

ALASKA LEGISLATURE COMMITTEE FILES 1999-2000 8072

9961 HOUSE LABOR & COMMERCE

Senator Dave Donley
Alaska State Legislature
Room 508-State Capitol
Juneau, AK 99801-1182
RE: Senate Bill 88

Dear Senator Donley:

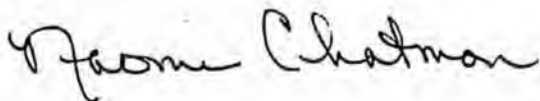
I am writing to let you know that I support Senate Bill 88.

I work in hospital food service management. I have had the opportunity to work with registered dietitians for many years. In our facility, the registered dietitians provide medical nutrition therapy for our patients. Whether a diabetic in need of education about how to feed themselves to optimize blood sugar control or providing nutrition care for an ICU patient unable to take nourishment for themselves, the positive impact of these practitioners is seen on a daily basis.

I support licensure so that Alaskans will have help to identify the experts in the field of nutrition. It will help to ensure that they are provided with sound nutrition advice and medical nutrition therapy. Further, I feel that all health care professionals need to be treated in an equitable manner by the state.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure. Please contact me if you have any questions. I can be reached at 264-1153.

Sincerely,



Naomi Chatman, Manager Dietary Department
Alaska Regional Hospital

17/335/D

March 9, 1999

Senator Dave Donely
Alaska State Legislature
Room 508 - State Capitol
Juneau, AK 99801 - 1182

Dear Senator Donely:

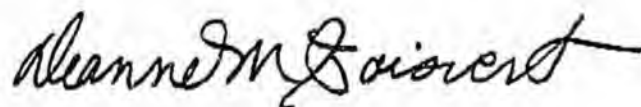
I am writing you in support of Senate Bill 88 (State licensure for dietitians and nutritionists).

Since 1985, I have worked as a public health educator in Alaska and have had the pleasure of working closely with several registered dietitians. Together we have developed puppet shows to teach children about healthy foods and have taught low-fat/high fiber cooking classes using Native foods. Additionally, we've labeled low fat/high fiber foods in village grocery stores, and created health fair displays and activities on diet-related health risks (to name just a few of our collaborative efforts). Moreover, all of our combined efforts were warmly received in the communities we served.

The reason I support licensure is that I know, in addition to the dedicated and hard-working registered dietitians in Alaska, there are other people calling themselves "nutritionists" or "diet-consultants" but who have little or no education in this profession. Why do they masquerade as nutrition experts? Nutrition-related products and services are a lucrative business in health and diet-conscious America. If the State of Alaska requires licensing for all dietitians and nutritionists, the average Alaskan will be less likely to receive poor, and even harmful, nutrition advice and medical nutrition therapy.

Lastly, I would like to thank you for supporting the Alaska Dietetic Association's efforts to achieve licensure.

Sincerely yours,



Deanne Bolsvert
Public Health Educator

P. O. BOX 6612 SITKA, AK 99835
PHONE: (907) 747-3501 • FAX: (907) 966-8799

March 9, 1999

Senator Dave Donely

Re: Senate Bill No. 88

Dear Mr. Donely:

I am writing as a member of the National Association of Social Workers, Alaska Chapter to ask you to support the Alaska Dietetic Association effort to obtain state licensure for dietitians and nutritionists.

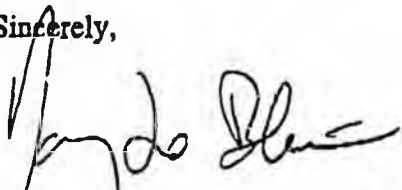
I know as a social worker that licensure is important to help ensure the public as access to professional expertise. I understand the licensure for dietitians is an important issue nationwide, and 38 other states already have laws in place that regulate nutrition professionals. Dietitians and nutritionists are part of the health care team and need to be recognized as such.

I work at Mt. Edgecumbe Hospital/ SEARHC in Sitka. I work with three dietitians/nutritionists who provide very needed consultations to the patients, families and staff.

I support licensure that will help ensure Alaskans are provided with sound nutrition advice and medical nutrition therapy.

Please feel free to contact me if you have any questions. I can be reached at 907-966-8413.

Sincerely,



Nancy Jo Bleier, ACSW, LCSW
Director, Social Services

FAX - COVER SHEET

SOUTHEAST ALASKA REGIONAL HEALTH CONSORTIUM

MT. EDGE CUMBE HOSPITAL

222 TONGASS DRIVE

SITKA, ALASKA 99835

PHONE NO. (907) 966-2411

FAX NO. (907) 966-8300

TO: SENATOR DAVE DONELY	FAX: (907) 465 6595
ATTENTION:	DATE: 3/10/99
FROM: TERRY CAUNAUGH PT	TOTAL # OF PAGES 2
SUBJECT: SENATE BILL 88 SUPPORT	

MESSAGE:

*If you have not received all of the above mentioned pages, please advise by calling or FAXing the numbers above.
Thank you.*

3/9/99

Senator Dave Donely
Alaska State Legislature
Room 508--State Capitol
Juneau, AK 99801-1182

RE: Senate Bill 88

Dear Senator Donley:

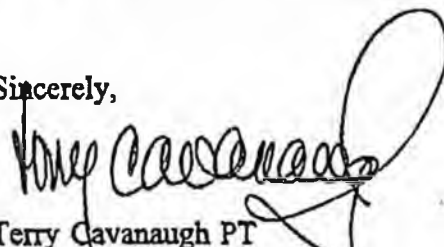
I am writing to let you know I support Senate Bill 88.

I work in the field of Physical Therapy. I have had the opportunity to work with registered dietitians in our hospital both in acute medical care and in programs encouraging long term behavioral change.

The main reason I support licensure is that it will help Alaskans identify the experts in the field of food and nutrition. This will help ensure that they are provided with sound nutrition advice and medical nutrition therapy. I also feel all health care professionals need to be treated in an equitable manner by the State. Additionally I think Alaska should offer the standard set in most other states in this country.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure. Please feel free to contact me if you have any questions. I can be reached at (907) 966-8312.

Sincerely,



Terry Cavanaugh PT
Chief Therapist
SEARHC Mt Edgecumbe Hospital
Sitka, AK 99835

FAX - COVER SHEET

SOUTHEAST ALASKA REGIONAL HEALTH CONSORTIUM

MT. EDGE CUMBE HOSPITAL

222 TONGASS DRIVE

SITKA, ALASKA 99835

PHONE NO. (907) 966-2411

FAX NO. (907) 966-8300

TO:	Senator Dave Donley	FAX:	465-6595
ATTENTION:		DATE:	3/9/99
FROM:	Jenevieve Neros, LPT	TOTAL # OF PAGES	2
SUBJECT:	Senate Bill 88		

MESSAGE:

Attached

*If you have not received all of the above mentioned pages, please advise by calling or FAXing the numbers above.
Thank you.*

March 9, 1999

Senator Dave Donley
Alaska State Legislature
Room 508- State Capital
Juneau, AK 99801-1182

RE: Senate Bill 88

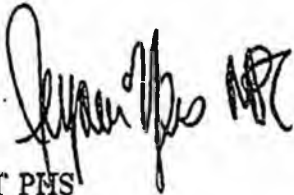
Dear Senator Donley:

I am writing in support of Senate Bill 88.

I am a Licensed Physical Therapist and have had the opportunity to work with registered nutritionists on multiple occasions. I work in a hospital setting and have come to believe they are a critical part of interdisciplinary patient care. I feel that it is important for Alaskans to be able to identify and access experts in nutrition. Licensure would help ensure that Alaskans receive sound and accountable advice. The vast majority of members in our multidisciplinary health care teams are licensed professionals, I feel that Nutritionists should be acknowledged in the same way by State Legislation.

I would appreciate your support for the Alaska Dietetic Association's effort to achieve licensure. I can be reached at 966-8576 for questions.

Thank You,



LT Jenevieve Neros, LPT PMS

Southcentral Foundation

March 8, 1999

Senator Dave Donley
Alaska State Legislature
Room 508 - State Legislature
Juneau, AK 99801-1182
RE: Senate Bill 88

Dear Senator Donley:

I am writing to let you know that I support Senate Bill 88.

I have had the opportunity to work with dietitians and nutritionists as resources for nutrition consultation and education to our clients. The integration of accurate and appropriate nutritional information is critical in providing health care that incorporates preventive services as well as curative. They meet these needs by providing excellent care to our prenatal patients and clients with diabetes as well as leading a family centered weight management program.

I support licensure for dietitians and nutritionists so that Alaskans can identify the experts in the field of foods and nutrition. This will help ensure that they are provided with sound nutritional advice and medical nutrition therapy. I also feel that all health care professionals need to be treated in an equitable manner by the State.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure.

Sincerely,



Douglas Eby, MD, MPH
Vice President
Medical Services



Southcentral Foundation

March 8, 1999

Senator Dave Donley
Alaska State Legislature
Room 508 - State Legislature
Juneau, AK 99801-1182
RE: Senate Bill 88

Dear Senator Donley:

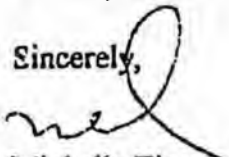
I am writing to let you know that I support Senate Bill 88.

As an administrator in health services, I have had the opportunity to work with nutritionists as they provide nutrition consultation and education to our clients. They provide accurate and appropriate information.

I support licensure for dietitians and nutritionists so that Alaskans can identify the experts in the field of foods and nutrition. This will help ensure that they are provided with sound nutrition advice and medical nutrition therapy. I also feel that all health care professionals need to be treated in an equitable manner by the State.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure.

Sincerely,



Michelle Tierney, MPH
Health Systems Administrator



HOSPICE 
& HOME CARE
of Juneau

3200 Hospital Dr. Suite 100 ♥ Juneau, Alaska 99801

(907) 463-3113 ♥ FAX 463-3835

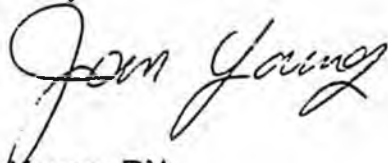
Senator Dave Donley
Room 508
Alaska Senate
State Capital
Juneau, AK 99801-1182

March 9, 1999

Dear Senator Donley:

I am writing this letter of support for SB 88. I feel that the Alaska Dietetic Association's position of wanting to have dietitians and nutritionists licensed in the State of Alaska is perfectly reasonable. The role of these professionals in the field of Home Health Care in which I work will only become more and more important as the federal government and insurance payers demand timely and cost efficient outcomes for their clients. I certainly want to know that the health care practitioners to whom we make referrals are truly qualified professionals in their respective fields. Our clients and the public deserve the very best.

Sincerely,



Jan Young, RN
Executive Director

3/10/99

Senator Dave Donley
Room 508 - State Capitol
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Senator Dooley,

I am writing in support of Senate Bill 88.

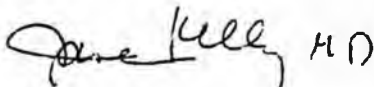
I am the Alaska Area Diabetes Control Officer for Indian Health Service. I see patients with diabetes, high blood pressure and heart disease every day in my clinical practice. Sound nutritional evaluation and counseling are the cornerstones of care for these patients.

I am very concerned that the nutrition education these patients need is often given by non-dietitians of varying skill and knowledge levels. I work side by side with Registered Dietitians in my clinical practice, and find their work invaluable to my clinical care.

I support licensure in that it will help patients, and other medical professionals, identify and access the experts in nutrition. I cannot overemphasize the importance of healthy lifestyle nutritional guidance from a professional trained in the field.

I appreciate your attention to this matter. Thank you for supporting the Alaska Dietetic Association's efforts to achieve licensure. Please feel free to contact me if you have any questions. I can be reached in my office at 729-1126.

Sincerely,



Jane Kelly, MD
Alaska Area Diabetes Control Officer
ANMC-Diabetes
4315 Diplomacy Drive
Anchorage AK 99508



March 10, 1999

Senator Dave Donely
Alaska State Legislature
Room 508 - State Capital
Juneau, AK 99801 -1182
RE: Senate Bill 88

Dear Senator Donley:

I am in support of Senate Bill 88.

I have been in the Nutrition & Food Service industry for over 25 years and have worked with registered dietitians and nutritionists. They have been very supportive in making sure that our patients as well as clients are correctly instructed on their nutritional needs and are able to give good sound advice.

The main reason I support licensure is that it will help ensure Alaskans to identify the professionals in the area of nutrition. If we as a state want to provide good sound nutrition advice and medical nutrition therapy then the only answer to Senate Bill 88 is YES.

Thank you for supporting the Alaska Dietetic Association's efforts to achieve licensure. Please feel free to contact me if you have any questions.

Sincerely,

Michael Pier
General Manager
Sodexo Marriott
1001 East Benson Blvd
Anchorage, AK 99508-4100
(907) 729-2680

Senator Dave Donley
Alaska State Legislature
Room 508-State Capitol
Juneau, AK 99801-1182
RE: Senate Bill 88

Dear Senator Donley:

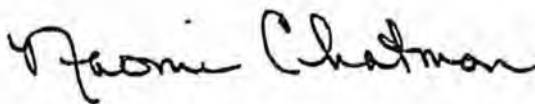
I am writing to let you know that I support Senate Bill 88.

I work in hospital food service management. I have had the opportunity to work with registered dietitians for many years. In our facility, the registered dietitians provide medical nutrition therapy for our patients. Whether a diabetic in need of education about how to feed themselves to optimize blood sugar control or providing nutrition care for an ICU patient unable to take nourishment for themselves, the positive impact of these practitioners is seen on a daily basis.

I support licensure so that Alaskans will have help to identify the experts in the field of nutrition. It will help to ensure that they are provided with sound nutrition advice and medical nutrition therapy. Further, I feel that all health care professionals need to be treated in an equitable manner by the state.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure. Please contact me if you have any questions. I can be reached at 264-1153.

Sincerely,



Naomi Chatman, Manager Dietary Department
Alaska Regional Hospital

COPY

Bartlett Regional Hospital

3260 Hospital Drive • Juneau, Alaska 99801 • Telephone 907-586-2611

3/9/99

Senator Dave Donley
Alaska State Legislature
Room 508 – State Capital
Juneau, AL. 99801-1182

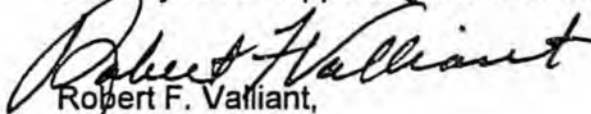
Dear Senator Donley:

I wish to voice my support for SB 88. I believe that the dietitian is a valuable member of the health care team at Bartlett Regional Hospital (as at every hospital in Alaska). For many years dietitians have worked side-by-side with physicians, nurses and other allied health professionals. They have provided expertise and teaching to patients, in the field of nutrition that should be recognized by the State of Alaska.

Secondly, legal recognition of dietitians holds the potential for added reimbursement dollars being made available to hospitals if current Federal legislation become law.

Additionally, the therapy provided by dietitians is cost effective in terms of lowering health care costs. If patients with chronic diseases comply with the teachings of the dietitians, studies indicate these individuals have less in-patient visits and shorter length of stays.

Thank you for supporting this licensure effort.



Robert F. Valliant,
Administrator
Bartlett Regional Hospital
3260 Hospital Dr.
Juneau, AK. 99801



Valley Medical Care

3220 Hospital Drive • Suite 100 • Juneau, Alaska 99801
Phone: (907) 586-2434 • Fax: (907) 586-2446

Sarah A. Isto, M.D.
Bob Urata, M.D.
Ellen Farley, M.D.
Sharon Fisher, M.D.
Lindy Jones, M.D.
Priscilla Valentine, M.D.
Anya Maier, M.D.
Justine Emerson, F.N.P.
Margaret Durand, F.N.P.

March 3, 1999

Senator Dave Donnelly
Alaska Senate, Room 508
State Capitol Building
Juneau, Alaska 99801-1182

Dear Senator Donnelly:

This is a letter in support of the nutritional professionals who are pursuing state licensure for dietitians and nutritionists. I support this request because I think it will bring up the level of current patient care in Alaska, especially for those dietitians and nutritionists who work in hospitals, nursing homes, public health clinics and in other areas.

I believe that they are experts in their field and this would prevent those who do not meet that standard and are not trained in this specialty from falsely practicing this service.

Thank you for your kind attention to this matter.

Sincerely yours,

Bob Urata, M.D.

BU/ldd



Rick Mystrom,
Mayor

Municipality of Anchorage

Department of Health and Human Services

825 "L" Street

P.O. Box 196650 Anchorage, Alaska 99519-6650

<http://www.ci.anchorage.ak.us>



March 9, 1999

Senator Dave Donely
Alaska State Legislature
Room 508 – State Capitol
Juneau, AK 99801-1182

Dear Senator Donley:

I am writing in support of Senate Bill 88 on the licensure of dietitians and nutritionists.

I have worked in public health and pediatrics for over 20 years. I rely frequently on the wisdom of dietitians in counseling parents on proper nutrition for infants and children. Their expertise is especially valuable for children and teens with diabetes and other metabolic conditions requiring special nutritional support.

I support licensure because it will help Alaskans identify the trained experts in the field of food and nutrition. This will help ensure that they receive competent and appropriate nutritional advice and therapy.

Sincerely,

Bruce P. Chandler, M.D., M.P.H.
Medical Officer

cc: Mary Good, Director, DHHS



CENTRAL COUNCIL
Tlingit and Haida Indian Tribes of Alaska
ANDREW P. HOPE BUILDING
320 West Willoughby Avenue • Suite 300
Juneau, Alaska 99801-9983

EARLY CHILDHOOD DEVELOPMENT SERVICES

HEAD START EVEN START ALASKA NATIVE HOME BASED PRESCHOOL EDUCATION CHILD Care Food Program

March 10, 1999

Senator Dave Donely
Alaska State Legislature
Room 508 -- State Capitol
Juneau, AK 99801-1182

RE: Senate Bill 88

Dear Senator Donley:

I am writing to let you know that I support Senate Bill 88. I manage the Tlingit and Haida Head Start program and this year we have used the services of a registered dietician (or nutritionist) and it has made a huge contribution to the quality of our Head Start program.

Our nutritionist has helped us meet Head Start Performance Standards by completing the following work:


1. Consultation for all Head Start children requiring dietary assistance (overweight, underweight, anemic children, and children with other nutrition-related problems).
2. A nutrition service plan, which outlines what Head Start will do to provide nutritional support services to families and their young children.
3. Policies and procedures regarding child health screenings and our food service program.
4. Development of training curriculum and a parent education cookbook to extend learning to Head Start parents.

These are only some of the contributions our nutritionist has made to our program.

The main reason I support licensure is that it will help Alaskans identify the experts in the field of food and nutrition -- so they receive qualified and effective services. I also feel all health care professionals need to be treated in an equitable manner by the State.

Thank you for supporting the Alaska Dietetic Association's efforts to achieve licensure. Please contact me if you have any questions. I can be reached at 463-7150.

Sincerely,


Nila M. Rinehart
Program Manager



Tongass Regional Eye Clinic

Robert A. Breffeilh, M.D. • Gordon R. Preecs, M.D. • Diplomates American Board of Ophthalmology
3268 Hospital Drive, Suite A • Juneau, Alaska 99801-7808
(907) 586-2700 • In Alaska: 1-800-478-3700 • FAX: (907) 586-2917 • Cellular: 321-2029

March 9, 1999

Senator Dave Donley
Room 508 Alaska Senate
State Capitol
Juneau, AK 99801-1182

Dear Senator Donley:

This letter is offered in support of Senate Bill 88, a bill recommending licensure of dietitians and nutritionists in the State of Alaska.

In my medical practice, the role of nutrition is becoming more and more important as we recognize its value, which was, in the past, very underrated.

As nutritional therapy becomes more recognized and more accepted in the future, it will be to the residents of the State of Alaska and your constituents' best interest to have the best trained people in this field available. I think at this time, licensure is one of the first steps towards that goal.

Again, I recommend this bill without reservation and encourage your committee to forward it to the full Senate and recommend its passage. I thank you in advance for your efforts.

Sincerely,

Robert A. Breffeilh, M.D.

MOORE CLINIC, Inc.

John W. Totten, M.D., F.R.C.S.
Deborah Sogge-Kermani, M.D.
Jean S. Glossa, M.D.
Matt Sogge-Kermani, P.A.

814 Halibut Pt. Rd. - P.O. Box 279
Sitka, Alaska 99835-0279
Telephone: (907) 747-3446
Fax: (907) 747-7995

March 10, 1999

Senator Dave Donley
Alaska State Legislature
Room 508 - State Capitol
Juneau, Alaska 99801-1182

RE: Senate Bill 88

Dear Senator Donley,

We are writing to let you know that we support Senate Bill 88.

We are physicians at the Moore Clinic in Sitka. We have had the opportunity to work with registered dieticians on a regular basis, and find this especially helpful for patients with diabetes.

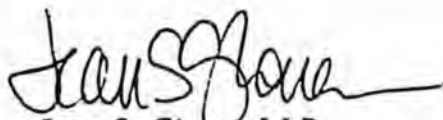
Licensure will help Alaskans to identify the experts in the field of nutrition, which will help ensure they are provided with sound nutrition advice and medical nutrition therapy. We also feel that all health care professionals need to be treated in an equitable manner by the State.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure. Please feel free to contact us at the Moore Clinic, at the telephone number above, if you have any questions.

Sincerely,



John W. Totten, M.D., F.R.C.S.



Jean S. Glossa, M.D.



Deborah Sogge-Kermani, M.D.



HOSPICE of the TANANA VALLEY

P.O. Box 82770, FAIRBANKS, ALASKA 99708

(907) 474-0311
FAX (907) 452-7643

March 12, 1999

Senator Dave Donley
Alaska State Legislature
Room 508 - State Capitol
Juneau, AK 99801-1182

RE: Senate Bill 88

Dear Senator Donley,

I am writing to let you know I support Senate Bill 88.

As someone who works in the field of Hospice Care, I have had the opportunity to work with registered dietitians who assist terminally ill patients and loved ones. These dedicated professionals are expert at helping caregivers learn ways to prepare palatable food and maximize nutrition for critically ill family members.

The main reason I support licensure is that it will assist Alaskans in identifying the experts in the field of food and nutrition. This will help ensure that they are provided with sound nutrition advice and medical nutrition therapy. I also feel all health care professionals need to be treated in an equitable manner by the State.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure. Please feel free to contact me if you have any questions. I can be reached at 474-0311.

Sincerely,

Tina Kocsis
Director of Hospice Services



4315 Diplomacy Drive
Anchorage, Alaska 99508
(907) 563-2662

March 4, 1999

Senator Dave Donley
Alaska State Legislature
State Capitol, Room 508
Juneau, AK 99801-1182

Dear Senator Donley:

I am writing to let you know I support Senate Bill 88.

I am the administrator of the Alaska Native Medical Center as well as a physician in the area of Pediatrics. I consult with the hospital's Registered Dietitians on a regular basis for their expertise in nutrition assessment and education. The Dietitians participate in clinical rounds and interact with all medical disciplines to provide quality patient care. I consider them an essential part of the hospital's health care team.

Licensure of Registered Dietitians will enable all Alaskan people to identify a qualified expert in the field of nutrition. Licensure will ensure Alaskans that they will be provided with correct and qualified information regarding medical nutrition therapy.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure for Dietitians.

Please feel free to contact me if you have any questions. I can be reached at the above address or (907) 729-1997.

Sincerely,

Richard Mandsager, MD
Administrator



4315 Diplomacy Drive
Anchorage, Alaska 99508
(907) 563-2662

March 5, 1999

Senator Dave Donely
Alaska State Legislature
Room 508 – State Capital
Juneau, AK 99801-1182

RE: Senate Bill 88

Dear Senator Donely:

I am writing to let you know I support Senate Bill 88.

I work in the field of Nursing and as the Chief Nurse Executive I have had the opportunity to work with several good registered dietitians.

The main reason I support licensure is that it will help Alaskans identify the experts in the field of food and nutrition. This will help ensure that they are provided with sound nutrition advice and medical nutrition therapy. I also feel all health care professionals need to be treated in an equitable manner by the State.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure. Please feel free to contact me if you have any questions. I can be reached at (907) 729-1987.

Sincerely,

Elizabeth Lestenkof, RN
ANTHC Chief Nurse Executive

LD-1

Fred W. Hoefler RPh
4315 Diplomacy Dr
Anchorage, AK 99508

Senator Dave Donley
Alaska State Legislature
Room 508 – State Capitol
Juneau, AK 99801-1182

Dear Senator Donley,

I am writing to let you know I support Senate Bill 88

I am a pharmacist at the Alaska Native Medical Center and consult with dieticians on a daily basis. They provide an invaluable service providing assessment of patients who are nutritionally compromised, identifying potential nutrient/drug problems, and dietary teaching. Dieticians have also been especially helpful in helping pharmacists manage total parenteral nutrition patients. We consider them an essential part of our health care team.

The main reason I support state licensure is that it will help Alaskans identify the experts in the field of food and nutrition. This will help ensure that they are provided with sound nutrition advice and medical nutrition therapy. I also feel that all health care professionals need to be treated in an equitable manner by the State.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure. Feel free to contact me during the week at the above address or (907) 729-2133. You may also contact me during the evenings at (907) 245-1913 or at fhoefler@alaska.net

Sincerely,



Fred W. Hoefler RPh
LCDR, USPHS
Senior Pharmacist II
Alaska Native Medical Center



UNIVERSITY OF ALASKA ANCHORAGE

3211 Providence Drive
Anchorage, Alaska 99508-8375

COMMUNITY AND TECHNICAL COLLEGE
Division of Culinary Arts and Hospitality
Telephone: (907) 786-1487
Fax: (907) 786-1402

March 2, 1999

Senator Dave Donley
Alaska State Legislature
Room 508 State Capitol
Juneau, AK 99801-1182

Dear Senator Donley:

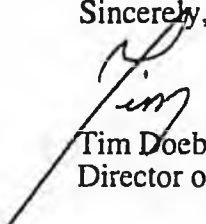
I am writing to let you know I support Senate Bill 88.

I work in the field of Culinary Arts and Nutrition. I have had the opportunity to work with Registered Dietitians in the following way. The University trains five dietetic Interns per year. Seventy-five percent of these interns stay in Alaska to work as Registered Dietitians.

The main reason I support licensure is that it will help Alaskans identify the experts in the field of food and nutrition. This will help ensure that they are provided with sound nutrition advice and medical nutrition therapy. I also feel all health care professionals need to be treated in an equitable manner by the State.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure. Please feel free to contact me if you have any questions. I can be reached at 907-786-4728.

Sincerely,


Tim Doebler, CCE
Director of Culinary Arts and Hospitality, UAA

GOING PLACES

A JOURNEY OF CARING FOR ALASKA'S KIDS

Providence Alaska Medical Center
3200 Providence Drive
Anchorage, AK 99508
March 8, 1999

Senator Dave Donley
Alaska State Legislature
Room 508 - State Capitol
Juneau, AK 99801-1182
RE: Senate Bill 88

Dear Senator Donley:

I am writing to let you know I support Senate Bill 88.

I work in the field of Nutrition Services WIC. I have had the opportunity to work with registered dietitians in the following way:

I supervise the Dietitians in the WIC program at Providence Medical Center.

The main reason I support licensure is that it will help Alaskans identify the experts in the field of food and nutrition. This will help ensure that they are provided with sound nutrition advice and medical nutrition therapy. I also feel all health care professionals need to be treated in an equitable manner by the State.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure. Please feel free to contact me if you have any questions. I can be reached at (907) 261-4930.

Sincerely,



J. Lynn Copoulos
Supervisor, WIC Program



Providence | Health System

ALASKA STATE

HOSPITAL & NURSING HOME

ASSOCIATION

March 16, 1999

The Honorable Senator Donley
Senate Labor and Commerce Committee
State Capitol Building, Room 508
Juneau, AK 99801-1182

Dear Senator Donley:

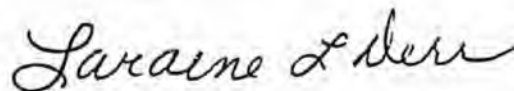
On March 14, 1999, the Labor and Commerce Committee will be hearing SB88 that licenses dietitians and nutritionists. The dietitians and nutritionists work in hospitals, nursing homes, public health clinics, school lunch programs, maternal and child health programs, sports medicine, the University system and in private consulting.

On behalf of the Alaska Association of Hospitals and Nursing Homes, I am writing in support of SB88. As health care facilities look for persons to fill job vacancies in the area of dietetics and nutrition, it would be of assistance if one was assured that the person possessed a license and that the State certified they met the professional standards required. Whether a person has diabetes, heart disease, kidney failure, digestive disorders, eating disorders, high risk pregnancies, strokes, AIDS or cancer treatments, dietitians and nutritionists are a necessary part of the treatment. Licensing would identify qualified nutrition professionals that have the education, training and experience to provide that sound nutrition service. I would ask for your support of this bill.

While it's not the intent of the legislation to limit the practice of other allied health professionals, SB 88 would legally recognize dietitians and nutritionists as experts. It would give health care facilities assurance that they are hiring qualified persons.

Thank you for your consideration of our letter of support.

Sincerely yours,



Laraine L. Derr
President

George Y. Salmon, PT
828 Crossman Road
Fairbanks, AK 99712

March 14, 1999

Senator Dave Donely
Alaska State Legislature
Room 508 – State Capitol
Juneau, AK 99801-1182

RE: Senate Bill 88

Dear Senator Donley:

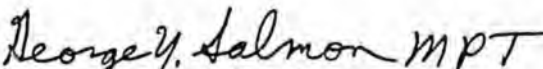
I am writing to let you know I support Senate Bill 88.

I work in the field of physical therapy. I have had the opportunity to work with registered dietitians at Fairbanks Memorial Hospital in the PACE program, an outpatient cardiac rehabilitation program which combines the Medical Nutrition Therapy services of a registered dietitian with physical therapy. Since leaving the hospital, I have worked with registered dietitians in home health, outpatient, and community education settings, where I have seen the benefits of sound nutrition education empower many clients and improve their rehabilitation outcomes.

The main reason I support licensure is that it will help Alaskans identify the experts in the field of food and nutrition. This will help ensure that they are provided with sound nutrition advice and medical nutrition therapy. In my opinion, registered dietitians have a level of academic and clinical education equal to that of other licensed health care providers in the State of Alaska. I also feel all health care professionals need to be treated in an equitable manner by the State.

Thank-you for supporting the Alaska Dietetic Association's effort to achieve licensure. Please feel free to contact me if you have any questions. I can be reached at (907)452-6488.

Sincerely,


George Y. Salmon, M.P.T.
Alaska Physical Therapy License No. 734



Alaska Association of Diabetes Educators

March 15, 1999

Senator Dave Donley
Alaska State Legislature
Room 508 State Capitol
Juneau, AK 99801-1182

Dear Senator Donley:

I am writing to you on behalf of the Alaska Association of Diabetes Educators (AKADE) in support of Senate Bill 88.

As diabetes educators we have the opportunity to work closely with registered dietitians on a regular basis. In fact several of our members are registered dietitians. Registered dietitians play a major role in helping all people with diabetes to develop an individual meal plan for successful management of their diabetes. Successful diabetes management means reduction in complications and health care costs related to diabetes and improved quality of life for those living with diabetes.

The primary reason we support licensure is that it will help Alaskans identify the experts in the field of food and nutrition. This will help ensure that Alaskans, especially those whose quality of life depends on it are provided with sound nutrition advice and medical nutrition therapy. Senate Bill 88 will also help assure that all health care professionals are treated in an equitable manner by the State.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure.

Sincerely,

Melinda Tomazevic RN, CDE
Diabetes Nurse Specialist
Secretary, AKADE

March 12, 1999

Senator Dave Donley
Alaska State Legislature
Room 508 - State Capitol
Juneau, AK 99801-1182

RE: Senate Bill 88

Dear Senator Donley:

I am writing to let you know we support Senate Bill 88.

We work in the field of medicine at the University of Alaska Fairbanks, Center for Health and Counseling. We have had the opportunity to work with registered dietitians (or nutritionists) in the following way:

We have a dietician who volunteers to come in and talk with our students on a monthly basis in regards to a healthy diet and nutrition.

The main reason we support licensure is that it will help Alaskans identify the experts in the field of food and nutrition. This will help ensure that they are provided with sound nutritional advice and medical nutrition therapy. We also feel all health care professionals need to be treated in an equitable manner by the State.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure. Please feel free to contact us if you have any question. We can be reached at the UAF Center for Health and Counseling, 907-474-7043.

Sincerely,

Melinda Evans, M.D.
Beverly Parrott, P.A.-C
Alice Mural, A.N.P.
Debra Piedrafita, F.N.P.

Melinda Evans, MD
Beverly Parrott P.A.-C
Alice Mural A.N.P.
Debra Piedrafita F.N.P.



SOUTH EAST ALASKA REGIONAL HEALTH CONSORTIUM
3245 HOSPITAL DRIVE • JUNEAU, ALASKA 99801 • (907) 463-4000

March 22, 1999

Senator Dave Donley
Alaska State Legislature
Room 508, State Capitol
Juneau, AK 99801

RE: Senate Bill #88

Dear Senator Donley:

I am a physician here in Juneau, and have been with the SEARHC clinic for over six years. I have the pleasure of working with registered nutritionists. Our on-staff nutritionist sees our patients on an individual basis; to do dietary counseling, as well as providing classes for groups on health and weight loss approaches.

I understand the question of licensure for nutritionists is up in the legislative body this season. I support this licensure process because it would help Alaskans identify experts in the field of nutrition. I think with the emphasis on nutrition and vitamins and health, it is a very important time to take heed that there will be non-professional, non-trained individuals who may take advantage of patients' desire to obtain information.

Please support Senate Bill #88.

Sincerely,

Maureen P. Longworth, MD
MPL:sh

c: *Joni Leet, nutritionist, SEARHC Clinic*

Transcribed but not signed



SOUTH EAST ALASKA REGIONAL HEALTH CONSORTIUM
3245 HOSPITAL DRIVE • JUNEAU, ALASKA 99801 • (907) 463-4000

March 22, 1999

Senator Dave Donley
Alaska State Legislature
Room 508 - State Capitol
Juneau, AK 99801-1182

RE: Senate Bill 88

Dear Senator Donley:

I am a Family Physician. I have had the opportunity to work with registered dietitians in the following way: referring patients with health problems that are impacted by nutrition such as diabetes or chronic kidney failure.

The main reason I support licensure is that it will help Alaskans identify the experts in the field of food and nutrition. This will help ensure that they are provided with sound nutrition advise and medical nutrition therapy. I also feel all health care professionals need to be treated in an equitable manner by the State.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure. Please feel free to contact me if you have any questions. I can be reached at 463-4000.

Sincerely,

Mark Peterson, MD
Clinical Director



SITKA MEDICAL CENTER

700 KATLIAN STREET, SUITE E • SITKA, ALASKA 99835 • (907) 747-5861
AFTER HOURS (907) 747-3241
FAX (907) 747-5415

ROBERT C. HUNTER, M.D.
INTERNAL MEDICINE
GERIATRICS
GENERAL PRACTICE

DONALD R. LEHMANN, M.D., F.A.A.F.P.
FAMILY PRACTICE
SPORTS MEDICINE

DEBRA L. BRUSHAFER, M.D.
FAMILY PRACTICE

ROBERT J. KLEM, M.D.
FAMILY PRACTICE

C. TIEN-BAO CHAO, M.D.
GENERAL SURGERY

CARY S. KELLER, M.D., F.A.C.S.M.
ORTHOPEDIC SURGERY
SPORTS MEDICINE

SHARON SMOTHERMAN, PA-C
GENERAL PRACTICE

March 10, 1999

Senator Dave Donely
Alaska State Legislature
Room 508 -- State Capitol
Juneau, AK 99801-1182

RE: Senate Bill 88

Dear Senator Donley:

I am writing to let you know I support Senate Bill 88.

I work in the field of Family Practice. I have had the opportunity to work with registered dieticians on a consultant basis (on contract with my practice).

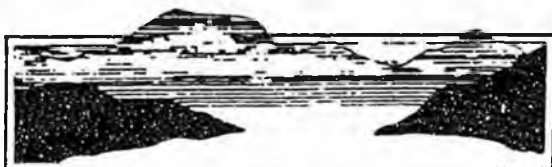
The main reason I support licensure is that it will help Alaskans identify the experts in the field of food and nutrition. This will help ensure that they are provided with sound nutrition advice and medical nutrition therapy. I also feel all health care professionals need to be treated in an equitable manner by the State.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure. Please feel free to contact me if you have any questions. I can be reached at the above address.

Sincerely yours,

Donald R. Lehmann, M.D., F.A.A.F.P.
Family Practice
Sports Medicine

DRL:bj



SITKA MEDICAL CENTER

700 KATLIAN STREET, SUITE E • SITKA, ALASKA 99835 • (907) 747-5861
AFTER HOURS (907) 747-3241
FAX (907) 747-5415

ROBERT C. HUNTER, M.D.
INTERNAL MEDICINE
GERIATRICS
GENERAL PRACTICE

DONALD R. LEHMANN, M.D., F.A.A.F.P.
FAMILY PRACTICE
SPORTS MEDICINE

DEBRA L. BRUSHAFER, M.D.
FAMILY PRACTICE

ROBERT J. KLEM, M.D.
FAMILY PRACTICE

C. TIEN-BAO CHAO, M.D.
GENERAL SURGERY

CARY S. KELLER, M.D., F.A.C.S.M.
ORTHOPEDIC SURGERY
SPORTS MEDICINE

SHARON SMOTHERMAN, PA-C
GENERAL PRACTICE

March 10, 1999

Senator Dave Donley
Alaska State Legislature
Room 508 – State Capitol
Juneau, AK 99801-1182

RE: Senate Bill 88

Dear Senator Donley:

I am writing to let you know I support Senate Bill 88.

I work in the field of Internal Medicine. I have had the opportunity to work with registered dieticians on a consultant basis (on contract with my practice).

The main reason I support licensure is that it will help Alaskans identify the experts in the field of food and nutrition. This will help ensure that they are provided with sound nutrition advice and medical nutrition therapy. I also feel all health care professionals need to be treated in an equitable manner by the State.

Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure. Please feel free to contact me if you have any questions. I can be reached at the above address.

Sincerely,

Robert C. Hunter, M.D.
Internal Medicine (Board Certified)
Geriatrics (Certificate of Added Qualification)

RCH:bj



Valley Medical Care

3220 Hospital Drive • Suite 100 • Juneau, Alaska 99801
Phone: (907) 586-2434 • Fax: (907) 586-2446

Sarah A. Isto, M.D.
Bob Urata, M.D.
Ellen Farley, M.D.
Sharon Fisher, M.D.
Lindy Jones, M.D.
Priscilla Valentine, M.D.
Anya Maier, M.D.
Justine Emerson, F.N.P.
Margaret Durand, F.N.P.

March 3, 1999

Senator Dave Donnelly
Alaska Senate, Room 508
State Capitol Building
Juneau, Alaska 99801-1182

Dear Senator Donnelly:

This is a letter in support of the nutritional professionals who are pursuing state licensure for dietitians and nutritionists. I support this request because I think it will bring up the level of current patient care in Alaska, especially for those dietitians and nutritionists who work in hospitals, nursing homes, public health clinics and in other areas.

I believe that they are experts in their field and this would prevent those who do not meet that standard and are not trained in this specialty from falsely practicing this service.

Thank you for your kind attention to this matter.

Sincerely yours,

Bob Urata, M.D.

BU/ldd

JAMMIN' SALMONS' PHYSICAL & NUTRITIONAL THERAPIES

828 Crossman Road
Fairbanks, AK. 99712

Phone 907-457-6688
Fax 907-452-6488

TESTIMONY TRANSCRIPT - CINDY SALMON, R.D. SB88 LICENSURE OF DIETITIANS & NUTRITIONISTS May 3, 1999

Hello, Members of the House Labor & Commerce Committee:

My name is Cindy Salmon. I am a registered dietitian, certified personal trainer, and lifelong Alaskan, in private practice in Fairbanks. I am also an adjunct lecturer at the University of Alaska-Fairbanks. I reside off of Farmers' Loop Road. In 1993, I graduated with a B.S. in Food & Nutrition Science with a Chemistry Minor, from Northern Arizona University in Flagstaff, as there are no nutrition science degrees available in Alaska. I was accepted and completed the requirements of the first AP# (internship) program in Alaska, through the University of Alaska-Anchorage. Today, my services are available at the University of Alaska-student rec center, Fairbanks Athletic Clubs, at our outpatient facility, and in the client's home. Clients come, or are referred, for medical nutrition therapy from many walks of life; UAF students, senior citizens, local professionals, children and families - for conditions such as low growth/failure to thrive, eating disorders, anemia, osteoporosis, hyperlipidemia, heart disease, hypertension, diabetes, and sound nutritional guidance. I am a member of their health care team with other licensed practitioners: physical therapists, occupational therapists, speech therapists, dentists, physicians, nurses, nurse practitioners, social workers and physician's assistants in an effort to benefit our client's health. Our practice is based on sound, scientific principals and focuses on matching a client's nutritional status and readiness to change with the appropriate Medical Nutritional Therapy and lifestyle intervention. In short, we teach people to separate fact from fallacy in order to make informed choices about their present and future health. At present, it is easy for the public to take a wrong turn when seeking nutritional care. For example, if using the local phone directory there is a 50/50 chance; a person looking under Nutritionists would find six separate listings - only three of which meet the proposed definition of Dietitian. State licensure of dietitians and nutritionists guide the public and reinforce the importance of utilizing providers who have met the professional standard and are qualified to provide nutritional care. I hope this description of my practice helps increase your insight of the present environment and the need to pass this bill. If you have any questions, please feel free to ask. Thank-you for your consideration.

Cindy Salmon, R.D. *Cindy Salmon, R.D.*

828 Crossman Road, Fbks., AK 99712
Phone (907) 457-6688
Fax (907) 452-6488
email salmons@polamet.com

Jammin' Salmons'
Physical & Nutritional Therapies

Fax

To: Paula Smedley From: George Salmon, P.T.

Company: Cindy Salmon, R.D.

Fax: 465-2267 Jen Stoyer, Admin. Assistant

Date: 5-4-99 Pages: 2 (including cover sheet)

Re: SB88 Testimony cc:

Urgent For Review Please Comment Please Reply Please Recycle

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•Comments:

FYI transcript of yesterday's testimony follows

S B

9 3

(7)

HOUSE COMMITTEE REPORT

Date Referred to Committee: April 27, 1999

FURTHER REFERRALS:

Finance

Date of Committee Action: 30 apr 1999

The LABOR AND COMMERCE Committee considered:

CSSB 93(FIN)

CS FOR SENATE BILL NO. 93(FIN)

NAMES OF ORGANIZATIONS & BUSINESSES

"An Act relating to the purposes of certain businesses and corporations; relating to the names of businesses and organizations; relating to the registration under the Alaska Trademark Act of marks that resemble the name of another business or organization; and providing for an effective date."

recommends it be replaced with the following committee substitute _____ the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) _____

fiscal note(s) DC ED

zero fiscal note(s) _____

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Alvin Koko</i>	<input checked="" type="checkbox"/>			
<i>John L. Naceis</i>	<input checked="" type="checkbox"/>			
<i>Sam Williams</i>	<input checked="" type="checkbox"/>			

CHAIR'S SIGNATURE

Alvin Koko

4-30-99

FISCAL NOTE

**STATE OF ALASKA
1999 LEGISLATIVE SESSION**

BILL NO. SB 93 (L&C)

Revision Date/Time (Note if correction) _____ Dept. Affected Commerce & Econ. Dev.
 Title Names of Organizations and Businesses BRU Banking, Securities and Corporations
 Component Banking, Securities and Corporations
 Sponsor Senate Labor & Commerce
 Requester House Labor & Commerce Component Serial No. 1233

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()	30.0	33.0	36.3	39.9	43.9	48.3
-------------------------------	-------------	-------------	-------------	-------------	-------------	-------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: _____

POSITIONS

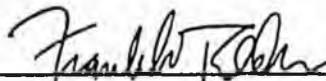
Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation is intended to reduce confusion and make it clearer in cases where the name of a business may be viewed "deceptively similar" to another business name.

The purpose of this bill is to eliminate the confusion that currently exists within the three standards of business name distinction. This bill will be change current statutes from three standards of business name distinction to one standard.

With passage of this bill and subsequent implementation of new statutes, name disputes will be resolved between the parties, not the State of Alaska.



Prepared by Franklin T. Elder, Director Phone 465-2521
 Division Banking, Securities and Corporations Date/Time 4/27/99 9:15 AM
 Approved by Commissioner Deborah B. Sedwick Date 4/28/99
 Agency Commerce and Economic Development

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STATE OF ALASKA

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

DIVISION OF BANKING, SECURITIES, AND CORPORATIONS

TONY KNOWLES, GOVERNOR

333 Willoughby Avenue 9th Floor
P.O. BOX 110808
JUNEAU, ALASKA 99811-0808
Corporation Section (907) 465-2530
Banking & Securities (907) 465-2521

ANCHORAGE

Corporation Information (907) 269-8140
TDD: (907) 465-5437

Attn: Rep. Norman Rokeberg
From: Dawn Williams
Date: April 27, 1999
Re: CSSB 93(FIN)

"An Act relating to the purposes of certain business and corporations; relating to the names of businesses and organizations; relating to the registration under the Alaska Trademark Act of marks that resemble the name of another business or organization; and providing for an effective date."

The State of Alaska Corporation Section, under the Department of Commerce, is responsible for filing documents for corporations, limited partnerships, limited liability partnerships, and limited liability companies doing business in the State of Alaska, as well as the registration of business names.

Currently, there are three different guidelines under Title 10 and Title 32 that the Corporation Section must follow when determining name availability:

1. Deceptively similar;
2. Distinct
3. Distinguishable on the record

This bill will bring all the chapters in Title 10 and Title 32 to the same standard, "distinguishable on the record", when determining the availability of all entity names to be filed with the Corporations Section. This is the standard used in the Uniform Act and to this date has been adopted by at least 25 other states.

The current three guidelines allow for conflicts to arise in which one entity feels the Department erred in filing a name because it could be viewed as too similar to another name on file. The public feels that when a name is filed it is "protected", however this is not the case in any state. A business entity must protect its own name from disparaging use, and there are remedies in the courts for that purpose. The Corporations Section is a filing agency, not an enforcement agency, therefore, these conflicts should not include the State and should at all times be discussed between the two conflicting entities. Consolidating to one guideline will lessen confusion and keep the State out of essentially private disputes over names.

This bill would have a positive fiscal impact for the Department. The standard of "distinguishable on the record" would allow for more entities to file their name with the Department because the standard of "distinguishable" is less prohibitive than the "deceptively similar" standard. There are several names rejected per year based on the "deceptively similar" standard.

- Section 2 has been added, and all remaining sections have been renumbered.

Sec. 2

Section 10.06.005

The current purpose exclusion of insurance is deleted. The current standard does not allow for the incorporation of insurance companies, however, this is in direct violation with Alaska Insurance statutes which require insurance companies to be incorporated.

LEGISLATIVE REFERENCE LIBRARY

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

*(907) 465-3808
FAX (907) 465-2029
Mail Stop 3101*

*130 Seward Street, Suite 400
Juneau, Alaska 99801-2105*

Copies of minutes listed below were originally included in this file. The minutes are available on the legislative computer database. In order to save space copies of minutes have not been left in the files.

Mary Pagenkopf

Senate Labor & Commerce Committee, March 25, 1999, 1:35 p.m.

Senate Finance Committee, April 9, 1999, 8:15 a.m.

SB

133

(7)

JUSE COMMITTEE REPC . T

Date Referred to Committee: May 6, 1999

FURTHER REFERRALS:

Finance

Date of Committee Action: May 7, 1999

The LABOR AND COMMERCE Committee considered:

CSSB 133(RLS) am

CS FOR SENATE BILL NO. 133(RLS) am

REPEAL APUC; CREATE RCA

"An Act creating and relating to the Regulatory Commission of Alaska and transferring to it certain powers and duties of the Alaska Public Utilities Commission; repealing the Alaska Public Utilities Commission; relating to the powers of the chair of the Regulatory Commission of Alaska; relating to regulatory cost charges for public utilities and pipelines; relating to the appellate procedures of the Regulatory Commission of Alaska; relating to the Alaska Oil and Gas Conservation Commission; and providing for an effective date."

recommends it be replaced with the following committee substitute HCS CS SB133(L+C) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) ADGCC 5/6/99;
DCED 5/6/99 9:00

fiscal note(s) _____

zero fiscal note(s) _____

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Don Sanders</i>			<input checked="" type="checkbox"/>	
<i>Chas Hie</i>			<input checked="" type="checkbox"/>	
<i>Tom Bice</i>			<input checked="" type="checkbox"/>	
<i>Bill Williams</i>			<input checked="" type="checkbox"/>	
<i>John L. Harris</i>				<input checked="" type="checkbox"/>
<i>Tom</i>			<input checked="" type="checkbox"/>	
<i>Nan Koley</i>			<input checked="" type="checkbox"/>	

CHAIR'S SIGNATURE

Nan Koley 5-7-99

(7)

JUSE COMMITTEE REPORT

Date Referred to Committee: May 6, 1999

FURTHER REFERRALS:

Finance

Date of Committee Action: MAY 7, 1999

The LABOR AND COMMERCE Committee considered:

CSSB 133(RLS) am

CS FOR SENATE BILL NO. 133(RLS) am

REPEAL APUC; CREATE RCA

"An Act creating and relating to the Regulatory Commission of Alaska and transferring to it certain powers and duties of the Alaska Public Utilities Commission; repealing the Alaska Public Utilities Commission; relating to the powers of the chair of the Regulatory Commission of Alaska; relating to regulatory cost charges for public utilities and pipelines; relating to the appellate procedures of the Regulatory Commission of Alaska; relating to the Alaska Oil and Gas Conservation Commission; and providing for an effective date."

recommends it be replaced
with the following committee substitute

HCS CS SB133(L+C)

the same title
 a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) ADGCC 5/6/99;
DCED 5/6/99 9:00

fiscal note(s) _____

zero fiscal note(s) _____

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Don Sanders</i>			<input checked="" type="checkbox"/>	
<i>Ch. H. H.</i>			<input checked="" type="checkbox"/>	
<i>Tom Bice</i>			<input checked="" type="checkbox"/>	
<i>Bill Williams</i>			<input checked="" type="checkbox"/>	
<i>John L. Harris</i>				<input checked="" type="checkbox"/>
<i>John</i>			<input checked="" type="checkbox"/>	
<i>Nan Kotely</i>			<input checked="" type="checkbox"/>	

CHAIR'S SIGNATURE

Nan Kotely

5-7-99

ALASKA STATE LEGISLATURE

HOUSE LABOR AND COMMERCE COMMITTEE

Representative Norman Rokeberg, Chairman
Representative Andrew Halcro, Vice-Chairman
Representative John Harris
Representative Lisa Murkowski
Representative Jerry Sanders
Representative Tom Brice
Representative Sharon Cissna



State Capitol
Juneau, AK 99801-1182
Telephone: (907) 465-4954
Fax: (907) 465-2040

MEMORANDUM

TO: Terry Cramer, Legislative Counsel

FROM: Janet Seitz
House Labor & Commerce Committee

DATE: May 7, 1999

RE: CS SB 133 (RLS) am
LS0771\X.a

Please prepare a House Labor & Commerce Committee Substitute for SB 133, as follows:

Working from Version X.a

Amendment #1, - X.A.3, Cramer, 5/6/99. Adopted without change.

Conceptual Amendment - Page 7, line 31, after "assigned."
Insert something like: A decision of an arbitrator, hearing officer, or administrative law judge is not final until approved by the Commission.

The intent here is that the Commission should consider the record and make final decision.

cc: Senator Pearce/Pat Carter

5/7/99 adopted

I-LS0771XA.3
Cramer ✓
5/6/99

AMENDMENT # 1

OFFERED IN THE HOUSE

TO: CSSB 133(RLS) am

- 1 Page 11, lines 18 - 21:
- 2 Delete "The governor shall appoint one member from the Regulatory Commission of
- 3 Alaska and one member from the Alaska Oil and Gas Conservation Commission to work with
- 4 the Legislative Budget and Audit Committee on the report."

Sub Amended

AMENDMENT #20

OFFERED IN THE HOUSE

TO: CSSB 133(RLS) am

1 Page 5, lines 9 - 12:

2 Delete all material and insert:

3 "(c) On the filing of a petition, application, or complaint concerning a matter
4 within the jurisdiction of the commission under AS 42.05 for which a hearing is
5 clearly warranted, the chair of the commission shall assign a priority rating to the
6 issue and promptly set a date for hearing. The hearing shall be expedited in
7 accordance with the priority rating. Regardless of the priority rating, a hearing may
8 not be scheduled to begin later than five months after the petition, application, or
9 complaint was filed unless the commission approves an extension of time for good
10 cause. After the conclusion of the hearing, the commission shall enter its order within
11 60 days."

5/7/99

*Peace does not
support*

5/7/99 moved + objected for discussion

1-LS0771XA.5
Cramer
5/7/99

AMENDMENT #2

Withdrawn

OFFERED IN THE HOUSE

TO: CSSB 133(RLS) am

1 Page 12, following line 15:

2 Insert a new bill section to read:

3 **** Sec. 29. APUC ASSISTANCE TO RCA.** The Alaska Public Utilities Commission
4 shall, to the extent possible, transfer as many duties and activities as possible from members
5 of the commission to commission staff in order to make the transition between the Alaska
6 Public Utilities Commission and the Regulatory Commission of Alaska as smooth as
7 possible."

8 Renumber the following bill sections accordingly.

9 Page 14, line 13:

10 Delete all material and insert:

11 **** Sec. 33. (a)** Section 29 of this Act takes effect immediately under AS 01.10.070(c).

12 (b) Except as provided in (a) of this section, this Act takes effect July 1, 1999."

not offered

AMENDMENT

OFFERED IN THE HOUSE

TO: CSSB 133(RLS) am

- 1 Page 4, lines 23 - 27:
- 2 Delete all material.

- 3 Page 5, lines 13 - 18:
- 4 Delete all material.

- 5 Page 5, line 19:
- 6 Delete "Article 3"
- 7 Insert "Article 2"

- 8 Page 11, line 10:
- 9 Delete "42.05.123,"

5/7/99 moved

Amend

Rokoberg
Conceptual
Amendment

PT line 31

after "assigned".

add "a decision of an arbitrator, ^{hearing officer}
is not final until approved by the Commission."

admin law
judge

Intent: Expedite the process
Comm should consider need to
make final decision
Gov

ADOPTED
5/7/99

Amendment

Withdrawn 5/7/99
Bucci

PS - lines 13-18 Delete

Peace - no exact a rec of WREI study lead to
make sense of getting rid

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. CSSB 133(RLS) am

Revision Date: _____
Title: Combine APUC and AOGCC
Sponsor: Senator Pearce
Requestor: (H) L&C

Department Affected: Administration
BRU: AOGCC
Component: AOGCC
COMPONENT SERIAL NO. 2010

Expenditures/Revenues: (Thousands of Dollars)
Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2000	FY 2001	FY2002	FY 2003	FY 2004	FY 2005
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	147.0	147.0	147.0	147.0	147.0	147.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	147.0	147.0	147.0	147.0	147.0	147.0

CAPITAL EXPENDITURES	321.9	0.0	0.0	0.0	0.0	0.0
----------------------	-------	-----	-----	-----	-----	-----

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
------------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	147.0	147.0	147.0	147.0	147.0	147.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	147.0	147.0	147.0	147.0	147.0	147.0

Estimate of any current year (FY 99) cost: \$ _____

POSITIONS:

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME	0.0	0.0	0.0	0.0	0.0	0.0
TEMPORARY	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: (Attach a separate page if necessary.)

Operating Budget

This bill combines the AOGCC and APUC offices and will relocate the AOGCC offices to the current APUC office location. \$147.0 of additional operating funds are necessary for AOGCC lease costs at the APUC building. (8,000 x \$2.00/sq. ft. less \$45,000 available from current facility maintenance budget).

Capital Budget

Relocating the AOGCC offices will require a capital expenditure of \$281.9 in FY 2000 to cover moving costs and new office furniture for 23 employees. AOGCC will also need to invest in a new computer network system to be compatible with APUC. The cost for an updated network is estimated to be \$40.0 and is also included in the capital request.

Prepared by: Robert Christenson, PE
Division: Alaska Oil and Gas Conservation Commission

Phone: 279-1433
Date: _____

Approved by Commissioner: Robert Poe Jr.
Agency: Department of Administration

Date: 5/6/99

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FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. CSSB 133 (RLS)
 (revised)

Revision Date/Time (Note if correction) 5/6 9:00
 Title Alaska Public Utilities Commission

Dept. Affected DOED
 BRU AK Public Utilities Commission/AEGCC
 Component APUC/AECC Operations

Sponsor Senator Pearce
 Requester (H)Labor & Commerce

Component Serial No. 346

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services	3,287.0					
Travel	35.0					
Contractual	1,300.9					
Supplies	62.5					
Equipment	13.8					
Land & Structures	0.0					
Grants & Claims	0.0					
Miscellaneous	0.0					
TOTAL OPERATING	4,699.2	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	500.0					
-----------------------------	--------------	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other 1110 APUC Rcpts	4,699.2	0.0	0.0	0.0	0.0	0.0
TOTAL	4,699.2	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: 0.0

POSITIONS

Full-time	55	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

The APUC recently contracted for an analysis to determine the recommended specifications and cost of an information management system that would fulfill the requirements specified in the proposed CS. Without the benefit of the results of this study, a capital appropriation of \$500,000 is estimated for this cost.

Potential administrative savings from partial consolidation in FY2000 are not estimated because the timing of the AOGCC move is unknown. Similarly, potential administrative savings and/or improved efficiencies are likely in FY2001 and beyond in areas such file maintenance and reception services but are difficult to estimate at this time given the current understaffing at both agencies.

Prepared by Ginny Fay
 Division Commissioner's Office
 Approved by Commissioner
 Agency

Phone 465-2503
 Date/Time 5/6/99 9:00 AM
 Date 5/5/99

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130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

May 6, 1999

SUBJECT: Sectional Summary of CSSB 133(RLS) am. (Creating the Regulator Commission of Alaska; repealing the Alaska Public Utilities Commission)

TO: Senator Drue Pearce, President of the Senate
Attn: Pat Carter

FROM: Teresa B. Cramer *TBC*
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1 adds a chapter to AS 42 to establish the Regulatory Commission of Alaska (RCA).

Sec. 42.04.010 creates the commission as an independent agency of the state. The bill does not identify the department in which the commission should be placed for administrative purposes. Under subsection (b), the commission may nominate a member as chair but the governor has the power to select any member of the commission to serve as chair. The term as chair is for four years.

Sec. 42.04.020 provides for five commissioners, specifies six year terms, addresses vacancies on the commission and removal for cause and places the commissioners in the exempt service, compensated at Range 26, Step C, of the state salary schedule, with the chair compensated at Range 27, Step C.

Sec. 42.04.030 directs the commission to establish a principal office and branch offices, to hold meetings, and to have a seal.

Sec. 42.04.040 directs the Department of Law to provide full-time legal counsel to the commission and permits the commission to contract for services of specialized legal counsel or consultants.

Sec. 42.04.050 makes the chair of the commission responsible for directing the administrative functions of the commission and employing staff, consultants, and experts for

the commission. Employees of the commission who are not in the exempt service, other than legal counsel, are in the classified service. Under subsection (b), the chair may enter into a contract for up to \$5,000 for consultants or experts. The commission may contract for experts and consultants without a dollar limit.

Sec. 42.04.060 places conflict of interest restrictions on members of the commission and commission employees.

Sec. 42.04.070 sets out the powers of the commission chair, including employing staff, establishing a time management system for the commission, assigning work to commission members and staff, appointing hearing officers, and directing the public advocacy section to participate in certain matters.

Sec. 42.04.080 directs the chair to appoint a hearing panel of three or more commission members for matters on which the commission is to decide. There are exceptions for some formal hearings which may be heard under AS 42.05.171, amended by bill sec. 9. Under subsection (b), matters that are contrary to commission precedent may be appealed to the full commission. The full commission is not required to accept the appeal. Under subsection (c), the commission is directed to adopt timeliness standards.

Sec. 42.04.100 establishes a communications carriers section in the new commission.

Sec. 42.04.150 establishes a public advocacy section, to represent the public interest in matters before the commission.

Sec. 2 amends AS 29.35.137(6) to reflect the repeal of the APUC.

Sec. 3 amends AS 37.05.146(b), which lists program receipts that are not made from the unrestricted general fund, to reflect the substitution of the RCA for the APUC.

Sec. 4 amends AS 39.50.200(b)(24), concerning public officials in the executive branch who are subject to financial reporting for conflict of interest purposes, to substitute members of the RCA for members of the APUC.

Sec. 5 amends AS 42.05.151(b) to require the new RCA to adopt regulations that provide for hearing panels and appellate panels when regulating public utilities under AS 42.05.

Sec. 6 amends AS 42.05.171 to include reference to hearing panels, to allow for arbitrators, and to give the chair the power to designate administrative law judges.

Secs. 7 - 10 amend AS 42.05.254 to change the method by which the regulatory cost charge collected from public utilities is calculated.

Sec. 11 amends AS 42.05.990(2) to define "commission," for purposes of the chapter regulating public utilities, as the Regulatory Commission of Alaska.

Senator Drue Pearce
May 6, 1999
Page 3

Sec. 12 amends AS 42.05.995, the short title for the chapter providing for regulation of public utilities, to remove reference to the APUC.

Secs. 13 and 14 amend AS 42.06.286 to change the method by which the regulatory cost charge collected from pipelines is calculated.

Sec. 15 adds a new section to AS 42.06 to require the RCA to comply with the hearing procedures set out in Sec. 42.06.080, enacted by sec. 1 of this Act, when regulating pipelines.

Sec. 16 amends AS 42.06.305, concerning the transfer of operating authority of pipelines, to require that a transfer decision be based on the best interest of the state.

Sec. 17 amends AS 42.06.445(e) to reflect that the RCA does not have an executive director separate from the chair.

Sec. 18 amends AS 42.06.630(2) to define "commission" for purposes of pipeline regulation as the RCA.

Sec. 19 removes reference to the APUC in AS 42.45.020(b).

Secs. 20 and 30 substitute reference to the RCA for reference to the APUC in the sunset statutes and extend the sunset of the RCA for five years.

Sec. 21 removes reference to the APUC in AS 44.83.425(3).

Sec. 22 amends AS 46.04.020(i) to reflect substitute the RCA for the APUC.

Sec. 23 lists the statutes repealed by the bill. The statutes in AS 42.05 (AS 42.05.010 - 42.05.131) relate to the Alaska Public Utilities Commission. AS 39.25.120(c)(6) placed the executive director, deputy director, hearing officers, and administrative law judges of the Alaska Public Utilities Commission in the partially exempt service.

Sec. 24 requires a report concerning restructuring of the RCA and the Alaska Oil and Gas Conservation Commission (AOGCC) from Legislative Budget and Audit in consultation with one member each from the AOGCC and RCA.

Sec. 25 requires the RCA to develop its management information system and make it available through the Internet.

Sec. 26 requires the AOGCC to move its principal office to the same location as the RCA and then to share clerical staff and record keeping facilities.

Sec. 27 directs the RCA to employ an additional hearing officer, if there are sufficient funds.

Sec. 28 provides for the initial terms of the members of the RCA.

Senator Drue Pearce

May 6, 1999

Page 4

Sec. 29 provides for the transition of activities of the APUC to the RCA.

Sec. 30 relates to the sunset extension in sec. 25 of the bill.

Sec. 31 lists the other statutes where the substitution of the RCA for the APUC needs to occur.

Sec. 32 is a July 1, 1999 effective date for the bill.

TC:jdr

99-268.jdr

Alaska State Legislature

REPRESENTATIVE
GAIL PHILLIPS
Chair

SESSION ADDRESS
State Capitol
Juneau, Alaska 99801-1182
(907) 465-2689
Fax: (907) 465-3472

Legislative Budget and Audit Committee

TO: Norm Rokeberg, Chair *Norm*
Labor and Commerce Committee

FROM: Representative Gail Phillips, Chair *Gail*
Legislative Budget and Audit Committee

RE: Amendment Request - SB 133 - Creating the Regulatory Commission of
Alaska; Repealing the Alaska Public Utilities Commission

After conferring with the Legislative Auditor, Pat Davidson, I respectfully request you consider the following minor amendment to SB 133.

Page 11, on lines 18 through 21, delete:

[The governor shall appoint one member from the Regulatory Commission of Alaska and one member from the Alaska Oil and Gas Conservation Committee to work with the Legislative Budget and Audit Committee on the report”]

The Legislative Budget and Audit Committee (LBAC), and therefore our auditors already have statutory authorization to require the assistance and cooperation of officials and other state employees (AS 24.20.201 (a) (3) and AS 24. 20. 271 (5). Additionally, the audit team must be independent in its work from the organizations audited and conform to Governmental Auditing Standards. During the regular course of this study, the audit team will no doubt work closely with not only the commissioners from both entities, but staff as well.

Thank you for your consideration of this request. An amendment accomplishing the above is attached.

attachment

INTERIM ADDRESS

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Alaska State Legislature



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Drue Pearce
President of the Senate

Sponsor Statement 5/5/99 Senate Bill 133

SB 133 will accomplish several goals regarding the Alaska Oil & Gas Conservation Commission (AOGCC) and Alaska Public Utilities Commission (APUC). The APUC will be re-pealed and re-structured under the new title of the Regulatory Commission of Alaska (RCA). This new structure will be more capable of addressing the current expanding workload of the commission. The AOGCC will be strengthened by relocating to the same physical location as the APUC. Long term efficiencies will be gained by utilizing a common building, sharing clerical staff and record keeping facilities. In addition, Legislative Budget & Audit (LB&A) will write a report during the interim, which will consider the functions of the two commissions and what structure would best serve the states interests.

SB 133 makes the following changes to the APUC:

1. Repeals the APUC and creates the Regulatory Commission of Alaska (RCA), effective July 1, 1999. All commissioners shall be either re-appointed or replaced. All staff shall remain. All regulations and pending matters before the commission shall be carried forward to the new commission.
2. The new commission will be composed of five commissioners. The five commissioners shall be members of the general public with no requirement for areas of specific expertise. I feel that requiring specific expertise is limiting and that the public interest would best be served by having maximum flexibility in acquiring qualified individuals from the general public.
3. SB 133 strengthens the position of the Chairman.

The Chairman:

- a) Shall have limited authority over the other commissioners.
- b) Shall have oversight of all commission staff.
- c) Shall assign the work of the commission and staff.
- d) Shall set timelines by which a matter shall be resolved.
- e) Shall determine when advocacy staff is required given certain standards.

4. Streamlines the hearing process.

- a) The chair shall empanel three or more commissioners to a hearing panel to decide the case. This allows the Chairman to assign the applicable number of commissioners depending on the size of the case.
- b) Limited the appeals process to only be considered when a decision taken is contrary to commission precedent.
- c) Mandated that the commission promulgates timeliness standards, depending on the complexity of the docket, for the types of cases that come before the commission. These regulations shall be adopted by December 31, 1999.
- d) Provided for formal hearings to be held before an arbitrator in appropriate cases.
- e) Established within the commission a separate advocacy section to represent the public interest when necessary.

- 5. SB 133 instructs the commission to adopt a time management system to ensure accurate accounting for time billed to each aspect of the commission's functions. LB&A has been recommending a time management system for the APUC in every audit since 1979. To date, the APUC does not use industry or utility codes on payroll time sheets and therefore workloads are approximated using rough estimates. A time management system will provide improved accuracy when assessing regulatory cost charges to individual sectors of the utility industry. This will assist in assuring that the cost causer is the cost payer.**

SB 133 makes the following changes to the AOGCC:

- 1. The AOGCC will physically move to the same location as the RCA (APUC) as soon as possible, but not later than July 1, 2000. The two commissions will share record keeping facilities and clerical staff after that time.**
- 2. The AOGCC shall have access to hearing officers at the RCA (APUC) following the effective date, July 1, 1999.**

SB 133 authorizes LB&A to prepare a transition report to be delivered to the governor and the Legislature on the first day of the second session of the 21st Legislature. The Governor shall appoint one commissioner from each commission to work with LB&A on the transition report. The report will address both commissions and their functions and shall make recommendations on changes that would serve the best interests of the state.

SB 133 will improve our ability to protect the long-term public interest through increased functional efficiencies of both commissions.

SB 133 does NOT:

- 1. Does NOT combine the two commissions into one.**
- 2. Does NOT de-regulate garbage.**
- 3. Does NOT transfer pipeline regulation to the AOGCC.**
- 4. Does NOT make any policy changes to either commission.**
- 5. Does NOT transfer any function from one to commission to the other.**
- 6. Does NOT alter the number of commissioners on either commission.**



CHUGACH ELECTRIC ASSOCIATION, INC.

EUGENE N. BJORNSTAD, P.E.
General Manager

April 13, 1999

Senator Drue Pearce
Twentieth Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Senator Pearce:

Re: SB 133 as an essential vehicle for regulatory re-invention

Chugach Electric Association, Inc. strongly favors SB 133. This bill will facilitate development of a new regulatory structure to oversee the increasing competition among utility services. The new structure can achieve savings over time through streamlining and through carefully re-defining regulatory functions. Combining functions as provided in SB 133 will allow the new commission to adapt in ways which the old structure is unlikely to achieve.

The existing structure is struggling with the following problems:

The public is not provided much protection by the Commission. The Commission appears to function, but little useful regulatory work is actually being performed. The public suffers the costs and constraints of regulation with little corresponding benefit.

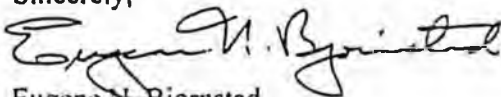
The interests of regulated utilities which support the status quo are protected by the Commission's devotion to anachronistic regulatory approaches.

Regulatory inertia continues unneeded regulation where competition would work better. The APUC is overwhelmed with work in part because it persists in performing unneeded regulation. Essential transition work is not being done.

SB 133 will allow the new Energy Conservation Commission to take a "zero based regulation" approach to examining what regulatory functions are essential. The objective must be to reduce regulatory functions and corresponding public burdens to those which provide sufficiently high benefits to justify the burdens. Over several years, it is reasonable to demand that the transition to greater competition reduce the regulatory effort needed.

As a first step, the Legislature must clearly announce the policy of this state to promote competition among sellers of utility service wherever possible. The reverse policy is followed by the existing regulatory body. A clear policy directive favoring competition as the rule with exceptions only by special decision will allow the new Energy Conservation Commission begin immediately to increase customer choice and reduce regulation. The mission should be to maximize use of competition and minimize use of regulation to promote the welfare of the citizens of the State and their economic well-being.

Sincerely,


Eugene N. Bjornstad
General Manager

RECEIVED

APR 16 1999

The
Alaska Energy Conservation Commission
3/25/99
Version - E

Goals & Objectives

- Streamline government by combining the two agencies. This will require the repeal of both commissions while allowing for a reasonable transition period. This will also require carrying forward all existing regulations as well as all pending matters currently before either commission.
- Improve the long term function, effectiveness, and efficiency of both commissions.
- Improve the antiquated funding mechanism of the AOGCC
- Address the perception of disfunctionality of the APUC

Composition

- (a) There is created as an independent quasi-judicial agency of the state the Alaska Energy Conservation Commission, composed of seven members appointed by the governor and confirmed by the Legislature in joint session assembled.
- (b) The commission shall nominate, to the Governor, one public member of the commission as chairman. However, the governor may or may not choose to appoint this person as chairman. The chairman shall serve for a term of four years, but may not be appointed for successive terms.

Removal of commissioners

The governor may remove a commissioner from office for cause including but not limited to incompetence, neglect of duty or misconduct in office. A commissioner, to be removed for cause, shall be given a copy of the charges and afforded an opportunity to be publicly heard in person or by counsel in the commissioner's own defense upon not less than 10 days' notice. If a commissioner is removed for cause, the governor shall file with the lieutenant governor a complete statement of all charges made against the commissioner and the governor's finding based on the charges, together with a complete record of the proceedings.

The above language was copied from the current removal language for the AOGCC

Current commissioner terms - All commissioner terms will expire with repeal of the commissions.

AOGCC

- David Johnston - Term expired 3-1-99
- Robert Christensen - Term expires 3-1-01
- Camille Oechsli - Term expires 3-1-03

APUC

- Sam Cotten - Term expired 3-1-99
- Alyce Hanley - Term expires 3-1-00

- Dwight Ormquist – Term expires 3-1-00
- Tim Cook – Term expires 3-1-01
- James Posey – Term expires 3-1-03

Term

The term of office of each member is six years. A commissioner, upon the expiration of a term, shall continue to hold office until a successor is appointed and qualified.

Qualifications of members.

7 members – five public members, one Petroleum Engineer, one Petroleum Geologist.

Note: Our current judicial system deliberates technical issues in our courts utilizing randomly selected members of the general public. Having the ability to hand pick well rounded, intelligent individuals should prove more than adequate. (Commissioners can rely on staff for any technical expertise that may be required regarding the APUC decisions) The AOGCC deals with specific sub-surface technical issues relating to oil & gas reservoirs, which will require specific expertise.

Given Alaska's relatively small population, as well as those who may have a conflict of interest, this should help to resolve some of the past problems we've faced with the lack of qualified candidates.

Compensation of members of the commission

Members of the commission are in the exempt service and shall receive an annual salary. Chairman shall receive a slightly higher (one step) salary over other commissioners.

Legal counsel

The Department of Law shall provide full-time legal counsel to the commission. The legal counsel provided by the Department of Law is subject to the approval of the commission. *The Department of Law shall provide for the full-time legal counsel in the same fashion as they currently do to the AOGCC. (The Dept. of Law shall NOT contract to the commission)*

Funding Source

The commission shall operate with a program receipt system similar to that of the existing APUC. Through the implementation of the new time management system this will allow for better assessment of costs related to telecommunication and power generation. Pipelines will continue to be funded using the existing tariff system. Oil & gas related costs shall be collected utilizing a program receipt system of total volume of liquids proportional to related budget costs *(This will allow the costs to remain proportional to the existing conservation tax)*. Program receipts shall not be used for purposes outside the commission. The commission shall be authorized to adopt a standard fee rate in cases where the existing system does not apply.

The existing Oil & Gas conservation tax shall be repealed with commission.

Time Management System

The commission shall implement a time management system to maintain a record of time expended on the various functions of the commission. This shall apply to all staff as well as the administrative director and commissioners.

Commission staff

AOGCC

- Add - (3) Junior positions – Jr. Reservoir Engineer, Jr. Petroleum Engineer, and a Jr. Petroleum Geologist. All three positions would need to be filled by qualified professionals capable of moving up into the senior position.

Note: The current problem is that the level of institutional knowledge is only one person deep in each field. And, each of these people is nearing the end of their professional careers and will most likely retire within the next 5-10 years.

APUC

- Eliminate - Executive Director position
- Add – Office manager
- Add - (1) Hearing officer

Staffing levels should otherwise remain relatively the same.

Powers and duties of the commission

The powers and duties of the commission will remain largely unchanged with a couple exceptions.

- The commission may act on it's own initiative, by petition or filing.
- The chairman shall empanel (3) commissioners to consider decisions before the commission. The petroleum geologist and petroleum engineer shall always make up two of the three commissioners empanelled to consider oil, gas, or pipeline issues.
- Chairman may assign an individual commissioner to act as a hearing officer.
- Appeals to the commission shall be heard by (5) commissioners, of which one shall be the chairman. Appeals will be granted at the discretion of the commission.
- The commission will no longer regulate the refuse industry.

Role of the Chairman

- (a) The chairman of the commission shall have limited authority over other commissioners.
 - (1) The chairman shall have the responsibility and oversight of assigning and distributing work to other commissioners.
 - (2) The chairman shall have the responsibility of assigning cases to commissioners.
 - (3) The chairman shall set a maximum time allowed for completion of cases.
 - (4) The chairman shall have the responsibility and oversight of all time keeping records submitted by the ~~executive director~~ and other commissioners.

STAFF

- (5) The executive director and commissioners shall submit time keeping records to the chairman.
- (6) The chairman shall have the responsibility of all hiring and firing of staff.

Commissioners

- (a) The chairman shall assign commissioners issues in which they shall concentrate their respective efforts.
- (b) The commissioners shall work through staff section heads to distribute workloads as well as monitoring of work in progress.
- (c) All commissioners, including the chairman, shall maintain time keeping records of their work.

Staff

APUC staff shall no longer serve the dual function of advisory and advocacy roles. Staff shall serve in the capacity of advisor to the commission.

Note: There has been a breakdown in communication in the flow of information between staff and commissioners. This is largely due to over use of the role of advocacy staff. The intent of advocacy staff was to protect and serve the public interest. This is unnecessary and duplicative, as it is the role of the commission, as a whole, to protect public interest. The APUC is considered to be the body as a whole and would therefore include both the commissioners and staff in carrying out the role of serving the public interest. In fact, "the APUC was created to protect and promote the public interest by certification and economically regulation qualified public utilities and pipeline carriers."

SB

141

(7)

HOUSE COMMITTEE REPORT

Date Referred to Committee: April 27, 1999

FURTHER REFERRALS:

Date of Committee Action: April 28, 1999

The LABOR AND COMMERCE Committee considered:

CSSB 141(L&C)

CS FOR SENATE BILL NO. 141(L&C)

PROCUREMENT: CONTRACTS/SUBCONTRACTS

"An Act relating to construction contracts and subcontractors; relating to design-build construction contracts; and providing for an effective date."

recommends it be replaced with the following committee substitute

HCS CS SB 141(L&C)

the same title
 a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) _____

zero fiscal note(s) DOT

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Nancy Kately</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>L...</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>John Harris</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>William...</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Ch...</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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CHAIR'S SIGNATURE

Nancy Kately

Statement in Support of Section 7

Good Afternoon. I'm Susie Kemp, Council member for Delta Junction.

This winter, we brought the question of the private prison project to Delta Junction voters. They said we should proceed, and that's what we are trying to do.

Delta Junction is going to be in a world of hurt when Fort Greely closes unless the base is reused. Our best shot for economic reuse of the base is the prison project. The prison is controversial in our community, and there is a vocal opposition, but they've been in the minority both times we've voted.

The proposed changes in section 7 of this bill are designed to help the City with the goals set out in House Bill 53 last year, and I quote:

- “1. To take advantage of the unique opportunity to use surplus military facilities on the road system that are becoming available through the United States Army's realignment of Fort Greely's mission . . .
2. To prevent and ameliorate economic hardship in the Delta region occasioned by that realignment . . .
3. To relieve overcrowding of existing facilities within the state and the extensive use of out of state correctional facilities to house Alaska inmates.”

The legislature's intent was to provide economic redevelopment relief to Delta Junction by seizing the unique opportunity of using the abandoned

Statement in Support of Section 7

buildings left after the realignment of Fort Greely. At the same time, it applies to a matter of statewide concern because capitalizing on this unique opportunity will have a positive impact on the State by returning prisoners to custody in Alaska.

The City is under tremendous time pressure to move this project forward for timely completion, to even have a chance of aligning the prison project with the closure of Fort Greely. These pressures include the need to begin the landfill construction and permitting this summer, to handle the demolition that will be needed for a major conversion project. Survey work has to be done to begin the process of land transfers.

Most importantly, we have to demonstrate to the Army that they have a viable plan to proceed. If the Reuse Plan is not in acceptable form by January 2000, then the opportunity to seek an economic development transfer for this project will be gone. If the prison is not ready to operate by July 2001, the jobs in Delta Junction will be gone and families will suffer. To meet this schedule, Delta must select our design build and initial operations contractor now.

This amendment will keep the project on track. For the state, that means the goals of economic redevelopment and in-state prisoner housing can be met. For Delta Junction, that means our community can survive the base closure. Thank you for helping us meet this challenge.



Alaska State Legislature

Please enter into the record my testimony to the House Labor & Commerce
 committee on HCS CSSB ¹⁴¹ ~~107~~ dated 4/27/99
 bill/ subject

Strongly recommend approval of any amendments that would provide/permit a municipality, city, government entity the option to use a sole-source method to contract if it is determined to be in their best interest.

Specifically, the City of Delta Junction should have the same ability to use sole-source contracting if determined to be in their best interest, as the state of Alaska may do. Smaller gov. entities should in fact have more flexibility!

Signed: Michael Lawler
 Testifier

Representing (Optional)
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FISCAL NOTI No. 1

STATE OF ALASKA
1999 LEGISLATIVE SESSION

Bill Version: SB 141
(S) Publish Date: 4/21/99

Revision Date/Time (Note if correction) _____ Dept. Affected DOT&PF
Title Contracts/Sub-Contracts BRU Commissioners Office
Component _____
Sponsor Senator Leman
Requester (S) L&C Component Serial No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 005
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Prepared by Dennis Poshard, Legislative Liaison Phone 465-3904
Division Office of the Commissioner Date/Time 4/19/99 11:28 AM
Approved by Commissioner [Signature] Date 4/19/99
Agency Department of Transportation and Public Facilities

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SENATOR LOREN LEMAN

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Sponsor Statement for SB141

"An Act relating to construction contracts and subcontractors; relating to design-build construction contracts; and providing for an effective date."

Background/Legislative Intent

This bill was introduced on behalf of the Department of Transportation and Public Facilities and is intended to accomplish two things:

1) Excludes Design/Build contracts from the requirement to list subcontractors within five days after award of the contract

Currently, AS 36.30.115 gives direction on listing and replacing subcontractors, and penalties that may apply when a bidder violates provisions of this statute. AS 36.30.115 was enacted in 1986 with the purpose of encouraging and stimulating competition, giving a fair and equal opportunity to all prospective subcontract vendors, assuring that all qualifying vendors have the opportunity to bid, and providing a deterrent to the practice of bid shopping.

The problem with AS 36.30.115 is the five-day contractor notice requirement that states:

(a) Within five working days after the identification of the apparent low bidder for a construction contract, the apparent low bidder shall submit a list of the subcontractors the bidder proposes to use in the performance of the construction contract.

The statute negates the ability to do design/build procurements and comply with the law at the same time.

The operating framework of design/build contracting is different from that of all other types of construction contracts. The contractor often does not know who his subcontractor(s) will be until he is well into the design and/or construction process - certainly past the five-day notification requirement.

The legislation changes the restrictive statutory language allowing design/build contracting without subcontractor selection notification as a condition of contract award.

2) Provides for the addition or replacement of a subcontractor when found to be in the state's best interest

In certain circumstances, during the performance of a construction contract, it may be necessary to add or delete a subcontractor from the contract. The state needs specific authority to take such action, when shown to be in the state's best interest.

When a contract must be expanded or decreased due to changed conditions, the state's project manager may need to have the ability to add or release a subcontractor under the contract. Without the statutory authority to make these subcontractor additions or deletions, the contractor would be in violation of the law if they took this action, even if the state supported the change.

Under this legislation, the requirement of having each such request submitted and approved in writing before such action is taken preserves the integrity of the procurement/contract process.



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Analysis of Bill/Program Effects

1) Under this legislation, AS 36.30.115 is amended by adding new language that specifically excludes design/build projects from conformity with the subcontractor notification requirements prior to contract award.

2) Under this legislation, AS 36.30.115 is amended by adding new subsections that will specifically allow for the state to add or replace a subcontractor when found in the best interest to so do.

There will be certain administrative and procedural advantages realized by this legislation relative to the design/build method of procurement/contracting and subcontractor addition or replacement. This legislation will not change or decrease the original intent of the law in either respect nor will there be any adverse budgetary impacts.

3) The Association of General Contractors supports these changes.