

ALASKA LEGISLATURE COMMITTEE BILL FILES - 1987 - 1988 8879

HB 16 cont., CSHB 16 198 198

Park Unit or Subunit	SRA	NH	PBX	Area	Camp- sites	IC	IB	LI	Potential fee Camp- ground	Existing Commercial Use	Concession Contracts	Potential Concessions	Park Plan	Advisory Board	Notes
Harding Lake	SRA	NH	PBX		89		Y	Y				BOAT RENTALS FIELD SWMS EQUIP.	Current Site Plan	Fairbanks Area Advisory Board	
Chena River	SBS	NH	PBX		59		Y	Y				Camp Operation Youth Hostel	Current Site Plan	Fairbanks Area Board	
Salcha River	SBS	NH	PBX				Y	Y					Current Site Plan	Fairbanks Area Board	
Upper Chatanika River	SBS	NH	PBX		25		Y	Y					Current Site Plan	Fairbanks Area Board	
Chena River Houhip Campground Red Squirrel Picnic Area Lower Chena Dome Trihd Upper Chena Dome Trihd Torn Trail	SRA	NH	PBX		4		Y	Y		CANOE SCHOOL	Outdoor Education Facility at Twin Bears Camp	CANOE RENTALS	Current 1984 Management Plan	Fairbanks Area Board	

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Park Unit or Subunit	W e	U n	U n	U n	Potential Use	Existing Commercial Use	Concession Contracts	Potential Concessions	Park Plans	Advisory Board	Notes
Lower Chatanika River	SBA	NR	FBX		Y				CHATA PLANS	Fairbanks Area Board	
Chatanika Picnic Area	SBA	NR	FBX		Y						
Chatanika Pond	SBA	NR	FBX								

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Park Unit or Subunit	SP	SC	CHU	Area	Camp- sites	Potential Camp- sites	Commercial Use	Concession Contracts	Potential Concessions	Park Plans	Advisory Board	Notes
Wood-Tikehik	SP	SC	CHU				Existing			1987 MEMT. PLAN	WOOD-TIKEHIC (TRAIL PLAN) COUNCIL	
Chugach	SP	SC	CHU							1980 MEMT. PLAN IS APPROX.	CHUGACH TR. CIT. ADVISORY BOARD	
Eklutna Campground	SP	SC	CHU	50		Y	BACKCOUNTRY GUIDES	SCENIC & PUBLIC MT. E.R. VISITOR CENTER	HELICOPTER FLIGHT SEEING			
Thunderbird Falls Trihd	SP	SC	CHU				RIVER FLOTT TRIPS (EAGLE RIV.)		TOWNS BUSES CPD. OPERATIONS			
Eagle River Campground	SP	SC	CHU	50		Y	TOWNS BUSES					
Eagle River Visitor Ctr	SP	SC	CHU									
McHugh Creek Picnic Area	SP	SC	CHU									
Bird Creek Campground	SP	SC	CHU	25		Y			CPD. OPERATIONS			
Gold Johnson Trail	SP	SC	CHU									
Prospect Heights Trihd	SP	SC	CHU									
Upper Huffman Trihd	SP	SC	CHU									
Glenn Alps Trihd	SP	SC	CHU									
Miller Saulton House	SIS	SC	CHU					SITE OPERATION (TOWN / FOOD / GIFTS / PROMOTIONS)	TOWN BUSES	CURRENT SITE PLAN	CHUGACH TR. CIT. ADVISORY BOARD	

Park Unit or Subunit	Area	Coop- in miles	Coop- in miles	Potential fee ground	Existing Commercial Use	Concession Contracts	Potential Concessions	Park Plans	Advisory Board	Notes
Bettles Bay	SMP : SC : CHU							NONE	NONE	
Horsehoe Bay	SMP : SC : CHU									
S. Esther Island	SMP : SC : CHU									
Sawmill Bay	SMP : SC : CHU									
Shoup Bay	SMP : SC : CHU									
Surprise Cove	SMP : SC : CHU									
Zeigler Cove	SMP : SC : CHU									
Caines Head	SBA : SC : KEM				TOUR BOATS SPORT FISH GUIDES			DEVELOPMENT PLAN (EST. COMP 1981)	NONE	
Kenai River	SBA : SC : KEM	51	8	Y	SPORT FISH GUIDES, NATURAL HISTORY GUIDES			1980 MGMT. PLAN ALL 310 PLANS ARE CURRENT	KENAI RIVER NOVIS. BOARD	
Kenai Keys	SBA : SC : KEM			Y						
Bings Landing	SBS : SC : KMS			Y						
Isaac Walton	SBS : SC : KMS	51		Y						
Morgan Landing	SBA : SC : KEM	10		Y						
Scout Lake	SBS : SC : KMS	8								
Funny River	SBS : SC : KMS									
Wilhoqua	SBS : SC : KMS									
Kenai River Islands	SBS : SC : KMS									
Big Eddy	SBS : SC : KMS									
Ciechanoki	SBS : SC : KMS									
Kenai River Flats	SBS : SC : KMS									

Park Unit or Subunit	Region	Area	Camp- sites	U a b c d e f g h i j k l m n o p q r s t u v w x y z	U a b c d e f g h i j k l m n o p q r s t u v w x y z	Potential fee ap- ground	Existing Commercial Use	Concession Contracts	Potential Concessions	Park Plans	Advisory Board	Notes	
Deep Creek	SBA	SC	KEN			Y	SPORT FISH GUIDES ICE/FISHING SALES		AREA OPERATION	CURRENT SITE PLAN		14-G-2	
Starbuck	SBS	SC	KEN	13		Y				CURRENT SITE PLAN		NONE.	
Anchor River	SBA	SC	KEN	10		Y	SPORT FISH GUIDES			CURRENT SITE PLAN		NONE.	
Anchor River	SBS	SC	KEN	4						CURRENT SITE PLAN		NONE.	
Kachemak Bay	SP	SC	KEN	8			FISH GUIDE, MACHINING, BIRCHBARK GUIDES, TUG BOATS, HELI-SKI, ISLAND TRIPS, WATER TAXI			DRAFT FINAL PLAN. (FINAL B1) (1988)		KACHEMAK BAY SPECIALIZED LAND USE	
Paradise Lake	SBS	SC	KEN	11		Y				CURRENT SITE PLAN		NONE	

Park Unit or Subunit	Recreation Type	Area	Camp- sites	Ch to a	Ch to a	Potential fee Camp- ground	Commercial Use	Concession Contracts	Potential Concessions	Park Plans	Advisory Board	Notes
Denali	SP	SC	MAT									
Little Coal Creek Trihd	SP	SC	MAT									
Ak Veterans Memorial	SP	SC	MAT									
Byers Lake Campground	SP	SC	MAT	66		Y						
Troublesome Creek Trihd	SP	SC	MAT									
Troublesome Creek Picnic	SP	SC	MAT									
Denali Viewpoint	SP	SC	MAT									
Nancy Lake	SRA	SC	MAT	4								
Winter Trihd	SRA	SC	MAT									
Tulik Nature Trail	SRA	SC	MAT									
Canoe System Trihd	SRA	SC	MAT	15								
South Rolly Campground	SRA	SC	MAT	90		Y						
Big Lake North	SBS	SC	MAT	6	Y	Y						
Big Lake South	SBS	SC	MAT	11	Y	Y						

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existing
Commercial Use

RIVER TRIPS,
HUNTING GUIDES

HOTEL & VISITOR CENTER
NEAR RIVER MIDDLE
& CARRY RIDGE

CURRENT PLANS
PLANS IN PROGRESS

ADVISORY BOARD
EST. 1987

CURRENT PLANS
EST. 1987

NONE

CONCRETE RENTAL

CURRENT SITE
PLANS

NONE

CURRENT SITE
PLANS

NONE

Park Unit or Subunit	Site ID	Area	Camp- sites	Trail miles	Potential Camp- ground	Existing Commercial Use	Concession Contracts	Potential Concessions	Park Plans	Advisory Board	Notes
Bonnie Lake	SRS	SC	MAT	11	Y				CURRENT SITE PLAN	NONE	
Coeur d'Alene	SRS	SC	MAT	41	Y	Y			CURRENT SITE PLAN	NONE	
Clear Mountain	SRS	SC	MAT	22		Y			NONE	NONE	
Long Lake	SRS	SC	MAT	9	Y				NONE	NONE	
Malanaska Glacier	SRS	SC	MAT	12		Y			CURRENT SITE PLAN	NONE	
Montana Creek	SRS	SC	MAT					Area operation	CURRENT SITE PLAN	NONE	

Park Unit or Subunit	Year Established	Area in Acres	Camp- sites	Potential Camp- sites	Potential Camp- grounds	Existing Commercial Use	Concession Contracts	Potential Concessions	Park Plans	Advisory Board	Notes
Whispering Creek	SRS	SC	CUP	12				CAMPGROUND OPERATION		NONE	
Squirrel Creek	SRS	SC	CUP	14						NONE	
Osage Creek	SRS	SC	CUP	10	Y			CAMPGROUND OPERATION		NONE	
Washington Glacier	SBS	SC	CUP		SC				CURRENT SITE PLAN	NONE	
Like Louse	SBA	SC	CUP	46	Y	Y		CABIN RENTALS	CURRENT SITE PLAN	NONE	

Park Unit or Subunit	Category	Area	Camp- sites	to ground	Potential fee Camp- ground	Existing Commercial Use	Concession Contracts	Potential Concessions	Park Plans	Advisory Board	Notes
Boskin River	SRS	SC	KOD	18	Y	Y	RAFT RACE SPORT FISH ENDS		CURRENT SITE PLAN	KODIAK AREA SP AD BOARD	
Pasagohak	SRS	SC	KOD				SPORT FISH ENDS		CURRENT SITE PLAN	
Shuyak Island	SP	SC	KOD		4				RAFT MANAGER PLAN	KODIAK AREA SP AD BOARD	
Fort Abercrombie	SBP	SC	KOD	14			TOUR BUSES	MUSEUM OPERATIONS	CURRENT MANAGEMENT PLAN	KODIAK AREA SP AD BOARD	

State Unit or Subunit	SP	SE	HNS	11	Y	Y	Existing Commercial Use	Concession Contracts	Potential Concessions	Park Plans	Advisory Board	Notes
Chilkat	SP	SE	HNS	11	Y		TOUR BUSES			CURRENT SITE PLANS	NONE	
Chilkat Bald Eagle	SPR	SE	HNS				TOUR BUSES, RIVER TRIPS, NATURAL HISTORY TOURS			CURRENT MANAGEMENT PLAN	ALASKA CHILKAT BALD EAGLE PRESERVE AD BOARD	
Mosquito Lake	SBS	SE	HNS	11	Y	Y				NONE	NONE	
Chilkoot Trail	ST	SE	HNS							NONE	NONE	
Oliver Inlet	SMP	SE	JNO							NONE	NONE	
Shelter Island	SMP	SE	JNO									
Saint James Bay	SMP	SE	JNO									
Sullivan Island	SMP	SE	JNO									
Chilkat Islands	SMP	SE	JNO							↓	↓	

Park Unit or Subunit	Region	Area	Camp- sites	Historical Sites	Potential Commercial Use	Existing Commercial Use	Concession Contracts	Potential Concessions	Park Plans	Advisory Board	Notes
Old Sitka	SHP	SE	STK			TUR BIXES BOAT TOURS HISTORICAL TOURS			CURRENT SITE PLAN	SITKA AREA SP ADVISORY BOARD	
Juneau Trail System	ST	SE	JNO							KUNENE AREA SP ADVISORY BOARD	
Johnson Creek	SRS	SE	JNO							NONE	
Wickersham	SNS	SE	JNO			HISTORICAL TOURS		OPERATION OF HISTORIC HOME		NONE	
Whitcomb Lake	SRS	SE	JNS	12	Y	Y				NONE	
Whitcomb Lake	SRS	SE	JNS	4						NONE	

Park Unit or Subunit	Region	Area	Camp- sites	Number of Camp- sites	Potential Use	Existing Commercial Use	Concession Contracts	Potential Concessions	Park Plans	Advisory Board	Notes
Tuleen Bight	SHP	SE	ATN			TRUCK BUSES			CURRENT SITE PLAN	KETCHIKAN AREA SP AD BOARD	
Refuge Cove	SRS	SE	RIN						CURRENT SITE PLAN	KETCHIKAN AREA SP AD BOARD	
Settlers Cove	SRS	SE	RIN	12	Y			CAMPGROUND OPERATION	CURRENT SITE PLAN	KETCHIKAN AREA SP AD BOARD	
Pioneer Park	SRS	SE	RIN						NONE	KETCHIKAN AREA SP AD BOARD	
Baranof Castle	SHS	SE	STK			TRUCK BUSES			CURRENT SITE PLAN	SITKA AREA SP AD BOARD	
Malibu Point	SRS	SE	STK						CURRENT SITE PLAN	SITKA AREA SP AD BOARD	

NOTE: LIST
DOES NOT INCLUDE
1986 ADDITIONS TO
SOME TRUCK BUSES

STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

400 WILLOUGHBY AVE.
JUNEAU, ALASKA 99801
PHONE: (907) 465-2400

OFFICE OF THE COMMISSIONER

January 23, 1987

The Honorable Adelheid Herrmann, Co-Chairwoman
The Honorable Sam Cotten, Co-Chairman
House Resources Committee
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Representatives Herrmann and Cotten:

Subject: HB 16 which relates to the levy and collection of fees for the use of state park facilities.

Response: The Department of Natural Resources strongly supports the concept of charging a fee for the use of developed state park or recreation area campsites.

Background: The Alaska State Park System is the only one in the nation that does not levy user fees for its facilities. Within Alaska, the U.S. Forest Service, National Park Service, Fish and Wildlife Service, Bureau of Land Management, and several municipalities all charge fees for campground use.

While the department currently charges fees for overnight use of cabins and for special or commercial use permits for parks and recreation areas, a motor vehicle statute AS 28.10.411(e) (copy enclosed) effectively prevents us from charging campsite fees for any vehicle registered in Alaska.

Recommendations: We recommend several additions to this bill to accommodate the realities of operating park and recreation areas with a reduced budget. Our proposed amendments would also allow continuation of existing park fee programs that may otherwise "sunset" this year as a result of last year's procurement bill (HB 696).

1. Expand the list of facilities for which fees can be charged to include public use cabins or other overnight lodging rentals, special park use permits, and non-competitive and non-exclusive commercial use permits. We currently charge fees for these uses but will be prevented from doing so on July 1, 1987, unless

these charges are specifically authorized by statute. We would prefer that a limitation on the dollar amount of fees not be included in the bill. Fees could be established by regulation, in consideration of the public interest.

2. Add a new section to allow concessionaires who contract with the department for operation of park or recreation areas to charge fees for day-uses as well as camping. There are some park campground facilities that could be successfully operated by the private sector if fees for boat launching, parking for access to boat launching facilities, lodging, food and other goods and services could be charged. The following language would achieve that purpose:

Notwithstanding the provisions of subsection (a) above, concessionaires operating park facilities under contract with the state may levy fees for activities including but not limited to: use of boat launch facilities, picnic areas, parking for access to water-based recreation opportunities, overnight lodging, food, gifts and other goods or services.

3. Add a new section to allow collected park fees to be appropriated to the department to help fund park and recreation area operations. The following language would establish this park "program receipts" authority for the department:

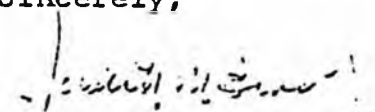
Revenues collected by the state under this subsection shall be deposited in the general fund. The commissioner of administration shall separately account for revenues collected and deposited by the commissioner under this subsection. The annual estimated balance in the account may be appropriated by the Legislature to the Department of Natural Resources to carry out the purposes of AS 41.21.020.

Conclusion: Enacting a park fee bill will allow those who use costly park facilities to help pay for their maintenance and development. In addition, allowing the state to charge camping or recreational use fees will eliminate the unfair competition that now exists with private campground owners who must charge fees to stay in business.

January 23, 1987

I have enclosed a draft park fee bill which incorporates the ideas contained within HB 19 and the department's recommendations into one. I have also provided a briefing paper related to this draft bill. Please let me know if I may provide additional information about park user fees.

Sincerely,


Judith M. Brady
Commissioner

Enclosures

cc: Spncors
Committee Members
Neil Jchanssen
Mike Bradner

R10 315187
Rec'd 5-13

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST:

Revision Date: 5/5/87
Title: Fees for use of State Park facilities
Sponsor: Rep. Navarre
Requestor: Senate Resources

Bill Version: CSHB 16 (SC&RA)
Publish Date: _____

Agency Affected: Natural Resources
BRU: Park Management

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		42.0	42.0	42.0	42.0	42.0
TRAVEL		8.0	5.0	2.0	2.0	2.0
CONTRACTUAL		20.0	15.0	8.0	8.0	8.0
SUPPLIES		3.0	3.0	2.0	2.0	2.0
EQUIPMENT		23.0	10.0	5.0	5.0	5.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		96.0	75.0	59.0	59.0	59.0

CAPITAL						
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REVENUE		30.0	170.0	334.0	430.0	550.0
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FUNDING: (Thousands of Dollars)

GENERAL FUND		96.0	75.0	59.0	59.0	59.0
FEDERAL FUNDS						
OTHER						
TOTAL		96.0	75.0	59.0	59.0	59.0

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

See attachment. Fiscal note provides for program management, fiscal control, installation of iron rangers, field management and public involvement.

Prepared by: Neil Johannsen Phone: 465-2400
Division: Parks and Outdoor Recreation Date: 5/5/87

Approved by Commissioner: Judith M. Buey Date: _____
Agency: Natural Resources

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

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MAY 13 1987

page 1 of 2

LEGISLATIVE FINANCE

<u>PERSONAL SERVICES</u>	<u>FY 88</u>	<u>FY 89</u>	<u>FY 90</u>	<u>FY 91</u>	<u>FY 92</u>
Economic Program Manager, NRO II	4 mos. @ 4.3 = 17.2	17.2	17.2	17.2	17.2
Accounting Technician	8 mos. @ 3.1 = 24.8	24.8	24.8	24.8	24.8
		42.0	42.0	42.0	42.0
TRAVEL					
Statewide Regulation Hearings	8.0	5.0	2.0	2.0	2.0
Statewide Concession Hearings					
Implementation of Fee Program					
Permit Reviews/Compliance					
Cabin Program Management					
CONTRACTURAL					
Fee Program Implementation	20.0	15.0	8.0	8.0	8.0
\$1,000 per camp loop for signs, iron rangers, lock system, safes, installation, repair/ replacement, public notices, vehicle mileage					
SUPPLIES					
Fee envelopes, accounting and office supplies	3.0	3.0	2.0	2.0	2.0
EQUIPMENT					
Iron Rangers, Safes, vehicle outfitting	23.0	10.0	5.0	5.0	5.0

Revenues

FY88

Fees:

Commercial Use Permits \$6.0 (120 at \$50 each)
 Public Cabins \$5.0 (1986 level of revenues)

Concessions (Franchise Fee Payments)

Potter Section House \$10.5 (3% of \$350.0 gross receipts)
 Rika's Roadhouse \$8.5 (3% of \$280.0 gross receipts)

estimated total revenue for FY88 is \$30.0

Future Revenues (campground fees are added and additional
 concessions and commercial use permits are established)

FY 89 \$170 FY 91 \$490
 FY 90 \$334 FY 92 \$550

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____
 Revision Date: February 3, 1987
 Title: Fees for use of state park facilities
 Sponsor: Senate Resources
 Requestor: Senate Resources

Bill Version: CSHB 16 (Resources)
 Publish Date: _____

Agency Affected: Natural Resources
 BRU: Park Management

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		28	30	34	34	34
TRAVEL		18	8	3	3	3
CONTRACTUAL		20	15	10	10	10
SUPPLIES		3	2	2	2	2
EQUIPMENT		27	20	10	10	10
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		96	75	59	59	59

CAPITAL						
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REVENUE		30	170	334	490	550
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FUNDING: (Thousands of Dollars)

GENERAL FUND		96	75	59	59	59
FEDERAL FUNDS						
OTHER						
TOTAL		96	75	59	59	59

POSITIONS:

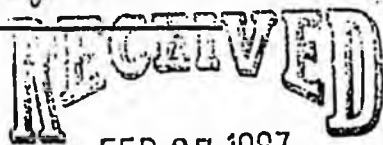
FULL-TIME						
PART-TIME						
TEMPORARY		1	2	1	1	1

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Neil Jahannsen Phone: 465-2400
 Division: Parks and Outdoor Recreation Date: February 3, 1987

Approved by Commissioner: Wm D Arnold, Deputy Date: 2/3/87
 Agency: Natural Resources

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)
 Senate Secretary



FEB 27 1987

LEGISLATIVE FINANCE

EXPLANATION OF COST FIGURES

1. Personnel Services

Economic Programs Manager = 4.3 per month
Seasonal Support Staff (ACC or Intern) = 2.2 per season

FY88

6 Months @ 4.3 = 25.8
1 seasonal staff = 2.2

FY89

6 Months @ 4.3 = 25.8
2 seasonal staff = 4.2

FY90

6 Months @ 4.3 = 25.8
1 seasonal staff = 2.2
Accounting Tech (2 months @ 3.0/Month) = 6.0

2. Travel

FY88

Regulation Hearings statewide	8.0
Concession Hearings & Meetings	5.0
Concession compliance, implementation	5.0

FY89

Concession Hearings and Meetings	3.0
Concession Compliance, implementation	5.0

FY90

Concession Compliance and implementation	3.0
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3. Contractual

Camp loops estimated at \$1000.00 per loop as follows:
(Signs; \$200, Iron Ranger; \$350, Lock System; \$50, Labor; \$400)

FY88 - 20 camp loops
FY89 - 15 camp loops
FY90 - 10 camp loops (5 replacement)
FY91 - 10 replacements (vandalism, etc.)

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4. Equipment

Outfitting each vehicle at \$700 per vehicle with fee collection lock system (iron rangers get locked into rack on vehicle, each vehicle carries enough inserts for area covered by ranger)

10 area offices need safes for the money, accounting equipment, and lock-boxes. Estimated at \$1000.00 per office

Vehicle milcage estimated at \$10.0 additional statewide

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The revised fiscal note shows a greater level of concessions than earlier versions indicated. The revised bill also requires hearings for all concession operations, as well as the regulation hearings and processes for all fees to be charged by the state.

Fees and revenues from all concessions, commercial use permits, park use permits, cabin rentals, and campground fees have been written into the revenue projections.

REVENUES:

FY88

Operation	Rev\$	Comments or source
Concessions:		
Potter Section House	10.5	350.0 Gross Receipts @ 3% return to State
Rika's Roadhouse	8.5	280.0 @ 3%
Permits:		
Commercial Use Permits	6.0	120 permit @ \$50
Park Use Permits (Cabins)	5.0	(1986 historical data)

FY89

Concessions:

Potter Section House	15.0	500.0 @ 3%
Rika's Roadhouse	19.0	630.0 @ 3%
Wickersham House	7.0	230.0 @ 3%
Small Concessions	4.0	Boat Rentals, Firewood, Camp & Fish Supply, etc
Campground Concessions	17.0	350 sites @ \$6/site, 110 day season, 75% occupied 10% concession fee

Fees:

Campground Fees	100.0	(see chart attached, less 20% inefficiency factor for 1st year)
Cabin Fees	8.0	Historical data plus six new cabins

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LEGISLATIVE FINANCE

FY90

Concessions:

Potter Section House	15.0	500.0 @ 3%
Rika's Roadhouse	23.0	770.0 @ 3%
Wickersham House	7.0	230.0 @ 3%
Totem Bight	6.0	200.0 @ 3%
Small Concessions	5.0	
Campground Concessions	40.0	530 Sites = 220.0 @ 10% User Fees in some areas (boat launch, day parking, etc) = 180,000 visitors @ \$1 each, 10% concession fee = 18.0

Fees:

Campground Fees	125.0	(see attached)
Cabin Rentals	10.0	
Historic Site Tours	55.0	55,000 @ \$1 each
Commercial Use Permits	48.0	245 @ \$200 each

FY91

Concessions:	75.0
Campgrounds; Cabins; Permits; Tours	360.0
Campground Concessions	65.0

FY92

Concessions:	95.0
Campgrounds; Cabins; Permits; Tours	390.0
Campground Concessions	65.0

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LEGISLATIVE FINANCE

STATE PARK FACILITY USER FEE PROGRAM
POTENTIAL REVENUES

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First Full Year of Operation (Limited Program)

Facility	rate	% mean occupancy	facility capacity	number days open	compliance rate	Annual Revenue
Eagle River CPD Chugach SP	A 8	80	36	150	85	CONCESSION
South Rolly CPD Nancy Lk SRA	B 6	40	98	120	80	22,579
Byers Lake CPD Denali SP	B 6	40	61	90	80	22,253
Johnson Lk SRA	B 6	30	43	120	80	22,334
Ninilchik SRA New CPD	B 6	50	31	150	85	16,631
Ninilchik Up-land CPD	6	50	15	150	85	5,738
Chilkat SP	B 6	50	32	130	80	9,984
Chilkoot SRS	B 6	80	33	120	80	CONCESSION
Bird CPD Chugach SP	B 6	80	25	150	75	13,500
Dry Creek SRS	B 6	40	58	90	80	10,022
Eagle Trail SRS	B 6	45	40	90	80	7,776
Chena SRS	B 8	80	51	120	80	CONCESSION
Settler's Cove SRS	B 3	80	15	130	80	3,744

CS HB 16 (Finance)

Amendment # 1

page 1, line 26 insert:

",and

(7) use of an improved boat ramp in a park facility developed principally for boat launching."

ADDITIONS/CHANGES TO CS HB 16 (RESOURCES)

5-0206L
Bannister
3/4/87



~~ADDITIONS/CHANGES~~
~~TO CS HB 16 (RESOURCES)~~

Original sponsors: Navarre, Koponen,
Swackhammer, et al.

FINAL
Incorporating
Attached
amendment

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 16 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the levy and collection of fees
7 for the use of state park system facilities; relating
8 to contracts for services and facilities in the state
9 park system; and providing for an effective date."

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

11 * Section 1. AS 41.21 is amended by adding new sections to read:

12 Sec. 41.21.026. FEES FOR THE USE OF STATE PARK SYSTEM FACILI-
13 TIES.

14 (a) The department may not, either directly or through another
15 person, charge or collect a fee for an ordinary use of a park unit or
16 the use of a restroom in a park unit.

17 (b) In addition to the prohibition in (a) of this section, the
18 department may not establish and collect fees for the use of a park
19 unit, except for

20 (1) rental of public use cabins or other overnight lodg-
21 ings;

22 (2) overnight use of a developed campsite;

23 (3) special park use permits;

24 (4) noncompetitive and nonexclusive commercial use permits;

25 (5) use of a sewage holding tank dump station; and

26 (6) guided tours of historic sites.

27 (c) The department shall ^{(7) boat launching} establish the fees for uses under (b)
28 of this section by regulation. Before setting the fees, the depart-
29 ment shall consider at public hearings

(1) the cost to the state of operating the facility or

1 managing the activity;

2 (2) the normal fees charged for similar facilities or
3 activities by governmental and nongovernmental entities;

4 (3) the cost of administering a fee collection program for
5 the facility or activity; and

6 (4) the public interest.

7 (d) In this section, "developed campsite" means a campsite
8 having access to the following public facilities:

9 (1) restrooms;

10 (2) a picnic table;

11 (3) an outdoor cooking facility; and -

12 (4) an approved water source.

13 Sec. 41.21.027. MAINTENANCE AND COLLECTION CONTRACTS IN THE
14 STATE PARK SYSTEM. (a) The state may contract under AS 36.30 (State
15 Procurement Code) for

16 (1) the collection of fees charged for uses under AS 41.-
17 21.026(b); and

18 (2) park unit maintenance activities; "park unit mainte-
19 nance activities" means

20 (A) refuse collection;

21 (B) janitorial maintenance of facilities;

22 (C) litter pickup;

23 (D) painting;

24 (E) fireplace cleaning;

25 (F) sewage pumping;

26 (G) minor repair and replacement of facilities;

27 (H) snowplowing and road maintenance;

28 (I) brushing trails, picnic areas, and campsites;

29 (J) other normal park unit maintenance activities.

1 (b) The state may combine in a single contract the services
2 listed in (a)(1) and (2) of this section.

3 (c) A contract under this section is not subject to AS 41.21.-
4 028.

5 Sec. 41.21.028. CONCESSION CONTRACTS IN THE STATE PARK SYSTEM.

6 (a) The state may not enter into a concession contract under AS 36 to
7 provide services or to operate or construct facilities in a park unit
8 unless the commissioner finds that the proposed concession contract

9 (1) will implement the purposes of the park unit and is
10 authorized by the park management plan, if any, that applies to the
11 park unit;

12 (2) will enhance public use and enjoyment of the park unit
13 while maintaining a high quality environment and the opportunity for
14 high quality recreational experiences;

15 (3) will provide services or facilities that are not feasi-
16 ble or affordable for the state to provide directly;

17 (4) will not create substantial adverse environmental
18 effects;

19 (5) is based on a need or desire of the public;

20 (6) recognizes and accommodates, at no cost, ordinary uses
21 in a park unit;

22 (7) requires the contractor to hire residents of the state,
23 to the extent available and qualified, when hiring persons to work in
24 the park under the contract;

25 (8) provides the state with a fair and equitable portion,
26 in money or services, of the contractor's receipts from the provision
27 of the service or the operation of the facility;

28 (9) provides that the department retains control over the
29 level of fees and the design and appearance of any facility to be

1 constructed;

2 (10) requires the contractor to accommodate visitors with
3 special circumstances, including handicapped persons, senior citizens,
4 and school children;

5 (11) provides that during the term of the contract the
6 commissioner shall regularly review and inspect the

7 (A) operation of the facility; and

8 (B) contractor's provision of service to the public;

9 and

10 (12) provides that the contract shall be terminated if the
11 contractor fails to protect park values and resources or fails to
12 maintain a high-quality environment and recreation experience.

13 (b) Before bids or proposals are sought or contract negotiations
14 begun under AS 36.30 for a concession contract under (a) of this
15 section, the commissioner shall

16 (1) make a preliminary inquiry at the local level to
17 identify community concerns;

18 (2) if it is appropriate to proceed further, make a pre-
19 liminary decision that includes the findings required by (a) of this
20 section and

21 (A) an assessment of existing visitor uses that may be
22 affected by the activities of the contractor;

23 (B) an assessment of the potential conflicts or sig-
24 nificant effects on park wildlife, water, scenic values, or other
25 resources;

26 (C) an identification of the types of services or
27 goods that the contractor is to provide;

28 (D) the terms and conditions of the contract;

29 (E) a determination of whether the contract activity

1 would be more appropriately located on land outside of the park
2 or on private land within the park; and

3 (F) the views and comments of the park advisory board,
4 when one exists, for the park unit in which the activity is being
5 considered;

6 (3) after making a preliminary decision under (2) of this
7 subsection,

8 (A) seek public comment on the preliminary decision
9 through reasonable public notice and, if facilities may be built
10 under the concession contract, conduct public hearings;

11 (B) after considering the public comment obtained
12 under this subsection, issue a final decision on whether or not
13 the state will proceed into a concession contract award process.

14 (c) The commissioner shall provide for public review and comment
15 before a concession contract under this section is renewed or ex-
16 tended.

17 (d) By the 15th day of each first regular session of the legis-
18 lature, the commissioner shall make available to the legislature a
19 report on the provision of services or operation of facilities under
20 concession contracts under this section during the previous two fiscal
21 years, including

22 (1) contract activities;

23 (2) new or expanded contracts whose estimated or actual
24 gross receipts exceed \$25,000; and

25 (3) violations of contract standards.

26 (e) The commissioner may adopt regulations to implement this
27 section.

28 (f) The commissioner may not enter into a concession contract
29 for the Alaska Chilkat Bald Eagle Preserve.

1 (g) In this section

2 (1) "concession contract" does not include a contract under
3 AS 41.21.027;

4 (2) "facilities" includes campgrounds, boat launches,
5 lodges, food service operations, and gift shops.

6 Sec. 41.21.029. DEFINITIONS. (a) In AS 41.21.026 - 41.21.029

7 (1) "ordinary use" means a use that is not generally asso-
8 ciated with developed facilities, including fishing, hunting, walking,
9 swimming in a natural body of water, picnicking, or automobile parking
10 associated with another ordinary use:

11 (2) "park unit" means a unit of the state park system.

12 * Sec. 2. AS 41.21.030 is amended by adding a new subsection to read:

13 (b) The commissioner of administration shall separately account
14 for fees and other money collected under AS 41.21.026 - 41.21.029 and
15 deposited under (a) of this section. The annual estimated balance in
16 the account may be used by the legislature to make appropriations to
17 the department to carry out the purposes of this chapter.

18 * Sec. 3. AS 28.10.411(e) and AS 41.35.045 are repealed.

19 * Sec. 4. This Act takes effect July 1, 1987.
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Introduced: 1/19/87
Referred: Resources and
Finance

1 IN THE HOUSE BY LARSON, ELLIS AND MENARD
2 HOUSE BILL NO. 19
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to user fees in state parks or
7 recreation areas; and providing for an effective
8 date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 41.21 is amended by adding a new section to article 1
11 to read:
12 Sec. 41.21.050. FEES FOR THE USE OF CERTAIN CAMPSITES. The
13 commissioner may, by regulation, establish a fee for the use of an
14 improved campsite within a state park or recreation area. The fee
15 established by the commissioner under this section may not exceed \$5
16 per vehicle per day. The commissioner may also by regulation estab-
17 lish a procedure for the collection of the fees.
18 * Sec. 2. This Act takes effect July 1, 1987.

Offered: 2/4/87
 Referred: Finance

Original sponsors: Navarre, Koponen,
 Swackhammer, et al.

1 IN THE HOUSE BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 16 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the levy and collection of fees
 7 for the use of state park system facilities and the
 8 contractual operation of facilities of the state park
 9 system; and providing for an effective date."

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

11 * Section 1. AS 41.21 is amended by adding new sections to read:

12 Sec. 41.21.027. FEES FOR THE USE OF STATE PARK SYSTEM FACILI-
 13 TIES. (a) The department may by regulation establish and collect
 14 fees for the

15 (1) rental of public use cabins or other overnight lodg-
 16 ings;

17 (2) overnight use of a developed campsite;

18 (3) special park use permits;

19 (4) noncompetitive and nonexclusive commercial use permits;

20 and

21 (5) guided tours of historic sites.

22 (b) When setting fees under (a) of this section, the department
 23 shall consider at public hearings

24 (1) the cost to the state of operating the facility or
 25 managing the activity;

26 (2) the fees charged for a similar facility or activity by
 27 a nongovernmental entity;

28 (3) the cost of administering a fee collection program for
 29 the facility or activity; and

1 (4) the public interest.

2 (c) The commissioner of administration shall separately account
3 for fees collected under this section and deposited under AS 41.21.-
4 030. The annual estimated balance in the account may be used by the
5 legislature to make appropriations to the department to carry out the
6 purposes of this chapter.

7 (d) In this section, "developed campsite" means a campsite
8 having access to the following public facilities:

- 9 (1) restrooms;
10 (2) a picnic table;
11 (3) an outdoor cooking facility; and
12 (4) an approved water source.

13 Sec. 41.21.028. CONTRACTUAL OPERATION OF FACILITIES IN THE STATE
14 PARK SYSTEM. (a) The commissioner may allow contractors to operate
15 facilities in the units of the state park system.

16 (b) Before allowing a contractor to operate a facility in a unit
17 of the state park system, the commissioner shall determine that the
18 operation would protect park values and resources and maintain a
19 high-quality environment and recreation experience.

20 (c) Before the state enters into a contract under AS 36.30 for
21 the operation of a facility, the commissioner shall

22 (1) determine the services or goods that the contractor is
23 to provide;

24 (2) establish the terms and conditions of the contract,
25 including a provision that the contractor shall provide the state, in
26 money or services, with a fair and equitable portion of the contrac-
27 tor's receipts from the operation of the facility;

28 (3) set the length of the contract after considering the
29 useful life of any facility to be constructed by the contractor;

1 (4) issue notice to the public on the proposed contract and
2 hold public hearings as appropriate to respond to public demand;

3 (5) assess the ability of the proposals or bids to meet the
4 standards of performance established by the commissioner; and

5 (6) determine that the proposed contract is in the best
6 interest of the state and the state park system, and is consistent
7 with any applicable park management plan.

8 (d) A contract to operate a facility under this section must
9 provide that the

10 (1) department retains control over the

11 (A) level of fees, in order to prevent unreasonable or
12 excessive charges for essentially public services;

13 (B) design and appearance of facilities;

14 (2) contractor accommodate, as appropriate, those visitors
15 with special circumstances, including handicapped persons, senior
16 citizens, and school children;

17 (3) operation of the facility is subject to regular review
18 and inspection by the commissioner;

19 (4) contract shall be terminated if the contractor fails to
20 protect park values and resources or fails to maintain a high-quality
21 environment and recreation experience in accordance with (b) of this
22 section as embodied in the contract.

23 (e) Users of the park who do not choose to use the facilities
24 run by contractors may not be charged fees for ordinary park uses,
25 including fishing, hunting, walking, swimming, picnicking, or automo-
26 bile parking associated with an ordinary park use.

27 (f) The commissioner shall

28 (1) regularly review and inspect the operations of each
29 contractor;

1 (2) allow public review before a contract under this sec-
2 tion is renewed or extended;

3 (3) by the 15th day of each first regular session of the
4 legislature, report to the legislature on the operation of facilities
5 under this section during the previous two fiscal years, including

6 (A) concessions;

7 (B) new or expiring contracts over \$25,000; and

8 (C) violations of contract standards.

9 (g) The commissioner may adopt regulations to implement this
10 section.

11 (h) In this section, "facilities" includes campgrounds, boat
12 launches, lodges, food service operations, and gift shops.

13 * Sec. 2. AS 28.10.411(e) and AS 41.35.045 are repealed.

14 * Sec. 3. This Act takes effect July 1, 1987.

Offered: 2/4/87
Referred: Finance

Original sponsors: Navarre, Koponen,
Swackhammer, et al.

1 IN THE HOUSE BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 16 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the levy and collection of fees
7 for the use of state park system facilities and the
8 contractual operation of facilities of the state park
9 system; and providing for an effective date."

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

11 * Section 1. AS 41.21 is amended by adding new sections to read:

12 Sec. 41.21.027. FEES FOR THE USE OF STATE PARK SYSTEM FACILI-
13 TIES. (a) The department may by regulation establish and collect
14 fees for the

15 (1) rental of public use cabins or other overnight lodg-
16 ings;

17 (2) overnight use of a developed campsite;

18 (3) special park use permits;

19 (4) noncompetitive and nonexclusive commercial use permits;

20 and

21 (5) guided tours of historic sites.

22 (b) When setting fees under (a) of this section, the department
23 shall consider at public hearings

24 (1) the cost to the state of operating the facility or
25 managing the activity;

26 (2) the fees charged for a similar facility or activity by
27 a nongovernmental entity;

28 (3) the cost of administering a fee collection program for
29 the facility or activity; and

1 (4) the public interest.

2 (c) The commissioner of administration shall separately account
3 for fees collected under this section and deposited under AS 41.21.-
4 030. The annual estimated balance in the account may be used by the
5 legislature to make appropriations to the department to carry out the
6 purposes of this chapter.

7 (d) In this section, "developed campsite" means a campsite
8 having access to the following public facilities:

- 9 (1) restrooms;
10 (2) a picnic table;
11 (3) an outdoor cooking facility; and
12 (4) an approved water source.

13 Sec. 41.21.028. CONTRACTUAL OPERATION OF FACILITIES IN THE STATE
14 PARK SYSTEM. (a) The commissioner may allow contractors to operate
15 facilities in the units of the state park system.

16 (b) Before allowing a contractor to operate a facility in a unit
17 of the state park system, the commissioner shall determine that the
18 operation would protect park values and resources and maintain a
19 high-quality environment and recreation experience.

20 (c) Before the state enters into a contract under AS 36.30 for
21 the operation of a facility, the commissioner shall

22 (1) determine the services or goods that the contractor is
23 to provide;

24 (2) establish the terms and conditions of the contract,
25 including a provision that the contractor shall provide the state, in
26 money or services, with a fair and equitable portion of the contrac-
27 tor's receipts from the operation of the facility;

28 (3) set the length of the contract after considering the
29 useful life of any facility to be constructed by the contractor;

1 (4) issue notice to the public on the proposed contract and
2 hold public hearings as appropriate to respond to public demand;

3 (5) assess the ability of the proposals or bids to meet the
4 standards of performance established by the commissioner; and

5 (6) determine that the proposed contract is in the best
6 interest of the state and the state park system, and is consistent
7 with any applicable park management plan.

8 (d) A contract to operate a facility under this section must
9 provide that the

10 (1) department retains control over the

11 (A) level of fees, in order to prevent unreasonable or
12 excessive charges for essentially public services;

13 (B) design and appearance of facilities;

14 (2) contractor accommodate, as appropriate, those visitors
15 with special circumstances, including handicapped persons, senior
16 citizens, and school children;

17 (3) operation of the facility is subject to regular review
18 and inspection by the commissioner;

19 (4) contract shall be terminated if the contractor fails to
20 protect park values and resources or fails to maintain a high-quality
21 environment and recreation experience in accordance with (b) of this
22 section as embodied in the contract.

23 (e) Users of the park who do not choose to use the facilities
24 run by contractors may not be charged fees for ordinary park uses,
25 including fishing, hunting, walking, swimming, picnicking, or automo-
26 bile parking associated with an ordinary park use.

27 (f) The commissioner shall

28 (1) regularly review and inspect the operations of each
29 contractor;

1 (2) allow public review before a contract under this sec-
2 tion is renewed or extended;

3 (3) by the 15th day of each first regular session of the
4 legislature, report to the legislature on the operation of facilities
5 under this section during the previous two fiscal years, including

6 (A) concessions;

7 (B) new or expiring contracts over \$25,000; and

8 (C) violations of contract standards.

9 (g) The commissioner may adopt regulations to implement this
10 section.

11 (h) In this section, "facilities" includes campgrounds, boat
12 launches, lodges, food service operations, and gift shops.

13 * Sec. 2. AS 28.10.411(e) and AS 41.35.045 are repealed.

14 * Sec. 3. This Act takes effect July 1, 1987.

Introduced: 1/19/87
Referred: Resources and
Finance

1 IN THE HOUSE BY NAVARRE, KOPONNE, SWACKHAMMER,
BROWN AND GOLL

2 HOUSE BILL NO. 16

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the levy and collection of fees
7 for the use of state park facilities; and providing
8 for an effective date."

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

10 * Section 1. AS 41.21 is amended by adding a new section to read:

11 Sec. 41.21.023. FEES FOR THE USE OF STATE PARK CAMPSITES. (a)

12 The department may by regulation establish and collect fees for the
13 overnight use of state park developed campsites. When setting these
14 fees, the department shall consider at public hearings

15 (1) the cost to the state of operating the facility;

16 (2) the fees charged for the use of a similar facility by a
17 nongovernmental entity;

18 (3) the cost of administering a fee collection program for
19 the facility; and

20 (4) the public interest.

21 (b) In this section

22 (1) "developed campsite" means a campsite having access to
23 the following public facilities: restrooms, a picnic table, an out-
24 door cooking facility, and an approved water source;

25 (2) "state park" has the meaning given in AS 38.04.910.

26 * Sec. 2. AS 28.10.411(e) and AS 41.35.045(b) are repealed.

27 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

CS HB

16

SENATE COMMITTEE REPORT

FURTHER:

5/13/87

DATE TURNED INTO OFFICE 5/17/87

Mr. President:

FINANCE Committee considered CSHB 16 (FIN) am

levy and collection of fees for the use of state park system facilities; relating to contracts for services and facilities in the state park system; efd

and recommended:

replace with Senate CS FOR CSHB 16 (FIN)) same title
 or adopt _____ CS FOR _____) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted Senate Resources

Committee attached or adopted fiscal note(s)

new updated or previous
 zero fiscal impact

96.0

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Paul G. Smith (No Rec)
Paul G. Smith (No Rec)
James D. ... (No Rec)
... (No Rec)
... (No Rec)

DB No Rec.
Chairman signature and recommendation

Committee Backup Attached

Alaska State Legislature

Senate Resources Committee



Sen. John B. (Jack) Coghill, Chairman
Sen. Paul Fischer, Vice-Chairman
Sen. Lloyd Jones
Sen. Arliss Sturqulewski
Sen. Jim Duncan
Sen. Fred Zharoff
Sen. Dick Eliason

Box V
Juneau, Alaska 99811
(907) 465-4907

LETTER OF INTENT SCSCSHB 16 (RES)

The Division of Parks shall, in developing regulations, accommodate those visitors in special circumstances, including handicapped people, senior citizens and school children.

A handwritten signature in black ink, appearing to be "Jack Coghill", written over a horizontal line.

Senator Jack Coghill
Chairman, Senate Resources

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version: CSHB 16(Fin)
Publish Date: HOUSE 3/6/87

Revision Date: March 4, 1987

Title: Fees for use of state park facilities

Agency Affected: Natural Resources
BRU: Park Management

Sponsor: House Resources

Requestor: House Finance

Components: _____

FY EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		20	30	34	34	34
TRAVEL		18	8	3	3	3
CONTRACTUAL		20	15	10	10	10
SUPPLIES		3	2	2	2	2
EQUIPMENT		27	20	10	10	10
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		96	75	59	59	59

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

REVENUE		30	170	334	490	550
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FUNDING: (Thousands of Dollars)

GENERAL FUND		96	75	59	59	59
FEDERAL FUNDS						
OTHER						
TOTAL		96	75	59	59	59

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY		1	2	1	1	1

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Neil Johannsen Phone: 465-2400
Division: Parks and Outdoor Recreation Date: 2-3-87

Approved by Commissioner: C. Johnson for JMB Date: 3/5/87
Agency: Natural Resources

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)
 - Senate Secretary

RECEIVED
MAR 05 1987

Costs
FY88

personnel services \$28.0

- *increase existing Natural Res. Manager I position in charge of concessions and fees from 6 months to 12 months \$25.8
- *hire one seasonal Alaska Conservation Corps staff person or support a volunteer college intern through a \$15/day stipend cost is \$2.2

Travel \$18.0

- *statewide regulations hearings to adopt fee structure \$8.0
- *meetings & hearings on proposed concessions \$5.0
- *field inspections of concessions \$5.0

Contractual \$20.0

- *establish campground fee registration and payment systems at 20 campgrounds. \$1,000 per campground as follows:
 - signs \$200
 - Iron Ranger fee device \$350
 - lock device \$ 50
 - labor to install \$400

Supplies and Materials \$3.0

- *purchase of printed payment envelopes \$2.5
- *accounting and reporting forms \$0.5

Equipment \$27.0

- *install fee box device in park ranger vehicles to transport fees to park offices. Prevents tampering with funds
225 vehicles at \$680 per vehicle \$17.0
- *Safes and lock boxes for 10 area offices. Estimated cost is \$1.0 per office. \$10.0

Revenues
FY88

Fees:

- Commercial Use Permits \$6.0 (120 at \$50 each)
- Public Cabins \$5.0 (1986 level of revenues)

Concessions (Franchise Fee Payments)

- Potter Section House \$10.5 (3% of \$350.0 gross receipts)
- Rika's Roadhouse \$8.5 (3% of \$280.0 gross receipts)

estimated total revenue for FY88 is \$30.0

Future Revenues (campground fees are added and additional concessions and commercial use permits are established)

FY 89	\$170	FY 91	\$490
FY 90	\$334	FY 92	\$550

5-0206Z ✓
Bannister
5/17/87

Original sponsors: Navarre, Koponen,
Swackhammer, et al.

1 IN THE HOUSE .

BY THE FINANCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 16 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the levy and collection of fees
7 for the use of state park system facilities; relating
8 to contracts for services and facilities in the state
9 park system; and providing for an effective date."

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

11 * Section 1. AS 41.21 is amended by adding new sections to read:

12 Sec. 41.21.026. FEES FOR THE USE OF STATE PARK SYSTEM FACILI-
13 TIES. (a) A fee may not be charged or collected in a park unit for
14 the following services unless the fee is charged or collected under a
15 concession contract under AS 41.21.027:

16 (1) rental of public use cabins or other overnight lodg-
17 ings;

18 (2) overnight use of a developed campsite;

19 (3) special park use permits;

20 (4) competitive and exclusive commercial use permits;

21 (5) noncompetitive and nonexclusive commercial use permits;

22 (6) use of a sewage holding tank dump station;

23 (7) guided tours of historic sites; and

24 (8) use of an improved boat ramp in a park facility devel-
25 oped principally for boat launching.

26 (b) A fee may not be charged or collected for an ordinary use of
27 a park unit or the use of a restroom in a park unit.

28 (c) The department shall establish the fees that may be charged
29 or collected under (a) of this section by regulation. Before setting

1 the fees, the department shall consider at public hearings

2 (1) the normal fees charged for similar facilities or
3 activities by governmental and nongovernmental entities; and

4 (2) the public interest.

5 (d) In this section, "developed campsite" means a campsite
6 having access to the following public facilities:

7 (1) restrooms;

8 (2) a picnic table;

9 (3) an outdoor cooking facility; and

10 (4) an approved water source.

11 Sec. 41.21.027. CONCESSION CONTRACTS IN THE STATE PARK SYSTEM.

12 (a) Subject to the restrictions in this section, the state may enter
13 into concession contracts under AS 36 to provide services or construct
14 facilities in a park unit.

15 (b) The state may not enter into a concession contract under (a)
16 of this section if the proposed contract involves estimated annual
17 gross receipts of more than \$100,000, construction of facilities, a
18 term longer than four years, or the provision of services other than
19 those normally provided at similar facilities managed by the state,
20 unless the commissioner finds that the proposed concession contract

21 (1) will implement the purposes of the park unit and is
22 authorized by the park management plan, if any, that applies to the
23 park unit;

24 (2) will enhance public use and enjoyment of the park unit
25 while maintaining a high quality environment and the opportunity for
26 high quality recreational experiences;

27 (3) will provide services or facilities that are not feasi-
28 ble or affordable for the state to provide directly;

29 (4) will not create unacceptable adverse environmental

1 effects;

2 (5) is based on a need and desire of the public;

3 (6) recognizes and accommodates, at no cost, ordinary uses
4 in a park unit;

5 (7) requires the contractor to hire residents of the state,
6 to the extent available and qualified, when hiring persons to work in
7 the park under the contract;

8 (8) provides the state with a fair and equitable portion,
9 in money or services, of the contractor's receipts from the provision
10 of the service or the operation of the facility;

11 (9) provides that the department retains control over the
12 level of fees and the design and appearance of any facility to be con-
13 structed;

14 (10) encourages the contractor to accommodate visitors with
15 special circumstances, including handicapped persons, senior citizens,
16 and school children; and

17 (11) provides that the contract may be terminated if the
18 contractor fails to fulfill the requirements of this section or the
19 contract.

20 (c) Before bids or proposals are sought or contract negotiations
21 begun for a concession contract under (b) of this section, the commis-
22 sioner shall

23 (1) make a preliminary inquiry at the local level to iden-
24 tify community concerns;

25 (2) if it is appropriate to proceed further, make a pre-
26 liminary decision that includes the findings required by (b) of this
27 section and

28 (A) an assessment of existing visitor uses that may be
29 affected by the activities of the contractor;

1 (B) an assessment of the potential conflicts or sig-
2 nificant effects on park wildlife, water, scenic values, or other
3 resources;

4 (C) an identification of the types of services or
5 goods that the contractor is to provide;

6 (D) the terms and conditions of the contract;

7 (E) a determination of whether the contract activity
8 would be more appropriately located on land outside of the park
9 or on private land within the park; and

10 (F) the views and comments of the park advisory board,
11 when one exists, for the park unit in which the activity is being
12 considered;

13 (3) after making a preliminary decision under (2) of this
14 subsection,

15 (A) seek public comment on the preliminary decision
16 through reasonable public notice and, if facilities may be built
17 under the concession contract, conduct public hearings;

18 (B) after considering the public comment obtained
19 under this paragraph, issue a final decision on whether or not
20 the state will proceed into a concession contract award process.

21 (d) The commissioner shall provide for public review and comment
22 before a concession contract under this section is renewed or ex-
23 tended.

24 (e) The commissioner may adopt regulations to implement this
25 section.

26 (f) With the exception of guided tours, commercial activities
27 are not permitted within the Alaska Chilkat Bald Eagle Preserve.

28 Sec. 41.21.028. DEFINITIONS. In AS 41.21.026 - 41.21.028

29 (1) "ordinary use" means a use that is not generally

1 associated with developed facilities, including fishing, hunting,
2 walking, swimming in a natural body of water, picnicking, or automo-
3 bile parking associated with another ordinary use;

4 (2) "park unit" means a unit of the state park system.

5 * Sec. 2. AS 41.21.030 is amended by adding new subsections to read:

6 (b) The commissioner of administration shall separately account
7 for fees and other money collected under AS 41.21.026 - 41.21.028 and
8 deposited under (a) of this section. The annual estimated balance in
9 the account may be used by the legislature to make appropriations to
10 the department to carry out the purposes of this chapter.

11 (c) In (a) of this section, "money from concessions" means, for
12 a concession contract under AS 41.21.027, the consideration received
13 by the state from the contract.

14 * Sec. 3. AS 28.10.411(e) and AS 41.35.045 are repealed.

15 * Sec. 4. Until regulations are adopted under AS 41.21.026(c), added by
16 sec. 1 of this Act, regulations existing on the effective date of this Act
17 that are otherwise applicable to user fees remain in effect.

18 * Sec. 5. This Act takes effect immediately under AS 01.10.070(c).
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STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465-3800

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

May 17, 1987

SUBJECT: Resident hire provision of proposed
SCS CSHB 16(Finance)

TO: Senator Don Bennett, Co-Chair
Senate Finance Committee

FROM: Theresa L. Bannister *TLB*
Legislative Counsel

This memo accompanies the draft of the Finance CS requested for HB 16. The resident hire provision in sec.41.21.027(b)(7) of the CS raises constitutional issues based on the commerce clause and on the privileges and immunities clause of the U.S. Constitution. Although the state may require resident hire preference when it is a market participant, as when it is doing the hiring, the constitutionality of a requirement becomes less certain the further the state's participation is removed from the actual hiring. Here, because it is the contractor and not the state who is required, in certain circumstances, to hire residents, it is unclear whether the provision would be found to be constitutional.

If I may be of further assistance, please advise.

TLB:mkr
m12/043

Enclosure

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

May 17, 1987

SUBJECT: Resident hire provision of proposed
SCS CSHB 16(Finance)

TO: Senator Don Bennett, Co-Chair
Senate Finance Committee

FROM: Theresa L. Bannister *TLB*
Legislative Counsel

This memo accompanies the draft of the Finance CS requested for HB 16. The resident hire provision in sec.41.21.027(b)(7) of the CS raises constitutional issues based on the commerce clause and on the privileges and immunities clause of the U.S. Constitution. Although the state may require resident hire preference when it is a market participant, as when it is doing the hiring, the constitutionality of a requirement becomes less certain the further the state's participation is removed from the actual hiring. Here, because it is the contractor and not the state who is required, in certain circumstances, to hire residents, it is unclear whether the provision would be found to be constitutional.

If I may be of further assistance, please advise.

TLB:mkr
m12/043

Enclosure

*MB
update*

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

SENATE
BILL VERSION: SCSCSHB 16(Res)
PUBLISH DATE: 5/13/87

REQUEST:

Revision Date: 5/5/87
Title: Fees for use of State Park facilities
Sponsor: Rep. Navarre
Requestor: Senate Resources

Agency Affected: Natural Resources
BRU: Park Management
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		42.0	42.0	42.0	42.0	42.0
TRAVEL		8.0	5.0	2.0	2.0	2.0
CONTRACTUAL		20.0	15.0	8.0	8.0	8.0
SUPPLIES		3.0	3.0	2.0	2.0	2.0
EQUIPMENT		23.0	10.0	5.0	5.0	5.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		96.0	75.0	59.0	59.0	59.0

CAPITAL						
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REVENUE		30.0	170.0	334.0	400.0	550.0
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FUNDING: (Thousands of Dollars)

GENERAL FUND		96.0	75.0	59.0	59.0	59.0
FEDERAL FUNDS						
OTHER						
TOTAL		96.0	75.0	59.0	59.0	59.0

POSITIONS:

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

ANALYSIS :

See attachment. Fiscal note provides for program management, fiscal control, installation of iron rangers, field management and public involvement.

Prepared by: Neil Johannsen Phone: 465-2400
Division: Parks and Outdoor Recreation Date: 5/5/87

Approved by Commissioner: *William M. B...* Date: _____
Agency: Natural Resources

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)
 - Senate Secretary

FISCAL NOTE CSHD 16
 May 7, 1987

<u>PERSONAL SERVICES</u>	<u>FY 88</u>	<u>FY 89</u>	<u>FY 90</u>	<u>FY 91</u>	<u>FY 92</u>
Economic Program Manager, NRO II	4 mos. @ 4.3 = 17.2	17.2	17.2	17.2	17.2
Accounting Technician	8 mos. @ 3.1 = 24.8	24.8	24.8	24.8	24.8
		42.0	42.0	42.0	42.0
TRAVEL					
Statewide Regulation Hearings	8.0	5.0	2.0	2.0	2.0
Statewide Concession Hearings					
Implementation of Fee Program					
Permit Reviews/Compliance					
Cabin Program Management					
CONTRACTURAL					
Fee Program Implementation	20.0	15.0	8.0	8.0	8.0
\$1,000 per camp loop for signs, iron rangers, lock system, safes, installation, repair/ replacement, public notices, vehicle mileage					
SUPPLIES					
Fee envelopes, accounting and office supplies	3.0	3.0	2.0	2.0	2.0
EQUIPMENT					
Iron Rangers, Safes, vehicle outfitting	23.0	10.0	5.0	5.0	5.0

Revenues
 FY88

Fees:

Commercial Use Permits \$6.0 (120 at \$50 each)
 Public Cabins \$5.0 (1986 level of revenues)

Concessions (Franchise Fee Payments)

Potter Section House \$10.5 (3% of \$350.0 gross receipts)
 Rika's Roadhouse \$8.5 (3% of \$280.0 gross receipts)

estimated total revenue for FY88 is \$30.0

Future Revenues (campground fees are added and additional
 concessions and commercial use permits are established)

FY 89	\$170	FY 91	\$490
FY 90	\$334	FY 92	\$550

Original sponsors: Navarre, Koponen,
Swackhammer, et al.

1 IN THE HOUSE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 16 (C&RA)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION
5 A BILL

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

6 For an Act entitled: "An Act relating to the levy and collection of fees
7 for the use of state park system facilities; relating
8 to contracts for services and facilities in the state
9 park system; and providing for an effective date."

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

11 * Section 1. AS 41.21 is amended by adding new sections to read:

12 Sec. 41.21.026. FEES FOR THE USE OF STATE PARK SYSTEM FACILI-
13 TIES. (a) The department may charge or collect a fee in a park unit
14 for

15 (1) rental of public use cabins or other overnight lodg-
16 ings;

17 (2) overnight use of a developed campsite;

18 (3) special park use permits;

19 (4) noncompetitive and nonexclusive commercial use permits;

20 (5) use of a sewage holding tank dump station;

21 (6) guided tours of historic sites; and

22 (7) use of an improved boat ramp in a park facility devel-
23 oped principally for boat launching.

24 (b) The department may not charge or collect a fee for an ordi-
25 nary use of a park unit or the use of a restroom in a park unit.

26 (c) The department shall establish the fees that may be charged
27 or collected under (a) of this section by regulation. Before setting
28 the fees, the department shall consider at public hearings

29 (1) the cost to the state of operating the facility or

1 managing the activity;

2 (2) the normal fees charged for similar facilities or
3 activities by governmental and nongovernmental entities;

4 (3) the cost of administering a fee collection program for
5 the facility or activity; and

6 (4) the public interest.

7 (d) In this section, "developed campsite" means a campsite
8 having access to the following public facilities:

9 (1) restrooms;

10 (2) a picnic table;

11 (3) an outdoor cooking facility; and

12 (4) an approved water source.

13 Sec. 41.21.027. CONCESSION CONTRACTS IN THE STATE PARK SYSTEM.

14 (a) Subject to the restrictions in this section, the state may enter
15 into concession contracts under AS 36 to provide services or construct
16 facilities in a park unit.

17 (b) The state may not enter into a concession contract under (a)
18 of this section if the proposed contract involves estimated annual
19 gross receipts of more than \$100,000, construction of facilities, a
20 term longer than four years, or the provision of services other than
21 those normally provided at similar facilities managed by the state,
22 unless the commissioner finds that the proposed concession contract

23 (1) will implement the purposes of the park unit and is
24 authorized by the park management plan, if any, that applies to the
25 park unit;

26 (2) will enhance public use and enjoyment of the park unit
27 while maintaining a high quality environment and the opportunity for
28 high quality recreational experiences;

29 (3) will provide services or facilities that are not

1 feasible or affordable for the state to provide directly;

2 (4) will not create unacceptable adverse environmental
3 effects;

4 (5) is based on a need and desire of the public;

5 (6) recognizes and accommodates, at no cost, ordinary uses
6 in a park unit;

7 (7) requires the contractor to hire residents of the state,
8 to the extent available and qualified, when hiring persons to work in
9 the park under the contract;

10 (8) provides the state with a fair and equitable portion,
11 in money or services, of the contractor's receipts from the provision
12 of the service or the operation of the facility;

13 (9) provides that the department retains control over the
14 level of fees and the design and appearance of any facility to be con-
15 structed;

16 (10) encourages the contractor to accommodate visitors with
17 special circumstances, including handicapped persons, senior citizens,
18 and school children; and

19 (11) provides that the contract may be terminated if the
20 contractor fails to fulfill the requirements of this section or the
21 contract.

22 (c) Before bids or proposals are sought or contract negotiations
23 begun for a concession contract under (b) of this section, the commis-
24 sioner shall

25 (1) make a preliminary inquiry at the local level to iden-
26 tify community concerns;

27 (2) if it is appropriate to proceed further, make a pre-
28 liminary decision that includes the findings required by (b) of this
29 section and

1 (A) an assessment of existing visitor uses that may be
2 affected by the activities of the contractor;

3 (B) an assessment of the potential conflicts or sig-
4 nificant effects on park wildlife, water, scenic values, or other
5 resources;

6 (C) an identification of the types of services or
7 goods that the contractor is to provide;

8 (D) the terms and conditions of the contract;

9 (E) a determination of whether the contract activity
10 would be more appropriately located on land outside of the park
11 or on private land within the park; and

12 (F) the views and comments of the park advisory board,
13 when one exists, for the park unit in which the activity is being
14 considered;

15 (3) after making a preliminary decision under (2) of this
16 subsection,

17 (A) seek public comment on the preliminary decision
18 through reasonable public notice and, if facilities may be built
19 under the concession contract, conduct public hearings;

20 (B) after considering the public comment obtained
21 under this paragraph, issue a final decision on whether or not
22 the state will proceed into a concession contract award process.

23 (d) The commissioner shall provide for public review and comment
24 before a concession contract under this section is renewed or ex-
25 tended.

26 (e) The commissioner may adopt regulations to implement this
27 section.

28 (f) A person who enters into a concession contract with the
29 state under this section may not charge or collect a fee for an

1 ordinary use of a park unit or for the use of a restroom in a park
2 unit.

3 Sec. 41.21.028. DEFINITIONS. In AS 41.21.026 - 41.21.028

4 (1) "ordinary use" means a use that is not generally asso-
5 ciated with developed facilities, including fishing, hunting, walking,
6 swimming in a natural body of water, picnicking, or automobile parking
7 associated with another ordinary use;

8 (2) "park unit" means a unit of the state park system.

9 * Sec. 2. AS 41.21.030 is amended by adding new subsections to read:

10 (b) The commissioner of administration shall separately account
11 for fees and other money collected under AS 41.21.026 - 41.21.028 and
12 deposited under (a) of this section. The annual estimated balance in
13 the account may be used by the legislature to make appropriations to
14 the department to carry out the purposes of this chapter.

15 (c) In (a) of this section, "money from concessions" means, for
16 a concession contract under AS 41.21.027, the consideration received
17 by the state from the contract.

18 * Sec. 3. AS 28.10.411(e) and AS 41.35.045 are repealed.

19 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).

Original sponsors: Navarre, Koponen,
Swackhammer, et al.

1 IN THE HOUSE BY THE RESOURCES COMMITTEE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 16 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the levy and collection of fees
7 for the use of state park system facilities; relating
8 to contracts for services and facilities in the state
9 park system; and providing for an effective date."

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

11 * Section 1. AS 41.21 is amended by adding new sections to read:

12 Sec. 41.21.026. FEES FOR THE USE OF STATE PARK SYSTEM FACILI-
13 TIES. (a) The department may charge or collect a fee in a park unit
14 for

- 15 (1) rental of public use cabins or other overnight lodg-
16 ings;
17 (2) overnight use of a developed campsite;
18 (3) special park use permits;
19 (4) competitive and exclusive commercial use permits;
20 (5) noncompetitive and nonexclusive commercial use permits;
21 (6) use of a sewage holding tank dump station;
22 (7) guided tours of historic sites; and
23 (8) use of an improved boat ramp in a park facility devel-
24 oped principally for boat launching.

25 (b) The department may not charge or collect a fee for an ordi-
26 nary use of a park unit or the use of a restroom in a park unit.

27 (c) The department shall establish the fees that may be charged
28 or collected under (a) of this section by regulation. Before setting
29 the fees, the department shall consider at public hearings

1 (1) the cost to the state of operating the facility or
2 managing the activity;

3 (2) the normal fees charged for similar facilities or
4 activities by governmental and nongovernmental entities;

5 (3) the cost of administering a fee collection program for
6 the facility or activity; and

7 (4) the public interest.

8 (d) In this section, "developed campsite" means a campsite
9 having access to the following public facilities:

10 (1) restrooms;

11 (2) a picnic table;

12 (3) an outdoor cooking facility; and

13 (4) an approved water source.

14 Sec. 41.21.027. CONCESSION CONTRACTS IN THE STATE PARK SYSTEM.

15 (a) Subject to the restrictions in this section, the state may enter
16 into concession contracts under AS 36 to provide services or construct
17 facilities in a park unit.

18 (b) The state may not enter into a concession contract under (a)
19 of this section if the proposed contract involves estimated annual
20 gross receipts of more than \$100,000, construction of facilities, a
21 term longer than four years, or the provision of services other than
22 those normally provided at similar facilities managed by the state,
23 unless the commissioner finds that the proposed concession contract

24 (1) will implement the purposes of the park unit and is
25 authorized by the park management plan, if any, that applies to the
26 park unit;

27 (2) will enhance public use and enjoyment of the park unit
28 while maintaining a high quality environment and the opportunity for
29 high quality recreational experiences;

1 (3) will provide services or facilities that are not feasi-
2 ble or affordable for the state to provide directly;

3 (4) will not create unacceptable adverse environmental
4 effects;

5 (5) is based on a need and desire of the public;

6 (6) recognizes and accommodates, at no cost, ordinary uses
7 in a park unit;

8 (7) requires the contractor to hire residents of the state,
9 to the extent available and qualified, when hiring persons to work in
10 the park under the contract;

11 (8) provides the state with a fair and equitable portion,
12 in money or services, of the contractor's receipts from the provision
13 of the service or the operation of the facility;

14 (9) provides that the department retains control over the
15 level of fees and the design and appearance of any facility to be con-
16 structed;

17 (10) encourages the contractor to accommodate visitors with
18 special circumstances, including handicapped persons, senior citizens,
19 and school children; and

20 (11) provides that the contract may be terminated if the
21 contractor fails to fulfill the requirements of this section or the
22 contract.

23 (c) Before bids or proposals are sought or contract negotiations
24 begun for a concession contract under (b) of this section, the commis-
25 sioner shall

26 (1) make a preliminary inquiry at the local level to iden-
27 tify community concerns;

28 (2) if it is appropriate to proceed further, make a pre-
29 liminary decision that includes the findings required by (b) of this

1 section and

2 (A) an assessment of existing visitor uses that may be
3 affected by the activities of the contractor;

4 (B) an assessment of the potential conflicts or sig-
5 nificant effects on park wildlife, water, scenic values, or other
6 resources;

7 (C) an identification of the types of services or
8 goods that the contractor is to provide;

9 (D) the terms and conditions of the contract;

10 (E) a determination of whether the contract activity
11 would be more appropriately located on land outside of the park
12 or on private land within the park; and

13 (F) the views and comments of the park advisory board,
14 when one exists, for the park unit in which the activity is being
15 considered;

16 (3) after making a preliminary decision under (2) of this
17 subsection,

18 (A) seek public comment on the preliminary decision
19 through reasonable public notice and, if facilities may be built
20 under the concession contract, conduct public hearings;

21 (B) after considering the public comment obtained
22 under this paragraph, issue a final decision on whether or not
23 the state will proceed into a concession contract award process.

24 (d) The commissioner shall provide for public review and comment
25 before a concession contract under this section is renewed or ex-
26 tended.

27 (e) The commissioner may adopt regulations to implement this
28 section.

29 (f) A person who enters into a concession contract with the

1 state under this section may not charge or collect a fee for an ordi-
2 nary use of a park unit or for the use of a restroom in a park unit.

3 (g) With the exception of guided tours, commercial activities
4 are not permitted within the Alaska Chilkat Bald Eagle Preserve.

5 Sec. 41.21.028. DEFINITIONS. In AS 41.21.026 - 41.21.028

6 (1) "ordinary use" means a use that is not generally asso-
7 ciated with developed facilities, including fishing, hunting, walking,
8 swimming in a natural body of water, picnicking, or automobile parking
9 associated with another ordinary use;

10 (2) "park unit" means a unit of the state park system.

11 * Sec. 2. AS 41.21.030 is amended by adding new subsections to read:

12 (b) The commissioner of administration shall separately account
13 for fees and other money collected under AS 41.21.026 - 41.21.028 and
14 deposited under (a) of this section. The annual estimated balance in
15 the account may be used by the legislature to make appropriations to
16 the department to carry out the purposes of this chapter.

17 (c) In (a) of this section, "money from concessions" means, for
18 a concession contract under AS 41.21.027, the consideration received
19 by the state from the contract.

20 * Sec. 3. AS 28.10.411(e) and AS 41.35.045 are repealed.

21 * Sec. 4. Until regulations are adopted under AS 41.21.026(c), added by
22 sec. 1 of this Act, regulations existing on the effective date of this Act
23 that are otherwise applicable to user fees remain in effect.

24 * Sec. 5. This Act takes effect immediately under AS 01.10.070(c).

Original sponsors: Navarre, Koponen,
Swackhammer, et al.

1 IN THE HOUSE BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 16 (Finance) am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the levy and collection of fees
7 for the use of state park system facilities; relating
8 to contracts for services and facilities in the state
9 park system; and providing for an effective date."

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

11 * Section 1. AS 41.21 is amended by adding new sections to read:

12 Sec. 41.21.026. FEES FOR THE USE OF STATE PARK SYSTEM FACILI-
13 TIES. (a) The department may not, either directly or through another
14 person, charge or collect a fee for an ordinary use of a park unit or
15 the use of a restroom in a park unit.

16 (b) In addition to the prohibition in (a) of this section, the
17 department may not establish and collect fees for the use of a park
18 unit, except for

19 (1) rental of public use cabins or other overnight lodg-
20 ings;

21 (2) overnight use of a developed campsite;

22 (3) special park use permits;

23 (4) noncompetitive and nonexclusive commercial use permits;

24 (5) use of a sewage holding tank dump station;

25 (6) guided tours of historic sites; and

26 (7) use of an improved boat ramp in a park facility
27 developed principally for boat launching.

28 (c) The department shall establish the fees for uses under (b)
29 of this section by regulation. Before setting the fees, the

1 department shall consider at public hearings

2 (1) the cost to the state of operating the facility or
3 managing the activity;

4 (2) the normal fees charged for similar facilities or
5 activities by governmental and nongovernmental entities;

6 (3) the cost of administering a fee collection program for
7 the facility or activity; and

8 (4) the public interest.

9 (d) In this section, "developed campsite" means a campsite
10 having access to the following public facilities:

11 (1) restrooms;

12 (2) a picnic table;

13 (3) an outdoor cooking facility; and

14 (4) an approved water source.

15 Sec. 41.21.027. MAINTENANCE AND COLLECTION CONTRACTS IN THE
16 STATE PARK SYSTEM. (a) The state may contract under AS 36.30 (State
17 Procurement Code) for

18 (1) the collection of fees charged for uses under AS 41.-
19 21.026(b); and

20 (2) park unit maintenance activities; "park unit mainte-
21 nance activities" means

22 (A) refuse collection;

23 (B) janitorial maintenance of facilities;

24 (C) litter pickup;

25 (D) painting;

26 (E) fireplace cleaning;

27 (F) sewage pumping;

28 (G) minor repair and replacement of facilities;

29 (H) snowplowing and road maintenance;

- 1 (I) brushing trails, picnic areas, and campsites;
2 (J) other normal park unit maintenance activities.

3 (b) The state may combine in a single contract the services
4 listed in (a)(1) and (2) of this section.

5 (c) A contract under this section is not subject to AS 41.21.-
6 028.

7 Sec. 41.21.028. CONCESSION CONTRACTS IN THE STATE PARK SYSTEM.

8 (a) The state may not enter into a concession contract under AS 36 to
9 provide services or to operate or construct facilities in a park unit
10 unless the commissioner finds that the proposed concession contract

11 (1) will implement the purposes of the park unit and is
12 authorized by the park management plan, if any, that applies to the
13 park unit;

14 (2) will enhance public use and enjoyment of the park unit
15 while maintaining a high quality environment and the opportunity for
16 high quality recreational experiences;

17 (3) will provide services or facilities that are not feasi-
18 ble or affordable for the state to provide directly;

19 (4) will not create substantial adverse environmental
20 effects;

21 (5) is based on a need and desire of the public;

22 (6) recognizes and accommodates, at no cost, ordinary uses
23 in a park unit;

24 (7) requires the contractor to hire residents of the state,
25 to the extent available and qualified, when hiring persons to work in
26 the park under the contract;

27 (8) provides the state with a fair and equitable portion,
28 in money or services, of the contractor's receipts from the provision
29 of the service or the operation of the facility;

1 (9) provides that the department retains control over the
2 level of fees and the design and appearance of any facility to be con-
3 structed;

4 (10) requires the contractor to accommodate visitors with
5 special circumstances, including handicapped persons, senior citizens,
6 and school children;

7 (11) provides that during the term of the contract the
8 commissioner shall regularly review and inspect the

9 (A) operation of the facility; and

10 (B) contractor's provision of service to the public;

11 and

12 (12) provides that the contract shall be terminated if the
13 contractor fails to protect park values and resources or fails to
14 maintain a high-quality environment and recreation experience.

15 (b) Before bids or proposals are sought or contract negotiations
16 begun under AS 36.30 for a concession contract under (a) of this
17 section, the commissioner shall

18 (1) make a preliminary inquiry at the local level to
19 identify community concerns;

20 (2) if it is appropriate to proceed further, make a pre-
21 liminary decision that includes the findings required by (a) of this
22 section and

23 (A) an assessment of existing visitor uses that may be
24 affected by the activities of the contractor;

25 (B) an assessment of the potential conflicts or sig-
26 nificant effects on park wildlife, water, scenic values, or other
27 resources;

28 (C) an identification of the types of services or
29 goods that the contractor is to provide;

1 (D) the terms and conditions of the contract;

2 (E) a determination of whether the contract activity
3 would be more appropriately located on land outside of the park
4 or on private land within the park; and

5 (F) the views and comments of the park advisory board,
6 when one exists, for the park unit in which the activity is being
7 considered;

8 (3) after making a preliminary decision under (2) of this
9 subsection,

10 (A) seek public comment on the preliminary decision
11 through reasonable public notice and, if facilities may be built
12 under the concession contract, conduct public hearings;

13 (B) after considering the public comment obtained
14 under this subsection, issue a final decision on whether or not
15 the state will proceed into a concession contract award process.

16 (c) The commissioner shall provide for public review and comment
17 before a concession contract under this section is renewed or ex-
18 tended.

19 (d) By the 15th day of each first regular session of the legis-
20 lature, the commissioner shall make available to the legislature a
21 report on the provision of services or operation of facilities under
22 concession contracts under this section during the previous two fiscal
23 years, including

24 (1) contract activities;

25 (2) new or expanded contracts whose estimated or actual
26 gross receipts exceed \$25,000; and

27 (3) violations of contract standards.

28 (e) The commissioner may adopt regulations to implement this
29 section.

1 (f) The commissioner may not enter into a concession contract
2 for the Alaska Chilkat Bald Eagle Preserve.

3 (g) In this section

4 (1) "concession contract" does not include a contract under
5 AS 41.21.027;

6 (2) "facilities" includes campgrounds, boat launches,
7 lodges, food service operations, and gift shops.

8 Sec. 41.21.029. DEFINITIONS. (a) In AS 41.21.026 - 41.21.029

9 (1) "ordinary use" means a use that is not generally asso-
10 ciated with developed facilities, including fishing, hunting, walking,
11 swimming in a natural body of water, picnicking, or automobile parking
12 associated with another ordinary use;

13 (2) "park unit" means a unit of the state park system.

14 * Sec. 2. AS 41.21.030 is amended by adding a new subsection to read:

15 (b) The commissioner of administration shall separately account
16 for fees and other money collected under AS 41.21.026 - 41.21.029 and
17 deposited under (a) of this section. The annual estimated balance in
18 the account may be used by the legislature to make appropriations to
19 the department to carry out the purposes of this chapter.

20 * Sec. 3. AS 28.10.411(e) and AS 41.35.045 are repealed.

21 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).



Alaska State Legislature

HOUSE OF REPRESENTATIVES

Committee on Finance

Official Business

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

MEMORANDUM

TO: House Finance Committee

FROM: Representative Kay Brown

DATE: March 5, 1987 *Tim*

SUBJ: Draft CS HB 16 (Finance)
Park User Fees and Concessions

RECOMMENDATION:

- ① proposed C.S.
(attach #5)
- ② consider amendment
presented to Sub
Committee,
- ③ Fiscal note
(attach #6)

Please find attached a copy of a draft CS HB 16 (Finance) prepared by the subcommittee for your consideration.

To summarize briefly, the bill as originally introduced provided authority to the Department of Natural Resources to levy and collect fees for the use of park facilities. During the Resources Committee review of the bill the Department requested that additional language be added to the bill to provide concession contracting authority. Language to this effect was included in the bill and referred to the Finance Committee.

During a Finance subcommittee work session on the Resources CS (see Attachment 1, work session agenda), substantial concerns were raised by members of the Finance Committee regarding the potential adverse impacts of concessions in State parks, especially in light of the Lower 48 experience with commercial developments in federal and state parks.

While there appears to be universal support for giving the Department clear authority to engage in simple fee collection, views on concession contracting in State parks are widely divergent. Some of the major issues are outlined in Attachment 2. In an attempt to clarify the status of the Department's

existing authority, the subcommittee requested an Attorney General's opinion, which concluded that the Department already has broad statutory authority to engage in concession contracting (Attachment 3). Thus, the focus and emphasis of the subcommittee's effort has been to develop statutory language to guide the Department when undertaking concession contracting.

As indicated by the sectional analysis (Attachment 4), the draft Finance CS provides the Department of Natural Resources three basic mechanisms to pursue fee collections and provide additional services through concession contracting:

1) Sec. 41.21.026 allows the Department to collect fees for certain activities directly;

2) Sec. 41.21.027 allows the Department to engage in limited contracting for specific maintenance and fee collection purposes; and

3) Sec. 41.21.028 allows the Department to concession contract the operation of services and construction of facilities provided the Commissioner finds that the concessions will serve the public interest.

The subcommittee has made a substantial effort to accommodate a spectrum of opinion and concern on this bill. I believe that the proposal now before you will accomplish the desired goals of providing the Department of Natural Resources with clear authority to levy and collect fees and engage in concession contracting while also prescribing specific procedures to assure appropriate public involvement in the decision-making process.

Attachments

AGENDA

February 24, 1987 5:00 pm
House Finance Committee Room
Work Session: House Bill 16 - Park User Fees and Concessions

I. Introduction: Representative Brown

II. Al Meiners/DNR-Parks

A. Present DNR Authority and Practices

- 1) fees collected and current restraints
- 2) contracts/concessions and applicable constraints
- 3) examples of fee programs/concessions/contracting examples (current):

- public use cabins
- Potter Section House
- Ak Natural History Assoc (non-profit)

examples (in progress):

- Rika's Road House
- helicopter flight seeing in Chugach St Pk
- Outdoor Education Camp in Chena St Rec Area

B. The need for new Legislation

III. Evolution of HB 16 to CS HB 16: Representative Cotten (Ned Farquhar)

IV. Discussion of Policy Questions/Issues

Major questions to be addressed include:

1. What are the advantages/disadvantages of concessions in State Parks?

2. What are the distinctions to be made between "contracting" and granting "concessions"?

3. The concession language in CS HB 16 does not grant any fundamentally new authority to grant concessions; the bill does put explicit constraints on concession practices ("side boards"). Deletion of the concession language in CS HB 16 would still leave DNR with broad authority to pursue concessions but without any explicit guidance on issues relating to compatibility with park values, etc.

4. How should "ordinary uses" such as swimming, fishing, picnicking, etc. be treated?

5. Should HB 16 be limited to fees only as originally introduced? Should this bill, or another, address the issues surrounding concessions?

QUESTIONS TO CONSIDER ON HB 16

by Rep. Kay Brown

1. Is concession contracting in State Parks a good idea?

Considerations/Pro:

- provides DNR flexibility and means to do things otherwise not possible with budget cuts
- allows DNR to keep facilities open through private financing
- provides opportunity for certain services otherwise inappropriate for state to provide (such as food and lodging)
- clarifies existing DNR authority

Considerations/Con:

- contractors may gain too much political influence over park management decisions
- park objectives may be compromised by profit motives
- commercialization of state parks may occur

Proposed CS (Finance):

- provides concession contracting authority with safeguards

2. Should private capital be used to construct facilities in public parks (as distinguished from provision of services)?

Considerations/Pro:

- facilities can be constructed (eg, boat launch, x-country/down hill ski resort, lodge)
- tourism attractions can be developed

Considerations/Con:

- commercialization of parks
- creation of strong financial and/or political interests in parks

Proposed CS (Finance):

- allows construction of facilities but requires extensive public involvement

3. Is all this public process in the proposed CS necessary?

Considerations/Pro:

- safeguards against bad development experienced elsewhere (eg, Yosemite, Yellowstone)
- ensures public involvement

Considerations/Con:

- may defer or slow down concession development
- increases state administrative costs

Proposed CS (Finance): expands public review process before concession contracts are granted or facilities are constructed.