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1 IN THE SENATE

2

SENATE CONCURRENT RESOLUTION NO. 36

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

Establishing a joint special committee

6

on mental health trust land.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 WHEREAS the United States Congress granted 1,000,000 acres of land to
9 the Territory of Alaska to be administered as a public trust for the neces-
10 sary expenses and support of mental health in the territory; and

11 WHEREAS in October 1985, the Alaska Supreme Court determined that the
12 1978 decision of the Alaska Legislature to redesignate mental health trust
13 land as general grant land had breached the trust established by the Con-
14 gress; and

15 WHEREAS the funding level for the mental health programs in the state
16 is one of the lowest in the nation on a per capita basis; and

17 WHEREAS the legislature, the administration, and mental health advo-
18 cates agree that the state must comply with the intent of the Congress that
19 mental health programs in the state receive sufficient funding; and

20 WHEREAS it is not in the public interest that continued litigation
21 over the mental health land trust divert attention from the underlying goal
22 of increased funding for mental health programs and care in the state; and

23 WHEREAS present state statutes do not explicitly provide for the
24 management of mental health trust land for maximum revenue production; and

25 WHEREAS the return of mental health trust land to trust status pre-
26 cludes management of mental health trust land for its highest and best use;

27 BE IT RESOLVED by the Alaska State Legislature that a Joint Special
28 Committee on Mental Health Trust Land is established under Uniform Rule 21;
29 and be it

1 **FURTHER RESOLVED** that the Joint Special Committee on Mental Health
2 Trust Land is composed of two members of the Senate appointed by the presi-
3 dent of the Senate, two members of the House of Representatives appointed
4 by the speaker of the House of Representatives, the commissioner of natural
5 resources and the commissioner of health and social services, or the desig-
6 nees of the commissioners, and two public members interested in the mental
7 health trust land issue; the public members shall be selected by the other
8 members of the Joint Special Committee on Mental Health Trust Land; and be
9 it

10 **FURTHER RESOLVED** that the Joint Special Committee on Mental Health
11 Trust Land develop, after public hearings, a proposal to resolve the mental
12 health trust litigation and recommend a level of appropriations adequate to
13 provide sufficient funding for mental health programs in the future; and be
14 it

15 **FURTHER RESOLVED** that the committee is authorized to meet during and
16 between sessions of the legislature and is to report its recommendations
17 and findings on the first day of the First Session of the Fifteenth State
18 Legislature; and be it

19 **FURTHER RESOLVED** that the committee terminates on the 10th day of the
20 First Session of the Fifteenth State Legislature.