

11 Alaska Admin. Code § 99.020

Section 11 AAC 99.020 - Management of Alaska mental health trust land

- (a) This section describes the management responsibilities that are consistent with trust principles accepted by the Territory and State of Alaska under the Alaska Mental Health Enabling Act (P.L. 84-830, 70 Stat. 709 (1956)).
- (b) Trust land shall be managed consistently with trust responsibilities accepted by the state under the Alaska Mental Health Enabling Act (P.L. 84-830, 70 Stat. 709 (1956)), which means that management shall be conducted solely in the best interest of the Alaska mental health trust and its beneficiaries.
- (c) In determining the best interest of the trust and its beneficiaries, and in determining consistency between state law and the Alaska Mental Health Enabling Act (P.L. 84-830, 70 Stat. 709 (1956)), the executive director shall, at a minimum, consider the following trust management principles:
- (1) maximization of long-term revenue from trust land;
 - (2) protection of the corpus;
 - (3) protection and enhancement of the long-term productivity of trust land;
 - (4) encouragement of a diversity of revenue-producing uses of trust land; and
 - (5) management of trust land prudently, efficiently, and with accountability to the trust and its beneficiaries.
- (d) The disposal of trust land shall be made on a competitive basis, unless
- (1) the executive director, in consultation with the trust authority, determines in a written decision required by 11 AAC 99.040 that a non-competitive disposal is in the best interest of the trust and its beneficiaries; or
 - (2) an existing law that is applicable to other state land and that is consistent with (a) - (c) of this section allows for a negotiated transaction.
- (e) If a provision of state law requires that an action be taken or decision be made in the "best interest of the state," that provision as applied to trust land means that the action must be taken or decision be made in the best interest of the trust and its beneficiaries.
- (f) Unless otherwise specified in this chapter, every provision of law applicable to other state land applies to the management of trust land unless its application is determined, in the written finding required by 11 AAC 99.040, to be inconsistent, in whole or in part, with (a) - (c) of this section.

11 AAC 99.020

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