

**CS FOR HOUSE BILL NO. 508 (RESOURCES)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE RESOURCES COMMITTEE**

**Offered: 2/28/92  
Referred: Finance**

**Sponsor(s): REPRESENTATIVES GRUENBERG, Ellis, Donley, Leman**

**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:

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 may 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.

10                                  (b) In designating incompatible uses by regulation under (a) of this section, the  
11                                  commissioner shall consult with the public, the Business Park Wetlands Coalition, or any  
12                                  successor 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 36, and AS 41.21.010 - 41.21.040, in the agreement the commissioner may provide that the Business  
22       Park Wetlands Coalition or any successor organization may be responsible for maintaining the Business  
23       Park Wetlands Special Management Area as directed by the commissioner.

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

25       \* Sec. 4. Section 1 of this Act takes effect when (1) the initial agreement is reached under sec. 2 of  
26       this Act between the commissioner of natural resources and the Business Park Wetlands Coalition  
27       concerning the maintenance of the state land and water as described in AS 41.21.518; and (2) the state  
28       has taken title to any land and water described within AS 41.21.518. The commissioner of natural  
29       resources shall give notice of the date on which the conditions of this section are met to the lieutenant  
30       governor and the revisor of statutes.