

HCR

50

HOUSE
COMMITTEE REPORT

(7)

Date referred: 2/17/86

FURTHER REFERRALS: FINANCE

DATE: March 4, 1986

HEALTH, EDUCATION AND
The SOCIAL SERVICES

Committee has considered HCR 50

Establishing a joint committee on mental health trust land.

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CSHR 50 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:

[Signature]

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POSITION PAPER

HOUSE CONCURRENT RESOLUTION NO. 50

"Establishing a joint committee on mental health trust land"

The department supports this bill.

The 1985 Supreme Court decision establishing mental health trust lands has broad reaching policy ramifications for the State or Alaska and its citizenry. There are many avenues to carry out the original intent of the trust, including mechanisms established by the Administration, the Courts, and the Legislature.

The department supports an indepth legislative examination of this important public policy issue. Should this resolution be adopted, we would be pleased to assist the committee in any appropriate manner, particularly as their work relates to assessment of need for mental health services.

RECOMMENDED BY: Karen Perdue
Karen Perdue
Assistant Commissioner
for Administration

DATE: 3/4/86

APPROVED BY: John R. Pugh
John R. Pugh
Commissioner

DATE: 3/4/86

Testimony of Senator Joe Josephson
House HESS Committee
HCR 50

March 4, 1986

I would like to thank Representative Gruenberg for introducing HCR 50 and for his long-standing interest in addressing the State's responsibilities for the mental health land trust.

My long-term goal in resolving the mental health lands dispute has been to develop a trust of sufficient size to adequately fund mental health programs for future generations. Because of unresolved legal issues, declining oil revenue projections, and lack of time during the remaining session, I have concluded that a long-term solution to the mental health lands dispute, satisfactory to all, was unlikely to be found this year.

I believe, though, there are a number of actions the Legislature should take this year so that we will be in a better position to enact a long-term solution during our 1987 session:

1. Provide funding in the operating budget to the Department of Natural Resources and the Department of Health and Social Services to enable them to complete the land and expenditure audits required by the recent court order.

2. Provide funding for the plaintiffs and intervenors to more fully participate in settling the lawsuit. Funds are needed for these groups to review the State's audits of land revenues and program expenditures, as well as travel and organizing expenses for their board members to be involved in the settlement process.

3. Increase funding for immediate mental health program needs through the operating budget and SE 388/HB 412 programs for the chronically mentally ill. The bottom line in the mental health lands dispute is increased program funding, and the Legislature must show an intent to expand our treatment programs in the FY'87 budget.

4. Establishing a joint committee on mental health trust land to work on settlement proposals before the 1987 session begins, via SCR 36 or HCR 50.

The differences between my SCR 36 and Representative Gruenberg's HCR 50 are not major; the primary difference is that SCR 36 would include two public members and two commissioners on the legislative committee, while HCR 50 would include only legislators. I deeply believe that public membership will add important perspectives and will help create better understanding and support for the eventual work product of the committee.

Senator Josephson
Page Three

I appreciate this opportunity to testify before the Committee, and look forward to working with you on addressing our responsibility for the mental health land trust.

Original sponsors: Gruenberg, Koponen,
Hurley, et al

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

1 IN THE HOUSE

2 CS FOR HOUSE CONCURRENT RESOLUTION NO. 50 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 Establishing a joint committee on mental
6 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 legislature, the administration, and mental health advo-
16 cates agree that the state must comply with federal law and the Alaska
17 Supreme Court decision; and

18 WHEREAS the legislature must be involved in the resolution of issues
19 involving mental health trust land;

20 BE IT RESOLVED by the Alaska State Legislature that a Joint Committee
21 on Mental Health Trust Land is established under Uniform Rule 21(b); and be
22 it

23 FURTHER RESOLVED that the Joint Committee on Mental Health Trust Land
24 is composed of three members of the Senate appointed by the president of
25 the Senate, and three members of the House of Representatives appointed by
26 the speaker of the House of Representatives; and be it

27 FURTHER RESOLVED that the Joint Committee on Mental Health Trust Land
28 develop, after public hearings, a proposal to resolve the mental health
29 trust litigation and recommend a level of appropriations adequate to

1 provide sufficient funding for mental health programs in the future; and be
2 it

3 FURTHER RESOLVED that the committee is authorized to meet during and
4 between sessions of the legislature and is to report its recommendations
5 and findings on the first day of the First Session of the Fifteenth State
6 Legislature; and be it

7 FURTHER RESOLVED that the committee terminates on the 10th day of the
8 First Session of the Fifteenth State Legislature.

DISTRICT 27:
AKHIOK
CHIGNIK
CHIGNIK LAGOON
CHIGNIK LAKE
CHINIAK
IVANOF BAY
KARLUK
KODIAK
LARSEN BAY
OLD HARBOR
OUZINKIE
PERRYVILLE
PORT LIONS
WOMENS BAY

Alaska State Legislature



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(LHO, (907) 486-8116

Representative
Dave Thompson

MEMORANDUM

TO: Rep. Max Gruenberg DATE: March 13, 1986

FROM: Rep. David W. Thompson SUBJ: Appointment

Should HCR 50, establishing a joint committee on mental health trust land pass this session, I wish to be appointed to the the interim committee.

DWT

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

BY GRUENBERG, KOPONEN, HURLEY,
TAYLOR, HANLEY, PETTYJOHN AND
THOMPSON

1 IN THE HOUSE

2

HOUSE CONCURRENT RESOLUTION NO. 50

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

Establishing a joint committee on mental

6

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14 gress; and

15

WHEREAS the legislature, the administration, and mental health advo-
16 cates agree that the state must comply with ^{FEDERAL LAW} [the intent of the Congress] and
17 the Alaska Supreme Court decision; and

18

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20

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9

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date : 3/5/86

REQUEST

Bill/Resolution No. : HCR 50
 Title : establish joint committee
on mental health lands
 Sponsor : Gruenberg
 Requestor : House HESS
 Date of Request : 3/5/86

FISCAL DETAIL

Agency Affected : legislature
 BRU : _____
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		21.7				
TRAVEL		3.0				
CONTRACTUAL		5.6				
SUPPLIES		.3				
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		30.6				

CAPITAL						
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REVENUE						
----------------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND		30.6				
FEDERAL FUNDS						
OTHER						
TOTAL		30.6				

POSITIONS :

FULL-TIME						
PART-TIME		1				
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

This fiscal note calls for a half-time professional assistant (Range 21A) to work for the committee. Salary for a nine month period is \$17,239.50 plus \$4,482.27 in benefits.

Prepared by : Representative Max F. Gruenberg, Jr.

Phone : 465-4968

Division : House HESS Committee

Date : 3/5/86

Approved by Co-Chair
 Commissioner :

Date : 3/5/86

Agency : House HESS Committee

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)