

HB508

**WAIVED BY
SFC 5-11-92**

7-LS2048P

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

BY THE HOUSE FINANCE COMMITTEE

Offered: 3/13/92
Referred: Rules

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 except for utility easements, and is assigned to the department:

14 Township 13 North, Range 3 West, Seward Meridian

Section 31: N1/2SW NW1/4 Parcel 2
N1/2SE1/4NW1/4 Tract A Doubletree Center Subdivision
N1/2SE1/2NW1/4NW1/4 Parcel 28
South 7th Street of Government Lot 1 except that portion included within
the boundaries of the Pyhala Subdivision according to plat P - 197.

Sec. 41.21.520. INCOMPATIBLE USES. (a) The commissioner may designate by regulation incompatible uses for the state-owned land and water within the Business Park Wetlands Special Management Area in accordance with the requirements of AS 41.21.518 - 41.21.522.

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

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

* Sec. 2. ACQUISITION BY AGREEMENT. The commissioner of natural resources may enter into agreements with the Business Park Wetlands Coalition or any successor organization regarding the maintenance of the land described in AS 41.21.518, as added by sec. 1 of this Act. Notwithstanding AS 36, and AS 41.21.010 - 41.21.040, in the agreement the commissioner may provide that the Business Park Wetlands Coalition or any successor organization may be responsible for maintaining the Business Park Wetlands Special Management Area as directed by the commissioner.

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

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