

HOUSE BILL NO. 508

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES GRUENBERG, Ellis, Donley

Introduced: 2/18/92

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the establishment of the Business Park Wetlands Special Management
2 Area; and providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 41.21 is amended by adding new sections to read:

5 Sec. 41.21.518. **BUSINESS PARK WETLANDS SPECIAL MANAGEMENT AREA**
6 **ESTABLISHED.** The present and future state-owned land and water within the parcels described
7 in this section, are designated as the Business Park Wetlands Special Management Area. The
8 special management area is established to protect and preserve this land and water for its unique
9 and exceptional fishery and wildlife resources and habitat and recreational and scenic resource
10 values, and to designate it as a special purpose site in accordance with art. VIII, sec. 7, of the
11 Constitution of the State of Alaska. The state-owned land and water within the following parcels
12 is reserved from all uses incompatible with its primary function as a special management area
13 and is assigned to the department for control, development, and maintenance:

14 Township 13 North, Range 3 West, Seward Meridian

1 Section 31: N1/2SW1/4NW1/4 Parcel 25
2 N1/2SE1/4NW1/4 Tract A Doubletree Center Subdivision
3 N1/2S1/2NW1/4NW1/4 Parcel 28
4 South 375 feet of Government Lot 1 except that portion included within
5 the boundaries of the Pyhala Subdivision according to plat P - 197.

6 Sec. 41.21.520. INCOMPATIBLE USES. (a) The commissioner shall designate by
7 regulation incompatible uses for the state-owned land and water within the Business Park
8 Wetlands Special Management Area in accordance with the requirements of AS 41.21.518 -
9 41.21.522. Incompatible uses shall be prohibited or restricted, as provided by regulation.

10 (b) In designating incompatible uses by regulation under (a) of this section, the
11 commissioner shall consult with the Business Park Wetlands Coalition or any successor
12 organization.

13 Sec. 41.21.522. ACQUISITIONS AUTHORIZED; EMINENT DOMAIN PROHIBITED.
14 The commissioner may acquire by gift or purchase in the name of the state title to or interest in
15 real property within the Business Park Wetlands Special Management Area. The state may not
16 acquire by eminent domain privately owned land for inclusion in the Business Park Wetlands
17 Special Management Area.

18 * Sec. 2. ACQUISITION BY AGREEMENT. The commissioner of natural resources may enter into
19 agreements with the Business Park Wetlands Coalition or any successor organization regarding the
20 maintenance of the land described in AS 41.21.518, as added by sec. 1 of this Act. Notwithstanding
21 AS 23.15.133, AS 36, and AS 41.21.010 - 41.21.040, in the agreement the commissioner may

22 (1) give the Business Park Wetlands Coalition or any successor organization an exclusive
23 right to operate concessions at the Business Park Wetlands Special Management Area and to accept
24 donations; and

25 (2) provide that the Business Park Wetlands Coalition or any successor organization may
26 be responsible for maintaining the Business Park Wetlands Special Management Area as directed by the
27 commissioner.

28 * Sec. 3. Section 2 of this Act takes effect immediately under AS 01.10.070(c).

29 * Sec. 4. Section 1 of this Act takes effect when (1) the initial agreement is reached under sec. 2 of
30 this Act between the commissioner of natural resources and the Business Park Wetlands Coalition
31 concerning the maintenance of the state land and water as described in AS 41.21.518; and (2) the state

1 has taken title to any land and water described within AS 41.21.518. The commissioner of natural
2 resources shall give notice of the date on which the conditions of this section are met to the lieutenant
3 governor and the revisor of statutes.