

ALASKA LEGISLATURE COMMITTEE FILES 1981-1982 86/2

1358 HHESS HB 307 - HB 327

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HB

307

# STATE OF ALASKA

## DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

JAY S. HAMMOND, GOVERNOR

POUCH K - STATE CAPITOL  
JUNEAU, ALASKA 99811  
PHONE: (907) 465-3600

November 24, 1981

Hon. M.F. "Mike" Beirne  
Alaska State Legislature  
1020 'I' Street, Suite 1  
Anchorage, AK 99501

Re: "Residency" for pioneers'  
home eligibility  
Our file: J-65-196-82

Dear Representative Beirne:

Reference is made to your inquiry dated August 31, 1981 concerning eligibility standards for admission to a pioneers' home. Specifically, you ask whether the residence requirements of the relevant statutes, AS 47.25.020 - 47.25.035, allow consideration of the domicile of applicants for admission to a pioneers' home.

We have recently responded to the same inquiry from the commissioner of administration; a copy of our opinion is attached. Therein, we stated that a "resident," within the meaning of AS 47.25.020 - 47.25.035, is a person who is or was physically present within the state. This is clear in the statutory scheme; there is no need for resort to interpretive regulations.

There are a number of ways to ameliorate the occasionally harsh effects of the 15/30 year requirements. However, I would recommend strongly against a change from the physical presence standard for the reason that a domicile (i.e., intent) standard is extremely difficult to apply. Indeed, a domicile standard appears inconsistent with the intent of such legislation since it rewards persons who, as absent domiciliaries, may have had the best wishes for Alaska but contributed nothing to Alaska's physical and intellectual growth. (We hasten to add that your constituents about whom you wrote have, by all accounts, done a great deal to advance such growth in Alaska.)

Viable alternative statutory schemes could take several forms. I would be happy to discuss them with you or any

Hon. M.F. "Mike" Beirne

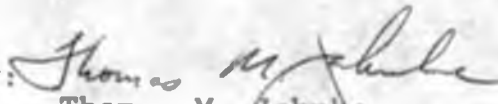
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November 24, 1981

interested party. If I may be of further assistance, please  
let me know.

Sincerely yours,

WILSON L. CONDON  
ATTORNEY GENERAL

By:   
Thomas M. Jahnke  
Assistant Attorney General

TMJ/pjg

# MEMORANDUM

State of Alaska

TO: William R. Hudson, Commissioner  
Department of Administration

DATE: October 23, 1981

FILE NO: J-60-806-81

TELEPHONE NO: 465-3600 ext. 29

FROM: WILSON L. CONDON  
ATTORNEY GENERAL

SUBJECT: Two Pioneers' Home  
Applications - Residence

By:   
Thomas M. Jahnke  
Assistant Attorney General

You have requested our opinion on the propriety of admitting Mr. & Mrs. Hans Autor to the Pioneers' Home. They are long-time Alaska residents but have, in recent years, lived outside of Alaska. The focus of the inquiry is the residence concept in AS 47.25.

As we understand the situation, the Autors have had the following contacts with Alaska and other locales:

1. They were physically present in Alaska more or less continuously from 1947 - 1968.
2. Upon retirement in 1968 they travelled in Europe. While in Europe Mrs. Autor was advised by a physician to live in a warm, dry climate. They lived in southern California thereafter.
3. In 1971, the Autors returned to Alaska for a indeterminate period; thereafter, they returned to California.
4. From 1968 - 1976, the Autors continued to own a house in Anchorage. It is not known whether the house was maintained as a residence for them or occupied by renters or relatives. In 1976 they sold the house to their son.
5. The record is not entirely clear on the Autor's housing arrangements in California; they apparently lived much of the time in a rented apartment and since 1976 with one of their children.

6. The Autors intended to return to Alaska after their vacation in 1968; their plans were changed by the medical exigency but their intention to return did not change.
7. At the time of their application, the Autors lived in California; we are informed that at least one of them has returned to live with a son in Anchorage.

The requirements for admission to the Pioneers' Home are set forth in AS 47.25.030 and 47.25.035. They provide:

Sec. 47.25.030. Admission on payment. A citizen of the United States over 65 years of age who is a resident of the state and has been a resident for not less than 15 years continuously immediately preceding his application, but who is not destitute, may on application be admitted to the home upon his agreement to pay to the state a sum for each day as the Department of Administration considers sufficient to compensate the state for the cost of care and support of the person at the home. When this agreement is entered into the Department of Administration may receive the security for the payments, which it considers expedient.

Sec. 47.25.035. Exception to admission criteria. An applicant for admission to the home who has been a resident of the state for 30 years and is otherwise qualified to admission under AS 47.25.020 or 47.25.030 may not be disqualified for admission because of absence from the state if the commissioner of administration determines the absence was reasonable, and admission is consistent with the intent of this chapter. (emphasis added)

The Autors do not claim that they qualify under the requirement of 15 years residence immediately preceding application. See AS 47.25.030. Rather, they claim a right to admission based on a domicile of 30 years. See AS 47.25.035. We assume they meet the citizenship and age requirements. If..

the Autors are entitled to admission, it must be by reason of the exception in AS 47.25.035. We believe that that provision and others clearly resolve the question.

AS 47.25.035 juxtaposes two conditions, the condition of "residence" and the condition of "absence." The first term might admit of some ambiguity since, though it has a fixed meaning in the law, i.e., physical presence, it is occasionally misused in statutes to connote "domicile," i.e. initial physical presence and intent to remain permanently. 1/ However, when "residence" is contrasted with "absence" in the same statute, any ambiguity disappears: "residence" is statutorily prescribed as the opposite of "absence"; "residence" means physical presence.

Further, we believe that this is consistent with the legislative intent with respect to Alaska's pioneers. We direct your attention to AS 47.45.170 which states the purpose of the longevity bonus program for Alaska's pioneers. The emphasis in that statute on benefitting those who built Alaska over many hard years is inconsistent with the concept that a benefit can accrue to one while out of the state.

As we understand the facts of this case, the Autors were physically present in the state for approximately 21 years. As such, they fail to meet the 30 years residence requirement. 2/ This result will doubtlessly disappoint the Autors, other Alaska pioneers and their friends, but their remedy must come from the body that imposed the residency requirement, the Alaska legislature. We would be happy to work with legislators or other interested persons on any changes that might be proposed. 3/

We believe that this memorandum also answers the questions you posed with respect to "hypothetical" case #1 in your memorandum to the Attorney General dated June 3, 1981. 4/

TMJ:mr

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1/We do not believe that such an ambiguity actually exists; certainly nothing in the text of AS 47.25 gives rise to the question.

2/The Commissioner of Administration has no discretion in this regard. Discretion exists only with respect to people who first meet the 30 year requirement. AS 47.25.035.

3/Any changes will have to be very carefully drafted to avoid creating a prohibitively expensive program.

4/We offer no opinion on the constitutionality of the 15 and 30 year residence requirements.

March 17, 1982

Health Education & Social Services Committee  
Juneau, Alaska

Dear Sirs:

In response to HB-307 now before your committee, I would like to express my opposition.

A one-year requirement for residency in the Alaska Pioneer Home is disrespectful and unfair to the Pioneers who have contributed to our State for so many years.

Sincerely,



Mrs. Lavonne Okloasik  
Box 356  
Juneau, Alaska 99762

# PIONEER WOMEN OF ALASKA

AUXILIARY NO. 1  
NOME, ALASKA

Box 1175  
March 17, 1982

Health, Education and Social Services Committee  
Chairman Beirne  
Vice-Chairman Martin  
Members Cato, Smith and Malone

Dear HESS Committee Members,

Pioneer Auxiliary No. 1, Nome, adamantly opposes the passage of H.B. 307 which relates to the residency requirements for admission to Alaska's Pioneer Homes.

Please consider our request when the bill comes to a vote in your committee. Thank you.

Pioneers of Alaska  
Auxiliary No. 1  
Nome, Alaska

  
By: Linda E. Conley, Secretary

cc: Finance Committee  
Chairman Adams  
Vice-Chairman Montgomery  
Members Bettisworth  
Carney  
Chuckwak  
Cotton  
Cuddy  
Fuller  
Haugen  
Hurlbert  
Meekins

Box 1175  
Nome, Alaska 99762

March 17, 1982

Health, Education and Social Services Committee  
Chairman Beirns  
Vice Chairman Martin  
Members Cato, Smith, and Malone

Dear HESS Committee Members,

We, as life long residents of Alaska, are very opposed to the passage of H.B. 307 which is currently before your Committee. Admission to the Pioneer Homes in Alaska is an honor which should be for the people who built and contributed to the greatness of this state. A one year residency requirement for admission to the Homes is not sufficient. Please leave the admission requirements as they presently stand.

Thank you for your consideration of our opinion when you are debating and voting on H.B. 307.

Sincerely yours,

*Linda and Jim Conley and Doug and Claudia Doyle*  
Linda and Jim Conley and Doug and Claudia Doyle

cc: Finance Committee  
Chairman Adams  
Vice Chairman Montgomery  
Members Bettisworth  
Carney  
Chuckwak  
Cotton  
Cuddy  
Fuller  
Haugen  
Hurlbert  
Meekins

# Pioneers of Alaska



Igloo No. 1 - Nome, Alaska 99762

Douglas A. Doyle, Secretary Box 861 Nome, Alaska 443-2719

March 17, 1982

Health, Education and Social Services Committee  
Chairman Heirne  
Vice Chairman Martin  
Members Cato, Smith and Malone

Dear HESS Committee Members,

Pioneer Igloo No. 1, Nome adamantly opposes the passage of H.B. 307 which relates to the residency requirements for admission to Alaska's Pioneer Hours.

Please consider our request when the bill comes to a vote in your Committee. Thank you.

Pioneers of Alaska, Igloo No. 1

By:  Douglas A. Doyle, Secretary

cc: Finance Committee  
Chairman Adams  
Vice Chairman Montgomery  
Members Kettisworth  
Camey  
Chalbank  
Cotton  
Cuddy  
Fuller  
Huges  
Rulbert  
Mekins

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Honorable B.B. Allen, Commissioner  
Department of Administration

DATE: January 12, 1979

FILE NO:

ATTN:

Vernon L. Perry, Director  
Division of Pioneers' Benefits

TELEPHONE NO:

FROM:

AVRUM M. GROSS  
ATTORNEY GENERAL

SUBJECT:

Peter Frank account  
(J-66-324-79)

By: Richard L. Peter  
Assistant Attorney General

You have asked what can be done to compel a Pioneer's Home guest with financial resources to apply as much of them as is needed to pay the costs of his maintenance.

We have twice proposed to your office that regulations be adopted to address this problem, but since they have not been promulgated under the Alaska Administrative Code your present regulations do not have the force of law, so we must depend for authority on the sparse and ambiguous statutes relating to Pioneers' Homes.

You describe a guest who has some \$13,000 worth (value at maturity) of United States Savings Bonds, as well as a bank account, and an income of \$150 a month in Longevity Bonus payments, but plans to dispose of these resources to his children.

In the first place, persons with resources should not be admitted as indigent. AS.47.25.030 provides:

A citizen of the United States over 65 years of age who is a resident of the state and has been a resident for not less than 15 years continuously immediately preceding his application, but who is not destitute, may on application be admitted to the home upon his agreement to pay to the state a sum for each day as the Department of Administration considers sufficient to compensate the state for the cost of care and support of the person at the home. When this agreement is entered into the Department of Administration may receive the security for the payments, which it considers expedient.

This contrasts with AS 47.25.020(a) which provides:

Every worthy person residing in the state who has been a resident of the state continuously for more than 15 years immediate-

ly preceding his application for admission, and who is destitute and in need of the aid or benefit of the home because of physical disability or other cause, is entitled to admission to the home under the conditions, limitations and penalties prescribed by the regulations of the Department of Administration. No person may be admitted as a guest to the Alaska Pioneers' Home under the provisions of §§ 10 -- 110 of this chapter, if the support and maintenance of the person is imposed by law upon a relative or member of the family of the person.

AS 47.25.020(b) is also pertinent:

Every person admitted to the Pioneers' Home, except a person admitted under § 30 [paying guest] of this chapter, who receives income from any source in excess of \$35 a month may be required by the Department of Administration to pay the excess . . . immediately upon receipt of the money in payment, or part payment, of the cost of his maintenance.

Neither the legislature by statute, nor your office by regulation, has provided guidance as to whether a guest admitted as destitute can later be determined as capable of paying toward his maintenance, or whether a paying guest who exhausts his resources is then considered to be a destitute guest. Undoubtedly there have been occasions in the past when a person admitted to a Pioneers' Home as a paying guest has run out of money. I would assume that in such an event he becomes a destitute guest and therefore subject to AS 47.25.020(b): i.e. he must apply his income to his maintenance costs. Your policy and procedures manual states: "When the resident's monthly income or other funds do not permit him to pay the established rate he will be charged only to the extent of his income."

That manual also explains:

A person may be considered "destitute" if he has less than \$1,500 savings, or property valued at less than \$35,000 and a total income not in excess of \$300 monthly. [No. 10-1 at 1]

In order to make this determination you apparently rely on the following statement which appears in your Information Handbook, and is presumably given to applicants and residents.

[E]ach [applicant] will be asked to list all property and income. Please be truth-

ful because failure to do so could lead to dismissal from the home. This does not mean that property must be turned over to the State of Alaska, but the State of Alaska does reserve the right to file a claim against the estate of a Pioneers' Home guest, provided the resident has not paid full charges while living there. [Emphasis in original]

We are told that the application form now in use permits the applicant to list ownership of property, but that applicants have not been required to do so. Because the statutes require that only destitute applicants be admitted without setting up a payment plan, this procedure should be tightened up to insist upon a listing of all resources, under the threat of possible dismissal that you have in the handbook. Even if there is no contemplation of selling a piece of property to pay Pioneer Home charges, it may be producing rental income.

We are pleased the declaration of property ownership is made under oath because the only judicial decision which is relevant, In Re Jackson's Estate, 15 Alaska 116 (1954), held that a welfare recipient's \$10,000 which had been transferred to her daughter without consideration, was still in the mother's estate subject to the territory's claim because she had declared under oath that she owned no property. But to assure due process this requirement should be adopted in the Alaska Administrative Code to provide sufficient notice of the effect of deliberate concealment of assets.

On the subject of income, we have seen that this is the only type of funds mentioned by AS 47.25.020(b): "income from any source". Your policy and procedures manual says "income and other funds" but it seems that you are foreclosed from tapping other resources. But "income" can be construed to include interest and of course dividends from the investment of resources. However, there are two types of income which may not be compulsorily applied to the costs generated by a destitute guest. This office has concluded in a memorandum issued August 25, 1977 (a copy of the pertinent portion is attached) that a resident of a state mental facility or a pioneers' home may not be required to pay money he receives under the Alaska Native Claims Settlement Act, or the Alaska Longevity Bonus toward his support. The longevity bonus may be reached in his estate after death, but the ANCSA funds which can be identified are immune and may never be attached by the state for a service the guest would be entitled to without cost were he not receiving ANCSA benefits. Although AS 47.25.020(b) says "any source", this option has been limited by the Alaska

Native Claims Settlement Act and AS 47.40.120.

Therefore, in regard to Mr. Frank's liability for payment, you must first determine what part of his resources and income can be traced to ANCSA and Longevity Bonus receipts. The bank account is apparently made up of native funds, but he does not list the bonds or other property. He was honest enough in revealing his plans to bequeath his assets to his children but we do not know if he read the Information Handbook. AS 47.25.070(a) provides in pertinent part: "An expense incurred for a person under §§ 10 -- 110 of this chapter with interest at the rate of six percent a year from the date of payment, is a debt to the state and may be recovered during the life of the beneficiary . . ." This means that Mr. Frank can be told the amount of his bill, and asked to pay it. Presumably he could be sued, and execution levied on non-exempt resources, but I am sure you would not consider such a course desirable, especially if most of his funds are exempt from attachment. It might be argued that once exempt funds are used to purchase government bonds, they lose their exempt status, but United States Savings Bonds are a form of savings device, and are analagous to a bank account which -- if it held only Longevity Bonus receipts, for example -- would be immune.

If Mr. Frank read and understood your Information Handbook and then concealed some resources at the time he applied for admission you may want to make good your threat and turn him out if he refuses to pay as much of his bill as he is able. You cannot consider the exempt funds as resources or income, but you can require him to be treated as a paying guest if the exemptions do not bring him into the destitute category.

It may not be possible to do much about Mr. Frank, but we would suggest that in the future, more attention be given to the property declaration when a guest is applying for admission. Unless you know what his resources and income are, it is impossible to determine accurately whether he is destitute or should be a paying guest. Applicants should be advised of the importance of this information, and it should be explained to them that even if they plan to bequeath certain assets to members of their family or others, until their death the resources must be listed as belonging to the applicants.

It may be necessary to amend your statutes to tighten the collection process but regulations authorized by present law will certainly be helpful. We would recommend that the Pioneers' Home Advisory Board be consulted to learn its ideas, because under the present procedure it is very difficult for us to assist you with collections.

RLP:vr  
Enclosure

ATTN: Richard Branton  
Director  
Division of Mental Health .

. . . for a period of twenty years after  
December 18, 1971, the stock, anchoat  
rights thereto, and any dividends paid  
or distributions made with respect there-  
to may not be sold, pledged, subjected  
to a lien or judgment execution, as-  
signed in present or future, or other-  
wise alienated. . . .

But there was some doubt about the validity of government  
claims on the funds after they had been paid to the re-  
cipient. Originally 43 U.S.C. Sec. 1601(c) gave the only  
guidance. It declared:

no provision of this Act shall replace or  
diminish any right, privilege, or obliga-  
tion of Natives as citizens of the United  
States or of Alaska, or relieve, replace,  
or diminish any obligation of the United  
States or of the State of Alaska to pro-  
tect and promote the rights or welfare  
of Natives as citizens of the United  
States or of Alaska. . . .

In 1976, however, Public Law 94-204 added a new section to  
the Alaska Native Claims Settlement Act. Codified as 43  
U.S.C. Sec. 1626, it provides:

(a) The payments and grants authorized  
under this Act constitute compensation for  
the extinguishment of claims to land, and  
shall not be deemed to substitute for any  
governmental programs otherwise available  
to the Native people of Alaska as citizens  
of the United States and the State of  
Alaska.

(b) Notwithstanding section 5(a) and  
any other provision of the Food Stamp Act  
of 1964 (78 Stat. 703), as amended, in  
determining the eligibility of any house-

ATTN: Richard Branton  
Director  
Division of Mental Health

hold to participate in the food stamp program, any compensation, remuneration, revenue, or other benefit received by any member of such household under the Settlement Act shall be disregarded.

Subsection (b) enshrines in legislation the judicial decision in Hamilton v. Butz, 520 F.2d 709 (CA9 Alaska 1975), while subsection (a) imposes a broad prohibition against any claim for ANCSA funds to reimburse a government for a service which would have been provided without charge had those funds not been available to a Native.

But to be exempt from such claims, ANCSA funds must be identifiable and not commingled indistinguishably with other money. You state that the savings account balance in the particular case confronting you "is understood to be Native Land Claims money". This can be determined only by a study of deposits and withdrawals relating to the account. The ratio of ANCSA to other deposits should be found and then applied to the final balance. Withdrawals should be treated as representing a proportional drain on both kinds of funds. As such, the patient or his estate may not claim that the withdrawals have been all non-Native funds so that the entire remainder could be protected. /1

/1 Alaska Longevity Bonuses are likewise sheltered -- at least during the life of the recipient. AS 47.40.120 provides:

Bonuses received under this chapter are exempt from all state and political subdivision taxes except sales and use taxes and are not subject to execution, attachment, garnishment or other process. No bonus received under this chapter may be exempt from a federal tax requirement.

A mental hospital patient or Pioneers' Home guest may be requested to apply his bonus to his bill at the institution, but he cannot be forced to surrender it. After his death if it is still in his estate it may be claimed to satisfy his debt to the state, because it is intended only to assist him to live his declining years in Alaska, and not to provide capital for his heirs.

ATTN: Richard Branton  
Director  
Division of Mental Health

Such a method would seem to be dictated by our determination that ANCSA funds may not be applied to state charges for otherwise free services, although there is no other authority for such a computation. The only rule in this area is that of "first in, first out" which is frequently applied to taxation of stock transactions, the handling of trust funds, and other special monies which may be deposited in the same account as general funds.

'[T]he first in, first out,' rule is not a rule of law or of logic, but a rule of thumb. It is a presumption of fact and really a regulation of the burden of proof. What is first sold is presumed to be what was first bought. [Or first deposited is first withdrawn.] Like every fact presumption, it is not conclusive, but yields to evidence, if there is any, of what the real fact is. 9th Bank & Trust v. United States, 15 F. Supp. 951, 952 (C.E.D. Pa., 1936).

In identifying ANCSA funds commingled with others, the rule may be helpful but is not mandatory and should yield to the more equitable approach suggested here so that any funds withdrawn to pay certain state charges would not diminish Native Claims receipts.

With respect to mental health care, we must point out, however, that, even if a claim may be made against all or a part of a patient's or his estate's property, an Alaska statute does limit a claim for recovery of money expended by the state. AS 47.30.270(a) provides:

A patient . . . shall pay or contribute to the payment of the charges for the care or treatment . . . in the manner and proportion which the department finds is not detrimental to the patient's rehabilitation and which is within their ability to pay . . . . The order of the department relating to the payment of charges by the patient . . . shall be charged within six months of the date on which the charge was incurred.

Pioneer

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y STATE CAPITOL  
JUNEAU ALASKA 99811  
707-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 20, 1979

SUBJECT: Residence requirements for Pioneers' Homes and  
Alaska Longevity Bonus (Work Order No. 7081)

TO: Representative M. F. Beirne

FROM: Billy G. Berrier *BGB*  
Director  
Division of Legal Services

You have asked for an opinion on the constitutionality of the residence requirements for eligibility for the Alaska Pioneer Homes and the Alaska Longevity Bonus Program.

Under AS 47.25.020 and 030, a person must have been a resident of the state continuously for more than 15 years immediately preceding application for admission to the home.

Under AS 47.45.010 a person who is 65 years of age or older, who was domiciled in the territory before January 3, 1959 and who has maintained a continuous domicile in the territory or state for 25 years is eligible for the Alaska Longevity Bonus. Continuous retention of domicile in the state is required for continued eligibility.

The longevity bonus contains a statement of purpose in AS 47.45.170 which reads:

Sec. 47.45.170. PURPOSE. The sole purpose of this chapter is to offer and provide all law-abiding Alaskans capable of managing their own affairs who have maintained a domicile in the state for at least 25 years and have reached a retirement age of 65, an incentive to continue uninterrupted residency in the state. Under no circumstances shall this chapter be considered a form, type, or manner, of public relief. Bonuses made under this chapter are not predicated on need even though they may appear to provide supplemental income to some qualified persons who would otherwise be forced to become responsi-

bilities of the state. The legislature further finds and states that this legislation recognizes the economic hardships suffered by many elderly Alaskans, Alaskans who through their tenacity and perseverance molded Alaska as we know it through skillful application of their talents. These pioneers are the same Alaskans, who in the prime of their life were in effect treated as second-class citizens by the federal government and who paid much of their hard-earned income to a government in which they did not have the right to participate through the power of the ballot. The legislature also is aware of the fact that many of these pioneers have been forced to live out their retirement years in areas far away from the land they loved and nurtured and thereby also suffering, in many cases, the loss of familial relationship with their own kin, an experience that is sad and frustrating to them as well as depriving new generations of Alaskans of the benefits of their wisdom and experience. This legislation hopefully will provide our pioneers with the economic means to remain in and continue to serve their state and to enjoy the opportunity of aiding the new Alaskan in making this state truly "The Great Land."

The heart of the policy rationale in both instances is aiding people who have been long-time residents of Alaska to remain in the state, recognizing the economic disadvantage of higher costs in the state. Factually, many people over 65 and people who are physically disabled have substantially impaired earning capacity.

The test used to determine the constitutionality of durational residency requirements was stated recently in Hicklin v. Orbeck, 565 P.2d 159 as:

"Durational residence requirements are subject to strict scrutiny under the equal protection clauses of the federal and state constitutions because they penalize those who have exercised their fundamental right of interstate migration.

Under strict scrutiny, the law must be struck down unless the state can demonstrate that it is necessary to

further a compelling state interest, and is the least drastic means available to further that interest. Dunn v. Blumstein, 405 U.S. at 342-43, 92 S.Ct. at 1003-04, 31 L.Ed.2d at 284-85."

This is also the test used by the United States Supreme Court when strict scrutiny is involved. Although the United States Supreme Court has limited strict scrutiny to situations where the right of interstate migration is penalized by denying the recent migrant of a basic necessity of life (Memorial Hospital v. Maricopa County, 415 U.S. 250, 94 S.Ct. 1076, 39 L.Ed.2d 306 (1974)), our court has not accepted this limitation in construing the Alaska Constitution.

However, this test was subsequently modified in State v. Erickson, 574 P.2d 1. In that case the court stated the test as

"In cases involving federal constitutional questions, where fundamental rights and suspect categories are at issue, we are bound by the "compelling state interest" standard unless that test is altered by the United States Supreme Court. In applying the Alaska Constitution, however, there is no reason why we cannot use a single test. Such a test will be flexible and dependent upon the importance of the rights involved. Based on the nature of the right, a greater or lesser burden will be placed on the state to show that the classification has a fair and substantial relation to a legitimate governmental objective. Where fundamental rights or suspect categories are involved, the results of this test will be essentially the same as requiring a 'compelling state interest'; but, by avoiding outright categorization of fundamental and non-fundamental rights, a more flexible, less result-oriented analysis may be made."

Although it is quite possible the reasonable basis test is applicable here since the purpose is not to restrict interstate migration but to aid people avoid involuntary interstate migration after having lived for many years in Alaska, in my opinion the statutes would survive a strict scrutiny test.

It appears clear that there is a compelling state interest in aiding elderly or disabled people who desire to stay in

the state to do so. The question then is whether the least drastic means available to further that interest were chosen.

I cannot conceive of a less drastic way to encourage and assist elderly and disabled people to remain in Alaska than the method chosen. The discrimination is a result of a valid, independent public purpose.

In my opinion both laws are constitutional.

BGB:jdn

Introduced: 3/10/81  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY MALONE AND BEIRNE

2 HOUSE BILL NO. 307

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 WELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska Pioneers' Home; and  
7 providing for an effective date."

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

9 \* Section 1. AS 47.25.020(a) is amended to read:

10 (a) A [EVERY WORTHY] person residing in the state who has been a  
11 resident of the state for one year [CONTINUOUSLY FOR MORE THAN 15  
12 YEARS] immediately preceding his application for admission, and who is  
13 destitute and in need of the aid or benefit of the home because of  
14 physical disability or other cause, is entitled to admission to the  
15 home under the conditions, limitations and penalties prescribed by the  
16 regulations of the Department of Administration. A [NO] person may not  
17 be admitted as a resident of the Alaska Pioneers' Home under the provi-  
18 sions of AS 47.25.010 - 47.25.110, if the support and maintenance of the  
19 person is imposed by law upon a relative or member of the family of the  
20 person.

21 \* Sec. 2. AS 47.25.030 is amended to read:

22 Sec. 47.25.030. ADMISSION ON PAYMENT. A citizen of the United  
23 States over 65 years of age who is a resident of the state and has been  
24 a resident of the state for not less than one year [15 YEARS CONTINI-  
25 OUSLY] immediately preceding his appl cation, but who is not destitute,  
26 may on application be admitted to the home upon his agreement to pay to  
27 the state a sum for each day as the Department of Administration consi-  
28 ders sufficient to compensate the state for the cost of care and support  
29 of the person at the home. When this agreement is entered into the

1 Department of Administration <sup>©</sup> may receive the security for the payments,  
2 which it considers expedient.

3 \* Sec. 3. AS 47.25.035 is repealed.

4 \* Sec. 4. This Act takes effect July 1, 1981.  
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Proposed Amendment for HB 307

Sec. 2, line 27: This line would read, "the state a sum. . . sufficient to compensate the state for the full cost of care and support of the person at the home, unless it can be shown that this would create an undue hardship on that person. This standard shall be implemented for persons currently in residence at the facility, if they were not subject to it upon admission."

The intent of the proposed language is to provide a statutory imperative for the Pioneer Home administration to charge up to the full cost of care for each resident if they are able to pay this. Since the Pioneer Homes are for the needy, it is hoped that those persons residing there who are not needy shall be charged for their care or given the option to find other accommodations and thus free-up their beds for persons on the waiting lists who are destitute.

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. H. B. 307  
Title An Act Relating to the Alaska Pioneers' Home  
Requested by Representative Malone Date \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected Administration  
Program Category Affected Social & Economic Assistance for the Aged  
BRU, Program, Or Subprogram(s) Affected Pioneers' Homes  
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	0	164.2	1,387.7	1,505.7	1,633.6	15,673.3
200 TRAVEL	0	.2	1.3	1.4	1.5	20.0
300 CONTRACTUAL	0	8.0	115.7	125.0	135.0	3,122.5
400 COMMODITIES	0	1.1	7.9	8.5	9.2	580.2
500 EQUIPMENT						
600 LAND & STRUCTURES	0		55,000.0	60,500.0	33,275.0	36,602.5
700 GRANTS, CLAIMS, ETC.	0	.2	1.0	1.0	1.0	25.0
<b>TOTAL</b>	<b>0</b>	<b>173.7</b>	<b>56,513.6</b>	<b>62,141.6</b>	<b>35,055.3</b>	<b>56,023.5</b>

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	0	173.7	56,513.6	62,141.6	35,055.3	56,023.5
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	0	10	36	36	36	436
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This bill, which reduces the residency requirement for admission to a Pioneers' Home to one year, would bring numerous people into the Pioneers' Home who do not presently qualify

There are many persons over 65 years of age within Alaska at the present time, who have lived in Alaska for one year or more, who do not qualify for admission to a Pioneers' Home because of the 15 year residency requirement. Many of these persons need care and probably would enter a Pioneers' Home, because of physical or economic reasons or a combination of both, if they could gain admission. The department of Administration is aware of this situation because of the many inquiries which are received on a regular basis about admission to Pioneers' Homes. No record has been kept of these inquiries, and therefore they cannot be accurately quantified. However, it is estimated that up to 800 Alaskans would apply for admission to a Pioneers' Home in FY83, if the residency requirement was reduced to one year.

IV. DATE 3/18/82

PREPARED BY Gregory T. Michael

AGENCY Administration

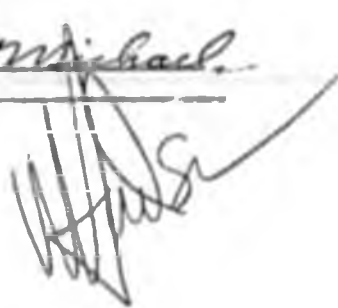
PHONE 465-4401

Original: Legislative Finance  
cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81) Representative Hugh Malone

Keith Specking



It is also considered a certainty that a number of persons over 65 years of age would move to Alaska from the lower 48 states, or would return to Alaska to live, if they could enter a Pioneers' Home and be cared for the rest of their lives. This easy mode of living, along with the Alaska Longevity Bonus, would ease the hardship being pressed on many of America's elderly by high inflation, which is rapidly eroding the fixed incomes of many elderly persons. For this reason the Department of Administration believes that hundreds of persons would take advantage of this economic Godsend. It is assumed for the purpose of this fiscal note that at least 500 persons per year would apply for admission to Pioneers' Homes for the first two years, FY 84 and 85, with applications tapering off in FY 86 as the need is met to approximately 250. Since the Homes would be filled to capacity in FY 84, there would be a great deal of public pressure to build additional Pioneers' Homes. These structures, which could be built to care for 250 persons, would cost near \$27.5 million each at FY 84 prices, depending upon location and when they were built. Inflation at the rate of 10% per year is included for construction of new facilities funded in FY's 85, 86 and 87.

As of February 1982, the Pioneers' Homes cares for 484 residents at the Anchorage, Fairbanks, Palmer, Sitka and Ketchikan Pioneers' Homes. These homes have facilities to care for 558 residents. Nineteen of the available beds will be filled by June 30, 1982, at the rapidly-filling new Ketchikan Pioneers' Home which was just opened on December 1, 1981. Also a number of skilled nursing beds must be held vacant for those in the Homes who fall seriously ill. Since the average age of residents in the Homes is 82, the need for these beds is frequent.

The new Skilled Nursing Wing, which is being constructed as an addition to the Anchorage Pioneers' Home, is scheduled for completion in September, 1982. However, there already exists a waiting list of 224 persons for this Home, and it is estimated that the Anchorage Home will be completely filled by January 1, 1983. This would leave approximately 45 vacancies in all the existing Pioneers' Homes which would quickly be filled by applicants under Provisions of H.B. 307.

Therefore, this fiscal note shows the cost of filling the existing Pioneers' Homes to capacity (45 additional residents) by FY 84. It is estimated that only 10 additional staff positions would be needed in FY 83, as the Homes can absorb a few additional residents without additional staff. These 10 positions would be needed for approximately 6 months of FY 83, gradually building staff to the 36 persons needed by the beginning of FY 84. Operating these homes presently requires approximately .8 staff positions for each resident. Adding 45 residents to the Homes would create the need for 36 additional positions in nursing, housekeeping, food service and administration.

FY 83 expense is computed as follows:

Job Title	Pay Range	Mo. Salary	No. Pos.	No. Mos.	Total Salaries	Benefits	Total Personal Services
Nurse I	13B	2,249	x 2	x 6 =	26,988	+ 8,231 =	35,219
Nurse II	14A	2,327	x 3	x 6 =	41,886	+ 12,660 =	54,546
LPN I	10B	1,873	x 1	x 6 =	11,238	+ 3,611 =	14,849
LPN II	12B	2,111	x 1	x 6 =	12,666	+ 3,930 =	16,596
Nurses Aide	7B	1,568	x 1	x 6 =	9,408	+ 3,202 =	12,610
Hskpg. Aide	WGX	1,909	x 1	x 6 =	11,514	+ 3,673 =	15,187
Food Svc. Worker	WGX	1,909	x 1	x 6 =	11,514	+ 3,673 =	15,187
Totals				10	125,214	+ 38,980 =	164,194

Salaries and benefits are computed using current (FY 82) salary and benefit schedules increased to reflect negotiated increases which are expected to be 6.5% each year.

Travel

\$ 200

Additional funds are need to provide transportation for indigent residents entering the Pioneers' Homes, and for residents who may need emergency medical treatment that is unavailable locally.

Contractual Services

\$8,000

Additional cost for ambulance, eye exams, lab and dental fees, hospital charges for emergency care of residents, burial expenses, and food service.

Commodities

\$1,100

Drugs, lab and medical supplies, clothing for residents, kitchen and laundry supplies.

Grants and Benefits

\$ 210

Stipend of \$35 per month to residents in need of funds.

FY 84 expense is computed as follows:

<u>Job Title</u>	<u>Pay Range</u>	<u>Mo. Salary</u>	<u>No. Pos.</u>	<u>No. Mos.</u>	<u>Total Salaries</u>	<u>Benefits</u>	<u>Total Personal Services</u>
Nurse I	13B	2,240	x 4	x 12 =	107,520	+ 32,825 =	140,345
Nurse II	14A	2,525	x 8	x 12 =	242,400	+ 71,769 =	314,169
LPN I	10B	2,032	x 4	x 12 =	97,536	+ 30,593 =	128,129
LPN II	12B	2,291	x 4	x 12 =	109,968	+ 33,373 =	143,341
Nursing Aide	7B	1,701	x 4	x 12 =	81,648	+ 27,040 =	108,688
Hskpg. Aide	WGX	2,072	x 4	x 12 =	99,456	+ 31,838 =	131,294
Food Svc. Worker	WGX	2,072	x 4	x 12 =	99,456	+ 31,838 =	131,294
Clerk Typist II	7B	1,701	x 2	x 12 =	40,824	+ 13,520 =	54,344
Clerk Typist III	8B	1,801	x 2	x 12 =	43,224	+ 14,057 =	57,281
<b>Totals</b>				<b>36</b>	<b>922,032</b>	<b>+ 286,853 =</b>	<b>1,209,485</b>

Salaries and benefits are computed using current (FY 82) salary and benefit schedules increased to reflect negotiated increases which are expected to be 8.5% each year.

Travel

\$1,100

Additional funds needed to provide transportation for indigent residents entering the Pioneers' Homes, and for residents who may need emergency medical treatment that is unavailable locally.

Contractual Services

\$107,140

Additional cost for ambulance, eye exams, lab and dental fees, hospital charges for emergency care of residents, burial expenses, and food service.

Commodities

\$6,740

Drugs, lab and medical supplies, clothing for residents, kitchen and laundry supplies.

Grants and Benefits

\$ 840

Stipend of \$35 per month to residents in need of funds.

Inflation at the rate of 8% per year is included beyond FY 84 for travel, contractual services and commodities.

New Construction

If H.B. 307 is passed, planning should be started immediately for construction of new Pioneers' Homes in which to care for the additional 500+ applicants expected each year. This fiscal note assumes a one-year planning and design period. Capital construction cost is included in FY 84 so that construction of the first two Homes can begin in FY 85. Construction is expected to take 2 years and funding for operation of the facilities is included in FY 87. Funds for two more Homes are included in FY 85, and for one additional Home in each year FY 86 and 87.

Amortization of capital construction costs would probably be done over an extended period of time through sale of ASHA bonds. However, capital construction cost is shown in the year the appropriation would be needed to illustrate the effect of H.B. 307.

Operating costs shown in FY's 84, 85, 86 and 87 include costs needed in previous years, including inflation at the rate of 8% per year, except for personal services which are inflated at the rate of 8.5% per year.

It should be noted that operating cost will escalate rapidly beginning in FY 87, the year the first two additional Pioneers' Homes would be placed in operation.

I was trying to get at the fact  
that you had to be continuous resident  
for 30 years to be in an igloo  
and the residency of the pioneer  
homes and are eligible but not  
applying -

3-1882

HS 357 } Pioneer  
" 307 }

Red Swanson

307-

1 yr. reg = 800 would be eligible!

Bob Gore

Pioneer - request - 6286  
or 7000

Vern Perry -

agrees changes out of line

307 - No.

8900 on long Bond

H B

32

|

COMMITTEE REPORT

HOUSE

3/11/81

FURTHER: FINANCE

(5)

Date: May 5, 1981

Mr. Speaker:

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had HB 321

"An Act providing state aid for meals for students."

under consideration and reports it back as follows:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for HB 321  same title
- new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

Don Cloches

[Signature]

Mike [Signature]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

Bette [Signature] - No Rec.

Terry [Signature] - No Rec.

\_\_\_\_\_

\_\_\_\_\_

Don Cloches

CHAIRMAN

Introduced: 3/11/81  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY CARNEY

2 HOUSE BILL NO. 321

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing state aid for meals for students."

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

8 \* Section 1. AS 14.52 is amended by adding a new section to read:

9 Sec. 14.52.045. SPECIAL STATE ASSISTANCE. In addition to other  
10 aid under this chapter the state shall reimburse school districts and  
11 service institutions for the difference between the cost of each meal  
12 served to a student and the money received from the federal government  
13 for that meal, or 50 cents per meal served, whichever is less.

14  
15 WASTE  
16 → Duty rate

17 1.20 *release*  
18 1.35 1d.5.



Rep. Don Clocksin, Chairman  
465-3797

# Alaska State Legislature

## House of Representatives

### Committee on Health, Education & Social Services

Pouch V  
State Capitol  
Juneau, Alaska 99811

Date: April 29, 1981

To: HESS Committee

Fr: Rep. Don Clocksin

Re: Additional Proposed Amendments to CS for HB 321 ✓

1. In Section 2, line 22 the language is redundant in the listing of both free and fully subsidized. One of these should be eliminated.
2. Add on Section 4 in the following language (conceptual):  
Appropriating the sum of \$75,000 to the Department of Education for purposes of continuing their Nutrition Education and Training Program.  
(Rationale: Federal cutbacks).

4/29/81

FOR Ruth

Guthrie

Original sponsor: Carney

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 321 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to food service programs for child-  
7 ren."

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

9 \* Section 1. AS 14.52 is amended by adding a new section to read:10 Sec. 14.52.045. SPECIAL STATE ASSISTANCE. In addition to other  
11 aid under this chapter the state shall reimburse school districts and  
12 service institutions for the difference between the cost of meals  
13 served to a student and the money received from the federal government  
14 for those meals, or 50 cents per meal served, whichever is less.

15 \* Sec. 2. AS 14.52.050(b) is amended to read:

16 (b) Food service programs operated under this chapter and ap-  
17 plicable federal legislation shall be operated on a nonprofit basis  
18 under the supervision of the governing bodies of participating schools  
19 or service institutions. Participating schools and service institu-  
20 tions shall offer at least one meal a day, served at noontime, [WITHOUT  
21 CHARGE] to all children in attendance. Meals shall be offered on a  
22 free, partially subsidized, or ~~fully~~ subsidized cost basis depending on  
23 the child's economic circumstances. The meal shall consist of a com-  
24 bination of foods meeting a minimum of one-third of the child's daily  
25 nutritional requirements. Additional meals or supplemental food ser-  
26 vices before, during or after the school day shall [MAY] be offered to  
27 all children in attendance if warranted by their [BASED ON] economic or  
28 nutritional needs.

29 \* Sec. 3. AS 14.52.180(7) is amended to read:

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(7) "service institution" means private, nonprofit institutions or public institutions which provide day care or other child care services for children or handicapped children, including day care centers and day care homes;

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HESS CS for HB-321  
 Title An Act providing state aid for meals for students.  
 Requested by House HESS Date 4/20/81

II. FISCAL DETAIL

Agency Affected Department of Education  
 Program Category Affected Elementary and Secondary Education  
 BRU, Program, or Subprogram(s) Affected Financial Support Dist./Student Lunch Prog.

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		42.9	47.2	51.9	57.1	62.8
200 TRAVEL		11.0	12.1	13.3	14.6	16.1
300 CONTRACTUAL		26.0	28.6	31.5	34.7	38.2
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		4,098.5	4,508.4	4,959.2	5,455.1	6,000.6

TOTAL

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		4,178.4	4,506.3	5,055.9	5,561.5	6,117.7
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME		.5	.5	.5	.5	.5
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

SEE ATTACHED

IV. DATE 4/20/81 PREPARED BY Steve Hole  
 AGENCY Department of Education  
 PHONE 465-2800  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor: (First Legislator Named)

This estimate is based upon adjusted FY'80 information at 50 cents per student meal at:

- 42 Public & Private Schools and
- 213 Child & day care food service programs ✓

Personal services increase is due to increasing an Accounting Clerk position from half-time and elimination of one Administrative Assistant I position due for federal cut.

Travel and contractual services due for federal cuts has been reflected in general fund increase to provide for continued Program Reviewer Consultants and travel.

LUNCHES

Schools	2,341,186
Child Care Centers & Family Day Care Homes	297,257

BREAKFASTS

Schools	166,175
Child Care Centers & Family Day Care Homes	171,082

DINNERS

Schools	0
Child Care Centers & Family Day Care Homes	42,929

SUPPLEMENTS

Schools	0
Child Care Centers & Family Day Care Homes	464,942

TOTAL FY'80 Food Service Costs	3,483,571
+ 5% growth anticipated during FY'81	174,179

FY'81 \$3,657,750

1. FY'82 COST inflated by 10% 4,023,525
  2. Federal Budget Cut - Nutrition Education & Training Program ~~75,000~~
  3. Increased ADMINISTRATION COSTS (Accounting clerk position increased from half-time to full time). 10,900
  4. Maintenance of State Administrative Expenses
- |   |        |
|---|--------|
| 1 Administrative Assistant I position                   | 32,000 |
| Some travel and contractual costs for Program Reviewers | 37,000 |

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill 321  
 Title An Act providing state aid for meals for students.  
 Requested by Carney Date 4/8/81

II. FISCAL DETAIL

Agency Affected Department of Education  
 Program Category Affected Elementary and Secondary Education  
 BRU, Program, or Subprogram(s) Affected Financial Support Districts/Student Lunch Program  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		10.9	12.0	13.2	14.5	16.0
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS CLAIMS, ETC.		3,027.1	3,329.8	3,662.8	4,029.1	4,432.0

TOTAL

FUNDING (Thousands of Dollars)

GENERAL FUND		3,038.0	3,341.8	3,676.0	4,043.6	4,448.0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		5	5	5	5	5
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

This cost is based upon adjusted FY 80 information at 50 cents per student lunch and:

- |  |             |
|--|-------------|
| 1. 42 public and private school programs:        | \$2,341,186 |
| 2. 213 child and day care food service programs: | \$ 297,257  |
| 3. Program expansion of 5% over FY 81:           | \$ 113,417  |
| Total FY 81 cost:                                | \$2,751,860 |

Post FY 81 costs inflated 10% per year.

Personal Services increase is the cost of increasing an Accounting Clerk position from half time to full time.

IV. DATE 4/8/81 PREPARED BY Steve Hole  
 AGENCY Department of Education  
 PHONE 465-2800  
 Original Legislative Finance  
 cc. Budget and Management  
 Prime Sponsor (First Legislator Named)

4.13.81

AB 321

Notes

Bob Benson - Dir. of Food Serv., Am. Sch. Dist  
PASS! v. imp.!

Can re-org. of food serv. help & costs?

Jean Tull - Palmer PTA

Hot lunch - is it possible.

Irene Stewart - Dir. of Ok Food Serv., Assoc  
+ mgr. Cafeteria in Am

Janice Avale

Tom Neeson - Nutritionist, Am.

1<sup>25</sup> price of 1 med. Big Mac.

Mr. Parsons - Kodak - plate waste - always a problem  
- reorganization - will try

Jean Hill, Bethel - would make difficult.

Paula Bengio - Dept. of Educ.

H B

322



March 10, 1981

The Honorable Jim Duncan  
Speaker of the House  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill to transfer a penalty provision corresponding to the transfer of four of the public health functions which were transferred in Executive Order No. 51.

This provision was inadvertently left out of that order. However, one of the co-revisors of statutes has informed the Department of Law that this cannot be treated as a "manifest clerical error" or an omission which could be corrected by the revisor under AS 01.05.031(b)(7). Therefore, I am transmitting this bill to solve the problem.

In secs. 34, 40, and 41 of Executive Order No. 51, four public health functions are transferred from the Department of Health and Social Services to the Department of Environmental Conservation. The substance of the transferred functions is set out in sec. 40.

The four paragraphs in sec. 40 are based on current AS 18.05.040(a)(2), (3), (9), and (18), respectively. Under current law (AS 18.05.060), a violation of a regulation adopted under those provisions is a misdemeanor, with a penalty of up to \$500 or one year's imprisonment. However, a corresponding penalty provision, applicable to those provisions in their new location in AS 44.46.020, was inadvertently left out of the executive order.

If the new provisions had been located in AS 46.03 (where many Department of Environmental Conservation functions are set out), certain penalty provisions already in that chapter would have been applicable. A draft of the order did locate the new provisions there. However, AS 46.03's penalty provisions establish a penalty structure quite different from the one in the present AS 18.05.060. That

IV. DATE March 11, 1981

PREPARED BY Richard L. Regus Dir., Admin. Svcs.

AGENCY Department of Law

PHONE 465-3695

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

change of penalties would not have been appropriate in an executive order. Unfortunately, although the function provisions were relocated to AS 44.46, an appropriate penalty provision was not included in the final version of the order.

Since I do not believe that it would be appropriate for me to change a penalty provision substantively by means of an executive order issued under art. III, sec. 23, of the Alaska Constitution, the provision I would have included in Executive Order No. 51 would have very closely paralleled AS 18.05.060. But, since I am proposing a bill to transfer the penalty provision, AS 18.05.060 has been used as the base and then updated to conform to the new criminal code.

The attached bill characterizes violations as class A misdemeanors. This means that violators would be subject to a fine of up to \$5,000 (AS 12.55.035(b)(3)) and imprisonment of up to one year (AS 12.55.135(a)) rather than AS 18.05.060's \$500 or one year. (Also see AS 12.55.015.) AS 18.05.060 was originally enacted in 1946 (see ch. 4 SLA 1946). Clearly, inflation during the intervening three and one-half decades has made the \$500 figure ridiculously obsolete.

Under the new criminal code, the next lower classification -- class B misdemeanor -- does not seem appropriate. It would entail a penalty of up to \$1,000 and 90 days imprisonment.

I believe that the attached bill appropriately transfers and updates the penalty for violations of a regulation pertaining to any of the four public health functions cited above, and I urge your prompt passage of this bill with the effective date of Executive Order No. 51 (July 1, 1981).

Sincerely,

*S/SSH*

Jay S. Hammond  
Governor

-2-

IV. DATE March 11, 1981

PREPARED BY Richard I. Piques Dir., Adm. Svcs.  
AGENCY Department of Law  
PHONE 465-3695

Original: Legislative Finance  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HOUSE BILL NO. 322  
 Title "An act relating to the enforcement of certain public health functions"  
 Requested by The Governor Date 3/10/81  
of the Department of Environmental Conservation; and providing for an effective date."

II. FISCAL DETAIL

Agency Affected Department of Law  
 Program Category Affected Administration of Justice  
 BRU, Program, or Subprogram(s) Affected Prosecution  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

**EXPENDITURES** (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	0	0	0	0	0	0

**FUNDING** (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

**POSITIONS**

FULL TIME	0	0	0	0	0	0
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

This bill transfers the penalty provisions corresponding to the transfer of the four public health functions transferred in Executive Order No. 51. These penalties are currently covered by AS 18.05.060 and this bill brings the penalty provisions within the state's revised criminal code. The current provision, which has not been changed since 1946, sets the penalty at \$500 or one year's imprisonment. The bill changes the provision to \$5,000 and one year's imprisonment. Since the department is already responsible for prosecuting violations under the current provision, no additional fiscal impact is anticipated.

IV. DATE March 11, 1981 PREPARED BY Richard I. Piques Dir., Admin. Svcs.  
 AGENCY Department of Law  
 PHONE 465-3695  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

Dept. of HOUSE BILL NO. 322, by the Rules Committee by request of the  
Environmental Governor. Corrects a technical oversight in Executive Order 51.  
Conservation That order transferred from the Department of Health & Social  
(enforcement Services to the Dept. of Environmental Conservation several func-  
of public tions relating to public health, but failed to transfer the  
health funct.)penalty clause pertaining to those functions. Bill adds to the

HB 322 (cont'd)

section listing the Duties of the Dept. of Environmental Conservation, 44.46.020, a new subsection which states that a person who violates a regulation adopted under (a)(5) of the section (the duties transferred from Dept. of H&SS by EO 51) is guilty of a class A misdemeanor. States that each day that a person continues a violation is a separate offense.

The transferred functions (from AS 18.05.040 (2), (3), (9) & (18)) relate to: the prevention and control of public health nuisances; the regulation of sanitation and sanitary practices in the interests of public health; standards of cleanliness and sanitation in connection with the construction and maintenance of establishments in which sanitation may create a condition causative of disease (canneries, food manufacturing plants, bars, etc.); and the regulation of quality and purity of commercial compressed air and oxygen sold for human respiration.

Provides Act effective July 1, 1981.

Introduced March 11 and referred to Health, Education and Social Services.

In his message transmitting the bill to the House for consideration, Governor Hammond stated:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill to transfer a penalty provision corresponding to the transfer of four of the public health functions which were transferred in Executive Order No. 51.

This provision was inadvertently left out of that order. However, one of the co-revisors of statutes has informed the Department of Law that this cannot be treated as a "manifest clerical error" or an omission which could be corrected by the revisor under AS 01.05.031(b)(7). Therefore, I am transmitting this bill to solve the problem.

In secs. 34, 40, and 41 of Executive Order No. 51, four public health functions are transferred from the Department of Health and Social Services to the Department of Environmental Conservation. The substance of the transferred functions is set out in sec. 40.

The four paragraphs in sec. 40 are based on current AS 18.05.040(a)(2), (3), (9), and (18), respectively. Under current law (AS 18.05.040), a violation of a regulation adopted under those provisions is a misdemeanor, with a penalty of up to \$500 or one year's imprisonment. However, a corresponding penalty provision, applicable to those provisions in their new location in AS 44.46.020, was inadvertently left out of the executive order.

If the new provisions had been located in AS 44.03 (where many Department of Environmental Conservation functions are set out), certain penalty provisions already in that chapter would have been applicable. A draft of the order did locate the new provisions there. However, AS 44.03's penalty provisions establish a penalty structure quite different from the one in the present AS 18.05.040. That change of penalties would not have been appropriate in an executive order. Unfortunately, although the function provisions were relocated to AS 44.46, an appropriate penalty provision was not included in the final version of the order.

Since I do not believe that it would be appropriate for me to change a penalty provision substantively by means of an executive order issued under art. III, sec. 23, of the Alaska Constitution, the provision I would have included in Executive Order No. 51 would have very closely paralleled AS 18.05.040. But, since I am proposing a bill to transfer the penalty provision, AS 18.05.040 has been used as the base and then updated to conform to the new criminal code.

HB 322 (cont'd)

The attached bill characterizes violations as class A misdemeanors. This means that violators would be subject to a fine of up to \$5,000 (AS 12.55.035(b)(3)) and imprisonment of up to one year (AS 12.55.135(a)) rather than AS 18.05.060's \$500 or one year. (Also see AS 12.55.015.) AS 18.05.060 was originally enacted in 1946 (see ch. 4 SLA 1946). Clearly, inflation during the intervening three and one-half decades has made the \$500 figure ridiculously obsolete.

Under the new criminal code, the next lower classification -- Class B misdemeanor -- does not seem appropriate. It would entail a penalty of up to \$1,000 and 90 days imprisonment.

I believe that the attached bill appropriately transfers and updates the penalty for violations of a regulation pertaining to any of the four public health functions cited above, and I urge your prompt passage of this bill with the effective date of Executive Order No. 51 (July 1, 1981).

H B  
327

alaska  
state  
hospital  
association

319 Seward St., Juneau, Alaska 99801 • (907) 586-1790

REPRESENTING ACUTE, LONG TERM AND OUTPATIENT FACILITIES

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Hospital  
Fairbanks

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Immediate Past Chairman  
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 Kodiak Island Hospital  
 Kodiak

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Moe Kallish  
Trustees, Providence  
Hospital  
Anchorage

Alternate Trustee Delegate  
to American Hospital  
Association  
Robert Jensen  
Central Peninsula Hospital  
Seldovia

President  
Dennis L. DeWitt  
Juneau

February 16, 1982

The Honorable Michael F. Beirne  
State House of Representatives  
Pouch V, State Capitol Building  
Juneau, Alaska 99811

Subject: Opposition to HB 327

Dear Representative Beirne:

Taber's Cyclopedic Medical Dictionary, Thirteenth Edition, defines Naturopathy as "a therapeutic system which does not use drugs or therapy but employs nature forces, such as light, heat, air, water, and massage". Webster's New World Dictionary, Second College Edition, defines Naturopathy as "a system of treating disease largely employing natural agencies, such as air, water, sunshine, etc. and rejecting the use of drugs and medicines".

We believe that Section 08.45.160 Nature of Naturopathic Practice, goes far beyond the traditional definition of Naturopathy and in fact creates a limited license to practice Medicine, Podiatry or Osteopathy. By allowing the use of anesthetic and drugs which are commonly available on a prescriptive basis only, this measure seems to us to vary from the practice of Naturopathy.

Of greater concern to us is Section 08.45.160 (1) which gives any person licensed under this Chapter staff privileges in every Alaskan hospital and nursing home. This is a right not granted to any other licensed health professional. Each hospital or nursing home should and must, under state and federal law and regulation, establish a policy for acquiring staff privileges including a review of the competency of the particular applicant. This protects the liability of the facility and offers an important care protection to the patients receiving care at a facility.

February 16, 1982  
The Honorable Michael F. Beirne  
Page Two

The level of licensure suggested in HB 327 would not permit the Naturopath the ability to treat a patient for cardiac arrest while performing anesthesia. As a result, no hospital could permit a Naturopath to perform services except under the direction of a physician licensed pursuant to Chapter 64 of Title 8, who could provide total care to a patient receiving services in a hospital or nursing home.

While we acknowledge the right of the Legislature to determine the type of health practitioners who might receive licenses under Alaskan law, we believe that mandating a hospital or nursing home staff privileges would not be in the public interest. Further we believe that the proposed scope of Naturopathic practice is overly broad and ought to be much more in keeping with current definitions of Naturopathy.

We believe that as a minimum the bill should be amended on page 4, lines 19 and 20, to delete "admit patients to hospitals and nursing homes". Such an amendment would permit access to health facility staff privileges in the same manner as is currently available for example, to physicians, dentists, podiatrists, psychologists and nurse or lay midwives.

Sincerely,



Dennis L. DeWitt  
President

DLD:bf

# PROVIDENCE HOSPITAL

3200 PROVIDENCE DRIVE - POUCH #404  
ANCHORAGE, ALASKA 99502  
PHONE: (907) 276-4511



SERVING IN THE WEST SINCE 1861

April 8, 1981

Honorable Charles Parr  
Pouch V  
Juneau, Alaska 99811

Position Paper: H.B. 327 and S.B. 274 - "An Act relating to the licensing of practitioners of naturopathic healing; and providing for an effective date"

Position Taken: Opposed to passage

Dear Senator Parr:

Providence Hospital opposes passage of H.B. 327 and S.B. 274.

Specifically, we oppose Section 08.45.160 which would permit a naturopathic physician to admit patients to hospitals and nursing homes, perform minor surgery, use our x-ray equipment for diagnosis, and the other provisions outlined in that section.

Providence Hospital and our medical staff have always stood firm on our accrediting bylaws and standards. Not only do we insist that physicians be well-educated and trained in recognized programs leading to board certification of M.D.'s, but it is standard procedure that all our physicians be board eligible or board certified in their specialties. In the past we have denied privileges to physicians we felt (through evidence and background data) were not qualified to meet good standards of practice.

To grant privileges through legislation to naturopathic practitioners, who certainly do not meet these standards, would be irresponsible and would not be in the best interest of the public we serve and who expect us to protect them.

As with lactile, Philippine faith healers, and other purported miracle curing practitioners, we do not object to people having freedom of choice outside the walls of a hospital. However, we do question the potential effects to the public when a person might

Honorable Charles Parr

Page 2

April 8, 1981

seek help or treatment from untested or testimonial type cures and later find that their problem has become more complicated and more difficult to treat. We have seen this happen with laetrile when cancer patients have come to us too late.

We are primarily concerned with quality health care standards. We do not believe that it is the intent of the legislature to decide who will be permitted to practice medicine in a hospital, especially since the courts of our land have consistently held the hospital responsible for the practice of inpatient medicine.

Thank you for your consideration. We will appreciate any support in defeating H.B. 327 and S.B. 274.

Sincerely,

  
Al M. Samosso  
Administrator

AMC/mm

cc: Dennis DeWitt  
William Dann  
William Faulkner, O.D.  
Ron Sammett  
Donald DeMers  
Don Brennan  
Alaska Hospital Administrators  
Advisory Board



Official Business

# Alaska State Legislature

## House of Representatives

Committee on

### Health, Education & Social Services

Pouch V  
State Capitol  
Juneau, Alaska 99811

March 29, 1982

#### AGENDA

HB 701                      Award of damages/Human Right Commission  
Teleconference 3:00 - 3:45

HB 191                      Longevity Bonus

HB 327                      Naturopathy

Amendments proposed by Senate for CS SB 274 (Counterpart of HB 327)

Sec. 08.45.110 (3): Deletion of reference to accreditation since there are so many problems with this; i.e., size of profession.

Sec. 08.45.110 (5), (6), and (7): These provisions were adopted as parallels to the provisions for medical doctors and are meant to protect quality of the profession and assure citizenship.

Sec. 08.45.130(2), (3): Additions to ensure that persons who wish to obtain a license in this state who are licensed elsewhere must be able to demonstrate levels of ability equal to those required in this state.

Sec. 08.45.140(4), (5), (6): These provisions were adopted from the statutes governing the medical profession and AS 15.60.010.

Sec. 08.45.160(1): Deletes ability to admit patients in nursing homes or hospitals.

Sec. 08.45.160(2): Changed to read, "may use [all] any and all systems of diagnosis, including x-ray, which are compatible with naturopathy."

Sec. 08.45.140(4)(A): Deletion of reference. to surgery.

Sec. 08.45.140(4)(B): Drafting technicalities due to possible changes in laws governing controlled substances.

Sec. 08.45.170: Added section to parallel laws governing medical profession which provide for continuing education requirements.

Also, a new section which will state: "Licentiatees under this chapter may use any or all of the following terms: "Doctor of Naturopathy" or its abbreviation, "N.D.," "Naturopath" or "Naturopathic Physician." However, none of these terms or any combination of them shall be so used as to convey the idea that the physician who uses them practices anything other than naturopathy."

Oregon Revised Statutes 685.020.

Feb 24, 1982

Representative Mike Bevine  
Pouch V  
Juneau, Ak

Dear Rep. Bevine,

I am writing concerning House bill 327, which will license qualified naturopathic physicians. I prefer to take myself and my family to a naturopath for most of our health care. I strongly support this particular bill.

Sincerely,

Kathy P Benson  
41207 Wright #4  
Anchorage, Ak  
99504

Carolyn V. Brown, M.D., M.P.H.  
Box 2101  
Palmer, Alaska 99645-2101  
(907) 745-4711

Diplomate  
American Board of  
Obstetrics and Gynecology

Fellow  
American College of  
Preventive Medicine

Obstetrics—Gynecology  
Preventive Medicine  
Public Health

March 12, 1982

Barbara Wilkins  
Administrative Assistant  
Committee on HESS  
House of Representatives  
Pouch V  
Juneau, Alaska 99811

Dear Barbara:

Thank you for your letter of February 23, 1982.

As a follow-up to my comments about naturopaths and their desire to be treated as physicians, I would like to say that I do most firmly believe (and have for a number of years) that the word "physician" is not adequately defined in our statutes. I also believe that the practice of medicine is similarly not well defined. Until these two concepts can be well thought out and well defined, we will continue to have a myriad of persons who claim to be "physicians" and who claim to deliver "the practice of medicine". While I by no means believe that medical doctor physicians can claim any glory for the good practice of medicine in this State, I do most firmly believe that to allow anyone to attach the name "physician" or "the practice of medicine" to what they are doing is not in the best interest of the citizens of this State.

I have consistently encouraged the Board of Medical Examiners and other persons involved with these issues to make attempts to define these concepts. To do otherwise is to open the entire arena to a series of people ill-trained and ill-prepared to handle the problems in the practice of medicine. I certainly would be happy to be involved in whatever way I can in defining these two very complicated issues.

On another issue - sponsor substitute for House Bill 500 regarding the use of State monies for abortions: As I understand this Bill, not only are abortions being knocked out from State funding, but also family planning, vasectomies, and other elective procedures related to family planning are being curtailed. This offers some very serious problems in "elective care" and Medicaid funds. I would suggest that if the sponsors of this Bill are being true to themselves, they will look carefully at what they are writing. To carry the Bill's intent through to its absurd conclusion, one should curtail all elective procedures from State funding. This would mean that skin lesions would never be removed unless the patient were in a state of dying. This would mean that gallstones would certainly not be removed

Barbara Wilkins  
March 12, 1982  
Page Two

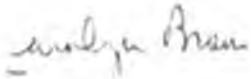
unless the patient were about to die. Any elective procedure should not be paid for by State funds unless the life of the person is imminently in danger.

Of course this is foolish. I fail to understand why family planning is being singled out in this way. I do not believe that abortion should be used as a family planning concept. However, I am much more aware than most of the State legislators that there are situations in which an abortion is much to be preferred in the long run than the perpetuation of countless numbers of unwanted children. To deny Medicaid beneficiaries access to family planning, vasectomies, tubal sterilizations, and other forms of birth control in the interest of propagating numerous unwanted child is even more absurd.

I would much prefer to put efforts in providing family planning services, both interval and permanent, than to deal with the fall-out and pay for the consequences thereof of unwanted children for whom people are neither prepared to care nor financially able to provide.

Please pass these comments along to the appropriate persons who are making the ultimate decisions.

Most sincerely,



Carolyn V. Brown, M.D.

cVB/dd



# AMERICAN COLLEGE OF NATUROPATHIC MEDICINE

2121 Lancaster Drive N.E.  
Salem, Oregon 97303

COLLEGE (503) 378-7237  
CLINIC (503) 378-7236

January 4, 1982

Senator Mike Colletta  
4608 Lois Drive  
Anchorage, Alaska 99503

Dear Senator Colletta,

The college would like to go on record in support of Senate Bill #274, which provides for the licensure of Naturopathic physicians.

We would also like to be available as a resource for information concerning the profession and its educational status. Please feel free to call on us if the need arises.

We are anxious to support this bill because it has always been our desire to provide as many licensure opportunities, as possible, for our graduates. For that reason, we have developed an educational system and curriculum designed to meet or exceed the requirements of all states currently licensing Naturopathic physicians. In addition, we have worked closely with the Northwest Association of Schools and Colleges, which is the regional accrediting body, for the last three years. We felt that if the Naturopathic colleges could gain regional accreditation it would help open more states for licensure. Prior to this, no regional accrediting body had ever accepted an application from a Naturopathic College. After three years of close work, we finally received permission at their December meeting to proceed with our application and self study. This is a great accomplishment for our profession and will extend to the two other Naturopathic colleges in this region.

Although we have been given permission to proceed with our self study, it could be up to two years before that bears fruit. Therefore, we also support an amendment to Senate Bill #274 giving the Department of Commerce and Economic Development the authority to approve colleges.

Enclosed you will find a copy of our suggestion as to how this amendment could be worded.

In effect, it provides for a one year interim period during which colleges can complete the application process, as well as to come into compliance with any regulations that the Department

may adopt that the other states do not already have as regulations. It still allows for the department to examine each person's credentials, that graduated in the past, to ascertain that they have A) a high school diploma, B) two years of college work, and C) have successfully completed, in residence, a 4,500 hour program with all necessary subjects.

In summary, we support Senate Bill #274, as well as an amendment to allow the Department of Commerce to approve the colleges. We also look forward to providing any information or assistance needed to help pass this bill. We commend you on your efforts on behalf of this bill and thank you, in advance, for your future efforts.

Sincerely,

*Mary C. Price*

MARY C. PRICE  
Assistant Academic Dean

MCP:mp

Enclosure

cc: Dr. Pettijohn

Sec. 08.45.110. LICENSURE AS A NATUROPATHIC PHYSICIAN. To be eligible for a license as a naturopathic physician, an applicant shall

(1) hold a high school diploma or the equivalent;

(2) have completed two years of postsecondary education at an accredited college of liberal arts or sciences;

(3) have attended at least 90 percent of the hours required for graduation and graduated from a school or college of naturopathic medicine that has as a requirement for graduation successful completion of a course of resident instruction of at least nine months actual attendance in each of four years and successful completion of a course of instruction totaling 4,500 hours or more;

(4) the course of study shall include:

(A) anatomy (including histology and embryology) and physiology;

(B) microbiology, immunology and public health;

(C) pathology and diagnosis (including physical, clinical, x-ray, and symptomatology diagnosis);

(D) first aid and emergency medicine;

(E) obstetrics and gynecology;

(F) orthopedics;

(G) minor surgery;

(H) proctology;

(I) otolaryngology;

(J) physiotherapy and manipulative techniques;

(K) clinical nutrition;

(L) herbology;

(M) naturopathic theory, practice and therapeutics;

(N) clinical practice;

(O) jurisprudence;

(5) graduate from a school or college of naturopathic medicine, approved by the department if the applicant graduates more than 1 year after the effective date of this act, provided that the department adopts rules for approval of colleges within six months of the effective date of this act to allow schools and colleges adequate time for the application process to be completed;

(6) successfully complete an examination given by the department.

All physicians were sent a copy of HB 327, concerning the licensing of Naturopathic Practitioners, and the questionnaire asked for comments. Those received were:

4	Favor
57	Opposed
5	Unknown
12	No comment

<u>Remarks:</u>	<u>Number of respondents</u>
Quackery	25
Poorly trained, inadequate for duties in bill	18
Licensing would mislead public, danger to citizens	15
May delay needed treatment	9
No surgery, x-ray	9
No obstetrics	9
No prescription capabilities	8
Fraudulent, life threatening	8
State cannot legislate hospital privileges	7
State should investigate practitioners for education/ preparation; followup on fraud and incompetence	4
Responsibilities too broad	4
Waste of state money	2

All Physicians were asked if they had any contact with the rural health delivery system, and for comments

45	Yes
25	No
44	No response
2	Unknown

<u>Comments</u>	<u>Number of respondents</u>
System in good balance, appropriate, constantly upgraded	18
Health Aides work well, need more financial support, skill upgrading	10
Need alcohol abuse education	7
Need EMS communications upgrading	5
Need more health promotion, prevention	5
Expensive	5

# STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

## DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

POUCH K-STATE CAPITOL  
JUNEAU, ALASKA 99811

March 29, 1979

Mike Colletta, Chairman  
Rules Committee  
Alaska State Senate  
Pouch V  
Juneau, Alaska 99811

Re: The Practice of Naturopathy in Alaska

Dear Senator Colletta:

This letter is in response to your recent request for information regarding the practice of naturopathy in Alaska.

Although one statute, AS 08.02.010, makes passing reference to "naturopath", Alaska has no statute which regulates the practice of naturopathy. It was this lack of legislation which led the Idaho Association of Naturopathic Physicians, Inc., to file against some 30 states and several municipalities in order to compel the defendants to recognize naturopathy as a discipline distinct from the orthodox practice of medicine. While the suit involving Alaska has yet to be decided, a companion case, Idaho Association of Naturopathic Physicians, Inc. v. United States Food and Drug Administration, et al. 582 F.2d 849 (4th Cir. 1978), the United States Court of Appeals for the fourth circuit unanimously affirmed decisions of two United States district courts dismissing the county and state defendants from the actions filed by the Association. We have no reason to believe that the outcome of the suit involving Alaska will diverge from the fourth circuit decision.

Although the Medical Board has apparently taken the position that it is not responsible for the licensure of naturopaths, naturopathy may constitute the practice of medicine within the meaning of AS 08.64.380(2)(A) (C) or (-):

"Practice of medicine" or "practice of osteopathy" means  
(A) maintaining an office or place of business for the purpose of treating the sick or injured

- for pay or . . .
- (C) the assumption or promulgation of a title which tends to show that the person is willing or qualified to diagnose or treat the sick or injured . . . or
  - (D) for a fee prescribing, directing or recommending for the use of a person, a drug or medicine for the treatment, cure or relief of a disease, infirmity, bodily injury or defect.

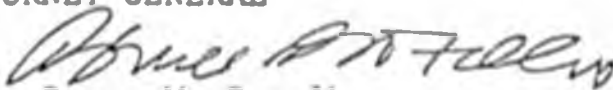
Given the Medical Board's posture with respect to naturopathy, it is highly unlikely that the State would undertake any action to prosecute or otherwise discipline an individual naturopath for the unlawful practice of medicine. In essence, then, naturopathy within the State of Alaska is an unlicensed activity.

It is my understanding from my conversation with your administrative assistant, Carlos Mercer, that you are currently contemplating legislation to regulate the practice of naturopathy in the State. In formulating this legislation, two fundamental issues arise: (1) does the practice of naturopathy constitute a practice which poses a risk to the health and safety of Alaskans such that it should be regulated? (2) in what manner can the State best control entrance into the occupation and support and enforce standards of practice among licensed practitioners?

I am available to meet with you at any time to discuss in further detail the background of the naturopathy suit and to assist you in the preparation of legislation to regulate naturopathy in Alaska.

Sincerely yours,

AVRUM M. GROSS  
ATTORNEY GENERAL

By:   
Bruce M. Botelho  
Assistant Attorney General

BMB:vr

Feb. 11, 1982

Dear Mr. Rau,

I am writing concerning House bill 37 and Senate bill 274, which would recognize and license qualified Naturopaths in this state. It is very important to me, as an individual, to be able to choose whatever health care I feel is most beneficial to me. I have gained good health through naturopathy while traditional medicine has failed. Because of my support of non-traditional health care, I do not enjoy the benefit of insurance coverage. Passage of the above mentioned legislation will encourage recognition of naturopathy by insurance companies. We are all responsible for our own health and well being and one should not be discriminated against just because one does not follow traditional health care methods.

Thank you for your time and consideration

Sincerely,

Susan S Dukin

SRA 8705  
Indian, AK  
9540

MSG 82-00008155 PRTY 1 02/15/82 17:30:19 ORIG: LA00 IN= 0013 OUT= 0061  
FROM: JEAN, ANCH INFO TO: POM, JUNEAU INFO  
TARGET: LJH2 SUBJ: POM

PAGE 0006

TO: SENATORS COLLETTA, FISCHER, KELLY, PARR AND STIMSON

FROM: SHIRLEY HARMON  
P.O. BOX 10-1242  
ANCHORAGE 99511

(H) 345-0017

I STRONGLY SUPPORT PASSAGE OF SB-274, LICENSING NATUROPATHIC  
PHYSICIANS, SO THAT ALL ALASKANS SEEKING PREVENTIVE MEDICINE  
AND NATURAL HEALING CAN IDENTIFY QUALIFIED HEALTH CARE  
PROFESSIONALS.

Alaska State Legislature



Senate

SENATOR MIKE COLLETTA

January 19, 1982

Senator Charles Parr, chairman  
Health, Education and Social Services  
State Capitol  
Pouch V  
Juneau, Alaska 99811

Dear Senator Parr: *Charlie,*

I have enclosed a copy of SB 274 - a bill relating to the licensing of practitioners of naturopathic healing. In addition, you will find a copy of a letter received from the American College of Naturopathic Medicine, dated January 4, 1981.

In her letter, Mary C. Price, Assistant Academic Dean, offers some suggestions as to how an amendment could better help the Department of Commerce approve colleges meeting the requirements of a licensed Naturopathic Physician. As both SB 274 and HB 327 are currently in the House and Senate Health, Education and Social Services Committees, consideration of the proposed amendment may be of interest to you.

Sincerely,

*Mike Colletta*

Mike Colletta

MC/dls

cc: Rep. Terry Martin

Enclosures

WE PETITION YOU

AS OUR LEGISLATOR TO RECOGNIZE BY LAW, THE NATUROPATHIC PROFESSION. WE FEEL IT IS OUR CONSTITUTIONAL RIGHT TO BE ABLE TO MAKE OUR OWN CHOICE IN SELECTING THE TYPE OF DOCTOR AND THE TYPE OF TREATMENT FOR US OR OUR FAMILY. WE WOULD PREFER TO BE ABLE TO CHOOSE BECAUSE OF AVAILABILITY, FROM ALL OF THE DIFFERENT TYPES OF TREATMENT AND ESPECIALLY AT TIMES, THE NATURAL METHOD OR NATUROPATHIC SYSTEM. WE THE UNDERSIGNED HAVE USED OR WOULD LIKE TO USE NATUROPATHIC SERVICES. WOULD YOU ACT IN OUR BEHALF TO ASSURE US OF OUR CONTINUED FREEDOM OF CHOICE?

NAME	ADDRESS	DATE
Joan Brackley	1035 W. 20th Anchorage AK	3/10/81
Nancy Rosa	2907 La Honda Dr #6 Anch. 99503	3/10/81
Garet Embury	2910 W. 34th Ave Anchorage 99503	3/10/81
Oliver Belba	ST R+B Bx 9250 Palmer Ak	3/10/81
Harold Patton	1570 Garden St Anch. Ak	3/10/81
Sharon S. Jager	5149 F 5TH ANCH AK	3/10/81
Lawrence D. Moshkin	241 N. Park Anch, AK 99504	3/10/81
Justin Faulk, President of Better Northern Bath Experiences	Box 4-381 Anchorage 99507	3/10/81
Peter Pappas	5132 W. 72nd Anchorage AK 99502	3/11/81
Roberta L. Novakus	1302 W. 39th Anch. AK 99509	3/11/81
MARIE Matthews	6930 Aitona Dr Anch AK 99502	3/11/81
Betty Duke K	Box 442 Anch 99510	
Nancy Richmond	P.O. Box 6091 Anchorage 99502	3-11-81
Miss M. Wickell	4500 GARFIELD Anch. AK 99503	3-12-81
Juliana Reed	400 W. 11th St. Apt 1 Anch., A.K.	3/12/81
Laura - Birmingham	Box 3 Homer, AK 99605	3/12/81
Lynn Trimmer	Box 3 Homer AK 99605	3/12/81
Burton Vosburgh	Lee Box 326 Mindwood AK 99587	
Scott Lee	Box 326 Mindwood AK 99587	3/12/81
Jo Ann Slavov	SR Box 5046 Wasilla ak 99687	12. mar 1981
KATHLEEN WILKSON	4040 FALKER ST. Anch. AK 99504	3/12/81
David Credeon	" " " "	" "
LARRY C. NELSON	1611 DIAMOND DR. ANCH AK 99503	3/12/81
Paula J. Lita	SRA Box 498 Anch AK 99577	3/12/81
Jim Cook	SR 1503 Elyle River, Ak	99577 3/12/81

WE PETITION YOU

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NAME	ADDRESS	DATE
Ellen G. Meier	612 Chicago St.	March 13, 1981
Nadene Caldwell	2900 S. Reynolds Dr.	March 13, 1981
Christine Jensen	1414 1/2 S. Lincoln	3/13/81
Dawn Palmer	P.O. Box 4-294 Anch 99501	3/13/81
Adrienne Bove	4343 New Roberts #4, 99504	3/13/81
Cristina D. Bennett	730 W 15th Ave Apt 99503	3-13-81
Carol Rhodes	1061 E. 17th Ave Anch 99501	3-13-81
Janice Rhodes	1061 E 17th Anchorage, Ak. 99501	3/13/81
Diana Pace	SRA 191 Anchorage AK 99502	3/13/81
Allen Bodyski	1908 W. HILLCREST RANCH, AK	3-13-81
Carolyn Green	SRA Box 19 Anch 99501	3/16/81
Marianne Peterson	721 W 88th Anch 99502	3/16/81
Janet F. Hunter		
Shirley Arnett	1028 17th Street, Anch, 99501	3/16/81
Bill B. Survisky	1417 W. 710 Light Street Anch 99503	3/16/81
Carol V. Karam	3520 Westworth 99504	3/17/81
Susan J. Clark	8500 Cordell Cir. Apt 41	3/17/81
Constance M. Walker	2103 W 45th, Anch, 99503	3/17/81
Billie A. Perkins	SR Box 2062 M. W. 11th St	March 17, 1981
Karen Gasper	614 Jewel Lake Road	March
May Kachin	7600 Dr. Buan Rd. #500	3/18/81
Kay Stoll	3044 BORGAND 99503	3/18/81
Rich Demore	1200 Diamond #1202 99502	3-18-81
Shirley M. Hansen	1621 Diamond Dr. Anch. 99507	3-18-81

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NAME	ADDRESS	DATE
Jackie Wood	SKH Bldg 1313 Univ 99502	3-19-81
Elizabeth Davis	Box 495-C SRA Anch AK	3-19-81
Tom Peltier	SRT Box 2940 Wasilla AK	3-19-81
Linda L. Boren	P.O. Box 5858 ECA Anch AK 99501	3-19-81
ALAN Sheppard	PO Box 113, Anchorage	3-19-81
HAR HODGES	P.O. Box 8424 Anchorage	3-19-81
Terry Pottjohan	2308 JEFFERSON	3-19-81
Wynn Linn	Box 6513 Anchorage	3-19-81
Esther Sullivan	SRA Box 1750-B Anch AK	3-20-81
Wanda Cudde	1110 W. Baird Rd Spenard Anch AK	3-20-81
Linda L. Boren	1982 Walden Pl. Anch. AK	3-20-81
Janice Hurlburt	SRA Box 2572 Anch. AK 99507	3-20-81
Cheryl Jones	1917 W. 13th 99501	3-20-81
Michelle G. Davis	Box 804 Anch. AK 99508	3-20-81
Rose L. Orentlicher	P.O. Box 7104 Anch. AK 99509	3/20/81
Thomas Thompson	2805 DAWSON Anch. AK 99503	3/20/81
Margaret Thompson	905 Muldrow Anch. AK 99501	3/21/81
David J. Pottjohan	2308 Jefferson Anch 99503	3/23/81
Vilma Verrill	1112 E. 14th St 99501	3/23/81
Melinda C. Kirkland	SRA Box 6105 A3 Palmer AK	3-23-81
Patti Phelan	Spicewood AK	3-23-81
Susan A. King	Wasilla, AK	3-23-81
Diana Hohl	Box #1764 Anchorage 99501	3-24-81
Ellen Brown	Box 1372 Eagle River AK 99507	3-24-81
Marianne Leidlou	1014 E. 11th St Anchorage 99501	3-24-81

WE PETITION YOU

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NAME	ADDRESS	DATE
Mary Grindle	1924 Stonegate Cr	3/24/81
Diana Lay	7057 Mulonn Sp9	3/24/81
Karen Riss	1509 St. 45 <sup>th</sup> Apt 4	3-24-81
Tuleh Blakemore	801 Airport Hts # 375	3-24-81
ERIC H. AKOLA	1260 FRIENDLY LN.	3/25/81
Karen Butlon	40 Box 1582	3/25/81
Suey Means	234 East 15 <sup>th</sup> (Vic. Anch 99501)	3/24/81
Lytha (Candall)	830 W 26 <sup>th</sup> #5 Anch. 99503	3/26/81
Birko & Anacleto	P.O. Box 1622 Palmer AK 99645	3/26/81
ANDRE PIEKARSKI	Box 461 Greenwood 99587	3/26/81
Ellie Stacey	5/2 B 766 Indian Ab 99540	3/26/81
Dave Silt	Box 116 Greenwood 99587	3/26/81
Kir (E. Ball)	P.O. Box 4-520 Fairbanks AK 99507	3/27/81
Harland Noble	301 - S. Braganza Anchorage AK 99504	
L. Tim Parrish	830 W 26 <sup>th</sup> #5 Anch	3/27/81
Audrey Tamara	P.O. Box 16343 Anch. AK 99502	3-27-81
Earle Fading	2404 Oregon Anch AK 99503	3-27-81
Beth Allen	1110 W 16 <sup>th</sup> Ave Anch AK 99501	
Susan W. Brown	7733 Henshaw Anch, AK 99502	3/27
Michael O'Steen	130 EAST 8 <sup>th</sup> Anch AK 99501	3/27/81
Mary O'Steen	130 E 8 <sup>th</sup> Anch AK 99501	3/27/81
Kathleen O. Tomino	926 W 11 <sup>th</sup> Apt 10 Anch AK 99501	3/27/81
Richard H. Gale	3601 Wain A-2	3/30/81
Mrs (Carolyn) Harris	P.O. Box 251 Eagle River AK 99577	3/27/81
Joan Colby	SRA Box 1740-C Anch AK 99501	4-15-73-3-81

WE PETITION YOU

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NAME	ADDRESS	DATE
<i>[Signature]</i>		
Kathy P Benson	4127 Wright Anch	3/30/81
AM Robin	647 E 78 <sup>th</sup> ST Apt B4 Anch AK	4/1/81
Vanessa I Robin	197 E 78 <sup>th</sup> Ave. # B. E Anch AK	4/1/81
Colophonine Will	Bl. 19 211 E. 19 <sup>th</sup> St. Box 796 Valley, AK	4/1/81
Alexis Smith	8250 Bennett #1 Anch	4/2/81
Camille N. Olson	3581 Heastwood W.	4/2/81
Carol G. Jones	404 FALKER #11	4/6/81
<i>[Signature]</i>	GENERAL DELIVERY <small>EXCEPT MONDAY</small> ALASKA	4/6/81
<i>[Signature]</i>	4040 FALKER #11	4/7/81
<i>[Signature]</i>	SD 5027	4/7/81
Polly Beck	Box 243 GIRDWOOD, AK	
Wanda Kitchell	SRA Box 1765-H, Anch, AK 99507	4/7/81
Conie E. Edwards	SRA Box 1765-H, Anch, AK 99507	4/7/81
Marlene L. Adams	SR Box 725 F. Kuyik Alaska	4-8-81
Janice K. Smith	7637 Stanley AK. 99502	4/8/81
H. Audrey Girard	3903 Sealock Pt. Anchorage, Ak.	4/7/81
Helen Abel	524 - Summit St #3 " " "	4/8/81
Theresa Walker	524 - Summit St #3 " " "	" " "
Theresa P. Palmer	3799 Anch. Ak 99510	
James M. Brooks	4202 Hayes St Anchorage Alaska 99503	4/8/81
Dr. Paul Smith	5205 F 26th Ave Anchorage, Alaska 99504	
Paul Walker	700 Summit Anch AK 99501	
Doreen Eddy	1405 Summit Ave, Anchorage, AK 99501	

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NAME	ADDRESS	DATE
L. H. Mattfeld	Box 269 Kenai AK 99611	283-4657
L. Emil Bolden	1225 W 11th St Anch AK 99501	
Cynthia Lee	3501 Wyoming Anch. 99525	4-8-81
Wanda Tallon	3407 N. SE. 2nd Anch. 99503	4-11-81
Kathleen J. Brown	Box 111, Chugiak 99567	4-11-81
Larry & Krock	Box 101, Eagle River 99577	4-11-81
James Schwan	Box 1192, TRAPPER CREEK, AK 99688	5-10-81
D. Marshall Yuen	2800 Harbor Dr 431 Healy AK 99554	5/13/81
Sharon J. Miller	4308 Baxter Rd 1/2 Av AK. 99501	5/14/81
Cheryl Drenni	4223 Laurel St.	5/14/81
Mary Newton	Box 17049 Big Lake AK 99687	5/14/81
Bernice Lee	2021 Tudor Hill Dr 99507	5/14/81
Muriel Johnson	10 Box 3298 Palmer AK 99645	5-14-81
Blair Matten	2400 Chondalae 99504	5-15-81
Joanne Paulson	527 West 26 99503	5-17-81
Wilki W. Nelson	Box 3684 Meru 99611	5-22-81
Margie Wilson	Box 3684 Kenai 99611	5-22-81
Robert W. Schmidt	1424 E 27th St Anch AK	5-22-81
Janice d. Thomas	3704 IOWA DR ANCH. AK	243-8814
Harriet Hill	4083 F. V. St SC	337-3465
William E. Starnes	1111 E. 5th Anch AK 99501	344-4650
Nancy Kiron	Box 1732-I Anch AK 99501	344-4650
JoAnn Belmont	SRR 5046 Was. 119 AK 99687	376-2138
Glenn Rice	1509 26 45th St Anch 99503	272-6740

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NAME	ADDRESS	DATE
W. S. DeLorme	POB 5 STEPLINE AK	4-10-81
Roberta Prince	1400 TIKCHUK CIR ANCH AK 99504	4-10-81
Gil Halla	SEA BOX 1506J Anch. 99507	4/10/81
Steve Anderson	1534 H St. Anch. AK 99501	4/10/81
Clive Matthews	1930 ATTENE DR #2 Anch AK 99502	4/10/81
Prince Reins	7800 De Barr Anch, AK 99504	4-13-81
James M. Masier	SEA Box 380-w Anch. AK 99507	
Blanche M. Varkonen	2614 Mc Rae Anch, AK 99503	
Kathleen T. Graves	5902 BUCKNER Anch, AK 99504	
Class Timler	3705 Lois Drive Anch AK 99503	
Richard L. Staal	5RB 7811 Palmer AK 99645	
John R. Rives	1619 Otter Apt H Anch 99504	4/16/81
Donald Anderson	2051 Tudor Hill Dr. Anch 99507	4-19-81
John A. Bickling	7534 Arthur Court Anch 99502	4/15/81
Joe Hornell	2310 Forest Park Dr. Anch 99503	4/15/81
Beverly Beatt	530 LAKERIDGE DR EAGLE RIVER AK	4/15
John O. McCloud	530 Lake Ridge Dr. Eagle River AK	4/15/81
Sandra Maxwell	4133 W. 89th Anch. AK 99502	4-15-81 243-7281
Kathy Keeman	809 E 710 Anch AK 99503	4/15/81
Bernice Reins	7800 DeBarr Anch, AK 99504	4/15/81
Shirley Schwartz	P.O. Box 1307 WASILLA, AK 99657	4/16
Donnie Schwam	SEA Box 1703-c Anch 99507	
William H. Della Jr.	1936 Wickersham Dr. Anchorage, AK 99507	4/17
Mary Perkins	5001 CHONA AVE Anch AK 99501	4/17

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NAME	ADDRESS	DATE
Andrea Jones	8600 Manning St.	4/20/81
Juanita Clark	1923 W. Shakespeare Dr	4-20-81
Ruth Douglas	1500 Diamond Blvd.	4-20-81
Brinda Caldwell	12240 Ellen	4-21-81
Thelma Flaherty	Box 10-956	4/21/81
Maureen Walker	1728 W. 11 <sup>th</sup> Ave A	4/21/81
Robert P. King	4511 March St. T 145	4/21/81
Virginia Schroeder	3321 E 4 <sup>th</sup> St	4-21-81
Ruth Kilpatrick	P.O. Box 6761 Anchorage 99507	4-22-81
Herman Todorick	9599 Broadway Dr. Anchorage 99507	4-22-81
LeRoy Fredrickson	P.O. Box 698 Anchorage AK 99511	4-23-81
Rudi Wittstirk	P.O. 93 - Chugiak, AK 99567	4-23-81
Shermie Malone	980 W 70 <sup>th</sup> Anchorage AK 99502	4-23-81
Debra Smith	9307 Dales St #4 Anchorage 99507	4-23-81
<del>XXXXXXXXXXXXXXXXXXXX</del>		
Cheryl Barber	5301 Regency Dr #2 Anchorage 99504	4-24-81
Maureen Trudewald	2512 Miller Hill Way Anchorage 99501	4-24-81
Peter & Ullrich	2635 Harbor Drive Anchorage AK 99503	4-25-81
E. Dittichard	2328 S. Homer Anchorage 99503	4-25-81
Helen Christ	P.O. Box 10-091 Anchorage AK 99511	4-27-81
William Arthur	4650 Fickel F-14 Hialeah AK 99501	4-27-81
Shirley Hahn	1053 W. 26 <sup>th</sup> Ave #4 Anchorage 99503	4/27/81
John Baker	Barrow AK	
Linda Rexwinkel	5RABox 80-T Anchorage 99507	4/27/81
Anne DeSalvo	4840 Folger #6 Anchorage 99504	4/27/81

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NAME	ADDRESS	DATE
Walter K. Howard	3187 Indian Cove Rd. Juneau, AK 99801	4/28/81
Paul J. Hamilton	Box 155 Chugiak, AK 99502	4/28/81
Karen Drumford	6331 Wooded Circle Anchorage, AK 99507	
Pat Roy	1601 112nd Ave Anchorage 99504	
Mary Burr	Box 8501 Bird Creek, AK 99540	
Janice Manning	401 E. 6th Ave #1107 Anch AK 99501	
P. E. Bohannon	P.O. Box 10-388 Anchorage AK 99511	
Lynnda J. Ugen	4860 Wesleyan Anchorage AK 99504	
Stephie Gatti	Box 516 Anch. AK 99502	
Deann Bohannon	Box 10-388 Anch. AK 99511	
C. E. Bohannon	Box 10-388 " " 99511	
Karen Herfindahl	Box 287 Girdwood 99587	
Anne Dawson	Box 3134 ECR Anchorage 99501	
Willa L. Woods	330 Aurora Eagle River AK 99571	
Jinda Stafford	Box 3366 Kenai, AK 99611	
Walter Silfrank	4005 Arkausk Anchorage 99503	5/1/81
Kenneth Johnson	168 Ocean Place Anchorage 99504	
Arturo J. Alvarez	SR1 Box 2389 Birchwood Chugiak 99567	
Elva Lewis	Box 10-388 Anchorage 99511	
Kelsie M. Newette	81632 Boundary Anchorage 99504	
Paula Stevens	SRA 3502 Al. Hwy Anchorage 99507	
Yvonne Johnson	SRA 3502 Anchorage AK	
John J. Dawson	1070 CENTRAL ANCHORAGE AK 99501	

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NAME	ADDRESS	DATE
Mathias Delgado	1931 Post Mt Arch	5-29-81
James P. ...	8234 BEARBERRY RD 99522	5-29-81
Wayne Jones	4110 DEBARC SP. 13-B 99504	5/29/81
Catherine Hinkey	P.O. Box 3194 - Anchorage 99516	5/29/81
William ...	P.O. Box 4-772 Anchorage AK 99509	6/1/81
Howard ...	2945 ... Anchorage AK 99504	6/1/81
Ryki ...	3925 ... Anchorage 99504	6/1/81
Karen ...	POB 287 ... 99587	6-1-81
Francis ...	POB 2061 Palmer 99645	6-1-81
James M ...	Box 1694 Anchorage 99507	6-1-81
K. P. ...	P.O. Box 3-4184 Anchorage AK 99501	6-1-81
Joan ...	P.O. Box 1-1 Anchorage 99507	6/1/81
Derek ...	2907 La Honda #11 Anchorage	
Shelley R. ...	120 W. 24th St Anchorage 99501	6/1/81
Jilly ...	SR Box 498	
And ...	1200 W. ... Anchorage 99502	6/3/81
Ellen ...	4938 E. 4th St C-5 Anchorage AK 99504	6/4/81
Carol ...	3930 ... Anchorage AK 99504	
Steven ...	120 W 24th St Anchorage 99503	6-5-81
Arthur ...	3543 MT. VIEW DRIVE Anchorage 99504	5/29/81
Patricia ...	SR. Box 8570 Anchorage AK 99540	
Marian ...	P.O. Box 3-4013 Anchorage AK 99501	
<del>...</del>		
Carol ...	3916 47th SW Seattle WA 98146	
Helen B. ...	6141 ... Anchorage 99502	

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NAME	ADDRESS	DATE
SR Braund	2372 Capt Cook Drive	6/5/81
Diane Miller	2910 W. 29th #1	6/5/81
And Greenidge	Cardinal, AK	6/9/81
Willa Stule	4403 General Rd #12	6/9/81
Judith Cobb	3323 Eide #5	6/10/81
Russ S. Mason	4502 Lake Otis Park	6/10/81
Evelyn A. Hagan	2500 Hammond Ct #20	6/10/81
Patricia		
Idella D Brown	P.O. Box 2333 Palmer, AK 99645	6-10-81
James D Brown	P.O. Box 2333 Palmer AK	6/10/81
Martha Bennett	720 W 19th Ave Anch AK	6-10-81
Maats Manille	1280 E. 17th #137	6-10-81
Mary Pearson	3303 Lind Cir. Apt 302	6-11-81
Mary Dasher	601 N. Burman 99504	6-11-81
Ellen M. Wickett	4500 Corfield 99503	6-11-81
Rev. A. Holt	100 E. Financed Ln. #19 99503	6-11-81
Mary-Clayton Pearce	4243 Al <sup>Chase</sup> St. 99504	6-11-81
Lois Lerner	4116 W 88th #1 99502	6-11-81
Rosie Davis	" " " "	6-11-81
JIM BAKER	137 W. 15th 99501	6-12-81
Marilee Pettit	SRA Box 4333 99502	6-13-81
David Johnson	Al Chasak Ave 99507	6/15/81
Adriane Forté	4343 New Roberts #4, Anch 99504	6/15/81
Mary Jane	P.O. Box 10-788 Anch 99511	6-15-81
DONA IVERSON	SRA Box 116 "A" "H" "AK" 99502	6/14/81

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NAME	ADDRESS	DATE
JOCE HOSMAN	1502 W. 45 <sup>th</sup>	6/10/81
DONALD L. RAMSEY	3701 EUREKA Sp. 12 - C Anchorage 99503	6/10/81
RUSSELL D. DIXON	2206 W 45	6-16-81
ELIZABETH A. De LOCA	6601 DEL. CHANGAK AK 99567	6-17-81
KAREN K. POLIMSKI	7031 Oakwood Dr.	6-17-81
(TRANG HUACH)	2536 Forest PK. Dr.	6/17/81
Travis E. [unclear]	SRA. Box 1561E Anchorage, Alaska	6/17/81
Quincy Kremes	1400 Airport Hts Dr. Anch	6/17/81
Paloma J. [unclear]	817 N Flower St Anch	6/17/81
David Harrison	4510 Spruce Rd. Anch.	6/17/81
Ann Landrum	8050 E. 18 <sup>th</sup> Ave	6-18-81
Bill Hould	SRA BOX 1506T 99507	6/18/81
Priscilla Miller	7834 Knix Anchorage 99502	6/18/81
Arthur Hunt	" " " "	" "
Christina Fedor	Star Pl. Box 8610 Bird Creek AK 99540	6/18/81
R. C. DAVIS	SRA. BOX 495 - C Anch 99507	6/19/81
Cathy Dunbar	PO Box 1325 Wasilla	6/19/81
Sam Jackson	600 Army St. Anch. AK	6/19/81
Debra Calverly	4871 Old Seward #202 Anch AK	6/19/81
Sister Carol	820 W. 9 <sup>th</sup> St Anchorage 99503	6/19/81
Jeanne Kishy	7810 Arctic Anch 99502	6/19/81
Terrina Wheeler	2999 C St 99567	6/19/81
→ Milton [unclear]		
John A. Nelson	1531 W 12 <sup>th</sup> St Anch 99501	6/22/81
Gene [unclear]	2202 Ross St Anch 99503	6/22/81

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NAME	ADDRESS	DATE
Virginia R. Zimmerman	601 Tr. Bldg "A"	6/23/81
<del>John D. ...</del>	<del>1280 E 17th Ave Apt 137</del>	<del>6/23/81</del>
<del>...</del>	<del>1584 Mill ...</del>	<del>6/22/81</del>
Melinda ...	SEA Box 40503	6/22/81
John Waterfield	2523 Kona Lane Anch.	99503 6/25/81
...	143 W 11th St Anch AK	99501 6-25-81
...	3110 Delta Dr Anchorage AK	99502 6-25-81
...	5912 Frabli St Anch AK	99501 6-26-81
...	PO Box 3298 Palmer AK	99645 -6-26-81
D. Freeman	SEA 1750-B Anch. AK	99507 6/26/81
Charles Pettit	SEA Box 4339 Anchorage	99502 6/29/81
Cheryl L. Dixon	2206 W 45 Anchorage	99503 6/29/81
Ann Cooper	SEA Box 4349 " "	99502 6-29-81
Becky Pearce	801 Erickson, Apt 4	99501 6-29-81
Michele Keegan	242 Dundas Cir.	99502 6-30-81
...	Box 5252 Star Route 2	99567 6-30-81
...	Box 5252 Star Route 2	99567 6-30-81
Michael Gandy	P.O. Box 2407 Anch.	99510 7-1-81
Ann E. ...	562 Box 5252 Chugiak	99567
...	AR 5072 Wasilla	AK 99687 7/2/81
Larry ...	SEA Box 17351 Anch.	AK 99507 7/3/81
...	2101 W 29th ANCH	AK 99503 7/3/81
...	P.O. Box 155 Chugiak	99567 AK 7/6/81
...	4009 Merrill Anchorage	99503 AK 7/6/81
...	P.O. Box A-1 Chugiak Alaska	99567 - 7/6/81

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 ESPECIALLY AT TIMES, THE NATURAL METHOD OR NATUROPATHIC SERVICES.  
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 OF CHOICE?

NAME	ADDRESS	DATE
Charles H. Belmont	SRA 476 H Bayview	7-16-81
Barbara Solomon	Box 10 Clifton	7-16-81
Miriam Perin	3606 Lois Dr.	7-16-81
Mary J. Newone	1321 Kennikinnick St.	7-17-81
Paul D. Porter		
Suzanne Porter		
Karen M. Dunford	6331 Wooded Circle	7-20-81
Laura	San Del. Eagle River	7-20-81
John Johnson	SRA 476 H	7-21-81
Chris Bantz	P.O. BOX 1053 Anch. AK	7/21/81
Richard V. Buzzelli	General Delivery Anchorage AK	7/22/81
Peter R. Paulson	46 P.O. Box 1207 ANCH, AK	7/22/81
Carrie Link	532 Northline apt 2 Anch, AK	7/23/81
Kathleen Ann Caldwell	P.O. Box 2298 Palmer AK 99645	7-23-81
Jimena Pachoff	6140 Austin Anch AK 99502	7-23-81
Sharon H. Johnson	4133 W 87th Anch. AK 99502	7-24-81
Pat Morris	SRA 4654 P Palmer AK 99645	7-27-81
Chal Piddle	5955 Lynn Dr #1 Anch AK 99504	7-28-81
Tom Hill	3935 Lynn Dr #1 Anch AK 99504	7-28-81
Eleanor Carter	1600 Otter St Anchorage - 99504	7/28/81
Virginia Smith	1600 Otter St. Anch. AK - 99504	7-28-81
Alba Tilly	225 North Park Anch. Ak 99504	7/28/81
→ Irene Mathew		
HA David A. Johnson	1732 Crescent <sup>99504</sup>	7-28-81
Judith Russell	Box 593 Sterling AK	7-30-81

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NAME	ADDRESS	DATE
J. J. [unclear]	140 Eagle #101	7/6/81
David L. [unclear]	140 Zylber [unclear]	7-9-81
Thom J. [unclear]	SRA 6105 A-3 PALMER	7-6-81
Beth J. McAllister	3601 Lynn	7-8-81
Janet Taylor	Box 268-3605 Arctic Pkwy	7-8-81
Kathy Kemmel	Box 734 Palmer, AK 99145	7/8/81
Debra Stancovich	Box 3592 Palmer AK 98645	7/8/81
Ron Smith	2917 W 34th Anchorage	7/10/81
Betty J. Tammes	P.O. Box 1471 Palmer AK 99645	7/10/81
Carl R. Hoover	S B 1 Box 2389 Birchwood Chase AK	
Linda A. Simmons	2604 W 33rd #2 Anch, AK	7/10/81
Carol Ann [unclear]	SRA Bnf 150-B Anch, AK	99502
Rutha Hamilton	Box 155 Chugiak 99567	AK 7/13/81
Ann Hohl	Box 4-1764 Anchorage 99509	7/13/81
Ed Bista	2600 Chaparral Anchorage 99507	7/15/81
Jan E. Bisho	PO Box 2378 99510	7-15-81
Steve [unclear]	1053 W 26th Ave #4 Anch, AK 503	9/14/81
Karen [unclear]	1303 W 31st #1 Anch. 99503	7/14/81
Donna H. Richards	10411 ORCAW Anch. AK. 99507	7/14/81
Debbie Richards	700 Hollywood Dr. AK 99501	7/14/81
Lillian Bennett	SRA Box 465 B Anch. 99507	7/15/81
Carol Kenler	<del>Box</del> P.O. Box 2576 Palmer AK	7/15/81
John G. [unclear]	1241 Valley St Anch. 99504	7-15-81
Lineli [unclear]	1241 Valley St. Anch. 99504	7-15-81

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NAME	ADDRESS	DATE
Anthony F. Quinn	7530 Beluga Cir. Anch. AK	7/30/81
Shelby Patel Lumb	530 E. 46th Pl. Anch. AK	7/30/81
Kathy Portier	Box 1706 Valdez AK	7/30/81
Debra Cote	1200 W. Diamond, sp 1430 Anch. AK	7/31/81
Linda		
Blair Coulbier		
Sam Grob	801 Airport Hb #115 Anch. AK	8/3/81
William Caudill	2205 Roosevelt Dr Anch	8-4-81
Beatriceaires	3701 Charles 19-D	8-4-81
Anna Kuster	3303 Turnagain Blvd. East	8/4/81
Wendy Trachtenberg	2907 W. 33rd Anchorage AK	8-4-81
Norman Campbell	PO Box 511 UTAH HARBOR	8-5-81
Archie L Crawford		8/5/81
Ken & Robert Armit	9147 1/2 Land Omaha	8/5/81
Donald Ineson	SRA Box 116 "m"	8/5/81
Henry Ineson	SRA Box 116 "m"	8/5/81
Edith Ineson	990? Perry St.	8/6/81
Jason Leiker	7730 Jason Pl.	8/7/81
Sylvia Leiker	7730 Jason Pl.	8/7/81
Wynne E. Haley	Box 88 Talkeetna AK	8-7-81
Raymond R. Ruppel	685 1st St. Anch.	8-7-81
Raymond Ruppel	685 1st St. Anch.	8-7-81
Sam Grob	801 Airport Hb #115 Anch. AK	8-10-81

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NAME	ADDRESS	DATE
<i>[Signature]</i>	8010 Boundary Ave - Anchorage	8/31/81
Mrs. David G. Hansen	530 E 46 <sup>th</sup> Place - Anch	9 Sept 81
Jane's Sign	2509 CLOVERLANE #5	9 Sept 81
Walter Shumlin	P.O. Box 1307 WASILLA, AK 99617	9/10/81
DICK DONOHUE	200 DIMOND BLVD. #1202 ANCHORAGE	9/11/81
Shirley Fisher	3333 W 81st Ave Anch 99502	9-11-81
Vita Kave	SRA Box 33-B Anch. 99507	9-14-81
Susan Brown	2378 Captain Cook Dr. 99503	9-14-81
Catherine Leroy	2711 Britany 99504	9-14-81
Larry S. Bird	3116 Delta Dr 99502	9-15-81
Shirley Collins	1600 Otter, Anch AK 99504	9-16-81
Bob Sidis	1720 W. 11 <sup>th</sup> Anch. 99501	9-21-81
Therese W. Tuttleman	2704 Fairbanks Ave H. 99502	9-21-81
Joseph C. Boy	3831 Crossway Cir Anch AK 99503	9-21-81
Frank Mary Hansen	2307 Lois Dr. Anch AK 99503 277-9826	9-21-81
Johi Wilson	PX 11-283 Muldoon Anch 99504	27 Sept
Mary E. Cumpton	P.O. Box 371 Anch 99511	9-23-81
Juan Langner	1640 E 27 <sup>th</sup> Anchorage 99507	9-23-81
Russ W. Logan	State Route Box 20279 Fairbanks AK 99701	9-24-81
Coleman Burke	1000 W 32 <sup>nd</sup> Anch AK 99503	9/20/81
Jack B. Davine	1635 Melina " " 99504	
Lauralie Thompson	SRA 1721 H Anchorage AK 99503	
Modeline Kutter	SRA Box 9880 Anchorage Alaska 99507	9/31
JOHN A. MEACHER	4455 Juneau St "C" Anch. AK. 99503	7-31
Jack W. Dose	4611 FOLKER 36A JUNEAU AK 99501	10/1

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NAME	ADDRESS	DATE
WAYNE CUTLIFF	4220 PETERKIN #2	8/12/81
Jill Gould	SRA Box 1506J 07	8/13/81
Jessie Remmas	1404 W. 45th St.	8/13/81
Wanda P. Pulman	130 E 8TH. ANCH AK	8/14/81
Tom Holbrook	SRA Box 478-P Anch AK	8/14/81
Flora E. Hillwood	SRA Box 478-P Anch AK	8/14/81
Wanda M. Maud	SRA Box 1436 Adit 99002	8/17/81
Wm. A. Robertson	P.O. Box 10 - 289 99511	8/17/81
Philip Blackwell	S.R. Box 90620 FBKS, AK.	8-18-81
Rosalie Beets	P.O. Box 3026 Kenai Ak.	8-18-81
Carl Hill Freeman	1410 Medtra St Anch Ak.	8/18/81
Jack Keller	SRA Box 2354 Anch Ak.	8/19/81
Roberta Moore	4121 Ingle Pt #3 Anch Ak	8/19/81
Jane Curtis	P.O. Box 3688 Anch. AK	8/19/81
Patricia Dublin	SRA Box P705 Indian Ak.	8/19/81
Jill J. J. J.	S.R. Box 3542 Anch Ak	8/19/81
Dee Ryan	2413 Sprucewood Parkway AK.	8/20/81
MARY EDDY	SRA Box 173	8/20/81
Jean Majumdar	2702 W. 29th Anchorage.	8/20/81
Kim (Jessie) Caldwell	Box 3298 Palau AK	8-20-81
MARVIN C. SMITH	4010 CHUCK DR ANCH	8/21/81
Nedra Calderwood	2900 Hanover St Anch	8/21/81
McKernan	21-7166 D. Fiq E.A.F.B	8/21/81
Betty Schlegel	45th Brayton #401 99507	8/21/81
Nancy Coppola	Anchor Pt Wisconsin	715-344-7516

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