



# LAWS OF ALASKA

1972

Source

Chapter No.

CSSB 281

107

## AN ACT

Providing for the establishment of public ways for trails and footpaths; and providing for an effective date.

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

\* Section 1. AS 41.20 is amended by adding new sections to read:

#### ARTICLE 10. TRAILS AND FOOTPATHS.

Sec. 41.20.375. GRANTS FOR THE ESTABLISHMENT OF TRAILS AND FOOTPATHS. (a) Within the limits of available appropriations, a city or borough of any class is entitled to state grants for the purpose of acquiring lands or rights-of-way over land and establishing and maintaining trails and footpaths on those lands or rights-of-way.

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

(c) Before a grant is awarded under this section, application shall be submitted to the commissioner of natural resources, accompanied by a comprehensive plan for the establishment of trails and footpaths.

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

(e) Before the distribution of funds by the commissioner, consideration shall be given to the extent of funding

available under other federal, local and state aid programs.

(f) Nothing in secs. 375 - 415 of this chapter prohibits a city or borough for which a grant is authorized from entering into an agreement with the Department of Natural Resources for the establishment and maintenance of trails and footpaths outside cities and boroughs.

Sec. 41.20.380. FOOTPATHS AND TRAILS ALONG HIGHWAYS. The commissioner of highways shall administer the plan and program providing for the establishment and maintenance of footpaths and trails along certain designated existing highways, or when a highway, road or street is being constructed, reconstructed or relocated after the effective date of this Act. Trails established under an approved plan submitted by the Department of Highways may be used for more than one type of transportation, motorized or non-motorized, as determined by the commissioner of highways. A uniform system of marking of footpaths and trails established under this section shall be established by the commissioner of highways.

Sec. 41.20.385. AUTHORIZATION OF FUNDS. (a) An amount up to one per cent of the total yearly state and federal matching sum combined, under the federal-aid highways program (23 U.S.C., secs. 101-511), may be appropriated annually from the general fund to the Department of Natural Resources for the purposes of providing grants to eligible cities and boroughs for trails and footpaths in appropriate areas, including but not limited to existing park and recreation areas and for the purpose of providing grants to the Department of Highways for developing the program specified in sec. 375(b) and sec. 380 of this chapter.

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

(c) The amount expended by a city or borough under sec. 375(a) of this chapter or by the Department of Highways under sec. 375(b) and sec. 380 of this chapter, shall never in any one fiscal year be less than 10 per cent of the total amount of the funds it receives in that year for the purposes authorized in secs. 375 - 380 of this chapter.

Sec. 41.20.405. USE AND MARKING OF TRAILS AND FOOTPATHS. Trails established under sec. 375(a) of this chapter may be used for more than one type of transportation, motorized or nonmotorized, as considered appropriate by the commissioner of natural resources. Except along highways within the jurisdiction of the Department of Highways, the Department of Natural Resources shall provide a uniform system of marking trails and footpaths.

Sec. 41.20.415. REPORTS. Cities and boroughs receiving grants under secs. 375 - 415 of this chapter shall

submit to the commissioner of natural resources complete reports covering its expenditures relating to the establishment of trails and footpaths. Reports shall be submitted annually, on projects extending over 12 months. Reports on shorter projects shall be submitted at the completion of the project.

\* Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.