Public Law 830 CHAPTER 772

AN ACT

July 28, 1956
[H. R. 6376]

To confer upon Alaska autonomy in the field of mental health, transfer from the Federal Government to the Territory the fiscal and functional responsibility for the hospitalization of committed mental patients, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska Mental Health Enabling Act".

Alaska Mental Health Enabling Act.

TITLE I—AUTHORITY OF THE TERRITORY OF ALASKA IN THE FIELD OF MENTAL HEALTH

POWERS OF THE TERRITORIAL GOVERNMENT

SEC. 101. For the purpose of vesting in the Territory of Alaska authority comparable in scope to that of the States and other Territories of the United States in the field of mental health, the Territorial legislature is hereby authorized to enact such laws on the subject of mental health as it may deem appropriate, and such legislation may supersede any of the Acts cited in section 301.

FUNCTIONS OF COURTS

SEC. 102. In carrying out section 101, the Territorial legislature is authorized to confer upon United States commissioners, as ex officio probate judges, and upon the United States District Court for the Territory of Alaska, such jurisdiction, functions, and duties as it may deem appropriate for such purpose.

EFFECTIVE DATE

SEC. 103. This title shall become effective on the date of enactment of this Act.

TITLE II—GRANTS

SPECIAL GRANTS TO ALASKA FOR MENTAL HEALTH

SEC. 201. Title III of the Public Health Service Act, as amended, is hereby amended by adding thereto a new part as follows:

58 Stat. 691.
42 USC 201 note.

"PART H—GRANTS TO ALASKA FOR MENTAL HEALTH

"GRANTS FOR ALASKA MENTAL HEALTH PROGRAM

"SEC. 371. (a) There are hereby authorized to be appropriated the following sums to be available to the Surgeon General of the Public Health Service for the purpose of making grants to the Territory of Alaska to assist it to carry out plans, submitted by the Governor of the Territory or his designee and approved by the Surgeon General, for an integrated mental health program for the Territory, including outpatient and inpatient care and treatment: For each of the fiscal years ending June 30, 1958, and June 30, 1959, the sum of $1,000,000; for each of the fiscal years ending June 30, 1960, and June 30, 1961, the sum of $800,000; for each of the fiscal years ending June 30, 1962, and June 30, 1963, the sum of $600,000; for each of the fiscal years ending June 30, 1964, and June 30, 1965, the sum of $400,000; and for each of the years ending June 30, 1966, and June 30, 1967, the sum of $200,000.

Appropriations.

Estimates; payments.

"(b) The Surgeon General shall, prior to the beginning of each calendar quarter or such shorter period as the Surgeon General may find necessary, estimate the cost of carrying out the approved plan, on the basis of estimates furnished by the Territory, including estimates of the amount of contractual obligations for hospitalization, and on the basis of such further investigations as he may find necessary. From the amounts appropriated for any fiscal year, the Surgeon General shall pay to the Territory the amount requested by it but not to exceed the amount so estimated by the Surgeon General for each such period, reduced or increased, as the case may be, by any sum (not previously adjusted under this section) by which he finds that the amount paid for any prior period was greater or less than the amount which should have been paid. The amount of any balance of payments made to the Territory under this section and remaining unobligated on July 1, 1967, shall be repaid to the Treasury of the United States.

"(c) Whenever the Surgeon General finds, after affording opportunity for hearing, that the Territory has failed to comply substantially with any provisions of the approved plan, he shall notify the Governor that no further payments will be made under this section (or that further payments will not be made for parts of the plan affected by such failure) until he is satisfied that there will no longer be any such failure.

"(d) For the purpose of facilitating the administration of the Territory's mental health program, the Surgeon General is authorized to enter into arrangements with the Territorial government to provide for the care and treatment, in hospitals operated by the Service, of patients requiring hospitalization. Such arrangements shall be subject to the availability of suitable facilities therefor and shall provide for charges to the Territorial government in amounts determined by the Surgeon General which shall be sufficient to cover the full cost of such care and treatment. Upon payment by the Territory the amount of such charges shall be credited to the appropriation from which such costs were incurred: *Provided*, That, during the period of grants under this section, payment may be effected by deductions from the amount of such grants otherwise payable to the Territory, with such deductions to be credited to the appropriation from which such costs were incurred.

"PAYMENTS FOR CONSTRUCTION OF HOSPITAL FACILITIES

"SEC. 372. (a) There is hereby authorized to be appropriated an amount not exceeding the total sum of $6,500,000, to remain available until expended, to enable the Surgeon General to make payments to the Territory of Alaska as the total contribution of the Federal Government to be used in defraying the cost of construction of hospital and other facilities in Alaska needed for the carrying out of a comprehensive mental health program.

"(b) Such facilities shall be scheduled for construction in accordance with a comprehensive construction program, developed by the Territory in consultation with the Public Health Service and approved by the Surgeon General. Projects shall be constructed in accordance with such approved program and in accordance with plans and specifications for the project approved by the Surgeon General.

"(c) Upon certification by the Territory, based upon inspection by it, that work has been performed upon a project, or purchases have been made in accordance with approved plans and specifications, and that payment of an installment is due, the Surgeon General shall certify such installment for payment: *Provided, however*,

That the Surgeon General may cause the project to be inspected at any time, and if such inspection indicates that the project is not being constructed in accordance with approved plans and specifications, he may, after notice and affording opportunity for hearing, withhold further payment until he finds that adequate corrective measures have been taken.

"(d) The term 'cost of construction' means the amount found necessary by the Surgeon General for the construction of a project and includes the construction and initial equipment of buildings (including medical transportation facilities), architects' and engineering fees, the cost of land acquired specifically for the purpose of the project, and on-site improvements.

Recovery of value of facility.

"(e) If, within twenty years from the date of completion of construction, any hospital or other medical facility constructed with the aid of grants under this section shall cease to be a publicly owned facility operated for the care or treatment of patients under the Territory's mental health program, the United States shall be entitled to recover from the Territory the then value of the hospital or other medical facility, reduced, however, proportionately to the extent to which the Territory may have contributed to the cost of construction thereof."

LAND GRANT

SEC. 202. (a) The Territory of Alaska is hereby granted and shall be entitled to select, within ten years from the effective date of this Act, not to exceed one million acres from the public lands of the United States in Alaska which are vacant, unappropriated, and unreserved at the time of their selection: *Provided*, That nothing herein contained shall affect any valid existing rights. All lands duly selected by the Territory of Alaska pursuant to this section shall be patented to the Territory by the Secretary of the Interior.

(b) The lands authorized to be selected by the Territory of Alaska by subsection (a) of this section shall be selected in such manner as the laws of the Territory may provide, and in conformity with such regulations as the Secretary of the Interior may prescribe. The authority to make selections shall never be alienated or bargained away, in whole or in part, by the Territory. All selections shall be made in reasonably compact tracts, taking into account the situation and potential uses of the lands involved. Upon the revocation of any order of withdrawal in Alaska, the order of revocation shall provide for a period of not less than ninety days before the date on which it otherwise becomes effective during which period the Territory of Alaska shall have a preferred right of selection, subject to the requirements of this Act, except as against prior existing valid rights or as against equitable claims subject to allowance and confirmation. Such preferred right of selection shall have precedence over the preferred right of application created by section 4 of the Act of September 27, 1944 (58 Stat. 748; 43 U. S. C., sec. 282), as now or hereafter amended, but not over other preference rights now conferred by law. As used in this subsection, the words "equitable claims subject to allowance and confirmation" include, without limitation, claims of holders of permits issued by the Department of Agriculture on lands eliminated from national forests, whose permits have been terminated only because of such elimination and who own valuable improvements on such lands.

Mineral deposits.

(c) All grants made or confirmed under this section shall include mineral deposits: *Provided, however*, That mineral deposits in lands which on January 1, 1956, were subject to public land order numbered 82 of January 22, 1943, shall not be included in said grants, but shall continue to be reserved to the United States.

Leases; sales.

(d) Following the selection of lands by the Territory pursuant to subsection (b), but prior to the issuance of final patent, the Territory shall be authorized to lease and to make conditional sales of such selected lands.

(e) All lands granted to the Territory of Alaska under this section, together with the income therefrom and the proceeds from any dispositions thereof, shall be administered by the Territory of Alaska as a public trust and such proceeds and income shall first be applied to meet the necessary expenses of the mental health program of Alaska. Such lands, income, and proceeds shall be managed and utilized in such manner as the Legislature of Alaska may provide. Such lands, together with any property acquired in exchange therefor or acquired out of the income or proceeds therefrom, may be sold, leased, mortgaged, exchanged, or otherwise disposed of in such manner as the Legislature of Alaska may provide, in order to obtain funds or other property to be invested, expended, or used by the Territory of Alaska. The authority of the Legislature of Alaska under this subsection shall be exercised in a manner compatible with the conditions and requirements imposed by other provisions of this Act.

EFFECTIVE DATE

SEC. 203. This title shall become effective on the date of enactment of this Act.

TITLE III—TRANSITIONAL AND GENERAL PROVISIONS

AMENDMENTS AND REPEALS

SEC. 301. (a) Such of the following Acts or parts thereof as the Governor by proclamation shall declare to be superseded by a law or laws hereafter enacted by the Territorial legislature are repealed as of the effective date (specified in such proclamation) of such superseding law or laws, or as of the two hundred and tenth day after the date of enactment of this Act, whichever is later:

(1) Section 8 of the Act of January 27, 1905 (33 Stat. 616, 619; 48 U. S. C. 47);

(2) The first sentence of section 7 of the Act of February 6, 1909 (35 Stat. 600, 601), as amended by section 2 of the Act of October 14, 1942 (56 Stat. 782; 48 U. S. C. 46);

(3) The Act of June 25, 1910 (36 Stat 852; see 48 U. S. C. 46b);

(4) The Act of April 24, 1926 (44 Stat. 322), as amended by sections 4 and 5 of the Act of October 14, 1942 (56 Stat. 782, 783; 48 U. S. C. 50, 50a); and

48 USC 46c, 47a, 47b, 47c, 48, 48a.

(5) Sections 1, 3, 6, 7, 8, and 9 of the Act of October 14, 1942 (56 Stat. 782, 783–785; 46 U. S. C. 46c, 47a, 47b, 47c, 48, 48a).

(b) (1) The Acts and parts of Acts listed in subsection (a), except the Act of June 25, 1910, are, pending their repeal as provided in subsection (a), amended (A) by striking out the words "Secretary", "United States", "Congress", and "Department of the Interior" wherever these words appear, and inserting in lieu thereof the words "Governor of Alaska or his designee", "Territory of Alaska", "the Legislature of Alaska", and "Territory of Alaska", respectively; (B) by inserting immediately before the word "Treasury", wherever it appears, the word "Territorial"; (C) by striking out the word "Federal"; and (D) by amending section 1 (a) of the Act of October 14, 1942, to read as follows: "'Governor' means the Governor of Alaska or his designee;": *Provided*, That the words "United States" where

they appear as a part of the term "United States Veterans' Bureau facility" in section 6 of the Act of October 14, 1942, shall not be struck.

Effective date.

(2) The amendment, by this subsection, of any Act or part of Act specified in subsection (a) shall take effect on the two hundred and tenth day after the date of enactment of this Act and shall cease to be effective upon the repeal of the Act or part of Act which it amends, as provided in subsection (a).

(c) Effective upon the date of enactment of this Act, section 3 of the Act approved August 24, 1912 (37 Stat. 512; see 48 U. S. C. 24), entitled "An Act to create a legislative assembly in the Territory of Alaska, to confer legislative power thereon, and for other purposes", is amended by inserting the following at the end of the first sentence of such section, immediately before the period: "or to prevent the legislature from altering, amending, modifying, or repealing section 8 (relating to commitment of insane persons) of the aforesaid Act approved January twenty-seventh, nineteen hundred and five".

Prior rights, etc.

(d) (1) Any vested rights or liabilities existing, and any commitment proceeding commenced, under any Act or part thereof prior to the effective date of the amendment or repeal of such Act or part thereof by this section shall not be affected by such amendment or repeal.

(2) With respect to the money or property of any patient who has died or eloped prior to the enactment of this Act, or who will have died or eloped prior to the two hundred and tenth day following such enactment, the functions of the Secretary of the Interior under the Act of April 24, 1926, as amended (48 U. S. C. 50, 50a), and the requirement of certification of the claim to Congress if established more than five years after such death or elopement, shall remain in effect notwithstanding the amendment or repeal of such Act by this section.

EXISTING CONTRACT AND APPROPRIATIONS

SEC. 302. (a) Within two hundred and ten days after the date of enactment of this Act, the Secretary of the Interior, with the concurrence of the Governor of Alaska, may either (i) assign all of his rights and duties under contract numbered 14–04–001–81, entered into on June 18, 1953, between the Secretary of the Interior on behalf of the United States, and the Sanitarium Company of Portland, Oregon, to the Territory of Alaska, such assignment to become effective on the two hundred and tenth day after the date of enactment of this Act, or (ii) terminate the said contract in accordance with the terms thereof. Upon the effective date of any such assignment, such contract shall have the same binding effect upon the Territory as it had upon the United States prior to such assignment.

(b) On the two hundred and tenth day after the date of enactment of this Act, so much of all unexpended balances of appropriations as are available to the Department of the Interior for the care of the Alaska insane shall be transferred to the Governor of Alaska to be available for expenditure by him for the administration of the Acts specified in, and in part amended by, section 301 and for the administration of the laws of the Territory of Alaska enacted pursuant to section 101 of this Act, and the Secretary of the Interior shall, upon such transfer or as soon as practicable thereafter, transfer to the Governor of Alaska all papers and documents used primarily in the administration of all laws pertaining to the Alaska insane. For the remainder of the fiscal year ending June 30, 1957, there are hereby authorized to be appropriated to the Secretary of the Interior for transfer to the Governor of Alaska such additional sums as may be necessary for the care of the Alaska insane during that fiscal year.

Appropriation.

(c) Until July 1, 1957, expenses for the transportation to a mental institution outside of Alaska of all patients to be hospitalized pursuant to a commitment under section 8 of the Act of January 27, 1905 (33 Stat. 616, 619, 48 U. S. C. 47), or to be hospitalized in such a mental institution pursuant to a commitment under a law of the Territorial legislature superseding such Act of January 27, 1905, shall be paid by the Department of Justice.

Approved July 28, 1956.

Public Law 831 CHAPTER 773

July 28, 1956
[H. R. 10111]

AN ACT

To amend sections 657 and 1006 of title 18 of the United States Code in order to include certain savings and loan associations within its provisions.

Savings and loan associations.
Embezzlement, etc.
62 Stat. 729.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 657 of title 18 of the United States Code is amended as follows: After the words "United States" where they first appear in section 657, strike the comma immediately after the word "States" and insert in lieu thereof "or any institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation,".

62 Stat. 750.

SEC. 2. Section 1006 of title 18 is amended as follows: After the words "United States" where they first appear, strike the comma immediately after the word "States" and insert in lieu thereof "or any institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation,".

Approved July 28, 1956.

Public Law 832 CHAPTER 776

July 30, 1956
[S. J. Res. 183]

JOINT RESOLUTION

Authorizing an appropriation to enable the United States to extend an invitation to the World Health Organization to hold the Eleventh World Health Assembly in the United States in 1958.

Whereas the Eleventh World Health Assembly is scheduled to be held in 1958; and

Whereas the year 1958 is considered particularly appropriate for holding the assembly in the United States since that year will mark the decennial anniversary of the entry into force of the constitution of the World Health Organization, which was originally drawn up and signed in New York City; and

Whereas the assembly and related functions will provide outstanding opportunities for the Ministers and Directors of Health of the World Health Organization's eighty-eight member countries to view American health and medical methods in practice, and to make and renew friendships among American health and medical leaders; and

Whereas the assembly will focus public attention in the United States on the important work of the World Health Organization as an integral part of the economic and social program of the United Nations and as a constructive work contributing to better international appreciation and world peace; and

Whereas American health and medical groups and certain urban organizations have suggested arrangements to make the World Health Assembly in the United States a particularly useful professional occasion through related seminars, field trips, and social activities; and