

Introduced: 2/18/71
Referred: Resources and
State Affairs

1 IN THE HOUSE

BY SPECKING

2 HOUSE BILL NO. 192

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Caines Head State Recreation
7 Area; and providing for an effective date."

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 9. CAINES HEAD STATE RECREATION AREA.

11 Sec. 41.20.340. DECLARATION OF PURPOSE. The purpose of secs.
12 340 - 360 of this chapter is to empower the governor to restrict
13 state-owned lands and waters described in sec. 350 of this chapter to
14 use as a public recreation area. Under the provisions of AS 38.05.300,
15 state land, water, or land and water containing more than 640 acres
16 may be closed to multiple purpose use only by Act of the legislature.
17 Because the area described in sec. 350 of this chapter exceeds 640
18 acres, secs. 340 - 360 of this chapter are intended to provide for
19 the closing of the described lands and waters to multiple purpose
20 use in conformity with AS 38.05.300 and their subsequent designation
21 as a special purpose site in accordance with art. VIII, sec. 7, of
22 the Constitution of the State of Alaska.

23 Sec. 41.20.350. DESIGNATED STATE LANDS AND WATERS RESTRICTED
24 TO USE AS PUBLIC RECREATION AREA. The governor may designate by
25 proclamation the state-owned lands and waters and all those acquired
26 in the future by the state, lying within the parcels described in this
27 section, as the Caines Head State Recreation Area. The proclamation
28 may include the entire area or portions of the area at different times,
29 shall reserve the areas included from all uses incompatible with their

1 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. Land covered by secs. 340 - 360 of this
4 chapter has a total acreage of 1801.11 acres, including approximately
5 221.11 acres of federal land, and is described as follows:

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

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

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

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

20 Sec. 41.20.360. INCOMPATIBLE USE PROHIBITED. The commissioner
21 of natural resources shall designate by regulation incompatible uses
22 within the boundaries of the Caines Head State Recreation Area in
23 accordance with sec. 350 of this chapter, and those incompatible uses
24 designated shall be prohibited or restricted, as provided by regula-
25 tion.

26 Sec. 41.20.370. PURCHASE AUTHORIZED. The commissioner of
27 natural resources may acquire, by purchase in the name of the state,
28 title to or interest in real property lying within the boundaries of
29 the Caines Head State Recreation Area. The state may not acquire by

1 eminent domain privately owned land for inclusion in the Caines Head
2 State Recreation Area.

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

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