_\_ Date: 5-Feb-96  
 Agency: Natural Resources

File to CS requested 2/14/96

# FISCAL NOTE

No. 1

Bill Version: SB 230

B (S) Publish Date: 3-14-96

## STATE OF ALASKA 1996 LEGISLATIVE SESSION

Revision Date: original Dept Affected: Natural Resources  
 Title: An Act providing that state land, water, and BRU: Parks & Recreation Management  
land and water may not be classified so as to preclude or... Component: Parks Management  
 Sponsor: Senator Pearce, Frank, Green, Halford  
 Requestor: Senate Resources Component Serial No. 452

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES						
TRAVEL	1.0	1.5	1.5	1.0	1.0	1.0
CONTRACTUAL	1.0	2.0	2.0	1.0	1.0	1.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	2.0	3.5	3.5	2.0	2.0	2.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ( )	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	2.0	3.5	3.5	2.0	2.0	2.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	2.0	3.5	3.5	2.0	2.0	2.0

Estimate of any current year (FY96) cost: \$ none

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

When parks receives an ILMA under the terms of this bill, it will either appear before the legislature to request restrictions on traditional access (travel expenses) or will promulgate regulations to open the area, under Title 41, for motorized recreational use (travel and contractual). It is anticipated that 1 to 2 ILMAs will occur in FY97, 3 to 4 in FY98 and FY99, back to 1 to 2 in FY00, FY01, and FY02.

Lands transferred to Parks come in under title 41, which restricts vehicular use. Allowing for motorized use requires parks to promulgate regulations opening a unit of the park system to motorized use.

Prepared by: Jim Stratton, Director Phone: 289-8700  
 Division: Parks Date: 5-Feb-96  
 Approved by Commissioner: [Signature] Date: 5-Feb-96  
 Agency: Natural Resources

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

3/22/96 This note became # 2

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. CSSB230(RES)

Revision Date: \_\_\_\_\_ Dept Affected Natural Resources  
 Title: An Act providing that state land, water, and BRU: Parks & Recreation Management  
land and water may not be classified so as to preclude or ... Component: Parks Management  
 Sponsor: Senator Pearce  
 Requestor: Senate Finance Component Serial No. 452

Expenditures/Revenues (Thousands of Dollars)

	FY97	FY98	FY99	FY00	FY01	FY02
<b>OPERATING EXPENDITURES</b>						
PERSONAL SERVICES	71.1	33.3	1.0	1.0	1.0	1.0
TRAVEL	4.2	1.8	0.0	0.0	0.0	0.0
CONTRACTUAL	34.0	10.0	0.0	0.0	0.0	0.0
SUPPLIES	10.5	5.5	0.0	0.0	0.0	0.0
EQUIPMENT						
LAND & STRUCTURES	25.8					
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>145.6</b>	<b>50.6</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	145.6	50.6	1.0	1.0	1.0	1.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>145.6</b>	<b>50.6</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>

Estimate of any current year (FY96) cost: \$ none

POSITIONS

FULL-TIME	1	1	0	0	0	0
PART-TIME	1	1	0	0	0	0
TEMPORARY	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

Personal Services for \$1.0 is needed each year to prepare the report on activities restricting traditional access for traditional recreational activities required for new section 41.21.020(a)(14).

While no income is presently derived from areas administratively added to Denali and Wood-Tikchik State Parks, current additions or those anticipated in the near future do have the possibility of generating commercial use fees (Denali) and boat launch fees (Wood-Tikchik). Combined income potential is about \$10.0.

The inability to manage lands purchased by federal Land and Water Conservation Fund monies that lie beyond the boundary of Chikot State Park in 1977 and 1979 would require the state to purchase similar lands for recreational purposes at another site. Costs would be for appraising existing parcels and appraising potential

Prepared by: Jim Straton, Director Phone: 289-8700  
 Division: Parks Date: 20-Mar-96  
 Approved by Commissioner: [Signature] Date: 20-Mar-96  
 Agency: Natural Resources

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Fiscal note analysis continued...

new parcels. There are three parcels involved at Chilkat State Park. Because they are on the road system, appraisals would be about \$3.0 each. Appraisal for the new piece is placed at \$5.0. Purchase price in 1977 and 1979 was \$13,405. The price for similar land today will have at least doubled (that is the figure we used). An alternative would be for the legislature to add these parcels to Chilkat State Park.

Section 41.21.020(c) would require a rewrite of the Denali State Park Master Plan for a cost over 18 months of \$150.4. This rewrite would require a Natural Resource Officer II to be hired as the project manager (\$59.4) and a Natural Resources Officer I for six months (17.4). Remainder is for travel (\$6.0), contractual (\$30.0), supplies (\$16.0), and oversight by Chief of Policy and Planning (\$25.6).

# FISCAL NOTE

No. 2

**STATE OF ALASKA**  
**1996 LEGISLATIVE SESSION**

BILL Bill Version: CS SB 230 (RES)  
(S) Publish Date: 3-22-96

Revision Date: \_\_\_\_\_ Dept Affected Natural Resources  
 Title: An Act providing that state land, water, and BRU: Parks & Recreation Management  
land and water may not be classified so as to preclude or ... Component: Parks Management  
 Sponsor: Senator Pearce  
 Requestor: Senate Finance Component Serial No. 452

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES	71.1	33.3	1.0	1.0	1.0	1.0
TRAVEL	4.2	1.8	0.0	0.0	0.0	0.0
CONTRACTUAL	34.0	10.0	0.0	0.0	0.0	0.0
SUPPLIES	10.5	5.5	0.0	0.0	0.0	0.0
EQUIPMENT						
LAND & STRUCTURES	26.8					
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>146.6</b>	<b>50.6</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	148.0	50.6	1.0	1.0	1.0	1.0
1005 GF/Program Receipts						
1009 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>148.0</b>	<b>50.6</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>

Estimate of any current year (FY96) cost: \$ none

**POSITIONS**

FULL-TIME	1	1	0	0	0	0
PART-TIME	1	1	0	0	0	0
TEMPORARY	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

Personal Services for \$1.0 is needed each year to prepare the report on activities restricting traditional access for traditional recreational activities required for new section 41.21.020(a)(14).

While no income is presently derived from areas administratively added to Denali and Wood-Tikchik State Parks, current additions or those anticipated in the near future do have the possibility of generating commercial use fees (Denali) and boat launch fees (Wood-Tikchik). Combined income potential is about \$10.0.

The inability to manage lands purchased by federal Land and Water Conservation Fund monies that lie beyond the boundary of Chilkat State Park in 1977 and 1979 would require the state to purchase similar lands for recreational purposes at another site. Costs would be for appraising existing parcels and appraising potential

Prepared by: Jim Straton, Director Phone: 289-8700  
 Division: Parks Date: 20-Mar-96  
 Approved by Commissioner: [Signature] Date: 20-Mar-96  
 Agency: Natural Resources

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**

Fiscal note analysis continued...

new parcels. There are three parcels involved at Chilkat State Park. Because they are on the road system, appraisals would be about \$3.0 each. Appraisal for the new piece is placed at \$5.0. Purchase price in 1977 and 1979 was \$13,405. The price for similar land today will have at least doubled (that is the figure we used). An alternative would be for the legislature to add these parcels to Chilkat State Park.

Section 41.21.020(c) would require a rewrite of the Denali State Park Master Plan for a cost over 18 months of \$150.4. This rewrite would require a Natural Resource Officer II to be hired as the project manager (\$59.4) and a Natural Resources Officer I for six months (17.4). Remainder is for travel (\$8.0), contractual (\$30.0), supplies (\$16.0), and oversight by Chief of Policy and Planning (\$25.6).

# FISCAL NOTE

STATE OF ALASKA  
1996 LEGISLATIVE SESSION

BILL NO. CSSB230(RES)

Revision Date: 26-Mar-96 Dept Affecte Natural Resources  
 Title: An Act providing that state land, water, and BRU: Parks & Recreation Management  
land and water may not be classified so as to preclude or ... Component: Parks Management  
 Sponsor: Senator(s) Pearce, Frank, Green, Halford...  
 Requestor: Senate Finance Component Serial No. 452

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES	71.1	33.3	1.0	1.0	1.0	1.0
TRAVEL	4.2	1.8	0.0	0.0	0.0	0.0
CONTRACTUAL	20.0	10.0	0.0	0.0	0.0	0.0
SUPPLIES	10.5	5.5	0.0	0.0	0.0	0.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>105.8</b>	<b>50.6</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVENUES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF	105.8	50.6	1.0	1.0	1.0	1.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>105.8</b>	<b>50.6</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>

Estimate of any current year (FY96) cost: \$ none

POSITIONS	FY97	FY98	FY99	FY00	FY01	FY02
FULL-TIME	1	1	0	0	0	0
PART-TIME	1	1	0	0	0	0
TEMPORARY	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

This version of the fiscal note is to accompany the version of the bill that includes the additions to Chilkat State Park and deletes the section on weapons use.

Personal Services for \$1.0 is needed each year to prepare the report on activities restricting traditional access for traditional recreational activities required for new section 41.21.020(a)(14).

Section 41.21.020(c) would require a rewrite of the Denali State Park Master Plan for a cost over 18 months of \$154.4. This rewrite would require a Natural Resource Officer II to be hired as the project manager (\$59.4) and a Natural Resource Officer I for six months (\$17.4). Remainder is for travel (\$6.0), contractual (\$30.0), supplies (\$16.0), and oversight by the Chief of Policy and Planning (\$25.6).

Prepared by: Jim Stratton, Director *Jim Stratton* Phone: 269-8700  
 Division: Parks Date: 26-Mar-96  
 Approved by Commissioner: *[Signature]* Date: 26-Mar-96  
 Agency: Natural Resources

9-LS1538VR  
Luckhaupt  
3/26/96

*JFC*  
*3/27/96 pm*  
*BS moved*  
*Adopted*

CS FOR SENATE BILL NO. 230( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATORS PEARCE, Frank, Green, Halford, Leman, Miller, Phillips, Sharp, Taylor, Torgerson, Donley

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to management of state land, water, and land and water as  
2 part of a state park, recreational or special management area, or preserve;  
3 relating to reports to the legislature concerning prohibitions or restrictions of  
4 traditional means of access for traditional recreational uses within a park,  
5 recreational or special management area, or preserve; relating to Chilkat State  
6 Park; and relating to Denali State Park."

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

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

9 (a) The department shall

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

13 (2) plan for and develop a system of state parks and recreational

1 facilities, to be established as the legislature authorizes and directs;

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

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

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

12 (6) adopt, in accordance with this section and AS 44.62 (Administrative  
13 Procedure Act), regulations governing the use and designating incompatible uses within  
14 the boundaries of state park and recreational areas to protect the property and to preserve  
15 the peace;

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

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

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

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

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

28 (12) maintain memorials to Alaska veterans located in state parks; [AND]

29 (13) adopt, in accordance with AS 44.62 (Administrative Procedure Act),  
30 regulations governing the use of the Chena River State Recreation Area and designating  
31 incompatible uses within the boundaries of the Chena River State Recreation Area in  
32 accordance with AS 41.21.490; and

1                   (14) annually, by the first day of each regular session of the  
2                   legislature, submit a report to the legislature on each designation of an incompatible  
3                   use under this chapter, or other action, that prohibits or restricts a traditional  
4                   means of access across a park, area, or preserve established under this chapter for  
5                   a traditional recreational activity on or within the park, area, or preserve; for each  
6                   prohibition or restriction, the report must state reasons for the designation of  
7                   incompatibility or prohibition or restriction of a traditional means of access, the  
8                   specific area of the prohibition or restriction, and the time period during which the  
9                   incompatibility or prohibition or restriction is expected to exist; in this paragraph,

10                   (A) "traditional means of access" means those types of  
11                   transportation on, to, or in the state land, water, or land and water, for  
12                   which a popular pattern of use has developed; the term includes general or  
13                   commercial aviation, ballooning, motorized and nonmotorized boating,  
14                   snowmachining, operation of all-terrain vehicles, mushing, skiing,  
15                   snowshoeing, and walking;

16                   (B) "traditional recreational activity" means those personal  
17                   or commercial types of activities that people may utilize for sport, exercise,  
18                   subsistence, or personal enjoyment, including hunting, fishing, trapping, or  
19                   gathering, and that have historically been conducted as part of an individual,  
20                   family, or community life pattern on or in the state land, water, or land and  
21                   water.

22                   \* Sec. 2. AS 41.21.020 is amended by adding a new subsection to read:

23                   (d) Notwithstanding (a)(3) of this section, the department may not manage as  
24                   part of a park, area, or preserve established under AS 41.21.110 - 41.21.630, land, water,  
25                   or land and water that is not within the boundaries, as designated by the legislature, of  
26                   the park, area, or preserve.

27                   \* Sec. 3. AS 41.21.111 is amended to read:

28                   Sec. 41.21.111. AUTHORITY TO DESIGNATE CHILKAT STATE PARK.

29                   The governor may designate by proclamation the state-owned land and water and all  
30                   that acquired in the future by the state, lying within the parcels described in this  
31                   section, as the Chilkat State Park. The proclamation may include the entire area or  
32                   portions of the area at different times, shall reserve the areas included from all uses

1 incompatible with their primary function as public recreation land and water, and shall  
2 assign them to the department for control, development, and maintenance. Land  
3 covered by AS 41.21.110 - 41.21.113 has a total acreage of 6,056.30 [6,045.45] acres,  
4 including approximately 610 acres of federal land, and is described as follows:

5 (1) Township 31 South, Range 60 East, Copper River Meridian U.S.S.  
6 1599: the portions of Sections 6-8 known as Battery Point Light House Reserve;

7 (2) Township 31 South, Range 59 East, Copper River Meridian Section  
8 1, excluding the portions of Lots 2 and 3 within the Chilkoot Inlet Alaska Subdivision  
9 Section 12: NW1/4, NE1/4, SE1/4 Township 31 South, Range 60 East, Copper River  
10 Meridian Section 6: Lots 1-3 Section 7: Lots 1-7 Section 8: Lot 1 Sections 17 and 18  
11 Section 19: NE1/4NW1/4, N1/2NE1/4;

12 (3) Township 31 South, Range 60 East, Copper River Meridian Section  
13 30: Lots 8 and 9 Section 31 Section 32: SW1/4, W1/2NW1/4SE1/4,  
14 W1/2SE1/4NW1/4SE1/4, Lots 9-16 including W1/2SW1/4SE1/4SE1/4;

15 (4) Township 32 South, Range 60 East, Copper River Meridian Section  
16 5: W1/2, W1/2SE1/4 Sections 6-9, 15-17, 21 and 22, excluding Tongass National  
17 Forest; and

18 (5) the following particularly described parcels:

19 (A) approximately 6.49 acres in U.S. Survey 1243, Haines  
20 Recording District, described as: begin on the South line of said survey  
21 South 88 degrees 31 minutes 45 seconds East 1950.84 feet from Southwest  
22 corner (corner 4 M.C.) of said survey, said point being the Southeast  
23 corner of the tract in said survey excepted in the decree in Case No. 68-328  
24 of the Superior Court at Juneau, in which the distance is recited as being  
25 29.55 chains (1950.30 feet), run thence North 01 degree 12 minutes 00  
26 seconds East, on the East line of said excepted tract, 1028.77 feet, recited  
27 as 15.59 chains (1028.94 feet) in said decree, to the Northeast corner of  
28 said excepted tract; thence North 88 degrees 31 minutes 45 seconds West  
29 24.38 feet; thence North 1 degree 27 minutes 45 seconds East 1.85 feet;  
30 thence on a 126.92 foot radius curve to the left through a central angle of  
31 72 degrees 04 minutes 30 seconds a distance of 159.57 feet, the chord of

1 which bears North 34 degrees 34 minutes 30 seconds West 149.27 feet;  
2 thence North 70 degrees 25 minutes 15 seconds West 119.52 feet; thence  
3 on a 208.11 foot radius curve to the right through a central angle of 62  
4 degrees 04 minutes 00 seconds a distance of 225.48 feet, the chord of which  
5 bears North 39 degrees 23 minutes 15 seconds West 214.61 feet to the  
6 South line of "Mud Bay Road"; thence North 86 degrees 46 minutes 30  
7 seconds East, on said line of "Mud Bay Road," 230.54 feet; thence South  
8 70 degrees 25 minutes 15 seconds East 90.95 feet; thence on a 326.92 foot  
9 radius curve to the right through a central angle of 71 degrees 57 minutes  
10 00 seconds a distance of 410.55 feet, the chord of which bears South 34  
11 degrees 30 minutes 45 seconds 384.10 feet; thence South 1 degree 27  
12 minutes 45 seconds West 1030.62 feet to the South line of said survey;  
13 thence North 88 degrees 31 minutes 45 seconds West 175.38 feet to the  
14 point of beginning;

15 (B) approximately .92 acres in Tract "D," C. McRae  
16 Subdivision according to Plat 77 - 12, Haines Recording District, described  
17 as: begin at the Southwest corner of said Tract "D" which is also the  
18 Southwest corner of the North one-half of the Southwest one-quarter of the  
19 Northwest one-quarter of Section 32, Township 31 South, Range 60 East  
20 of the Copper River Meridian, which bears North 1 degree 26 minutes 00  
21 seconds West (Alaska State Plane Grid Bearings) 660.00 feet from the one-  
22 quarter corner on the West line of said section and South 1 degree 26  
23 minutes 00 seconds East 660.00 feet from the North one-sixteenth corner  
24 on the West line of said section, run thence North 1 degree 26 minutes 00  
25 seconds East, on the West line of said section, 347.81 feet to the  
26 Northeasterly line of Chilkat State Park Roadway; thence South 32 degrees  
27 56 minutes 15 seconds East 70.04 feet to a point of curve; thence Southerly  
28 on a 0 degrees 58 minutes 58 seconds curve to the right (Radius = 5,829.65  
29 feet) through an arc of 3 degrees 23 minutes 12 seconds (344.58 feet), the  
30 cord of which bears South 31 degrees 14 minutes 45 seconds East 344.53  
31 feet, to the South line of said tract and the South line of the North one-half

1 of the Southwest one-quarter of the Northwest one-quarter of said section;  
2 thence North 88 degrees 34 minutes 00 seconds West 225.56 feet to the  
3 point of beginning;

4 (C) approximately 3.44 acres in Tract "E," C. McRae  
5 Subdivision according to Plat 77 - 12, Haines Recording District, described  
6 as: begin at the Northwest corner of said tract which is also the one-sixty-  
7 fourth corner on the West line of said section which bears North 01 degree  
8 26 minutes 00 seconds East (Alaska State Plane Grid Bearings) 660.00 feet  
9 from the one-quarter corner on the West line of Section 32, Township 31  
10 South, Range 60 East of the Copper River Meridian and South 01 degree  
11 26 minutes 00 seconds West 660.00 feet from the North one-sixteenth  
12 corner of said section, run thence South 88 degrees 34 minutes 00 seconds  
13 East, on the North line of said tract which is also the South line of the  
14 North one-half of the Southwest one-quarter of the Northwest one-quarter  
15 of said section, 225.56 feet to a point on the Easterly line of Chilkat State  
16 Park Roadway; thence Southerly on a 0 degrees 58 minutes 58 seconds  
17 curve to the right (Radius = 5,829.65 feet) through an arc of 01 degree 46  
18 minutes 48 seconds (181.10 feet), the chord of which bears South 28  
19 degrees 39 minutes 39 seconds East 181.10 feet, to a point of tangency;  
20 thence South 27 degrees 46 minutes 15 seconds East 268.21 feet to a point  
21 of curve; thence on a 14 degrees 16 minutes 06 seconds curve to the right  
22 (Radius = 401.56) through an arc of 40 degrees 06 minutes 37 seconds  
23 (281.12 feet), the chord of which bears South 07 degrees 43 minutes 00  
24 seconds East 275.41 feet to the South line of said tract which is also the  
25 South line of the Southwest one-quarter of the Northwest one-quarter of  
26 said section; thence North 88 degrees 15 minutes 00 seconds West, on said  
27 South line, to the Westerly line of Chilkat State Park Roadway; thence  
28 Northerly on a 28 degrees 25 minutes 34 seconds curve to the left (Radius  
29 = 201.56 feet) through an arc of 50 degrees 59 minutes 51 seconds (179.40  
30 feet), the chord of which bears North 02 degrees 15 minutes 15 seconds  
31 West 173.54 feet to a point of tangency; thence North 27 degrees 46

1 minutes 15 seconds West 268.21 feet to a point of curve; thence on a 01  
2 degree 01 minute 04 seconds curve to the left (Radius = 5,629.65 feet)  
3 through an arc of 02 degrees 50 minutes 00 seconds (278.39 feet), the  
4 chord of which bears North 29 degrees 11 minutes 15 seconds West 278.37  
5 feet to the West line of said section; thence North 01 degree 26 minutes 00  
6 seconds East 14.72 feet to the point of beginning.

7 • Sec. 4. AS 41.21 is amended by adding a new section to read:

8 Sec. 41.21.155. INCOMPATIBLE USES. (a) The commissioner may  
9 designate by regulation incompatible uses within the land and water areas described  
10 in AS 41.21.151.

11 (b) The regulations governing public use of the Denali State Park must

12 (1) provide ample access for legal sport and subsistence hunting and  
13 fishing, trapping, and recreational uses; except to protect public safety, the  
14 commissioner may not restrict the exercise of sport or subsistence fishing or hunting  
15 or trapping permitted under law or under a regulation of the Board of Fisheries or the  
16 Board of Game within the Denali State Park;

17 (2) recognize that the current practice of traditional subsistence and  
18 recreational activities includes the use of small outboard motors and snow machines;

19 (3) permit reasonable access by aircraft for recreational purposes; and

20 (4) provide ample access for recreational mining.

21 • Sec. 5. Regulations that have not taken effect before the effective date of this Act and  
22 are in the process of being adopted by the Department of Natural Resources concerning Denali  
23 State Park and uses within Denali State Park may only take effect to the extent the regulations  
24 are consistent with the provisions of this Act. Regulations adopted by the Department of  
25 Natural Resources concerning Denali State Park and uses within Denali State Park that take  
26 effect in 1996 before this Act takes effect, are annulled.

AMENDMENT

OFFERED IN THE SENATE  
TO: CSSB230( ), "R" version

BY SENATOR RIEGER

JFC  
3/27/96 pm

SR  
moved

Failed

2-4

SR  
RP

Page 3, line 15:

Insert after "walking;"

in the case of motorized access "traditional" also means at the level it has historically been conducted;

Page 3, line 21:

Insert after water

; in the case of motorized recreation "traditional" also means at the level it has historically been conducted

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR RIEGER

TO: CSSB 230( ), "R" version

Page 7, line 18:

Insert after "machines"

at the level they have historically been used

# Alaska State Legislature



*During Interim (June - Dec)*  
716 West 4th Avenue, Suite 500  
Anchorage, AK 99501-2133  
(907) 258-8185  
Fax (907) 258-0226

*During Session (Jan - May)*  
State Capitol  
Juneau, AK 99801-1182  
(907) 465-3993  
Fax (907) 465-3872

**Drue Pearce**  
*President of the Senate*

## **Sectional Analysis of CS for Senate Bill 230** (version 9-LS1538\R)

Prepared for the Senate Resources Committee  
by staff to Senator Drue Pearce  
March 26, 1996

Section one: Adds a section to the list of duties required of the Department of Natural Resources. The Department must annually submit a report to the Legislature on each designation of an incompatible use that prohibits or restricts a traditional means of access. The report must state reasons for the restriction or prohibition, the specific area affected, and the duration of the restriction or prohibition. The sections further defines "traditional means of access" and "traditional recreational activity" as used in the section.

Section two: Adds a further section to the list of duties required of the Department of Natural Resources. The Department may not manage as special purpose park land those areas not inside park boundaries as designated by the legislature.

Section three: Adds slightly under 11 acres of land to Chilkat State Park. The three parcels of land involved were previously purchased by the Department in the late 70's and then transferred to park management with ILMA's. The land was purchased using federal funds that require management under Chilkat State Park land authority AS 41.21.110 - 41.21.113. This bill mandates that land acquired by the Department via ILMA be managed under AS 41.21.020. The Department is thus faced with purchasing similar land at 1996 prices or adding the affected land to the Park itself. This bill resolves the issue by adding the affected land to the Park.

Section four: Adds a section to the statute establishing Denali State Park specifying what constitutes an incompatible use.

Section five: Specifies that past regulations, and regulations being currently promulgated, concerning Denali State Park take effect only if they are consistent with the provisions of this Act. Past regulations not consistent with this Act are annulled.

# Alaska State Legislature



*During Interim (June - Dec)*  
716 West 4th Avenue, Suite 500  
Anchorage, AK 99501-2133  
(907) 258-8185  
Fax (907) 258-0226

*During Session (Jan - May)*  
State Capitol  
Juneau, AK 99801-1182  
(907) 465-4993  
Fax (907) 465-3872

**Drue Pearce**  
*President of the Senate*

## **Sponsor Statement** **SB 230**

### **"Legislative Approval To Restrict Traditional Recreational Uses"**

SB 230 was introduced to protect Alaskans' right to access state land and water for recreational use. In a time when the Federal government continues to restrict and prohibit Alaskans' access to many areas of the State, we, the state government, need to ensure that decisions to restrict access on land we control are made in a responsible, fair, and well represented process.

Alaskans are presently losing their right to traditional recreational use on some state land and park land without appropriate notification and justification. Citizens believe that the public comment process is not being fairly administered and all user groups are not being represented. In some instances, the management and authority to restrict and prohibit uses on state land are being transferred from the Division of Lands to the Division of Parks and Outdoor Recreation. Non restricted areas of our state are being closed without proper oversight by the legislature.

Decisions to deny access for recreational use, because of its importance, have always been made by our legislature, not by bureaucrats. The Constitution of the State of Alaska recognizes the importance of land closures and mandates that all closures over 640 acres must be legislatively designated. We must continue to recognize the importance of land closures and make necessary changes in the current process for restrictions and prohibitions in areas less than 640 acres.

A change in this process with SB 230, in its current form, or other language that achieves our intent, would ensure that all Alaskans would have proper representation by their elected officials and restrictions and prohibitions on traditional recreational activity would need to be justified to the Legislature. Many areas of Alaska may need to be restricted to some or all recreational activity, but these important decisions need to be made at the legislative level, where the people have better access.

### **SB 230 is the People's Access Bill.**

- *Access to Lands*
- *Access to Waters*
- *Access to Government Policy*

# FISCAL NOTE

STATE OF ALASKA

BILL NO. CS88230

1996 LEGISLATIVE SESSION

Revision Date: 28-Mar-96 Dept Affected: Natural Resources  
 Title: reporting on traditional access restrictions, limiting BRU: Parks & Recreation Management  
park expansion, redefining Denali State Park purpose Component: Parks Management  
 Sponsor: Senator Pearce  
 Requester: \_\_\_\_\_ Component Serial No. 462

(Thousands of Dollars)

Expenditures/Revenues	FY97	FY98	FY99	FY00	FY01	FY02
<b>OPERATING EXPENDITURES</b>						
PERSONAL SERVICES	71.1	59.9	1.0	1.0	1.0	1.0
TRAVEL	4.2	1.8	0.0	0.0	0.0	0.0
CONTRACTUAL	29.0	10.0	0.0	0.0	0.0	0.0
SUPPLIES	10.5	5.5	0.0	0.0	0.0	0.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>105.8</b>	<b>50.8</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVERSES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

(Thousands of Dollars)

FUND SOURCE	FY97	FY98	FY99	FY00	FY01	FY02
1002 Federal Receipts						
1003 GF Match						
1004 GF	105.8	50.8	1.0	1.0	1.0	1.0
1008 GF/Program Receipts						
1008 GF/MHTA						
Other						
<b>TOTAL</b>	<b>105.8</b>	<b>50.8</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>	<b>1.0</b>

Estimate of any current year (FY98) cost: \$ \_\_\_\_\_

**POSITIONS**

	FY97	FY98	FY99	FY00	FY01	FY02
FULL-TIME	1	1	0	0	0	0
PART-TIME	1	1	0	0	0	0
TEMPORARY	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

This version of the fiscal note is to accompany the version of the bill that includes the additions to Chitkat State Park and deletes the section on wilderness use.

Personal Services for \$1.0 is needed each year to prepare the report on activities restricting traditional access for traditional recreational activities required for new section 41.21.020(a)(14)

Section 41.21.020(c) would require a rewrite of the Denali State Park Master Plan for a cost over 18 months of \$154.4. This rewrite would require a Natural Resources Officer II to be hired as the project manager (\$68.4) and a Natural Resources Officer I for six months (17.4). Remainder is for travel (\$8.0), contractual (\$30.0), supplies (\$16.0), and oversight by Chief of Policy and Planning (\$25.0).

Prepared by: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Division: \_\_\_\_\_ Date: \_\_\_\_\_  
 Approved by Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_  
 Agency: Natural Resources

To: Ken Erickson, Fax: 465-3872  
From: Jim Stratton  
Re: new fiscal note, legals for Chilkat State Park

Attached is a copy of the new fiscal note, thanks for your help in solving several of our concerns.

Attached, also, are the legal descriptions for the three parcels purchased with land and water conservation fund monies.

1. Heinmiller property	6.49 acres
2. Asper property	0.92 acres
3. McRae property	3.44 acres
total acreage	10.85 acres

Thanks!

**TIA** TITLE INSURANCE AGENCY

201 N. Franklin  
Juneau, Alaska 99801  
(907) 586-6443 or 586-1738

BOOK 6 PAGE 304

Alaska Recording District  
THIS SPACE INTENDED FOR RECORDING USE.

Filed for Record at Request of  
Name State of Alaska, Division of Parks  
Address 619 Warehouse Drive - Suite 210  
City and State Juneau, Alaska 99801

Date of Filing  
FEB 14 1980

### Statutory Warranty Deed

THE GRANTOR **FREDERICK McRAE and CLARA McRAE, husband and wife**

for and in consideration of Ten dollars and other consideration

in hand paid, money, and various to **STATE OF ALASKA, represented by the DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS**

the following described real estate, situated in the **Alaska Recording District**, State of Alaska:

A tract of land in Tract "I", C. McRae Subdivision according to Plat 77-12, Alaska Recording District, First Judicial District, State of Alaska, described as:

BEGIN at the Northwest corner of said tract which is also the one-sixty-fourth corner on the West line of said section which bears N 1° 26' 00" E (Alaska State Plane Grid Bearings) 640.00 feet from the one-quarter corner on the West line of Section 32, Township 31 South, Range 68 East of the Copper River Meridian and S 1° 26' 00" W 640.00 feet from the North one-sixteenth corner of said section, run thence S 88° 34' 00" E, on the North line of said tract which is also the South line of the North one-half of the Southwest one-quarter of the Northwest one-quarter of said section, 223.36 feet to a point on the Easterly line of Chilkat State Park Roadway; thence Southerly on a 0° 58' 58" curve to the right (Radius = 3,829.63 feet) through an arc of 1° 46' 48" (181.18 feet), the chord of which bears S 28° 39' 39" E 181.18 feet, to a point of tangency; thence S 27° 46' 15" E 268.21 feet to a point of curve; thence on a 14° 16' 04" curve to the right (Radius = 401.36) through an arc of 48° 06' 37" (281.12 feet), the chord of which bears S 7° 43' 08" E 273.41 feet to the South line of said tract which is also the South line of the Southwest one-quarter of the Northwest one-quarter of said section; thence N 88° 15' 08" W, on said South line, to the Easterly line of Chilkat State Park Roadway; thence Northerly on a 28° 25' 34" curve to the left (Radius = 201.36 feet) through an arc of 36° 39' 51" (179.40 feet), the chord of which bears N 2° 15' 15" W 173.34 feet to a point of tangency; - Description continued on reverse

Given this 20th day of November, 1979

McRae 3.440000

Frederick McRae  
Clara McRae (ms.)

STATE OF ALASKA  
FIRST JUDICIAL DISTRICT  
ALASKA RECORDING DISTRICT

On this day personally appeared before me **Frederick McRae and Clara McRae**

to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 20th day of November, 1979



Henry Public  
Notary Public in and for the State of Alaska, Juneau  
My commission expires \_\_\_\_\_

thence N 27° 46' 15" W 268.21 feet to a point of curve; thence on a 1° 01' 04" curve to the left (Radius = 5,629.65 feet) through an arc of 2° 30' 00" (278.39 feet), the chord of which bears N 29° 11' 15" W 278.37 feet to the back line of said section; thence N 1° 26' 00" E 14.72 feet to the point of beginning.

SUBJECT TO Patent reservations.

80-0021

NC

RECORDED FILED  
HAINES RECORDING  
DISTRICT

JUN 14 3 28 PM '00

REQUESTED BY TSA  
ADDRESS \_\_\_\_\_



WARRANTY DEED

The Grantors, CARL W. HEINMULLER and BETTY JEAN HEINMULLER, husband and wife, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to them in hand paid, receipt of which is hereby acknowledged, do hereby convey and warrant unto the Grantee, STATE OF ALASKA, DIVISION OF PARKS, whose address is 619 Warehouse Drive, Suite 210 Anchorage, Alaska 99501, the following described real property, situate in the Haines Recording District, First Judicial District, State of Alaska, to-wit:

A tract of land in U. S. SURVEY 1243, Haines Recording District, First Judicial District, State of Alaska, described as:

BEGIN on the South line of said survey S 88°31'45" E 1950.84 feet from Southwest corner (corner 4 N.C.) of said survey, said point being the Southeast corner of the tract in said survey excepted in the decree in Case No. 68-328 of the Superior Court at Juneau, in which the distance is recited as being 29.53 chains (1950.30 feet), run thence N 1°12'00" E, on the East line of said excepted tract, 1028.77 feet, recited as 15.59 chains (1028.94 feet) in said decree, to the Northeast corner of said excepted tract; thence N 88°31'45" W 24.38 feet; thence N 1°27'45" E 1.85 feet; thence on a 126.92 foot radius curve to the left through a central angle of 72°04'30" a distance of 159.57 feet, the chord of which bears N 34°34'30" W 149.27 feet; thence N 70°25'15" W 119.52 feet; thence on a 208.11 foot radius curve to the right through a central angle of 62°04'00" a distance of 225.48 feet, the chord of which bears N 39°23'15" W 214.61 feet to the South line of "Mud Bay Road"; thence N 86°46'30" E, on said line of "Mud Bay Road", 230.54 feet; thence S 70°25'15" E 90.95 feet; thence on a 326.92 foot radius curve to the right through a central angle of 71°57'00" a distance of 410.55 feet, the chord of which bears S 34°30'45" W 384.10 feet; thence S 1°27'45" W 1030.62 feet to the South line of said survey; thence E 88°31'45" W 175.38 feet to the point of beginning.

SUBJECT TO ALL reservations, easements, exceptions, restrictions, covenants, conditions and rights-of-way of record, if any.

TOGETHER WITH, ALL AND SINGULAR, the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the premises, all and singular, together with the appurtenances and privileges thereto incident unto said Grantee, and to its assigns, FOREVER.

DATED this 14th day of October, 1977.

Hammiller 6.49 acres

GRANTORS:

Carl W. Heinmuller  
CARL W. HEINMULLER

Betty Jean Heinmuller  
BETTY JEAN HEINMULLER

144 E. CLEVELAND  
SUITE 401  
ANCHORAGE, ALASKA 99501  
PHONE 775-2272

STATE OF ALASKA )  
                  ) ss.  
THIRD DISTRICT )

THIS IS TO CERTIFY that on this 14th day of February, 1977, before me, the undersigned Notary Public in and for Alaska, personally appeared CARL W. WEISSMILLER and BETTY JEAN WEISSMILLER, known to me to be the persons named in the foregoing instrument, and acknowledged to me that they executed the same freely and voluntarily, for the uses and purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first hereinabove written.

*William J. Green*  
Notary Public in and for Alaska  
My Commission expires: \_\_\_\_\_

WILLIAM J. GREEN  
Notary Public  
1400 10th Avenue  
Anchorage, Alaska 99501  
Telephone 277-2171

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3887 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

## MEMORANDUM

March 26, 1996

**SUBJECT:** CSSB 230( ), "R" version, draft, dated 3/26/96 and the Chilkat State Park (Work Order No. 9-LS1538\R)

**TO:** Senator Drue Pearce  
Attn: Ken Erickson

**FROM:** Gerald P. Luckhaupt *GL*  
Legislative Counsel

Enclosed is the bill draft you requested making changes to the legal description of Chilkat State Park. You will want to have the Department of Natural Resources review the description carefully to make sure that it is accurate. Since we were working from faxed versions of the deeds it was rather difficult at times to read the numbers in the descriptions. I am also returning to you a copy of the materials that Ken supplied to me.

GPL:lmb  
96-070.lmb

Enclosures

# Alaska State Legislature




*During Interim (June - Dec)*  
716 West 4th Avenue, Suite 500  
Anchorage, AK 99501-2133  
(907) 258-8185  
Fax (907) 258-0226

*During Session (Jan - May)*  
State Capitol  
Juneau, AK 99801-1182  
(907) 465-3993  
Fax (907) 465-3872

**Drue Pearce**  
*President of the Senate*

To: Senator Rick Halford, Co-Chairman  
Senate Finance Committee

From: Senator Drue Pearce, Senate President 

Date: March 14, 1996

Re: Request scheduling of Senate Bill 230.

I respectfully request that Senate Bill 230, Legislative Approval To Restrict Traditional Recreational Uses, be scheduled in the Senate Finance Committee at your earliest convenience.

This bill specifies that the Department of Natural Resources must annually submit a report to the Legislature on each designation of an incompatible use that prohibits or restricts a traditional means of access. The report must state the reasons for the restriction or prohibition, the specific area affected, and the duration of the restriction or prohibition. The bill further specifies that the Department may not manage as special purpose park land those areas not inside park boundaries as designated by the legislature. And finally, the bill adds a section to the statute establishing Denali State Park specifying what constitutes an incompatible use. Past regulations, and regulations being currently promulgated, concerning Denali State Park, take effect only if they are consistent with the provisions of this Act. Past regulations not consistent with this Act are annulled.

This bill is supported by the Alaska Outdoor Council, the Alaska Airmen's Association, the Alaska State Snowmobile Association, the Alaska Boating Association, and many others.



2/7/96



Official Business

# Alaska State Senate

## Senate Finance Committee

Mail Stop 3100  
State Capitol  
Juneau, Alaska 99801-1182

### MEMORANDUM

TO: Senator Drue Pearce, President  
Alaska State Senate

FROM: Senator Rick Halford, Co-Chair  
Senate Finance Committee

DATE: February 6, 1996

SUBJECT: SB 230, Fiscal Note(s) WITHOUT a Finance Committee Referral

**COPY**

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A small (\$2.0) fiscal note has been issued by the Department of Natural Resources for SB 230, Legislature Approve Permanent Recreational Restriction, which was referred to the Senate Resources committee.

Please add a referral to the Senate Finance committee.

Thank you.

Attachment(s)

cc: Senator Mike Miller, Chairman  
Senate Rules Committee  
Attn: Mary Gore

RH/lis

2/6/96

Senate Finance Committee

To: Larry Stevens

From: Jerry

Date: 6 February 96

Subject: Bill Number: -E230 Version: \_\_\_\_\_

Fiscal Note WITHOUT a Senate Finance Committee Referral

Title: Leg. Approve Permanent  
Recreational Petrol

Referrals: RES

Sponsor(s): Pearce, Frank, Green, Hartford, Lemmon, Miller,  
P. Phillips, Sharp, Taylor, Torgerson, Donley

Department: \_\_\_\_\_

BRU: \_\_\_\_\_

Component: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attachments:

- Fiscal Note(s)
- Bill History from BASIS

CURRENT STATUS: (S) RES

	JRN-DATE	JRN-PAGE		ACTION
1	01/22/96	2198	(S)	READ THE FIRST TIME - REFERRAL(S)
2	01/22/96	2198	(S)	RESOURCES
3	01/31/96	2267	(S)	COSPONSOR(S): DONLEY

SELECTION=>

PF1	PF2	PF3	PF4	PF5	PF6	PF7	PF8	PF9	PF10	PF11	PF12
HELP	SUBJ	EXIT	MENU	TEXT	PRINT	BWD	FWD	CMT/JRNL	FIRST	LAST	QUIT
4B		H							==PC	LINE 22	COL 14

# FISCAL NOTE

**STATE OF ALASKA**  
**1996 LEGISLATIVE SESSION**

**BILL NO. SB230**

Revision Date: original Dept Affected: Natural Resources  
 Title: An Act providing that state land, water, and BRU: Parks & Recreation Management  
land and water may not be classified so as to preclude or... Component: Parks Management  
 Sponsor: Senator Pearce, Frank, Green, Halford  
 Requestor: Senate Resources Component Serial No. 452

(Thousands of Dollars)

Expenditures/Revenues	FY97	FY98	FY99	FY00	FY01	FY02
<b>OPERATING EXPENDITURES</b>						
PERSONAL SERVICES						
TRAVEL	1.0	1.5	1.5	1.0	1.0	1.0
CONTRACTUAL	1.0	2.0	2.0	1.0	1.0	1.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>2.0</b>	<b>3.5</b>	<b>3.5</b>	<b>2.0</b>	<b>2.0</b>	<b>2.0</b>
<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

(Thousands of Dollars)

FUND SOURCE	FY97	FY98	FY99	FY00	FY01	FY02
1002 Federal Receipts						
1003 GF Match						
1004 GF	2.0	3.5	3.5	2.0	2.0	2.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>2.0</b>	<b>3.5</b>	<b>3.5</b>	<b>2.0</b>	<b>2.0</b>	<b>2.0</b>

Estimate of any current year (FY96) cost: \$ none

**POSITIONS**

	FY97	FY98	FY99	FY00	FY01	FY02
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

When parks receives an IUAA under the terms of this bill, it will either appear before the legislature to request restrictions on traditional access (travel expenses) or will promulgate regulations to open the area, under Title 41, for motorized recreational use (travel and contractual). It is anticipated that 1 to 2 IUAAs will occur in FY97, 3 to 4 in FY98 and FY99, back to 1 to 2 in FY00, FY01, and FY02.

Lands transferred to Parks come in under title 41, which restricts vehicular use. Allowing for motorized use requires parks to promulgate regulations opening a unit of the park system to motorized use.

Prepared by: Jim Stratton, Director Phone: 286-8700  
 Division: Parks Date: 5-Feb-96  
 Approved by Commissioner: \_\_\_\_\_ Date: 5-Feb-96  
 Agency: Natural Resources

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