



HOUSE  
COMMITTEE REPORT

JUDICIARY

4/9

(7)

Date referred: 2/17/86

FURTHER REFERRALS: FINANCE

HEALTH, EDUCATION AND  
SOCIAL SERVICES

DATE: April 7, 1986

The \_\_\_\_\_ Committee has considered HB 625

"An Act making a special appropriation relating to mental health trust land; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS HB 625 (H&S)  same title
- new title

and recommends do pass

further referral to the \_\_\_\_\_ Committee

- and attaches:
- letter of intent
  - first fiscal note
  - new fiscal note
  - zero fiscal note

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

\_\_\_\_\_

Mark Greenberg

John Taylor

John Kramer

Kathleen Marie Hurley

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

David M. Shuman - NO REC

Angie Harley - No Rec

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

John Kramer Co-Ch  
Chairman

Mark Greenberg Co-Ch

Bridley

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

Original sponsors: Pignalberi and M.M. Miller

<u>Funding Information</u>	
General Fund	\$797,500
Other Funds	-0-
	<u>\$797,500</u>

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

CS FOR HOUSE BILL NO. 625 (HESS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act making a special appropriation implementing Weiss v. State; and providing for an effective date."

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

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

(b) To effectuate the beneficial purposes of this Act, the legislature intends that secs. 4 and 5 of this Act be liberally construed by the supreme court and the superior court to permit the expenditure of funds to allow the plaintiffs and the intervenors to participate fully in the litigation and the settlement.

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

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

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

(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).

Introduced: 2/17/86  
Referred: Health, Education &  
Social Services, Judiciary and  
Finance

*Bradley*

<u>Funding Information</u>	
General Fund	\$300,000
Other Funds	-0-
	<u>\$300,000</u>

1 IN THE HOUSE

BY PIGNALBERI AND M.M.MILLER

2 HOUSE BILL NO. 625

3 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 relating to  
7 mental health trust land; and providing for an effective  
8 date."

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

10 \* Section 1. The sum of \$300,000 is appropriated from the general fund  
11 to the Department of Health and Social Services for payment as a grant  
12 under AS 37.05.316 to the Alaska Mental Health Association for reimburse-  
13 ment of the costs and attorney fees incurred by the plaintiffs and inter-  
14 venors in Weiss v. State, Civil No. 4FA 82-2208, and for payment of the  
15 costs of plaintiffs and intervenors in a reconstruction of the trust estab-  
16 lished by the Congress regarding the mental health trust land and to audit  
17 past actions of the state regarding mental health trust land.

18 \* Sec. 2. The unexpended and unobligated portion of the appropriation  
19 made by sec. 1 of this Act lapses into the general fund June 30, 1987.

20 \* Sec. 3. This Act takes effect July 1, 1986.

**ALASKA STATE LEGISLATURE**

.14th.. Legislature SECOND.. Session

HOUSE ...BILL..... NO. ..625..

By ..PEGHALBERT...M.M. MILLER..

"An Act making a special appropriation relating to mental health trust land; and providing for an effective date."

mental health trust land

Introduced in the House ..2/17..., 19..86

**HISTORY IN THE HOUSE**

19 86	Read first time and referred to Committee on										
Feb 17	MESS, JUDICIARY, AND FINANCE Reported back with recommendation that										
	Read second time and										
	Read third time and										
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	<p>Reconsideration</p> <table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	Reported correctly engrossed Signed by Speaker Sent to Senate										
CHIEF CLERK OF THE HOUSE											

**HISTORY IN THE SENATE**

19	Read first time and referred to Committee on										
	Reported back with recommendation that										
	Read second time and										
	Read third time and										
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	<p>Reconsideration</p> <table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused
PASS	Effective Date										
Yeas	Yeas										
Nays	Nays										
Absent	Absent										
Excused	Excused										
	Reported correctly engrossed Signed by President Returned to House										
SECRETARY OF THE SENATE											

**HISTORY IN THE HOUSE**

19	Received from Senate
	Concurred in Senate amendment thus adopting: VOTE
	Failed to concur in Senate amendment; asked Senate to recede VOTE
	Senate receded from amendment VOTE
	Senate failed to recede from amendment VOTE
	CC appointed by House
	CC appointed by Senate
	CC adopted by House VOTE
	CC adopted by Senate VOTE
	To enrolling Reported correctly enrolled Sent to Governor
	..... by Governor
	Filed with Lt. Governor
	Chapter No. ....

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

2 CS FOR HOUSE BILL NO. 625 (HESS)

3 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."

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

9 \* 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.

22 (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.

25 \* 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:

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

29 (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).

Introduced: 2/17/86  
Referred: Health, Education & Social  
Services, Judiciary and Finance

Funding Information  
General Fund \$300,000  
Other Funds -0-  
\$300,000

1 IN THE HOUSE

BY PIGNALBERI ANE M.M.MILLER

2

HOUSE BILL NO. 625

3

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 relating to  
7 mental health trust land; and providing for an effective  
8 date."

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

10 \* Section 1. The sum of \$300,000 is appropriated from the general fund  
11 to the Department of Health and Social Services for payment as a grant  
12 under AS 37.05.316 to the Alaska Mental Health Association for reimburse-  
13 ment of the costs and attorney fees incurred by the plaintiffs and inter-  
14 venors in Weiss v. State, Civil No. 4FA 82-2208, and for payment of the  
15 costs of plaintiffs and intervenors in a reconstruction of the trust estab-  
16 lished by the Congress regarding the mental health trust land and to audit  
17 past actions of the state regarding mental health trust land.

18 \* Sec. 2. The unexpended and unobligated portion of the appropriation  
19 made by sec. 1 of this Act lapses into the general fund June 30, 1987.

20 \* Sec. 3. This Act takes effect July 1, 1986.