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Referred: Resources,
Judiciary and Finance

1 IN THE HOUSE

BY BEIRNE, FISCHER, FRITZ, HARTIG,
MEEKINS, OSE AND TILLION

2 HOUSE BILL NO. 748

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Hatcher Pass 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 10. HATCHER PASS STATE RECREATION AREA.

11 Sec. 41.20.360. DECLARATION OF PURPOSE. The purpose of secs. 360 -
12 375 of this chapter is to empower the governor to restrict state-owned
13 lands and waters described in sec. 365 of this chapter to use as a public
14 recreation area. Under the provisions of AS 38.05.300, state land, water,
15 or land and water containing more than 640 acres may be closed to multiple
16 purpose use only by Act of the legislature. Because the area described
17 in sec. 365 of this chapter exceeds 640 acres, secs. 360 - 375 of this
18 chapter are intended to provide for the closing of the described lands
19 and waters to multiple purpose use in conformity with AS 38.05.300 and
20 their subsequent designation as a special purpose site in accordance
21 with art. VIII, sec. 7, of the Constitution of the State of Alaska.

22 Sec. 41.20.365. DESIGNATED STATE LAND AND WATER RESTRICTED TO USE
23 AS PUBLIC RECREATION AREA. The governor may designate by proclamation
24 the state-owned lands and waters and all those acquired in the future by
25 the state, lying within the parcels described in this section, as the
26 Hatcher Pass State Recreation Area. The proclamation may include the
27 entire area or portions of the area at different times, shall reserve the
28 areas included from all uses incompatible with their primary function as
29 public recreation land and water, and shall assign them to the Department

1 of Natural Resources for control, development and maintenance. Land
2 covered by secs. 360 - 375 of this chapter is described as follows:

- 3 (1) Township 21 North, Range 3 East, Seward Meridian
4 Sections 17 - 20, 29 - 32
- 5 (2) Township 20 North, Range 3 East, Seward Meridian
6 Sections 5 - 8, 17 - 20, 29 - 32
- 7 (3) Township 19 North, Range 3 East, Seward Meridian
8 Sections 5 - 8
- 9 (4) Township 19 North, Range 2 East, Seward Meridian
10 Sections 1 - 24, 27 - 30
- 11 (5) Township 21 North, Range 2 East, Seward Meridian
12 Sections 13 - 36
- 13 (6) Township 20 North, Range 2 East, Seward Meridian
14 Sections 1 - 36
- 15 (7) Township 21 North, Range 1 East, Seward Meridian
16 Sections 31 - 36
- 17 (8) Township 20 North, Range 1 East, Seward Meridian
18 Sections 1 - 36
- 19 (9) Township 19 North, Range 1 East, Seward Meridian
20 Sections 1 - 30
- 21 (10) Township 21 North, Range 1 West, Seward Meridian
22 Sections 33 - 36
- 23 (11) Township 20 North, Range 1 West, Seward Meridian
24 Sections 1 - 36
- 25 (12) Township 19 North, Range 1 West, Seward Meridian
26 Sections 1 - 18, N 1/2 of 19, N 1/2 of 20, 21 - 28
- 27 (13) Township 20 North, Range 2 West, Seward Meridian
28 Sections 1, SE 1/4 of 2, SE 1/4 of 10, 11 - 15, SE 1/4 of
29 16, S 1/2 and NE 1/4 of 20, 21 - 36

1 (14) Township 19 North, Range 2 West, Seward Meridian
2 Sections 1 - 5, NE 1/4 of 6, NE 1/4 of 8, N 1/2 of 9,
3 10 - 13, N 1/2 of 14, N 1/2 of 15, N 1/2 of 24.

4 Sec. 41.20.370. INCOMPATIBLE USE PROHIBITED. (a) The commissioner
5 of natural resources shall designate by regulation incompatible uses
6 within the boundaries of the Hatcher Pass State Recreation Area in accor-
7 dance with sec. 365 of this chapter, and those incompatible uses desig-
8 nated are prohibited or restricted, as provided by regulation.

9 (b) After the effective date of this Act, private land within an
10 area specified under sec. 365 of this chapter is restricted to the type
11 of use to which it was put before the effective date of this Act. This
12 includes, but is not limited to, previous mining activity.

13 Sec. 41.20.375. PURCHASE AUTHORIZED. The commissioner of natural
14 resources may acquire, by purchase in the name of the state, title to
15 or interest in real property lying within the boundaries of the Hatcher
16 Pass State Recreation Area. The state may not acquire by eminent domain
17 privately owned land for inclusion in the Hatcher Pass State Recreation
18 Area.