

SENATE CS FOR CS FOR HOUSE BILL NO. 371(FIN)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 5/9/94  
Referred: Rules

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act making appropriations to capitalize the mental health trust fund from  
2 the balance of the mental health trust income account on June 30, 1995, mental  
3 health trust income of the Department of Natural Resources in the general fund,  
4 proceeds from sale of Department of Natural Resources land sale contract  
5 portfolio, and constitutional budget reserve fund; making an appropriation from  
6 the constitutional budget reserve fund under art. IX, sec. 17(c), Constitution of  
7 the State of Alaska; and providing for an effective date."

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

9 \* Section 1. (a) The sum of \$200,000,000 is appropriated to the mental health trust fund  
10 (AS 37.14.031), added by sec. 11, ch. 66, SLA 1991, from the following sources, in the  
11 amounts listed, to capitalize the mental health trust fund:

| 12 | SOURCE                             | APPROPRIATION |
|----|------------------------------------|---------------|
| 13 | Mental health trust income account | \$ 33,000,000 |

|   |   |             |
|---|---|-------------|
| 1 | (AS 37.14.011) balance on June 30, 1995         |             |
| 2 | Department of Natural Resources - mental health | 11,700,000  |
| 3 | trust income in the general fund                |             |
| 4 | Proceeds from sale of Department of             | 25,000,000  |
| 5 | Natural Resources land sale contract            |             |
| 6 | portfolio                                       |             |
| 7 | Budget reserve fund (art. IX,                   | 130,300,000 |
| 8 | sec. 17(c), Constitution of the State           |             |
| 9 | of Alaska)                                      |             |

10 (b) The appropriations made by (a) of this section are contingent upon  
 11 (1) the enactment into law of a bill passed by the Eighteenth Alaska State  
 12 Legislature that amends ch. 66, SLA 1991, and contains other provisions relating to the mental  
 13 health land trust and mental health land trust litigation (Weiss v. State, 4FA-82-2208 Civil);  
 14 and

15 (2) not later than December 15, 1994,  
 16 (A) the superior court of the State of Alaska having made a final  
 17 determination that the state has satisfied its obligation to reconstitute the mental health  
 18 trust under State v. Weiss, 706 P.2d 681 (Alaska 1985);

19 (B) the superior court having entered a final order dismissing Weiss v.  
 20 State, 4FA-82-2208 Civil; and

21 (C) the time for appeals of that determination and that order having  
 22 expired with no appeals having been taken as of that date or any appeals taken having  
 23 been finally resolved and the order dismissing Weiss v. State, 4FA-82-2208 Civil,  
 24 having been affirmed on appeal.

25 (c) If, on or before November 30, 1994, the governor determines that it is in the best  
 26 interest of the beneficiaries of the mental health trust and the state that the December 15, 1994  
 27 deadline in (b)(2) of this section be extended, the governor at that time may extend the  
 28 December 15, 1994 deadline for not more than forty-five days.

29 (d) The appropriation made by (a) of this section from the constitutional budget  
 30 reserve fund (art. IX, sec. 17, Constitution of the State of Alaska) is made under art. IX, sec.  
 31 17(c), Constitution of the State of Alaska.

1 (e) The appropriations made by (a) of this section are for the capitalization of funds  
2 and do not lapse.

3 \* Sec. 2. This Act takes effect immediately under AS 01.10.070(c).