

First Special Session Chapter 06

Chapter: FSS06

Source: SCS CSHB 371(FIN)

Action Date: June 23, 1994

Effective Date: June 24, 1994

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AN ACT

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

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

SOURCE	APPROPRIATION
Mental health trust income account	\$ 33,000,000
(AS 37.14.011) balance on June 30, 1995	
Department of Natural Resources - mental health trust income in the general fund	11,700,000
Proceeds from sale of Department of Natural Resources land sale contract portfolio	25,000,000
Budget reserve fund (art. IX, sec. 17(c), Constitution of the State	130,300,000

of Alaska)

(b) The appropriations made by (a) of this section are contingent upon

(1) the enactment into law of a bill passed by the Eighteenth Alaska State Legislature that amends ch. 66, SLA 1991, and contains other provisions relating to the mental health land trust and mental health land trust litigation (*Weiss v. State*, 4FA-82-2208 Civil); and

(2) not later than December 15, 1994,

(A) the superior court of the State of Alaska having made a final determination that the state has satisfied its obligation to reconstitute the mental health trust under *State v. Weiss*, 706 P.2d 681 (Alaska 1985);

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

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

(c) If, on or before November 30, 1994, the governor determines that it is in the best interest of the beneficiaries of the mental health trust and the state that the December 15, 1994, deadline in (b)(2) of this section be extended, the governor at that time may extend the December 15, 1994, deadline for not more than 45 days.

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

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

* **Sec. 2.** This Act takes effect immediately under [AS 01.10.070](#) (c).