

Original sponsor(s): SEN. COGHILL

1 IN THE SENATE BY THE RESOURCES COMMITTEE
2 CS FOR SENATE BILL NO. 493 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act relating to the reconstitution and adminis-
7 tration of the mental health trust; and providing for
8 an effective date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 37.14.011(b) is amended to read:
11 (b) The amount determined under (c) of this section as the [FAIR
12 MARKET] rental value of the land constituting the mental health trust
13 corpus is the earnings of the trust and the commissioner of revenue
14 shall annually allocate that amount from the general fund to the
15 mental health trust income account.
16 * Sec. 2. AS 37.14.011(c) is repealed and reenacted to read:
17 (c) The rental value of the land constituting the mental health
18 trust corpus is equal to eight percent of the value of the land the
19 state receives under sec. 202 of the Alaska Mental Health Enabling
20 Act. Commencing with 1992, the value of the land the state receives
21 under sec. 202 of the Alaska Mental Health Enabling Act, shall be
22 redetermined annually as follows:
23 (1) the number of acres of land the state receives under
24 sec. 202 of the Alaska Mental Health Enabling Act in each municipality
25 that assesses land for property tax purposes shall be divided by the
26 total number of acres of land the state receives under sec. 202 of the
27 Alaska Mental Health Enabling Act that is located in municipalities
28 that assess land for property tax purposes; the result of this divi-
29 sion is the "weighting factor";

1 (2) the weighting factor for each municipality that assess-
2 es land is multiplied by the average percentage change in assessed
3 land values for that municipality since that municipality's assessed
4 values were used to revalue land the state receives under sec. 202 of
5 the Alaska Mental Health Enabling Act; the result is the "weighted
6 value change" for that municipality;

7 (3) all of the weighted value changes must be added togeth-
8 er to arrive at the "reevaluation factor," expressed as a decimal;

9 (4) one plus the reevaluation factor must be multiplied by
10 the previous total value of land the state receives under sec. 202 of
11 the Alaska Mental Health Enabling Act to arrive at the redetermined
12 value of land the state receives under sec. 202 of the Alaska Mental
13 Health Enabling Act.

14 * Sec. 3. AS 37.14.011 is amended by adding a new subsection to read:

15 (d) The commissioner of natural resources shall calculate the
16 redetermined value of the trust under (c) of this section and provide
17 the redetermined value to the commissioner of revenue and the board
18 established under AS 47.30.661.

19 * Sec. 4. AS 38.05.800 is repealed and reenacted to read:

20 Sec. 38.05.800. RECONSTITUTION AND ADMINISTRATION OF MENTAL
21 HEALTH LAND TRUST. (a) The value of all land the state receives
22 under the Alaska Mental Health Enabling Act, as of September 7, 1987,
23 is \$1,800,000,000.

24 (b) All land within legislative designations on September 7,
25 1987, constitutes the corpus of the mental health land trust.

26 (c) On reconstitution of the trust under this section, land the
27 state receives under sec. 202 of the Alaska Mental Health Enabling Act
28 that is not within legislative designations is removed from trust
29 status.

1 (d) The land within legislative designations that constitutes
2 the mental health land trust shall be administered for the legisla-
3 tively designated purposes. The state shall continue to manage the
4 legislatively designated areas in accordance with state law and
5 policy; the authority of the state includes the issuance of permits,
6 rights-of-ways, mining leases, oil and gas leases, coal leases, timber
7 contracts, and other actions that do not constitute a conveyance in
8 fee simple. The income from the use of the trust land shall be depos-
9 ited into the general fund.

10 (e) Before the state may remove land that is part of the mental
11 health trust corpus from trust status, and in addition to any other
12 requirements of law, the commissioner, consistent with the state's
13 trust responsibilities, shall identify replacement land, equal in
14 value at the time of replacement, within legislative designations and
15 incorporate them into the mental health trust corpus. The commis-
16 sioner annually shall report any actions under this subsection to the
17 board established under AS 47.30.661.

18 * Sec. 5. The provisions of this Act are not severable.

19 * Sec. 6. Section 2(a), ch. 132, SLA 1986, as amended by sec. 9,
20 ch. 48, SLA 1987, is repealed.

21 * Sec. 7. This Act takes effect immediately under AS 01.10.070(c).