



# LAWS OF ALASKA

1990

**Source**

HCS CSSB 493(Fin)

**Chapter No.**

210

**AN ACT**

Relating to the reconstitution and administration of the mental health trust; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 10

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: July 11, 1990  
Actual Effective Date: July 12, 1990

AN ACT

Relating to the reconstitution and administration of the  
mental health trust; and providing for an effective date.

\* Section 1. AS 37.14.011(b) is amended to read:

(b) The amount determined under (c) of this section as the [FAIR MARKET] rental value of the land constituting the mental health trust corpus is the earnings of the trust and the commissioner of revenue shall annually allocate that amount from the general fund to the mental health trust income account.

\* Sec. 2. AS 37.14.011(c) is repealed and reenacted to read:

(c) The rental value of the land constituting the mental health trust corpus is equal to six percent of the unrestricted general fund revenue of the state for the fiscal year.

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

Sec. 37.14.021. UTILIZATION OF THE MENTAL HEALTH TRUST INCOME ACCOUNT. Money in the mental health trust income account established in AS 37.14.011(a) shall first be appropriated by the legislature to meet the necessary expenses of the mental health program of the state. In making annual appropriations from the mental health trust income account, the legislature shall consider the recommendations of the Alaska Mental Health Board established under AS 47.30.661, including recommendations regarding capital improvements. After the necessary 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 AS 38.05.800 is repealed and reenacted to read: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 poli-  
19 cy; 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 mental health trust income account.

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 consult with the Alaska Mental Health  
28 Board, shall identify replacement land, equal in value at the time of  
29 replacement, within legislative designations and incorporate them into

1 the mental health trust corpus. The commissioner annually shall  
2 report any actions under this subsection to the board established  
3 under AS 47.30.661.

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

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

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

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