

Original sponsor(s): SEN. COGHILL

1 IN THE SENATE BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 493 (Finance)
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 AS 37.14.011(c) is repealed and reenacted to read: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 five percent of the unrestricted general fund
19 revenue of the state for the fiscal year.

20 * Sec. 3. AS 37.14.021 is amended to read:

21 Sec. 37.14.021. UTILIZATION OF THE MENTAL HEALTH TRUST INCOME
22 ACCOUNT. Money in the mental health trust income account established
23 in AS 37.14.011(a) shall first be appropriated by the legislature to
24 meet the necessary expenses of the mental health program of the state.
25 In making annual appropriations from the mental health trust income
26 account, the legislature shall consider the recommendations of the
27 Alaska Mental Health Board established under AS 47.30.661, including
28 recommendations regarding capital improvements. After the necessary
29 expenses of the state's mental health program have been funded, the

1 legislature may authorize transfer of the unobligated and unappro-
2 priated fiscal year-end balance in the mental health trust income
3 account as of June 30 to the unreserved portion of the general fund
4 [MAKE APPROPRIATIONS FROM THE MENTAL HEALTH TRUST INCOME ACCOUNT] for
5 other public purposes.

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 AS 38.05.800 is repealed and reenacted to read:

7 Sec. 38.05.800. RECONSTITUTION AND ADMINISTRATION OF MENTAL
8 HEALTH LAND TRUST. (a) All land within legislative designations on
9 September 7, 1987, constitutes the corpus of the mental health land
10 trust.

11 (b) On reconstitution of the trust under this section, land the
12 state receives under sec. 202 of the Alaska Mental Health Enabling Act
13 that is not within legislative designations is removed from trust
14 status.

15 (c) The land within legislative designations that constitutes
16 the mental health land trust shall be administered for the legisla-
17 tively designated purposes. The state shall continue to manage the
18 legislatively designated areas in accordance with state law and
19 policy; the authority of the state includes the issuance of permits,
20 rights-of-ways, mining leases, oil and gas leases, coal leases, timber
21 contracts, and other actions that do not constitute a conveyance in
22 fee simple. The income from the use of the trust land shall be depos-
23 ited into the general fund.

24 (d) Before the state may remove land that is part of the mental
25 health trust corpus from trust status, and in addition to any other
26 requirements of law, the commissioner, consistent with the state's
27 trust responsibilities, shall identify replacement land, equal in
28 value at the time of replacement, within legislative designations and
29 incorporate them into the mental health trust corpus. The

1 commissioner annually shall report any actions under this subsection
2 to the board established under AS 47.30.661.

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

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

6 * Sec. 7. Section 11, ch. 48, SLA 1987 is repealed.

7 * Sec. 8. This Act takes effect immediately under AS 01.10.070(c).