

Confirm.

Ak. Mental

H. Trust Auth

Brd. Trustees



Alaska State Legislature House of Representatives

Official Business

April 28, 1995

The Honorable Gail Phillips
Speaker of the House
State Capitol
Juneau, AK. 99801-1182

Dear Madam Speaker:

In accordance with AS 39.05.080, the House Health, Education and Social Services Committee has reviewed the qualifications of the following and recommends that appointment be forwarded to a joint session for consideration:

Alaska Mental Health Trust Authority Board of Trustees

Kay Burrows

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.

Representative Cynthia Toohey
Co-Chair

Representative Con Bunde
Co-Chair

Representative Al Vezey

Representative Gary Davis

Representative Norman Rokeberg

Representative Tom Brice

Representative Caren Robinson



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Dear Madam Speaker:

In accordance with AS 39.05.080, the House Health, Education and Social Services Committee has reviewed the qualifications of the following and recommends that appointment be forwarded to a joint session for consideration:

Alaska Mental Health Trust Authority Board of Trustees

John Malone

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.

Representative Cynthia Toohey
Co-Chair

Representative Con Bunde
Co-Chair

Representative Al Vezey

Representative Gary Davis

Representative Norman Rokeberg

Representative Tom Brice

Representative Caren Robinson



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Dear Madam Speaker:

In accordance with AS 39.05.080, the House Health, Education and Social Services Committee has reviewed the qualifications of the following and recommends that appointment be forwarded to a joint session for consideration:

Alaska Mental Health Trust Authority Board of Trustees

Tom Hawkins

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.

Representative Cynthia Toohey
Co-Chair

Representative Con Bunde
Co-Chair

Representative Al Vezey

Representative Gary Davis

Representative Norman Rokeberg

Representative Tom Brice

Representative Caren Robinson



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Dear Madam Speaker:

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Alaska Mental Health Trust Authority Board of Trustees

Nelson Page

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Representative Cynthia Toohey
Co-Chair

Representative Con Bunde
Co-Chair

Representative Gary Davis

Representative Al Vezey

Representative Tom Brice

Representative Norman Rokeberg

Representative Caren Robinson



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Dear Madam Speaker:

In accordance with AS 39.05.080, the House Health, Education and Social Services Committee has reviewed the qualifications of the following and recommends that appointment be forwarded to a joint session for consideration:

Alaska Mental Health Trust Authority Board of Trustees

John Pugh

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.

Representative Cynthia Toohey
Co-Chair

Representative Con Bunde
Co-Chair

Representative Al Vezey

Representative Gary Davis

Representative Norman Rokeberg

Representative Tom Brice

Representative Caren Robinson



Alaska State Legislature

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April 28, 1995

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Speaker of the House
State Capitol
Juneau, AK. 99801-1182

Dear Madam Speaker:

In accordance with AS 39.05.080, the House Health, Education and Social Services Committee has reviewed the qualifications of the following and recommends that appointment be forwarded to a joint session for consideration:

Alaska Mental Health Trust Authority Board of Trustees

Evelyn Tucker

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.

Representative Cynthia Toohy
Co-Chair

Representative Con Bunde
Co-Chair

Representative Al Vezcy

Representative Gary Davis

Representative Norman Rokeberg

Representative Tom Brice

Representative Caren Robinson



Alaska State Legislature House of Representatives

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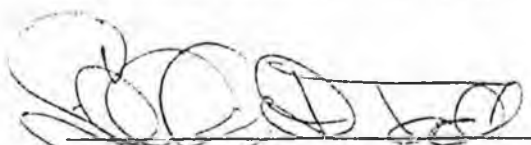
Dear Madam Speaker:

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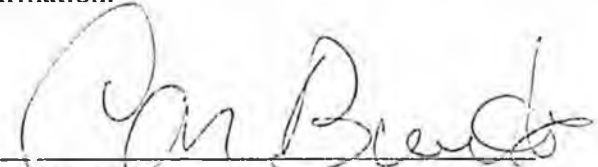
Alaska Mental Health Trust Authority Board of Trustees

Phil Younker, Jr.

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.




Representative Cynthia Toohey
Co-Chair



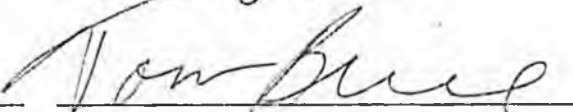
Representative Con Bunde
Co-Chair

Representative Al Vezey




Representative Gary Davis

Representative Norman Rokeberg



Representative Tom Brice



Representative Caren Robinson



Alaska State Legislature
House of Representatives
Office of the Chief Clerk

State Capitol, Rm 214
Juneau, AK 99801-1182
(907) 465-3725

Official Business

MEMORANDUM

Date: March 9, 1995
TO: Health, Education and Social Services Committee
FROM: Suzi Lowell, Chief Clerk *sl*
SUBJECT: Governor's Appointments

Speaker Phillips referred the following Governor's appointment to the Health, Education and Social Services Committee:

ALASKA MENTAL HEALTH TRUST AUTHORITY BOARD OF TRUSTEES

Kay Burrows, Anchorage
Appointed: 03/03/95 Expires: 03/03/00

Tom Hawkins, Anchorage
Appointed: 03/03/95 Expires: 03/03/99

John Malone, Bethel
Appointed: 03/03/95 Expires: 03/03/97

Nelson Page, Anchorage
Appointed: 03/03/95 Expires: 03/03/98

John Pugh, Juneau
Appointed: 03/03/95 Expires: 03/03/96

Evelyn Tucker, Anchorage
Appointed: 03/03/95 Expires: 03/03/99

Phil Younker, Jr., Fairbanks
Appointed: 03/03/95 Expires: 03/03/00

Attached are copies of their resumes and committee reports for your use.

**State of Alaska - Boards and Commissions
Board Information**

MENTAL HEALTH TRUST AUTHORITY (166)

BOARD: Alaska Mental Health Trust Authority Board of Trustees

BOARD IDENTIFICATION NUMBER: 166

DEPARTMENT: DEPARTMENT OF REVENUE

AUTHORITY: AS 47.30.011

STATUS: Active

PROHIBITIONS:

A member appointed by the Governor may not be an officer or employee of the state; or within the 2 years preceding or during the member's term of office have an interest in, served on the governing board of, or been employed by an organization that has received, during that same period, money from the mental health trust income account under a grant or contract for services. A trustee may be appointed for no more than 2 consecutive 5-year terms, and is eligible for reappointment only after 1 year has intervened.

TERM: 5 years

DESCRIPTION:

7 members appointed by governor, based on ability in financial management, investment, land management, or inservices for trust beneficiaries. Governor must consider list prepared by 6-person panel which is outlined in AS 47.30.016 (2). Board elects a presiding officer and other officers from its membership. Board employs a chief executive officer, selected by the board who is directly responsible to the board.

FUNCTION: To administer the trust established under the Alaska Mental Health Enabling Act of 1956. Preserve and protect the trust corpus under AS 37.14.009; coordinate with other state agencies involved with mental health service programs; submit an annual report to the legislature, governor, and the public. Submits a budget and proposed plan of implementation, no later than September 15 of each year, to the governor and Legislative Budget and Audit Committee.

CHAIR: Board elects.

SPECIAL FACTS:

A vacancy shall be filled within 60 days by appointment of the governor for unexpired portion of term. The governor may remove member only for cause, including incompetence, neglect of duty, misconduct in office, poor attendance, or lack of contribution to board's work. Four members is a quorum. Staggered initial terms: 1 member for 1 year term, 1 member for 2 year term, 1 member for 3 year term, 2 members for 4 year terms, 2 members for 5 year terms. Initial appointments made after consideration of a list of candidates submitted by the Mental Health Board. No later than January 1, 1996, the board shall adopt regulations regarding services funded by the trust.

COMPENSATION: Standard Travel and Per Diem. Receive honorarium of \$200 per day.

MEETINGS:

FOR FURTHER INFORMATION CONTACT:

Mr. Bill Howe, Deputy Commissioner, Treasury Division, DOR, P.O. Box 110400 M/S 0400, Juneau, AK, 99811 0400, Phone: 907 465-2350

Kay L. Burrows
2711 W. 84th Ave.
Anchorage, Alaska 99502

WORK EXPERIENCE

SISTERS OF PROVIDENCE June 1984 to Present

Providence Hospital

Assistant Administrator, Care Centers	2/94 - Present
Assistant Administrator, Planning	9/93 - 1/94
Director, Resource Development	1/91 - 8/93
JCAHO Coordinator*	5/90 - 12/90
Director, Mental Health & Chemical Dependency*	1/87-12/90

Mary Conrad Center

Assistant Administrator, Clinical Services* 2/89 - 4/90

Home Health Care (contracted through Providence Hospital)

Executive Director 6/84 - 1/87

* Between 2/89 - 12/90 I was responsible for several different positions concurrently

HOME HEALTH CARE, Inc.

Executive Director 2/83 - 5/84

ALASKA PSYCHIATRIC INSTITUTE

Assistant Administrator	1980 - 1983
Director, Medical records	1979 - 1980

ALASKA PROFESSIONAL REVIEW ORGANIZATION

Health Data Evaluation Specialist 1977 - 1978

ALASKA HOSPITAL

Medical Care Evaluation Specialist 1976 - 1977

(Previous work experience upon request)

EDUCATIONAL HISTORY

Master of Science, Health Administration, University of
Colorado at Denver 1988

Bachelor of Science, Biology, Michigan State University
1973

PROFESSIONAL ACTIVITIES

Stone Soup Group: Board Member 1994 - Present
Anchorage Community Mental Health, Inc.: Board Member and
Vice-Chair 1989 - 1994
ACMHC, Inc., DayBreak Advisory Board: Chair 1989
Alzheimer Disease Family Support Group: Chair and Charter
Board Member 1985 - 1989
"Greene" Group: Ad Hoc committee to the Alaska Mental Health
Board: Member 1988
Alaska Medical Record Association: President, Board Director
and Member 1978 - 1982
Alaska State Health Data Coordinating Council: Member
1979 - 1981

COMMUNITY REFERENCES

Harlan Knudson
Alaska Hospital and
Nursing Home Association
886-1780

Richard Trwaites, atty
Alzheimer's Association
Board member
877-1595

Ken Taylor, Director
SouthCentral Counseling
Center
261-5311

Nancy Riley
Acting Director
Stone Soup Group
861-3701

Tom Hawkins
1820 East 24th Avenue
Anchorage, Alaska 99508
Home: (907) 274-4987
Work: (907) 278-3602

PROFESSIONAL EXPERIENCE

- 1992 Bristol Bay Native Corporation, Anchorage, Alaska
Sr. V.P./Chief Operating Officer
Manage ANCSA regional corporation with 5200 shareholders, \$80 million assets and 3 million acres of land.
Oversee operations of 600 room hotel, investment portfolio, land and resource sales/leases and related activities.
- 1988 to 1992 Alaska Dept. of Natural Resources, Anchorage, Alaska
Deputy Commissioner
Lead, organize, staff and foster change for the agency which manages Alaska's 160 million acres of land/tidelands resources.
Testify, negotiate, coordinate, and implement Alaska resource policy.
- 1983 to 1988 Alaska Dept. of Natural Resources, Anchorage, Alaska
Director, Alaska Division of Lands
Plan, staff, control, administer and lead an organization of 200 who select, plan, permit use, lease and sell Alaska land.
Completed regional plans for 50 million acres of state land.
Legislative and congressional, testimony, negotiation.
- 1979 to 1983 Choggiung Limited, Dillingham, Alaska
General Manager/Chief Executive
Business and land management for ANCSA village corporation with \$6 million assets and 200,000 acres of land.
Built and operated 32 room hotel.
Managed general construction projects, office and residential construction, subdivision development and commercial gravel sales.
Supervision of 16 employees.
- 1977 to 1979 Fed./State Land Use Planning Comzn, Anchorage, Alaska
Land Use Analyst
Agency advised Congress/Legislature about implementation of ANCSA.

Analyzed Section 3(e), prepared report which led to new regulations and transfer of land to ANCSA corporations.

Prepared extensive land use planning review of 17(d) options.
Edited general study of ANCSA and identified generic problems experienced in its first decade.

Tom Hawkins

Page 2

1975 to 1977

Choggiune Limited, Dillingham, Alaska

Land Manger/Chief Executive

Land selection, title work, gravel sales, subdivision, corporate planning, land planning, implementation of ANCSA 14(c), annual corporate meetings, accounting.

Supervision of 2.

1973 to 1975

Bureau of Land Management, Anchorage, Alaska

Land Law Examiner

Adjudicated applications for land and resources under a variety of federal public land laws: homesteads, allotments, oil/gas leases, homesites, state selections, ANCSA village/regional selections.

Supervision of 3 in southwest adjudication branch.

1972

Alaska Dept. of Natural Resources, Anchorage, Alaska

Land Management Officer

Adjudicated applications for tideland preference rights, shore fishery leases, gravel sales, water rights, and various other Alaska State land programs.

1971

Alaska Corps of Engineers, Anchorage, Alaska

Materials Technician

Performed sampling and testing procedures on a variety of materials collected from field locations throughout Alaska, in support of public construction projects.

Test included water, soil, concrete, dredging spoils, tidelands and other materials.

Lab work and report preparation.

1968 to 1970

U.S. Army, Ft. Lewis, Washington

Radio Telephone Operator

Directed artillery, helicopter and airplane fire at hostile targets.

Wounded in action, received Purple Heart.

Spent last 9 months as a legal clerk in special courts martial and non judicial punishment pursuant to UCMJ Art. 15.

EDUCATION/TRAINING

Duke University, Raleigh, North Carolina

Strategic Leadership Seminar, 1985

University of Alaska, Anchorage, Alaska

Professional Certificate: Planning, 1977 to 1979

Wetlands Evaluation/Corps of Engineers, Anchorage, Alaska

Certified Evaluator, 1978

Economic Development, University of Alaska, Fairbanks, Alaska

Business Development Certificate, 1977

Tom Hawkins

Page 3

University of Alaska, Anchorage, Alaska
Masters in Public Administration, 1973 to 1976

Whitman College, Walla Walla, Washington
BA in History, 1964 to 1968

Lake Stevens High School, Lake Stevens, Washington
Graduated - Valedictorian, 1961 to 1964

SKILLS/ABILITIES

- Sense of humor
- Flexibility
- Public speaking & presentation
- Public testimony
- Negotiation/capable of getting to "yes"
- Leadership (community & professional)
- Personal growth through staff education and training
- Motivation/motivator
- Perseverance

COMMUNITY SERVICE

- Dillingham Planning Commission: Member
- Bristol Bay Cooperative Plan: Steering Committee
- Bristol Bay Coastal Resource Service Area: Board Member
- Coastal Policy Council: Member
- Rogers Park Community Council: Chairman
- Troop 105: Boy Scout Assistant Scoutmaster

REFERENCES

AVAILABLE UPON REQUEST

MURRAY HARRIS - 11/11/94

RESUME
of
John F. Malone

Date Prepared: December 14, 1994

PERSONAL

Date and Place of Birth: February 19, 1939. Hudson County, N.J.

Mailing Address: PO Box 1032, Bethel, Ak. 99559.

Residence: 171 Mission Lake Dr.

Bethel resident 1967-present.

EMPLOYMENT

1984-Present:

Malone & Co., Inc. property and casualty insurance brokers. Malone & Co. has offices in Bethel, Dillingham and Anchorage. Corporate officer, licensed property and casualty broker.

1977-Present:

John F. Malone & Assoc's. Prior to the establishment of Malone & Co. and concurrent with my affiliation with Malone & Co. conducted appraisals, inspections and insurance adjusting services for insurance companies and other clients. Licensed property and casualty insurance adjuster 1976-present.

1978-1980:

Designed and managed construction of four facilities for Bethel Community Services, Inc.; Kameroff Infant Center, Norma Jean Center for Children, Bethel Receiving Home (Renamed Malone Home) and the Bautista House, a residential facility for the care and treatment of chronically mentally ill adults.

1973-1977:

Co-owner of Bushmaster Air Alaska, Inc. a Bethel based air charter company. Responsible for overall management of business.

1971-1973:

University of Alaska, Anchorage campus. Full time student.

1970:

Executive Director, Bethel Community Services, Inc., Bethel, Ak. Previously known as Bethel Social Services, this organization was cofounded by myself and three other Bethel residents in 1969 when I was still with the Alaska State Troopers. By the end of its second year of operation it had established seven community based programs

involving child care, alcohol treatment, adult basic education and the communities first mental health program. I became its first executive director.

1964-1970:

Alaska State Troopers. Investigation unit Anchorage, Embezzlement and Fraud investigator. Post commander of Aleutain Chain Detachment headquartered in Kodiak 1965-1967. Post commander Yukon-Kuskokwim Detachment headquartered in Bethel 1967-1970.

1964:

Honorable discharge from U.S. Army.

PUBLIC SERVICE

1969-1989:

Bethel Community Services, Inc., three years president of the board of directors; twelve years member of the board of directors.

1973-1977:

Member, City of Bethel Planning Commission.

1978-1983:

Member, Alaska Commission on Post Secondary Education. Commission chairman 1982-1983.

1979-1980:

President, Yukon Kuskokwim Fisheries Development Corporation. This was the State of Alaska statutorily established regional planning and development body for enhancing the regions salmon stocks.

1979-1983:

Member, State of Alaska Region Four Planning Body.

1985:

Member, Bethel City Council.

1986-Present:

Member, Alaska Alliance for the Mentally Ill. The Alaska Alliance is the state chartered affiliate of the National Alliance for the Mentally Ill. State president 1990-present.

1987-1992:

Member, Alaska Mental Health Board. Officer of the Board and member of Executive Committee 1990-1992.

1990-1992

Chairman, Federal Region X State Presidents Council of the National Alliance for the Mentally Ill.

1991-1993:

Co-Chair with Director of DMHDD of the Mental Health Quality

Improvement Task Force. This task force was established by the Alaska Mental Health Board and DMHDD. Its first charge was the development of uniform program standards for the state's community mental health programs. Its second charge was to develop uniform protocols for program evaluations. These projects were completed in August 1993 with the formal adoption of the developed standards by the Alaska Mental Health Board and the Alaska Division of Mental Health and Developmental Disabilities.

1988-Present:

Member of plaintiff coalition in Weiss v. State. This is the coalition of parties in the MH Lands Trust litigation. Co-Chair with President of Alaska Mental Health Assn. during last settlement (HB 201).

1990-present:

Member, Alaska Division of Mental Health and Developmental Disabilities, Management Information System Task Force. This task force was formed by the Alaska Mental Health Board and DMHDD.

FRATERNAL ORGANIZATIONS

Member: VFW Post 10004, Bethel, Ak.

Member: Fraternal Order of Alaska State Troopers.

EDUCATION

1955-1957 St. Don Bosco School of Agriculture, Huttonsville, W.Va. Agriculture.

1959-1960 Souel National University, Souel, Korea. History. Attended 14 month program while assigned as Army adviser to 1st Republic of Korea Army.

1963-1965 Anchorage Community College, part time student. Business.

1964-1970 Alaska State Trooper Academy. Various police practices and supervisor trainings.

1971-1973 University of Alaska, Anchorage campus. Full time student. Psychology, business and economics.

1985-1991 Society of Certified Insurance Counselors annual course offerings held in Anchorage: Commercial Property, Agency Management, Commercial Liability, Personal Lines.

Oct-Nov 1992 The Appraisal Education Foundation, San Diego, Ca. Standards of Professional Practice, Foundations of Real Estate Appraisal, Appraising the Single Family Residence.

April 1993 Novell Inc., Anchorage, Ak. System Administrators course
on Release 4.0 Novell network.

REFERENCES

References will be supplied upon request.

RESUME

NELSON G. PAGE
 810 "N" Street
 Anchorage, Alaska 99501

(907) 346-2667
 (907) 276-6100
 (907) 345-2188 FAX

Mailing Address:
 P. O. Box 91977
 Anchorage, Alaska 99509

Employment

- Managing Shareholder, law firm of Burr, Pease & Kurtz, Anchorage, Alaska, 1990 - present
- Shareholder, law firm of Burr, Pease & Kurtz, Anchorage, Alaska, 1983 - present
- Associate, law firm of Burr, Pease & Kurtz, Anchorage, Alaska, 1979 - 1983
- Law Clerk to the Honorable Warren W. Matthews, Justice, Alaska State Supreme Court, 1978 - 1979

Professional Affiliations

- Oregon Bar, member, 1978 - present
- Alaska Bar, member, 1979 - present
- Admitted to practice before all courts in the states of Oregon and Alaska, the U.S. District Court for the District of Alaska, the 9th Circuit Court of Appeals and the U. S. Supreme Court
- American Bar Association, member, 1978 - present
- Association of Trial Lawyers of America, 1989 - present
- Alaska Academy of Trial Lawyers, 1990 - present
- American Arbitration Association 1993 - present

Professional Activities

- Alaska Supreme Court Standing Committee on Civil Rules, 1987 - present
- Alaska Bar Association Disciplinary Committee, 1987 - 1990
- Alaska Bar Association Board of Bar Examiners, 1982 - 1986
- Committee on Civil Justice Reform, Federal District of Alaska, 1991 - present
- Alaska Bar Association Standing Committee on Ethics, 1992 - present
- U.S. District Court for the District of Alaska, Civil Justice Reform Advisory Group, 1992 - present, Chair - 1994 - present

Civic Activities

- Alaska State Chamber of Commerce, 1990 - present
- Alaska Mental Health Board, member, 1989 - 1993, Chair - Legislative Lands Committee
- Alaska Regional Hospital, Board of Trustees, member, 1990 - 1993, Moderator, 1992 - 1993
- Imaginarium, Board of Directors, member, 1987 - 1989, President, 1989 - 1990
- Anchorage Transportation Commission, member, 1983 - 1988, President, 1988 - 1989
- Suicide Prevention Center, Board of Directors, Vice-President, 1981 - 1983
- KSKA "Consumers First", legal affairs educational radio program co-host, 1992 - present

Education

Georgetown University Law Center, Washington, D. C.
Georgetown Law Journal, Board of Editors, 1977 - 1978
J. D. cum laude 1978
Portland State University, Portland Oregon
Oregon Student Public Interest Research Group (OSPIRG), Board of Directors,
1973 - 1974, State Treasurer, 1974 - 1975
B.S. cum laude 1975
University of Oregon, Eugene, Oregon, 1971 - 1973

John Robert Pugh
1011 D Street
Juneau, Alaska 99801
(907) 586-1598 home
(907) 465-6531 work

Personal

Born December 20, 1945
Married; two children

Education

Graduated from the University of Texas in Austin with a Masters in Social Work in January of 1970

Graduated from Baylor University in Waco, Texas. with a B.A. in Philosophy in 1967

Work Experience

*June 1987
to present*

Dean of Education, Liberal Arts, and Sciences
University of Alaska Southeast, Juneau, Alaska
Administrator of the largest department in this liberal arts college, which offers bachelors degrees in liberal arts, education and biology, and graduate degrees in education;
Supervisor of 12 administrative staff and 35 full time faculty
Serves as lobbyist for the University's operating and capital budgets.

*May 1984
to Dec 1986*

Commissioner
Department of Health and Social Services, State of Alaska
Administrator of an umbrella agency which included the Divisions of Public Health, Mental Health and Developmental Disabilities,
Medical and Public Assistance, Alcohol and Drug Abuse, Family Services, and Juvenile Corrections
Responsible for the planning and administration of a \$200 million budget;
Managed a personnel system which had over 1000 employees;
Testified on legislation pertinent to the department's programs.

*January 1983
to May 1984*

Deputy Commissioner
Department of Health and Social Services, State of Alaska
Supervised three division directors who administered programs which included the child and adult protection services, correctional facilities and probation, preventive youth service programs, all public assistance and medical assistance programs for the State of Alaska;

Responsible for the planning and administration of a budget totalling \$150 million and for a personnel system of 850 employees;
Testified on legislation pertinent to the department's programs.

*March 1980
to January 1983*

Director

Division of Family and Youth Services, State of Alaska
Administered the division responsible for child protection services,
adult protection services, juvenile probation services,
programs;

Responsible for the planning and administration of a budget
totalling \$43 million and for a personnel system of 400

Testified on legislation pertinent to the division's programs.

Other Positions:

Deputy Director

Division of Family and Youth Services, State of Alaska, 1979-1980

Programs Assessment and Systems Officer

Division of Family and Youth Services, State of Alaska, 1978-1979

Program Director

McLaughlin Youth Center, a 120 bed detention and treatment
facility, Division of Corrections, State of Alaska, 1973-1978

Psychiatric Social Worker

Elmendorf Air Force Base Hospital, Anchorage, Alaska, 1970-1973
Wilford Hall Air Force Hospital, San Antonio, Texas, 1969-1970

**Consultation
And Teaching**

*January 1987
to June 1987*

Special Consultant

House and Senate Finance Committees of the Alaska State
Legislature

Developed the budgets for the Departments of Health and Social
Services and Corrections and provided consultation on
health and social services issues;

Provided staff support to the Special Committee on Suicide in
Alaska and co-authored the committee's report to the
legislature.

*May 1971
to August 1973*

Program Consultant

McLaughlin Youth Center in Anchorage, Alaska

Developed milieu treatment programs and provided training
for staff in various treatment approaches including
individual, group, family, and milieu therapy.

*January 1971
to May 1976*

Instructor

Anchorage Community College

Taught courses in the areas of sociology, psychology,
criminology, corrections, and counseling.

**Related
Professional
Activities**

- Department of Education Alaska 2000 Steering Committee - 1993-present
- Northwest Consortium for Mathematics and Science Teachers - 1993-present
- Department of Education Teacher Certification Task Force - 1993-present
- Telecommunications Information Council - 1992 - present
- Juneau High School Strategic Planning Committee - 1992 present
- University of Alaska Presidential Search Committee - 1990 - 1991
- Alaska Staff Development Network Executive Committee - 1988 - present
- Teacher Certification Council, 1987 - 1990
- Alaska Housing Finance Corporation - 1985 - 1986
- Criminal Justice Working Group, 1983 - 1986
- Blue Ribbon Commission on the State Personnel Act, 1980-1983
- Governor's Council for the Handicapped and Gifted, 1980-1984
- Northwest Regional Child Welfare Training Center, 1980 - 1982
- Council on Domestic Violence and Sexual Assault, 1981 - 1982
- Northwest Regional Resource Center, 1982- 1983
- Alaska Public Employees Association, 1973 -1980
President, 1977 -1979
- Alternate on the Blue Ribbon Commission for the revision of
Alaska's Criminal Code, 1975 -1977
- Blue Ribbon Commission to revise Alaska's Children's Code
1975- 1977
- Committee for the Development of Standards and Goals for the
Juvenile Justice System in Alaska, 1975 -1977
- Academy of Certified Social Workers, 1975 - present
- National Association of Social Workers, 1970- present
President. Alaska Chapter 1975 - 1976

**Community
Service**

- Salvation Army Board, 1988 - present
President. 1991; Vice-President 1992
- Rotary International, 1988- present
- Parent Advisory Committees, Marie Drake Middle School and
Juneau Douglas High School, 1987 - present
- Juneau School District Advisory Council, 1988 - 1989
- Little League Coach, 1983 - 1991
- Northern Light United Church, Elder 1979 - present

References

Governor Bill Sheffield
2504 Loussac Dr.
Anchorage, Alaska 99517
(907) 243-1942

Chancellor Marshall Lind
University of Alaska Southeast
11120 Glacier Highway
Juneau, Alaska 99801
(907) 789-4482

Representative Fran Ulmer
State Capitol Building
Room 421
Juneau, Alaska 99811
(907) 465-4947

Mental Health Trust Act

EVELYN TUCKER
112 Beaufort Circle
Anchorage, Alaska 99515
(907) 345-6107

EDUCATION

- 1982 UCLA
Los Angeles, California
- Professional development classes in writing,
communication, and design.
- 1975 STANFORD UNIVERSITY
Palo Alto, California
- Degree B.A. Psychology
- 1971 WEST ANCHORAGE HIGH SCHOOL
Anchorage, Alaska

AREAS OF INTEREST AND EXPERTISE

Communication, Planning, Writing, and Community
Development

EXPERIENCE: PROFESSIONAL & PUBLIC SERVICE

1987-1993 ALASKA MENTAL HEALTH BOARD
431 N. Franklin St. #101
Juneau, Alaska 99801

This board was established under the Mental Health Trust Settlement Act of 1987. I was appointed by Governor Cowper and served two terms as Chair.

AMHB Responsibilities

Determine the need for mental health services in the State of Alaska and advise the legislature and the administration. Each year the board writes a budget for mental health trust funded programs. These include, at a minimum, services for the mentally ill, the developmentally disabled, chronic alcoholics with psychosis, and those suffering from senile dementias.

Develop long-range program plans and short term implementation plans in conjunction with the Department of Health and Social Services. In 1991, the AMHB in cooperation with the Division of Mental Health and Developmental Disabilities developed, A SHARED VISION, a new five year plan for mental health programs. Provide a public forum for discussion of issues

affecting mental health programs and when necessary other mental health trust funded programs. Review and evaluate current mental health programs. Review valuations and the status of mental health trust lands. Review and advocate for human resource development in the mental health community. Review applicable statutes, regulations, and policies and recommend appropriate changes.

1989-1991 OFFICE OF THE GOVERNOR
Alaska Women's Commission
3601 C Street, Suite 742
Anchorage, Alaska 99503

Information Officer/Research Analyst
Responsibilities

Developed strategies to meet commission objectives in a range of areas:

Planned and designed commission sponsored events such as forums, public meetings, receptions, and conferences. Responsibilities included planning, targeting audiences, and fund raising. Researched areas of interest to the commission. Developed strategies for education and advocacy. Monitored issues on an on-going basis. Researched and wrote grants to fund commission programs. Developed and made presentations on the commission and its research and projects. Facilitated public meetings, forums, and workshops. Arranged for press coverage of commission meetings and public events.

Designed, researched, wrote, and produced commission publications including:

Reports
Newsletters
Annual reports

Position papers
Educational publications

1987-1988 THE NORTH PACIFIC RIM
300 C Street
Anchorage, Alaska 99501

Planner, Health Department
Responsibilities

Researched, developed, and wrote a Kellogg Foundation grant to provide Health Aide training in rural Alaska. Grant was funded in the amount of \$306,000 for a three year period.

Updated regional health and social services needs assessment. This included a region-wide survey and a statistical compilation of morbidity and mortality data for the Chugach Region. Developed survey instrument, collected data, and wrote final document.

1985-1987 SELF-EMPLOYED

Business name - E. Tucker & Associates

Services

Researched, wrote, and edited grants, proposals, studies, manuals, books, instructional designs, and media scripts.

Researched, developed, and produced educational videos.

1982-1985 UNIVERSITY OF ALASKA

Cooperative Extension Service

Alaska Native Human Resource Development Program

Editorial Specialist

Responsibilities

Wrote and produced educational print and media materials. Developed, researched, wrote, and assisted in producing educational videos. Coordinated with content experts, instructional designers, and production crews. Designed and wrote accompanying texts.

PROFESSIONAL AFFILIATIONS

Alaska Mental Health Board 1987 - 1993

Alaska Native Leadership Program 1984-1985

Cook Inlet Tribal Council Board of Directors 1985-1988

Southcentral Counseling Center Board of Directors

Alaska Chapter, National Coalition Building Institute

(This is an organization that provides peer training programs to reduce prejudice.)

PERSONAL DATA

Place of birth - Anchorage, Alaska

Birth date - July 20, 1953

Married - Kenneth Brittain

Ethnic background - Athabaskan and Aleut

References available on request.

PHIL A. YOUNKER, JR.
Phil A. Younker & Associates, Ltd.
121 Spruce Avenue
Fairbanks, AK 99709-4150
(907) 452-6393 (Office) (907) 479-4302 (Home)

Position as Trustee for Alaska Mental Health Land Trust

PROFESSIONAL EXPERIENCE

Horace Mann Insurance 1985-1986
Anchorage, Alaska
INSURANCE AGENT. Agent for life, auto, property and annuities. \

Phil A. Younker & Associates, Ltd. 1986 - Present
Fairbanks and Anchorage, Alaska
VICE PRESIDENT. Investment advisor for six million dollars in discretionary accounts. Provide estate, retirement and investment advice for a fee and commission for 1,500 clients.

Estate Planning for the Disabled 1990- Present
Fairbanks and Anchorage, Alaska
STATEWIDE DIRECTOR. Conduct workshops on estate and retirement planning for families with disabled members. Establish individual estate plans for families, including establishment of wills and trusts to protect assets left for members. Established over 100 plans to date.

EDUCATION

University of Iowa 1981-1985
Iowa City, Iowa
BBS in FINANCE

College for Financial Planning 1989-1992
Denver, Colorado
CERTIFIED FINANCIAL PLANNING

PROFESSIONAL MEMBERSHIPS

International Association of Financial Planners
National Association of Life Underwriters
Fairbanks Association of Life Underwriters

ADDITIONAL PROFESSIONAL ACTIVITIES

Presenter: Pathways Conference (see attached)
Conducts: Retirement & Investment Planning Workshops @ University of Alaska
Fairbanks and Anchorage (3 - 4 workshops @ each campus annually)

COMMUNITY ACTIVITIES

Member - Board of Directors, Alaska Crippled Childrens & Adults (ACCA)
Instructor - Junior Achievement of Alaska (Fairbanks Schools)

REFERENCES

Richard Thwaites
Attorney at Law
500 "L" Street, Suite 301
Anchorage, AK 99501
(907) 277-1595

Dante' Zeller
Executive Director, ARCA
2211-A ARCA Drive
Anchorage, AK 99508
(907) 277-6677

Mary Slaughter
Executive Director, ACCA
1020 Barnette Street
Fairbanks, AK 99701
(907) 456-4884

Donna Davidson
Down Syndrome - Alaska Chapter
HC 3, Box 1706
Eagle River, AK 99577
(907) 694-2545

Pam Davis Director
Office of Development
University of Alaska Fairbanks
325 Signers' Hall
Fairbanks, AK 99775
(907) 474-6402



P. A. R. E. N. T. S., Inc.

Parents As Resources Engaged in Networking and Training Statewide

February 19, 1992

PATHWAYS CONFERENCE

April 9-11, 1992
Anchorage Alaska

PLANNING COMMITTEE

COORDINATOR
Judie Ebbert-Rich, Juneau

CHAIRPERSON
Jenny Weaver, Juneau

**DEPARTMENT OF
EDUCATION**
DIAnn Brown, Juneau

NATIVE ISSUES
Grace Cross, Nome

DISPLAY FAIR
Dorothy Dunbar, Barrow

AUDIOVISUAL
Duane French, Anchorage

FUNDRAISING
Robert Gollstein, Anchorage

DISPLAY FAIR
Jean Kincaid, Wasilla

WORKSHOPS
Susan Loudon, Fairbanks

PUBLICITY
Jan Neimeyer, Juneau

**CHILDCARE/
SOCIAL EVENTS**
Terry Ribelin, Anchorage

FUNDRAISING
Denny Terry, Ketchikan

**REGIONAL & DISABILITY
SESSIONS**
Lizette Suchr, Anchorage

VOLUNTEERS
Kent Williams, Anchorage

Dear *Mr. Munker*

Thank you for volunteering to present at the 1992 PATHWAYS Conference. We have accepted your workshop(s) and they are scheduled as follows:

Your workshop entitled: *Financial & Estate Planning*

is scheduled for Thursday/Friday/Saturday April 9/10/11, during Session B
from 1:30 to 3:00 at the Egan Convention Center/Hilton Hotel in the Aleutian Room

Room capacity totals 380

and again on Thursday/Friday/Saturday, April 9/10/11, during Session A
from 8:30 to 10:00 at the Egan Convention Center/Hilton Hotel in Room #10

Room capacity totals 130

You have requested the following AV equipment: overhead projector slide projector screen VCR cassetteplayer chalkboard flipchart stand.

Please note the room capacity for each of your workshops and plan to provide handouts accordingly.

Presenter Orientation will be held each morning from 7:45 a.m. to 8:00 a.m. in the Dillingham Room at the Hilton Hotel. We ask that all presenters attend one orientation before you present your workshop. We will provide information to help you facilitate your session.

Please also be advised that all workshop presenters must register for the conference. If you have not registered, an application is enclosed for your use. Please submit your application immediately.

Enclosed is a short form which you need to fill out and return to us as soon as possible.

If you have any questions or cannot present during your scheduled session, please call us immediately. Once again, thanks for your support for PATHWAYS. It's going to be a most exciting conference!

Sincerely
Jenny Weaver
Jenny Weaver

cc: Enclosures

ALASKA P.A.R.E.N.T.S. RESOURCE CENTER
P.O. BOX 32196
JUNEAU, ALASKA 99803
(907) 790-2246

Handwritten notes and signatures at the bottom left of the page.

ALASKA STATE LEGISLATURE

LEGISLATIVE BUDGET AND AUDIT COMMITTEE

Division of Legislative Finance



P.O. Box 113200
Juneau, AK 99811-3200
(907) 465-3795
FAX (907) 463-4885

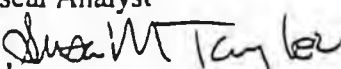
MEMORANDUM

DATE: November 2, 1994

TO: Senator Steve Frank, Co-Chair
Senator Drue Pearce, Co-Chair
Senate Finance Committee

Representative Ron Larson, Co-Chair
Representative Eileen MacLean, Co-Chair
House Finance Committee

FROM: Mike Greany 
Legislative Fiscal Analyst

BY: Susan M. Taylor 
Fiscal Analyst

SUBJECT: Budgeting for Mental Health Programs

This memo discusses changes in the budget process for mental health programs as a result of recent legislation which attempts to settle the mental health lands' trust litigation: specifically, HB 201, HB 371, SB 382 and SB 383. If Judge Greene does not dismiss the case or if the dismissal is reversed on appeal there is no settlement. Consequently, there will not be: \$200 million capitalization of the Mental Health Trust Fund; program improvements; the Trust Authority; and budget process advantages. Certain budgetary changes will occur if Superior Court Judge Mary E. Greene dismisses *Weiss v. State of Alaska* on or before December 15, 1994. The impact of these changes for FY96 and FY97 is discussed below.

FY96 Budget Process

The budgetary process for mental health programs in FY96 will be similar to current one:

1. Mental health programs previously funded in an individual agency's budget will remain in the agency's budget.
2. The source of funding for mental health programs will be the general fund.
3. The Mental Health Trust Income Account (MHTIA) is no longer funded with 6% of the unrestricted revenue of the general fund. The repealed income provision has been replaced with language which appropriates the amount needed to fund MHTIA appropriations from the general fund. The MHTIA will cease to exist once existing appropriations have been satisfied.

The FY96 budget process for funding mental health programs will be similar to past budgeting for these programs because of the timing of the Weiss v. State of Alaska dismissal decision. Judge Greene's Scheduling and Case Management order calls for the decision on final approval on November 15, 1994. However, final approval does not have to be made until December 15, 1994. If Weiss v. State of Alaska is dismissed, then certain program improvements for mental health programs will become effective December 16, 1994 and will change the way that mental health programs are funded. A new governor will also appoint members to the Mental Health Trust Authority. The Trust Authority will not have an operating budget for travel or other administrative costs. Consequently, it is likely that the Department of Revenue will request a supplemental appropriation from the Mental Health Trust Settlement Income Account for Trust Authority expenses. In addition, the groundwork will already have been laid for the budgetary process to continue as it has in the past, except for the funding source for mental health programs.

FY97 Budget Process

The budgetary process to decide the level of funding for mental health programs beginning in FY97 will be different if Weiss v. State of Alaska is dismissed. A brief summary of likely events:

1. The Mental Health Trust Authority is established as a public corporation within the Department of Revenue (DOR).
2. The administrative costs of the Mental Health Trust Authority are subject to the Executive Budget Act and will therefore be included in the operating budget request for the Department of Revenue.
3. The funding source for administrative expenses of the Trust Authority is the Mental Health Trust Settlement Income Account (settlement account). The settlement account includes the net income of the trust. The Trust Authority can make statutorily allowable expenditures from the settlement account without legislative appropriation. It is still unclear whether this is permissible under the Alaska Constitution. This issue has been raised in legislative hearings and by Judge Greene.
4. Mental health programs previously funded in an individual agency's budget will be funded in a separate appropriation bill.
5. The funding source for the State's integrated comprehensive mental health program is the general fund. Any changes to the integrated comprehensive mental health program by the governor, legislature or governor's vetoes must be explained in a written report.

A more detailed explanation is included in the attachment. If you have any questions, please contact Susan Taylor at 465-5410.

cc: Senator Randy Phillips, Chair
Legislative Budget and Audit Committee

Representative Ramona L. Barnes, Speaker
House of Representatives

Senator Rick Halford, President
Senate

Budgeting process for mental health programs beginning in FY97 if Weiss v. State of Alaska is dismissed by Superior Court Judge Mary Greene by December 15, 1994.

1. The Mental Health Trust Authority is established as a public corporation within the Department of Revenue.

Under transitional provisions of Sec. 51, of Ch. 66, SLA 1991, initial appointments to the Board of Trustees of the Alaska Mental Health Trust Authority are made by the governor from a list of candidates submitted by the Alaska Mental Health Board. The Trust Authority is comprised of a seven member board and is a public corporation within the Department of Revenue.

Alaska Statute 47.30.046(a) states that the Alaska Mental Health Trust Authority will submit to the governor and the Legislative Budget and Audit Committee a budget and a plan of implementation based on the integrated comprehensive mental health program, not later than September 15, 1995. Under AS 47.30.660(a)(1), the Department of Health and Social Services is the lead agency to prepare and periodically revise the plan for an integrated comprehensive mental health program in conjunction with the Trust Authority.

The budget must include the Trust Authority's determination of the amount:

- recommended for expenditure from the general fund during the next fiscal year to meet the operating and capital expenses of the integrated comprehensive mental health program;
- in the mental health trust settlement income account, if any, that is not reasonably necessary to meet the projected operating and capital expenses of the integrated mental health program that may be transferred into the general fund; and
- of the allowable expenditures the authority intends to make including the specific purposes and amounts of any grants or contracts as part of the state's integrated comprehensive mental health program.

2. The administrative costs of the Mental Health Trust Authority are subject to the Executive Budget Act and therefore will be included in the operating budget for the Department of Revenue.

3. The funding source for administrative expenses of the Trust Authority is the Mental Health Trust Settlement Income Account (settlement account). The settlement account includes the net income of the trust and proceeds from land sales. The Trust Authority can make statutorily allowable expenditures from the settlement account without legislative appropriation. A question has been raised in the hearing process if this is permissible under the Alaska Constitution. Judge Greene has also acknowledged the issue, and writes: "*The class should be aware that this provision [spending income from the trust without further legislation] may not withstand a constitutional challenge should one be raised. It is a risk to be evaluated by the class.*"

Budgeting process for mental health programs beginning in FY97 if Weiss v. State of Alaska is dismissed by Superior Court Judge Mary Greene by December 15, 1994.

Alaska Statute 37.14.031 establishes the Mental Health Trust Fund that is funded by an initial appropriation of \$200 million. Under AS 37.140.036(a) the settlement account is established as a separate account of the Alaska Mental Health Trust Authority. The settlement account consists of the net income of the trust, including income from trust land and any other direct appropriations.

Alaska Statute 37.14.041 relates to the use of the settlement account. Funds in the settlement account are for: (1) the awarding of grants and contracts to ensure an integrated comprehensive mental health program for the state; (2) obtaining private and federal grants for the above purpose; (3) soliciting gifts, bequests, and contributions for the above purpose; (4) reimbursing the Alaska Permanent Fund Corporation for the costs of managing the principal of the mental health trust fund and the Department of Natural Resources for the cost of managing trust land; (5) offsetting the effects of inflation on the trust fund; and (6) meeting the necessary administrative expenses of the Trust Authority.

Under AS 37.14.039, the settlement account is administered by the Alaska Mental Health Trust Authority. The Trust Authority may use the money in the settlement account for the above stated purposes without further legislative appropriation. Although, as previously stated, it is unclear whether this is permissible under the Alaska Constitution. The source of funds for these administrative expenses is the settlement account.

4. Mental health programs previously funded in an individual agency's budget will be funded in a separate appropriation bill.

Under AS 37.14.003 and 37.14.005 the governor is required to submit to the legislature a separate appropriation bill limited to the state's integrated mental health program and similarly the legislature is required to make appropriations for the mental health program in a separate bill.

5. The funding source for the State's integrated comprehensive mental health program is the general fund. Any changes to the integrated comprehensive mental health program by the governor, legislature or governor's vetoes must be explained in a written report (emphasis added -- see recommendation below).

The bill must be accompanied by a report explaining the differences between the appropriations proposed by the governor and the Trust Authority's recommendations for expenditures from the general fund for the state's mental health program. If the appropriation bill passed by the legislature differs from those proposed by the authority, the bill must be accompanied by a report explaining the reasons for the differences. If the governor vetoes any

Budgeting process for mental health programs beginning in FY97 if Weiss v. State of Alaska is dismissed by Superior Court Judge Mary Greene by December 15, 1994.

appropriations for the mental health program, the governor's veto message must explain the vetoes in light of the Trust Authority's recommendations for expenditures from the general fund for the mental health program.

Legislative Fiscal Analyst's recommendation: It is recommended that: (1) the Office of Management and Budget prepare the report of the differences, if applicable, between the appropriations proposed by the Trust Authority and those proposed by the governor or enacted by veto; and (2) the Legislative Finance Division prepare the report of the differences, if applicable, between the appropriations proposed by the Trust Authority and those enacted by the legislature.

MENTAL HEALTH LANDS TRUST

SETTLEMENT STATUS

April 4, 1995

Briefing Paper

Prepared by Disability Law Center of Alaska

On December 6, 1994, Judge Greene granted final approval of the settlement and dismissed Weiss v. State. Although some of the plaintiffs in the suit have filed an appeal with the Alaska Supreme Court, this will not delay implementation of the settlement. This fact sheet will provide a summary of the terms of the settlement and the status of implementation.

SETTLEMENT FRAMEWORK

The settlement has five main parts:

- The Trust will be reconstituted with all or part of the interests in nearly 1,000,000 acres of original and replacement land and \$200 million which has been placed into a permanent Trust Fund. The estimated value of this package is \$1.3 billion.
- A Trust Authority has been created and will be able to spend the net income of the Trust without and free of any legislative appropriation to help ensure that the State has an integrated comprehensive mental health program. The Authority's administrative costs however are subject to legislative appropriation.
- The Trust Authority will ensure that the land and cash are properly managed by the Department of Natural Resources and the Alaska Permanent Fund Corporation.
- The State will use a single appropriation bill when spending general funds to support the State's mental health program. It will have to consider the Trust Authority's recommendations regarding how much money is needed for the program. If it doesn't follow these recommendations, it will have to issue a report that explains why.
- The program benefits of Chapter 66 will be retained. These benefits include program priorities, coordination between beneficiary groups and a comprehensive planning process

utilizing regulations issued by the Trust Authority.

Reconstitution of the Trust Corpus

Land

The land to be conveyed to the Trust was selected to provide a diversified portfolio of lands located throughout the state. It will consist of nearly 1,000,000 acres of original and replacement land as follows:

Original Trust Land (fee estate)

108,894	Unleased coal areas
119,213	Selected for mineral potential
48,244	Cape Yakataga area
158,000	Land tracts of various sizes
20,000	Alaska Mental Health Enabling Act entitlements yet to be conveyed by the federal government

Original Trust Land (subsurface estate only)

Oil and gas interests:

78,566	Within the Cook Inlet geologic basin
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Mineral Interests:

19,138	Surface owned by municipalities
35,771	Matanuska Valley Moose Range

Replacement Trust Land (fee estate)

4,572	Thorne Bay area selected for timber value
1,722	Part of the Fort Knox gold mining project selected for its mineral value
65,000	Selected for its mineral potential
40,943	Selected for its surface value

Replacement Trust Land (subsurface estate only)

285,212	Selected for their mineral potential
25,881	Oil and gas tracts

Cash

The \$200 million payment has been placed in a permanent Trust Fund where it will be preserved forever. In addition to this first payment, earnings from the land that are considered Trust principal, gifts, bequests and other contributions will also be deposited into this account. In this way, the Trust Fund will continue to grow over time.

Management of Trust Assets

Management of Trust Land

The Trust Authority has a duty to ensure that Trust land is managed consistent with the trust principles required by the Alaska Mental Health Enabling Act. The Authority will contract with the Department of Natural Resources (DNR) to manage the land. In managing the land, DNR must:

- ♦ Set up a separate unit in DNR just to manage these Trust lands;
- ♦ Manage the land in a manner consistent with the trust principles required by the Mental Health Enabling Act;
- ♦ Consult with the Trust Authority before issuing regulations for managing the land;
- ♦ Give the Trust Authority prior notice of proposed land actions and consult with it before giving public notice of such actions;
- ♦ Give the Trust Authority an annual report which describes all land actions for the year and what DNR did with the money; and,
- ♦ Comply with any additional requirements contained in the contract with the Trust Authority.

Additionally, DNR may exchange Trust land for other state land, but only with the Trust Authority's approval.

If any unresolvable conflicts arise with DNR, the Trust Authority is authorized to retain the services of independent counsel if the Authority's Board of Trustees decides legal action is required.

The details of Trust management principles are left to a later rule making process by DNR in consultation with the Trust Authority. Judge

Greene recognized that this could result in further litigation. However, she also stated that ultimately, the regulations will reflect what a court considers as the proper land management principles required by the Alaska Mental Health Enabling Act.

The settlement provides that these regulations must, at a minimum, address

- (1) maintenance of the Trust land base;
- (2) management for the benefit of the Trust;
- (3) management for the long-term sustained yield of products from the land;
- (4) management for multiple use of Trust land.

The Executive Director of the DNR Trust Unit is Steve Planchon. He is preparing a work plan and a proposed budget for FY 96. The Unit is fully funded for the remainder of FY 95. Now that the Trustees have been appointed, the regulatory process will begin.

Management of the Trust Fund

The Mental Health Trust Fund is created as a separate fund belonging to the Trust Authority with an initial deposit of \$200 million. The Authority is charged with the responsibility to ensure this money is properly managed. The Authority will contract with the Alaska Permanent Fund Corporation (APFC) to manage the Fund. In managing the Fund APFC must:

- ♦ Provide the Authority with a quarterly report showing how much money the Fund has made and where the money is invested;
- ♦ Provide the Authority with an annual financial statement and audit report;
- ♦ Tell the Authority when changes to long range investment policies are being considered and provide for the Authority to comment and be consulted;
- ♦ Transfer the net income of the Fund to the Trust Settlement Income Account; and,
- ♦ Comply with any additional requirements contained in the contract with the Trust Authority.

Again, if there are any unresolvable conflicts with the APFC, the Authority may hire independent counsel.

Currently, the \$200 million has been placed into the Short Term Pool of the General Investment Fund managed by the Department of Revenue. It is earning the 6 mo. T-bill rate (currently about 6%).

Use of Trust Income

Trust Settlement Income Account

Under the settlement, income from the Trust which can be spent by the Authority will be placed into the **Trust Settlement Income Account**. The money in this account will come from two places. First, DNR will transfer into this account revenue from the land not attributed to principle. Second, the APFC will deposit the net income from the Trust Fund into the account. It is this pool of money the Trust Authority may spend in a number of ways to ensure an integrated comprehensive mental health program.

Most importantly, it may use the money to award grants and contracts in fulfillment of its purpose without and free of any legislative appropriation. This is a major improvement over past settlements and allows the Authority to obtain maximum benefit from Trust income.

The Authority must still obtain legislative approval for its administrative budget. This provision is a check against the creation of an excessive bureaucracy.

Currently, the legislature has placed \$155,500 into the FY 95 supplemental appropriation bill. This amount should be sufficient to allow the Authority to begin operations immediately. The Trustees have made a determination of their budget needs for FY 96 and have submitted a budget request to the Office of Management and Budget and the legislature.

General Fund Appropriations

The mental health program will still be dependent upon state general fund dollars. The settlement requires the Trust Authority to make detailed recommendations by **September 15** each year as to how much money from the General Fund is

necessary to fund the mental health program. The state must then use a single appropriation bill when appropriating general funds for the mental health program.

If the state does not follow the Authority's recommendations, it must issue a report explaining why. While not a guarantee of adequate funding, this will provide additional focus on the needs of the beneficiaries during the appropriation process.

Program Planning

The development of the Trust Authority's recommendations for the appropriation of General Funds as well as direct grants and contracts made with disposable Trust funds must be based upon a "plan for an integrated comprehensive mental health program". The Department of Health and Social Services has the primary responsibility to prepare this plan in "conjunction" with the Trust Authority.

This planning process must also involve the other departments with responsibilities for serving beneficiaries, such as DOA and DOC, as well as the four core beneficiary planning and advocacy boards and representatives from the larger mental health community. This planning process will, in part, be guided by regulations promulgated by the Trust Authority as provided for in the settlement.

Enforceability

The settlement contains a number of checks and balances including the ability of the Trust Authority to hire independent counsel.

In addition, the settlement clearly establishes that all of the settlement terms in the legislation are **material terms**. This forms the basis for the beneficiaries to acknowledge that the Trust has been reconstituted and be willing to release their claims. Should the Legislature materially change or remove any of those provisions, the plaintiff's are entitled to bring a new lawsuit claiming that the Trust is no longer adequately reconstituted and to seek whatever relief is appropriate including reasserting all original claims.

