

Offered: 4/9/86
Referred: Judiciary and Finance

Original sponsors: Pignalberi and M.M.Miller

Funding Information
General Fund \$797,500
Other Funds -0-
\$797,500

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

1 IN THE HOUSE

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CS FOR HOUSE BILL NO. 625 (HESS)

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act making a special appropriation implementing

7

Weiss v. State; and providing for an effective date."

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

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* Section 1. PURPOSE. (a) The Alaska Supreme Court has issued its
10 decision in the mental health trust land litigation: State v. Weiss, 706
11 P.2d 681 (Alaska 1985). In Weiss v. State, 4FA 2208 Civil, the superior
12 court is considering the issuance of orders implementing the supreme's
13 court's decision. It is the purpose of this Act to provide interim funding
14 to comply with the orders of the supreme court and the superior court in
15 this case and to allow the parties to resolve the lawsuit, either by set-
16 tlement or court order.

17

(b) To effectuate the beneficial purposes of this Act, the legisla-
18 ture intends that secs. 4 and 5 of this Act be liberally construed by the
19 supreme court and the superior court to permit the expenditure of funds to
20 allow the plaintiffs and the intervenors to participate fully in the liti-
21 gation and the settlement.

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(c) The legislature intends that funds appropriated under this Act
23 may be released only upon an order of the supreme court or the superior
24 court in Weiss v. State.

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* Sec. 2. The sum of \$487,500 is appropriated from the general fund to
26 the Department of Natural Resources, to be allocated as follows:

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(1) for the identification and appraisal of land that has had
28 status as Alaska mental health trust land: \$304,000;

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(2) for an accounting of Alaska mental health trust land and the

1 income received by the state from the land from 1978 through

2 1985: \$40,800;

3 (3) to provide management oversight of all transactions involv-
4 ing Alaska mental health trust land and income received from Alaska mental
5 health trust land: \$142,700.

6 * Sec. 3. The sum of \$20,000 is appropriated from the general fund to
7 the Department of Health and Social Services for a determination of ex-
8 penditures for the mental health program from 1978 through 1985.

9 * Sec. 4. The sum of \$250,000 is appropriated from the general fund to
10 the Department of Law for payment for past and present attorney fees and
11 costs of the plaintiffs and intervenors in Weiss v. State.

12 * Sec. 5. The sum of \$40,000 is appropriated from the general fund to
13 the Department of Health and Social Services for payment as a grant to the
14 Alaska Alliance for the Mentally Ill and to the Alaska Mental Health Asso-
15 ciation for expenses directly related to Weiss v. State and its settlement.

16 * Sec. 6. The unexpended and unobligated portion of the appropriations
17 made by secs. 2 - 5 of this Act lapses into the general fund June 30, 1987.

18 * Sec. 7. Each appropriation made in secs. 2 - 5 of this Act is con-
19 ditioned on the issuance of a court order in Weiss v. State directing a
20 payment consistent with the purpose stated in the section.

21 * Sec. 8. This Act takes effect immediately in accordance with AS 01.-
22 10.070(c).