

Introduced: 2/10/70  
Referred: Resources and  
Finance

1 IN THE HOUSE

BY TILLION AND CROFT

2 HOUSE BILL NO. 647

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Kachemak Bay State Park."

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

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

9 ARTICLE 5. KACHEMAK BAY STATE PARK.

10 Sec. 41.20.170. DECLARATION OF PURPOSE. The purpose of secs.  
11 170 - 210 of this chapter is to restrict state-owned lands and waters  
12 described in sec. 180 of this chapter to use as a state park. Under  
13 the provisions of AS 38.05.300, state land, water or land and water  
14 containing more than 640 acres may be closed to multiple purpose use  
15 only by act of the legislature. Because the area described in sec.  
16 180 of this chapter exceeds 640 acres, secs. 170 - 210 of this chapter  
17 are intended to provide for the closing of the described lands and  
18 waters to multiple purpose use in conformity with AS 38.05.300 and  
19 their subsequent designation as a special purpose site in accordance  
20 with art. VIII, sec. 7, of the Constitution of the State of Alaska.

21 Sec. 41.20.180. DESIGNATED STATE LAND AND WATER RESTRICTED TO USE  
22 AS A STATE PARK FOR SCENIC PURPOSES. (a) The presently state-owned  
23 lands and waters, and all those acquired in the future by the state,  
24 lying within the parcels described in this section are designated as  
25 the Kachemak Bay State Park. In order to protect and preserve these  
26 lands and waters for their unique and exceptional scenic value, the  
27 park is established and shall be managed as a scenic park. The lands  
28 and waters lying within the following described parcels are reserved  
29 from all uses incompatible with their primary function as a scenic park

1 and are assigned to the Department of Natural Resources for control,  
2 development and maintenance:

- 3 (1) Township 5 South, Range 10 West, Seward Meridian  
4 Chugachik Island
- 5 (2) Township 6 South, Range 11 West, Seward Meridian
- 6 (3) Township 7 South, Range 11 West, Seward Meridian  
7 Sections 1 - 4  
8 Section 5: N1/2  
9 Sections 7 - 36
- 10 (4) Township 7 South, Range 12 West, Seward Meridian  
11 Section 12, except N1/2NE1/4  
12 Section 13  
13 Sections 19 - 36
- 14 (5) Township 7 South, Range 13 West, Seward Meridian  
15 Sections 25, 26, 35 and 36
- 16 (6) Township 8 South, Range 11 West, Seward Meridian  
17 Sections 1 - 8  
18 Section 9: N1/2  
19 Section 10: N1/2  
20 Section 11: N1/2  
21 Section 12: N1/2  
22 Sections 17 and 18
- 23 (7) Township 8 South, Range 12 West, Seward Meridian
- 24 (8) Township 8 South, Range 13 West, Seward Meridian  
25 Sections 1 and 2  
26 Sections 10 - 14  
27 Section 15: E1/2  
28 Section 23: N1/2 and SE1/4  
29 Sections 24 and 25

1 Section 26: E1/2

2 Section 35: E1/2

3 Section 36

4 (9) Township 9 South, Range 12 West, Seward Meridian

5 Sections 1 - 6

6 Section 8: NE1/4

7 Sections 9 - 12

8 Section 13: N1/2

9 Section 14: N1/2

10 (10) Township 9 South, Range 13 West, Seward Meridian

11 Sections 1 and 2

12 (b) The following public domain lands shall be selected by the  
13 state, and classified as scenic park lands and designated as part of  
14 Kachemak Bay State Park immediately upon receipt of management authority  
15 by the state:

16 (1) Township 6 South, Range 10 West, Seward Meridian: W1/2

17 (2) Township 7 South, Range 10 West, Seward Meridian: W1/2

18 (3) Township 8 South, Range 10 West, Seward Meridian

19 Section 6

20 Section 7: N1/2

21 (c) Lands lying within the parcels described in (a) and (b) of  
22 this section, upon which there are valid entries or upon which there are  
23 valid applications for leases filed under AS 38.05, prior to the effec-  
24 tive date of this Act, are excepted from (a) and (b) of this section;  
25 however, if any lands excepted under this subsection are subsequently  
26 relinquished to the state, they shall be included as part of Kachemak  
27 Bay State Park.

28 Sec. 41.20.190. INCOMPATIBLE USES PROHIBITED. The commissioner  
29 of natural resources shall designate by regulation incompatible uses

1 within the boundaries of the Kachemak Bay State Park in accordance with  
2 the requirements of secs. 170 - 180 of this chapter, and those incom-  
3 patible uses designated shall be prohibited or restricted, as provided  
4 by regulation.

5 Sec. 41.20.200. HUNTING EXCEPTED FROM PROVISIONS OF AS 11.55.050.  
6 Hunting with a firearm in Kachemak Bay State Park, when authorized by  
7 the Board of Fish and Game under AS 16.05, is not subject to the pro-  
8 visions of AS 11.55.050 which prohibit the discharge of a firearm in a  
9 public park.

10 Sec. 41.20.210. PURCHASE AUTHORIZED. The commission of natural  
11 resources may acquire, by purchase in the name of the state, title to  
12 or interest in real property lying within the boundaries of the Kachemak  
13 Bay State Park. The State may not acquire by eminent domain privately  
14 owned land for inclusion in the Kachemak Bay State Park.

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