

Introduced: 2/25/74  
Referred: Resources

1 IN THE SENATE

BY THOMAS

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SENATE BILL NO. 436 *am*

2  
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

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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

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

Sec. 41.20.370. INCOMPATIBLE USE PROHIBITED. (a) The commissioner of natural resources shall designate by regulation incompatible uses within the boundaries of the Hatcher Pass State Recreation Area in accordance with sec. 365 of this chapter, and those incompatible uses designated are prohibited or restricted, as provided by regulation.

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

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