



# LAWS OF ALASKA

1971

Source

HB 192 am

Chapter No.

66

## AN ACT

Relating to the Caines Head State Recreation Area; 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 9. CAINES HEAD STATE RECREATION AREA.

Sec. 41.20.330. DECLARATION OF PURPOSE. The purpose of secs. 340 - 360 of this chapter is to empower the governor to restrict state-owned lands and waters described in sec. 335 of this chapter to use as a public recreation area. Under the provisions of AS 38.05.300, state land, water, or land and water containing more than 640 acres may be closed to multiple purpose use only by Act of the legislature. Because the area described in sec. 335 of this chapter exceeds 640 acres, secs. 330 - 340 of this chapter are intended to provide for the closing of the described lands and waters to multiple purpose use in conformity with AS 38.05.300 and their subsequent designation as a special purpose site in accordance with art. VIII, sec. 7, of the Constitution of the State of Alaska.

Sec. 41.20.335. DESIGNATED STATE LANDS AND WATERS RESTRICTED TO USE AS PUBLIC RECREATION AREA. The governor may designate by proclamation the state-owned lands and waters and all those acquired in the future by the state, lying within the parcels described in this section, as the Caines Head State Recreation Area. The proclamation may include the entire area or portions of the area at different times, shall reserve the areas included from all uses incompatible with their primary function as public recreation land and waters, and shall assign them to the

Department of Natural Resources for control, development and maintenance. Land covered by secs. 330 - 340 of this chapter has a total acreage of 1801.11 acres, including approximately 221.11 acres of federal land, and is described as follows:

(1) U.S.S. 2742: portions of Sections 22 and 27 T2S, R1W, Seward Meridian;

(2) U.S.S. 2744: in Section 14 T2S, R1W, Seward Meridian;

(3) U.S.S. 4830: portions of Sections 14, 23 and 24 T2S, R1W, Seward Meridian (E.O. 3406 Lighthouse Reserve);

(4) Section 10 T2S, R1W, Seward Meridian E1/2; Section 11 T2S, R1W, Seward Meridian SW1/4; Section 14 T2S, R1W, Seward Meridian NW1/4, SW1/4, SE1/4 and portions of NE1/4 above mean low tide; Section 15 T2S, R1W, Seward Meridian E1/2; Section 22 T2S, R1W, Seward Meridian E1/2; Section 23 T2S, R1W, Seward Meridian NW1/4, NE1/4 and portions of SW1/4 above mean low tide and portions of SE1/4 above mean low tide; Section 24 T2S, R1W, Seward Meridian W1/2 portion above mean low tide; Section 27 T2S, R1W, Seward Meridian N1/2 NE1/4 above mean low tide.

Sec. 41.20.340. INCOMPATIBLE USE PROHIBITED. The commissioner of natural resources shall designate by regulation incompatible uses within the boundaries of the Caines Head State Recreation Area in accordance with sec. 335 of this chapter, and those incompatible uses designated shall be prohibited or restricted, as provided by regulation.

Sec. 41.20.345. PURCHASE AUTHORIZED. The commissioner of natural resources may acquire, by purchase in the name of the state, title to or interest in real property lying within the boundaries of the Caines Head State Recreation Area. The state may not acquire by eminent domain privately owned land for inclusion in the Caines Head State Recreation Area.

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