

1 IN THE SENATE

BY PALMER AND RADER

2 SENATE BILL NO. 169

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Captain Cook State Recreation  
7 Area."

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

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

10 ARTICLE 3. CAPTAIN COOK STATE RECREATION AREA.

11 Sec. 41.20.070. DECLARATION OF PURPOSE. The purpose of secs. 70 -  
12 110 of this chapter is to empower the governor to restrict state owned  
13 lands and waters described in sec. 80 of this chapter to use as a  
14 public recreation area. Under the provisions of AS 38.05.300, state  
15 land, water or land and water containing more than 640 acres may be  
16 closed to multiple purpose use only by Act of the legislature. Because  
17 the area described in sec. 80 of this chapter exceeds 640 acres, secs.  
18 70 - 110 of this chapter are intended to provide for the closing of the  
19 described lands and waters to multiple purpose use in conformity with  
20 AS 38.05.300 and their subsequent designation as a special purpose  
21 site in accordance with Article VIII, Section 7, of the Constitution  
22 of the State of Alaska.

23 Sec. 41.20.080. DESIGNATED STATE LANDS AND WATERS RESTRICTED TO  
24 USE AS PUBLIC RECREATION AREA. The governor may designate by proclama-  
25 tion the state owned lands and waters and all those acquired in the  
26 future by the state, lying within the parcels described in this  
27 section, as the Captain Cook State Recreation Area. The proclamation  
28 may include the entire area or portions of the area at different  
29 times, shall reserve the areas included from all uses incompatible with

1 their primary function as public recreation land and waters, and shall  
2 assign them to the Department of Natural Resources for control,  
3 development and maintenance. Lands covered by secs. 70 - 110 are those  
4 within the following described parcels:

5 Section 3; Section 9; NW 1/4, NE 1/4, and W 1/2 SE 1/4 Section 10;  
6 W 1/4 Section 15; Section 16; Section 17; all tidelands abutting  
7 the above and all of Stormy Lake, all in Township 8N Range 10W  
8 Seward Meridian.

9 Sec. 41.20.090. INCOMPATIBLE USE PROHIBITED. The commissioner of  
10 natural resources shall designate by regulation incompatible uses  
11 within the boundaries of the Captain Cook State Recreation Area in  
12 accordance with sec. 70 of this chapter, and those incompatible uses  
13 designated shall be prohibited or restricted, as provided by regulation.

14 Sec. 41.20.100. PURCHASE AUTHORIZED. The commissioner of natural  
15 resources may acquire, by purchase in the name of the state, title to  
16 or interest in real property lying within the boundaries of the Captain  
17 Cook State Recreation Area.

18 Sec. 41.20.110. DISPOSITION OF FUNDS. All money received from  
19 the operation of the Captain Cook State Recreation Area, including  
20 concession fees, entry and user fees, donations, and receipts from  
21 sales or rentals of land or property, shall be deposited in the public  
22 school permanent fund.

23 \* Sec. 2. AS 41.20.030 is amended to read:

24 Sec. 41.20.030. DISPOSITION OF FUNDS. All money received from  
25 the operation of parks and recreational facilities, including money  
26 from concessions, rentals, or donations, shall be deposited in the  
27 general fund of the state, except that money received from the opera-  
28 tions of the Captain Cook State Recreation Area shall be deposited in  
29 the public school permanent fund.