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Alaska State Legislature

RONALD L. LARSON
DISTRICT 16B

POUCH V
JUNEAU, ALASKA 99811
(907) 465-3727



BOX 53
PALMER, ALASKA 99645
(907) 745-3826

House of Representatives

MEMORANDUM

JAN. 29, 1985

TO: REPRESENTATIVE GOLL

FROM: REPRESENTATIVE RON LARSON 

RE: HB29 & HB43

Please find attached a copy of a letter from Gary Thurlow, Manager of the Mat-Su Boro, pertaining to HB29 and HB43. Hopefully the questions that were raised concerning eminent domain and appraisals are satisfactorily addressed in this letter from Mr. Thurlow. If you have any further concerns or questions on this piece of legislation, please let me know.



Matanuska-Susitna Borough

BOX B. PALMER, ALASKA 99645 • PHONE 745-4801

BOROUGH MANAGER

January 23, 1985

The Honorable Ronald L. Larson
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Ron:

I understand that at the House Community and Regional Affairs meeting on the two fishing access bills that you have introduced Representative Marrou asked whether the Borough would use the power of eminent domain to acquire any of the parcels required for stream access and whether the acquisitions would be based upon appraisals.

The Borough would not use the power of eminent domain to acquire any of these streamside parcels. We would only deal with willing sellers.

Where we do have a willing seller, we would negotiate only on the basis of an appraisal performed by a qualified independent appraiser. We would pay no more than the amount of the appraisal--no more than the fair market value of the property as determined under nationally recognized appraisal procedures.

Sometimes an owner has a going operation on the property which he wants to continue for a few years. Where this is the case, we would either calculate the reasonable rental value to the seller of being able to remain on the land to continue his operation for a time and reduce the appraised price by this amount, or we would charge a reasonable rent. Either way, the reduction in the purchase price, or the rental charge, would be based upon the same appraisal that was used for acquiring the fee so that the buyer would not have the benefit of a below market rent.

We have successfully followed the above procedure with respect to the approximate three acres on Fish Creek, at the outlet of Big Lake, where the seller wants to remain in a dwelling in the parcel to be acquired for several years and where we have calculated the reasonable rental value for that period and have deducted it from the purchase price. This was handled

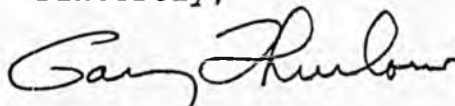
through an independent appraisal and has been presented to the Bankruptcy Court which has the power to review and approve this particular transaction on behalf of the seller's bankruptcy estate.

As you know, from your many years as Mayor for the Matanuska-Susitna Borough, we routinely obtain outside appraisals for acquisitions, such as school site acquisitions, and follow DOT/PF procedures for road right-of-way acquisitions.

I believe our acquisition procedures are unusually professional. Where a seller is in a tax situation where one approach works better than another, we try to work out something that is advantageous to the seller from a tax standpoint. Where we cannot negotiate an acquisition of the whole parcel we are sometimes able to obtain that part of the parcel that is most important to us.

We would coordinate our acquisitions in cooperation with the State Department of Fish and Game and the State Division of Parks. We keep them advised on developments so that the highest priority goals are achieved.

Sincerely,



Gary Thurlow
Borough Manager

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Introduced: 1/14/85
Referred: Community & Regional Affairs
and Finance

<u>Funding Information</u>	
General Fund	\$1,100,000
Other Funds	-0-
	<u>\$1,100,000</u>

1 IN THE HOUSE

BY LARSON AND HURLEY

2

HOUSE BILL NO. 43

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act making a special appropriation for payment as
7 a grant to the Matanuska-Susitna Borough for acquir-
8 ing land to provide public recreational access to
9 Montana Creek, Little Willow Creek, Willow Creek, and
10 Kashwitna River; and providing for an effective
11 date."

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

13 * Section 1. The sum of \$1,100,000 is appropriated from the general
14 fund for payment as a grant to the Matanuska-Susitna Borough for acquiring
15 land to provide public recreational access to Montana Creek, Little Willow
16 Creek, Willow Creek, and Kashwitna River.

17 * Sec. 2. The appropriation made by this Act shall be disbursed in
18 accordance with AS 37.05.315.

19 * Sec. 3. This Act takes effect immediately in accordance with AS 01.-
20 10.070(c).

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: 29
 Title: Little Susitna River
Access Development
 Sponsor: Larson
 Requestor: _____
 Date of Request: 1/22/85

FISCAL DETAIL

Agency Affected: Div. Parks & Outdoor Rec.
 Program Category Affected: _____
Natural Resource Management
 BRU, Program or Subprogram(s) Affected:
Parks & Recreation Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL		28.3	31.3			
300 CONTRACTUAL		4.0	4.0			
400 SUPPLIES		16.0	18.0			
500 EQUIPMENT		5.0	5.0			
600 LAND & STRUCTURES		15.0	4.0			
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		68.3	62.3			

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND		68.3	62.3			
FEDERAL FUNDS						
OTHER						
TOTAL		68.3	62.3			

POSITIONS:

FULL-TIME						
PART-TIME		1	1			
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

See Attached

NOTE: First year represents start-up costs for equipment purchases. Continuing costs will be less.

Prepared By: Neil C. Johannsen, Director Phone: _____
 Division: of Parks & Outdoor Recreation Date: 1/22/85

Approved by Commissioner: Carsten C. Hennrich Date: _____
 Agency: Natural Resources

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

7/1/84

HB 29/Larson

Little Susitna River Recreation Access Development Fiscal Note Analysis

The requested funds will provide the below listed maintenance and operations support for public access to the Little Susitna River.

- FY 86
- 100 - funds will provide one seasonal part time Park Ranger I to manage unit.
 - 200 - funds will provide for travel within the region (54 miles round trip from Wasilla to the Little Susitna River).
 - 300 - the funds will provide for a private maintenance and janitorial contract (15K) to service the unit, vehicle mileage and other contractual services, such as refuse collection.
 - 400 - provides in the hand tools and maintenance commodities for the ranger's managing the unit.
 - 500 - provides the equipment necessary to manage the resources, one pick-up truck (10K), radios, public safety and law enforcement implements.

FY 87: The same amount of funding would be necessary in each budget category (accounting for inflation) with the exception of equipment. These costs would drop to only 4K for the purchase of additional radio equipment.

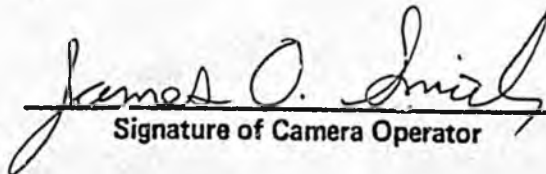
NOTE: These operating costs are also identified in the fiscal note for the Governor's bill on State Recreation Rivers (HB 93). If both HB 93 and HB 29 are passed, the fiscal notes for operating expenses can be combined.

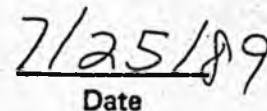


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Signature of Camera Operator


Date