

1 IN THE SENATE

BY ENGSTROM

2 SENATE BILL NO. 263

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 Battery Point 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. BATTERY POINT STATE RECREATION AREA.

11 Sec. 41.20.070. DECLARATION OF PURPOSE. The purpose of secs. 70 -
12 100 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 pub-
14 lic recreation area. Under the provisions of AS 38.05.300, state land,
15 water, or land and water containing more than 640 acres may be closed to
16 multiple purpose use only by Act of the legislature. Because the area
17 described in sec. 80 of this chapter exceeds 640 acres, secs. 70 - 100
18 of this chapter are intended to provide for the closing of the described
19 lands and waters to multiple purpose use in conformity with AS 38.05.300
20 and their subsequent designation as a special purpose site in accordance
21 with Article VIII, Section 7, of the Constitution of the State of
22 Alaska.

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

1 primary function as public recreation land and waters, and shall assign
2 them to the Department of Natural Resources for control, development
3 and maintenance. Lands covered by secs. 70 - 100 of this chapter have
4 a total acreage of 2,954.43 acres, including approximately 610 acres of
5 federal land, and are described as follows:

6 (1) U.S.S. 1599: portions of Sections 6, 7 and 8 T31S,
7 R60E, C.R.M., known as Battery Point Light House Reserve;

8 (2) Section 1, T31S, R59E, C.R.M., excluding the portions of
9 lots 2 and 3 within the Chilkoot Inlet Alaska Subdivision; Section 6,
10 T31S, R60E, C.R.M., Lots 1, 2 and 3; Section 7, T31S, R60E, C.R.M.,
11 Lots 1 - 7; Section 8, T31S, R60E, C.R.M., Lot 1; Section 12, T31S,
12 R59E, C.R.M., NW 1/4, NE 1/4, and SE 1/4; Section 17 T31S, R60E,
13 C.R.M.; Section 18, T31S, R60E, C.R.M.; Section 19, T31S, R60E,
14 C.R.M., NE 1/4 NW 1/4, N 1/2 NE 1/4.

15 Sec. 41.20.090. INCOMPATIBLE USE PROHIBITED. The commissioner of
16 natural resources shall designate by regulation incompatible uses with-
17 in the boundaries of the Battery Point State Recreation Area in ac-
18 cordance with sec. 70 of this chapter, and those incompatible uses
19 designated shall be prohibited or restricted, as provided by regulation

20 Sec. 41.20.100. PURCHASE AUTHORIZED. The commissioner of natural
21 resources may acquire, by purchase in the name of the state, title to
22 or interest in real property lying within the boundaries of the Battery
23 Point State Recreation Area.
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