

Introduced: 2/14/80
Referred: Health, Education &
Social Services and Finance

1 IN THE HOUSE

BY MUNSON, BARNES AND MALONE

2 HOUSE BILL NO. 750

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to capital expenditures under the
7 Community Mental Health Services Act; and providing for
8 an effective date."

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

10 * Section 1. AS 47.30.550 is amended to read:

11 Sec. 47.30.550. COST-SHARING FORMULA; LIMITATIONS. If the depart-
12 ment finds that it is necessary for the purposes of AS 47.30.520 - 47.-
13 30.620, the department may enter into a contract with an eligible commu-
14 nity entity under which the department purchases community mental health
15 services from the entity or participates in the purchase or construction
16 of capital improvements in accordance with the community entity's
17 approved plan and AS 47.30.520 - 47.30.620. The department shall
18 participate [PURCHASE THE SERVICES BY PARTICIPATING] in 75 per cent of
19 the eligible costs [OF THE SERVICES] to be furnished under the plan
20 subject to the availability of state funds to the department for imple-
21 menting AS 47.30.520 - 47.30.620. In districts designated by the de-
22 partment as poverty areas, the department shall participate [PURCHASE
23 THE SERVICES BY PARTICIPATING] in 90 per cent of the eligible costs.

24 * Sec. 2. AS 47.30.570 is amended by adding a new paragraph to read:

25 (3) a requirement that to be eligible for state partici-
26 pation under AS 47.30.550, a contract for the construction or purchase
27 of a capital improvement shall provide that if the property acquired as
28 a result of the capital expenditure is ever used for other than a public
29 purpose the state may, at its election,

1 (A) require the community entity to transfer title to
2 the property to the state, and reimburse the community entity for
3 that proportion of the fair market value of the property which the
4 entity's investment in the property bears to the total of invest-
5 ment from all sources made in the property;

6 (B) require the community entity to reimburse the state
7 for that proportion of the fair market value of the property which
8 the state's investment in the property bears to the total of in-
9 vestment from all sources made in the property; and allow the
10 community entity to retain title to the property; or

11 (C) require the community entity to sell the property
12 and remit to the state that proportion of the proceeds of the sale
13 which the state's investment in the property bears to the total
14 investment from all sources made in the property.

15 * Sec. 3. AS 47.30.570(1) is repealed.

16 * Sec. 4. This Act takes effect July 1, 1980.