

ALASKA LEGISLATURE COMMITTEE FILES 1999-2000 8672

10099 SENATE LABOR & COMMERCE





To: Senator Jerry Mackie

We the undersigned desire a change in state law to provide an opportunity for employees covered by the Public Employee Retirement System (PERS) to buy up any temporary time and have it credited toward the minimum service time needed for retirement. Currently, employees in this system can 'buy back' their temporary time but it is not credited toward the minimum service time needed for retirement. We believe this is the right thing to do.

Sincerely,

Signature	Printed Name	Address	Employer
<i>Peter J Rob</i>	PETER J ROB	Box 381 Nome AK 99762	ADF+G
<i>Peter Bente</i>	Peter J Bente	Box 1611 Nome, AK 99762	ADF+G
<i>Kate Persons</i>	Kate Persons	Box 381 Nome, AK 99762	ADF+G
<i>Jeanne Walker</i>	Jeanne Walker	Box 2078 Nome, AK 99762	Dept. of Labor
<i>Vickie Erickson</i>	Vickie Erickson	Box 1967 Nome AK 99762	Dept. of Labor
<i>John Merkautis</i>	John Merkautis	PO Box 1170 Nome AK 99762	Labor
<i>Elisabeth Prena</i>	Elisabeth Prena	P.O. Box 1023 Nome, AK. 99762	ADF+G
<i>Juliana Vaccé</i>	Juliana Vaccé	PO Box 1855 Nome, AK 99762	ADF+G
<i>Charles Lean</i>	Charles Lean	P.O. Box 1716 Nome AK 99762	ADF+G
<i>Fred Bua</i>	Fred Bua	Box 1215 Nome AK 99762	ADF+G
<i>Lowell Fair</i>	Lowell Fair	2814 Colantona Drive Anchorage AK 99517	ADF+G
<i>Paul Thompson</i>	Paul Thompson	POB 1123 Nome AK 99762	ADF+G
<i>Tom Kron</i>	Tom Kron	9650 Arlene Anch 99515	"
<i>Dave Mesiar</i>	Dave Mesiar	15740 Windson Dr Anch 99516	ADF+G
<i>Beverly Cross</i>	Beverly Cross	3932 Balchar Dr	ADF+G
<i>DAN HUTTUNEN</i>	DAN HUTTUNEN	P.O. Box 874105 WASILLA, AK.	ADF+G
<i>Lawrence S. Bukis</i>	Lawrence S. Bukis	2615 Brooke Dr. Anch AK	ADF+G
<i>Keith Weiland</i>	Keith Weiland	3912 Dandelion Way Cir	ADF+G
<i>Daniel T. Moore</i>	Daniel T. Moore	P.O. Box 520509 Big Lake, AK	ADF+G
<i>Carmen Olito</i>	Carmen Olito	PO Box 111466 Anchorage AK 99511	ADF+G
<i>Lorry Pelizz</i>	Lorry Pelizz	701 Glacier Dr., Wasilla AK 99654	ADF+G

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Sincerely,

Signature	Printed Name	Address	Employer
<i>Stanley Kaneshiro</i>	Stanley Kaneshiro	616 Thorsheim Kodiak, Ak	State of Ak.
<i>Susan Malutin</i>	SUSAN MALUTIN	Box 2846 Kodiak	AK
<i>Melba Mae Halcoren</i>	Melba Mae Halcoren	Box 136 Kodiak	SAA
<i>S. Forrest Blau</i>	S. Forrest Blau	10783 Birch Circle, Kodiak	State of Alaska
<i>B. D. Ronen</i>	B. D. Ronen	1113A Larch St. Kodiak, Ak	State of AK
<i>Jeffrey P. Barnhart</i>	Jeffrey P. Barnhart	11276 Bells Flat Road, Kodiak Ak	ADF&G
<i>HEIDI SAUNDERS</i>	HEIDI SAUNDERS	Box 1271, Kodiak, AK	DOC
<i>Mary Gross</i>	Mary Gross	Box 4080, Kodiak	DHSS
<i>Larry Vandaeze</i>	Larry Vandaeze	Box 4477, Kodiak	ADF&G
<i>Kimberly Phillips</i>	Kimberly Phillips	Box 683 Kodiak	ADF&G
<i>Marsha Elynn Mueph</i>	Marsha Elynn Mueph	P.O. Box 4187, Kodiak	ADF&G
<i>James A Spalinger</i>	JAMES A SPALINGER	Box 1462 KODIAK	ADF&G
<i>David R Jackson</i>	DAVID R JACKSON	11248 Kalsin dr. Kodiak AK	ADF&G
<i>Richard W Shepard</i>	RICHARD W. SHEPARD	P.O. Box 1344 KODIAK, AK	ADF&G
<i>Carrie Worton</i>	Carrie Worton	PO Box 1614 Kodiak Ak	ADF&G
<i>Jim Blackburn</i>	Jim Blackburn	P.O. Box 948, Kodiak, AK 99615	ADF&G
<i>Bonnie Jones</i>	Bonnie Jones	P.O. Box 8926 Kodiak, AK 99615	ADF&G
<i>Doris Mensch</i>	DORIS MENSCH	Box 631, Kodiak, AK 99615	ADF&G







Joe Dinnocenzo  
PO Box 3045  
Kodiak, AK 99615


.....  
November 23, 1998

Ms Cathy Botelho  
ADF&G  
PO Box 240020  
Douglas AK 99824-0020

Dear Ms Botelho,

A small group of state employees in Kodiak have started lobbying to get the state legislature to consider allowing state employees to count "paid up" temporary service toward the minimum service requirement for retirement. Last spring, Senator Jerry Mackie expressed an interest in submitting a bill this fall that would accomplish this. Jeff Barnhart has recently written a follow up letter to Senator Mackie reregistering our interest in this idea (copy attached). We understand you were once interested and active in promoting this concept. We believe we have a real chance of getting a bill through this year with Senator Mackie's support. Of course, there needs to be interest shown by state employees too. To that end, we have started collecting signatures on a petition (copy attached) which we plan to submit to Senator Mackie sometime just after the next session begins. Jeff Barnhart has been in touch with his staff (Jeanie) in the Juneau office and they are preparing a fiscal note for this proposal. If you are interested in continuing to support this idea, we could use help in getting this petition more widely distributed beyond Kodiak. Mackie's staff (Jeannie or David) can be contacted in Juneau office (1-800-821-4925). Mackie himself can be reached at his home (826-3008) or lodge (826-4000) in Craig to register your interest. Also if you know of other supporters of this idea elsewhere in the state who might be interested in promoting this idea in their areas either pass the word along or let us know so we can contact them. In addition, should you have ideas about what we might additionally do to support this proposal please let me know. Thanks.

Sincerely,

  
Joe Dinnocenzo  
Hm (907) 486-5014  
Wk (907) 486-1882

.....

October 7, 1998

Jeffrey P. Barnhart  
11276 Bells Flat Road  
Kodiak, Alaska 99615

Senator Jerry Mackie  
P.O. Box 795  
Craig, AK 99921

Dear Jerry,


I spoke with you and Senator Duncan during your visit to the Department of Fish and Game office building in March, while you were attending the commercial fish trade show in Kodiak. During our visit I ask Senator Duncan if he had submitted a bill this year allowing state employee temporary time to be credited toward the minimum service time needed for retirement. You asked some questions and Senator Duncan suggested you stop by his office and pick up copies of the previous bills he introduced. You also asked me to write you a letter.

I've enclosed a photocopy of page 2 from the July 1997 PERS newsletter. As shown we can 'buy back' our temporary time to increase our PERS service, although it does not count toward retirement eligibility. I would like to see the temporary time count toward retirement eligibility. We worked for the State as temporaries, we can purchase the service, and we should be permitted to use that time to fulfill the retirement eligibility requirements.

I believe the cost to the State would be negligible. There might even be a cost savings. I believe if cost information is included with the bill, it would have a much better chance of passing this year.

I am looking forward to working with you on this bill.

Sincerely,

  
Jeffrey Barnhart

As do many Alaskans, I note the urgent need to bring revenues in line with expenditures.

I would like to take this opportunity to strongly suggest that we are currently living well beyond our means, and we need to cut costs by any reasonable measures. Toward that end, I am writing to encourage you to expeditiously support the passage of SB 85. I don't see how we can begin to balance the budget without some downsizing, and one element of that seems surely to be layoffs. By their nature, layoffs always occur at the lowest, least senior ranks of employees. And this leads to 'Pyramid Inversion,' making government ever less effective. SB 85 allows senior people the option to depart sooner if they have temporary time, without increasing benefits paid by the state. I think this makes ethical and budgetary sense.

On a larger scale, I would urge you to consider privatizing the Alaska Marine Highway system. It worked very well for the Alaska Railroad, and I think would do so for the ferry's as well.

Support for SB 85!!!

**Subject: Support for SB 85!!!**

**Date:** Tue, 2 Mar 1999 21:14:03 -0900


**From:** Alice.Huttunen@msb.Mat-Su.k12.ak.us (Alice Huttunen)

**To:** <Senator\_Jerry\_Mackie@legis.state.ak.us>

Please read the following short message. It is written in word97.

Thank you for considering my thoughts.

Dan Huttunen

 POM1.doc	<b>Name:</b> POM1.doc <b>Type:</b> Winword File (application/msword) <b>Encoding:</b> base64
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**Subject: Thanks****Date:** Thu, 25 Feb 1999 21:37:34 -0900**From:** Donna Dinnocenzo <dinno@ptialaska.net>**To:** "Jerry Mackie" <Senator\_Jerry\_Mackie@legis.state.ak.us>**CC:** "Alan Austerman" <Representative\_Alان\_Austerman@legis.state.ak.us>

I want to thank you for submitting and sponsoring Senate Bill 85. Not only does this bill right an inequity that is a long time in coming, it also I believe will save the state some money. Allbeit it won't solve all our cash flow problems but it's a tiny innovative step toward helping to conserve state funds. I recognize we all face some hard choices in the next few weeks. I have already told you about my veivs on income tax. I realize they are not popular views. However I also beleive the governors income tax proposal does not go far enough to fund state government. I beleive that I should pay state income tax to help support state government. I have 5 members in my family and we have an income of about 42,000 last year. That includes Alaska Permanent Fund Dividends. Although I have a full time job with the state, I currently work parttime to supplement my income and my wife works too. I beleive if an income tax doesn't tax folks at my level of income, then it won't raise much money and it won't give ownership of state government back to the public. Like you, I am concerned about the effect of taxes on business. But I beleive that the effect of drastically reducing government programs will have even more negative effects on the economy as a whole and businesses in particular. I am willing to pay income tax to help support responsible state spending. And i will continue to look for and support ways to save state dollars too. Again thanks for your support. Joe Dinnocenzo



Part 1.2

Type: application/ms-tnef  
Encoding: base64*Letter**Commitment*

upport SB 85

**Subject: I support SB 85**

**Date: Wed, 3 Mar 1999 12:15:44 -0900**

**From: "Marie Huttunen" <marieh@alaskalife.net>**

**To: <Senator\_Jerry\_Mackie@legis.state.ak.us>**

I think this will be a way to save money in the current budget crisis

;)



**ALASKA STATE EMPLOYEES ASSOCIATION  
AFSCME Local 52, AFL-CIO**

HEADQUARTERS, 3510 Spenard Road, Ste. 201, Anchorage AK 99503  
(907) 277-5200 \* Toll Free 800-478-ASEA \* Fax (907) 277-5206

March 8, 1999

Senator Jerry Mackie  
Alaska State Capitol, Room 427  
Juneau, Alaska, 99801-1182

RE: Senate Bill 85

Dear Senator Mackie:

I am writing in support of Senate Bill 85. This measure is the right thing to do for a number of reasons, first and foremost SB 85 will save the state money immediately.

As the Business Manager of the largest state employee union, I understand the financial pressures the state faces each year in balancing the operating budget. Any reductions imposed by the legislature has an immediate impact on the rank and file state employee. Membership in the General Government Unit (GGU) has decreased 10% over the past four years due primarily to layoffs resulting from legislative budget cuts. I hope this year will be an exception.

That is why passage of Senate Bill 85 is so important. It will save the state money immediately. The savings will come in the form of early retirement of long-term state employees. These Alaskans started their state service as temporary workers back in the 1970's. Eventually these temporary employees were hired into permanent state employment. In 1980, the legislature recognized the inequity of treating these workers differently than other full-time employees and permitted them to "buy back" the time they had worked as temporaries. However, A.S. 39.35.345 included section (d) which prohibited these employees from counting the time worked as a temporary toward retirement. At that time state government was expanding, now it is "downsizing."

As we face the fiscal challenges of the coming year, an early retirement program should be part of the solution. Passage of SB 85 is a step in the right direction. SB 85 would allow those state employees who have prior temporary service to retire sooner. This RIP opportunity would save the state money and avoiding further layoffs.

Sincerely,

Chuck O'Connell, Business Manager  
ASEA/AFSCME Local 52, AFL-CIO

Post-It™ brand fax transmittal memo 7671 # of pages 1

To	From
Co.	Co. <i>FM</i>
Dept.	Phone #
Fax #	Fax #



March 3, 1999

Senator Jerry Mackie  
Alaska State Legislature  
State Capitol, Room 427  
Juneau, Alaska 99801-1182

Dear Senator Mackie:

I enthusiastically support your statements in the Senate Majority News regarding Senate Bill 85, which you are sponsoring. Passage of this legislation will resolve a long-standing inequity in the Public Employee Retirement System. Similar legislation has come before the legislature several times this decade. In 1992, the senate bill died on the floor of the House on the last day of the session. The failures of these bills were great personal disappointments.

If this legislation passes, some employees who qualify may opt for immediate retirement, resulting in a reduction in the state work force. In some small way, this may allow the state to achieve staff reductions without forcing layoffs of people with less time in state service.

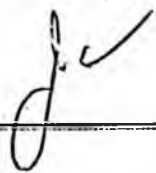
Thank you, both for myself and on behalf of many dedicated state employees who worked for years as temporaries.

Sincerely,



Catherine A. Botelho  
P.O. Box 210515  
Auke Bay, Alaska 99821

# POM for Senator Mackie



From: Ms Susan Malutin  
PO Box 2846

Telephone: 486-6216

Kodiak, AK 99615

Constituent

Registered Voter: Y

Bill: SB 85 Title: CREDITED SERVICE FOR TEMP EMPLOYEES:PERS  
Message:

**PLEASE CONTINUE YOUR SUPPORT FOR SB 85.**

Entered in KOD on 3/02/99 POMID: 924

Distribution: 1

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Message 1 out of 1.

## POM for Senator Mackie



From: Mr. Lawrence S Buklis  
2615 Brooke Dr

Telephone: 267-2122

Anchorage, AK 99517

NON Constituent

Registered Voter: Y

Bill: SB 85 Title: CREDITED SERVICE FOR TEMP EMPLOYEES:PERS

Message:

**SB 85 IS WIN WIN FOR LABOR AND MANAGEMENT. IT SAVES THE STATE MONEY AND IS A MATTER OF FAIRNESS TO EMPLOYEES. QUICK PASSAGE OF THIS BILL COULD CONTRIBUTE TO SAVINGS FOR EVEN THE PRESENT FISCAL YEAR.**

Entered in ANC on 3/02/99 POMID: 919

Distribution: 20

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Message 14 out of 32.



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AFSCME Local 52, AFL-CIO**

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ASEA/AFSCME Local 52, AFL-CIO

Post-It™ brand fax transmittal memo 7671 # of pages 1

To	From
Co.	Co.
Dept.	Phone #
Fax #	Fax #

*Handwritten: To: State, Co.: FBI*

**S B**

**8 7**

# FISCAL NOTE

**STATE OF ALASKA**  
**1999 LEGISLATIVE SESSION**

**BILL NO. SB 87**

Revision Date/Time (Note if correction) \_\_\_\_\_ Dept. Affected Commerce & Economic Development  
 Title An Act requiring a license to sell rental car insurance BRU Insurance  
 Component Insurance  
 Sponsor Senate L&C by Request  
 Requester \_\_\_\_\_ Component Serial No. 354

**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						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

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

Estimate of any current year (FY99) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill has no fiscal impact on this component.

Prepared by Marianne K. Burke, Director Phone 465-2215  
 Division Insurance Date/Time 3/16/99 4:23 PM  
 Approved by Commissioner Deborah B. Sedwick Date 3/17/99  
 Agency Commerce & Economic Development

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# FISCAL NOTE

STATE OF ALASKA  
1999 LEGISLATIVE SESSION

BILL NO. SB 87

Revision Date/Time (Note if correction) \_\_\_\_\_ Dept. Affected Commerce & Economic Development  
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 Component Insurance  
 Sponsor Senate L&C by Request  
 Requester \_\_\_\_\_ Component Serial No. 354

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Equipment						
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Grants & Claims						
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<b>CAPITAL EXPENDITURES</b>						
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1005 GF/Program Receipts						
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Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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**POSITIONS**

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Prepared by Marianne K. Burke, Director *Marianne K. Burke* Phone 465-2215  
 Division Insurance Date/Time 3/16/99 4:23 PM  
 Approved by Commissioner Deborah B. Sedwick *Deborah B. Sedwick* Date 3/14/99  
 Agency Commerce & Economic Development

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Ford  
3/17/99

**CS FOR SENATE BILL NO. 87(L&C)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-FIRST LEGISLATURE - FIRST SESSION**

**BY THE SENATE LABOR AND COMMERCE COMMITTEE**

Offered:  
Referred:

Sponsor(s): **SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act requiring a license to sell rental car insurance."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 \* Section 1. AS 21.27.060(d) is amended to read:

4 (d) This section does not apply to an applicant

5 (1) for a limited license under AS 21.27.150(a)(1) [AS 21.27.150(1)],  
6 (2), [OR] (6), or (7);

7 (2) who, at any time within the two-year period immediately preceding  
8 the date the current pending application is received by the division, had been licensed  
9 in good standing in this state under a license requiring substantially similar  
10 qualifications as required by the license applied for; or

11 (3) whose license in its resident jurisdiction requires the same  
12 qualifications as the license applied for in this state if the license in all jurisdictions  
13 is in good standing.

14 \* Sec. 2. AS 21.27.150 is amended to read:

15 **Sec. 21.27.150. Limited licenses. (a)** The director may issue a

1 (1) travel insurance limited producer license to a person whose place  
2 of business is located in this state, who sells transportation tickets of a common carrier  
3 of persons or property, who is appointed under AS 21.27.100, and whose sole purpose  
4 is to be appointed by and [TO] act as an agent for transportation ticket policies of  
5 health insurance, baggage insurance on personal effects, and trip cancellation or trip  
6 interruption insurance;

7 (2) health insurance limited producer license to a resident of this state  
8 whose sole purpose is to be appointed by and act as an agent for health insurance  
9 pertaining to sports and recreation;

10 (3) title insurance limited producer license to a person whose place of  
11 business is located in this state and whose sole purpose is to be appointed by and act  
12 on behalf of a title insurer;

13 (4) bail bond limited producer license to a person whose place of  
14 business is located in this state and whose sole purpose is to be appointed by and act  
15 on behalf of a surety insurer pertaining to bail bonds;

16 (5) fraternal benefit society limited producer license to a person whose  
17 sole purpose is to be appointed by and [TO] act on behalf of a fraternal benefit society  
18 licensed under AS 21.84;

19 (6) retired insurance producer license to a resident who is retired or  
20 retiring from the business of insurance and surrenders all in-force licenses to allow the  
21 person to receive a continuing commission in regard to insurance transacted before  
22 retirement; a retired insurance producer licensee may not solicit, induce, negotiate, or  
23 effectuate contracts of insurance; the director may renew a retired insurance producer  
24 license if the licensee ceases to be a resident of this state;

25 (7) motor vehicle rental agency limited producer license to a person  
26 and, subject to the approval of the director, to employees of the person licensed  
27 that the licensee authorizes to transact the business of insurance on the licensee's  
28 behalf if, as to an employee, the licensee complies with (D) of this paragraph and  
29 if the licensee

30 (A) rents to others, without operators,

31 (i) private passenger motor vehicles, including

- 1 passenger vans, minivans, and sport utility vehicles; or  
2 (ii) cargo motor vehicles, including cargo vans,  
3 pickup trucks, and trucks with a gross vehicle weight of less than  
4 26,000 pounds that do not require the operator to possess a  
5 commercial driver's license;  
6 (B) rents motor vehicles only to persons under rental  
7 agreements that do not exceed a term of 90 days;  
8 (C) transacts only the following kinds of insurance:  
9 (i) motor vehicle liability insurance with respect to  
10 liability arising out of the use of a vehicle rented from the licensee  
11 during the term of the rental agreement;  
12 (ii) uninsured or underinsured motorist coverage,  
13 with minimum limits described in AS 21.89.020(c) and (d) arising  
14 out of the use of a vehicle rented from the licensee during the term  
15 of the rental agreement;  
16 (iii) insurance against medical, hospital, surgical, and  
17 disability benefits to an injured person and funeral and death  
18 benefits to dependents, beneficiaries, or personal representatives of  
19 a deceased person if the insurance is issued as incidental coverage  
20 with or supplemental to liability insurance and arises out of the use  
21 of a vehicle rented from the licensee during the term of the rental  
22 agreement;  
23 (iv) personal effects insurance, including loss of use,  
24 with respect to damage to or loss of personal property of a person  
25 renting the vehicle and other vehicle occupants while that property  
26 is being loaded into, transported by, or unloaded from a vehicle  
27 rented from the licensee during the term of the rental agreement;  
28 (v) towing and roadside assistance with respect to  
29 vehicles rented from the licensee during the term of the rental  
30 agreement; and  
31 (vi) other insurance as may be authorized by

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regulation by the director:

(D) notifies the director in writing, within 30 days of employment, of the name, date of birth, social security number, location of employment, and home address of an employee authorized by the licensee to transact insurance on the licensee's behalf; and

(E) provides other information as required by the director.

(b) The [THE] director may waive the bond required under AS 21.27.530(5) for a person licensed under this section.



Official Business

# Alaska State Legislature

## SENATE LABOR & COMMERCE COMMITTEE

State Capitol  
Juneau, AK 99801-1182

(907)465-3844

### REQUESTERS STATEMENT

#### SB 87, License to Sell Rental Car Insurance.

Senate Bill 87 provides for a limited license to a motor vehicle rental company authorizing the sale of insurance incidental to the rental transaction. Currently, the Alaska insurance code is not clear on whether incidental sale of personal insurance on a rental motor vehicle should be licensed by the state or not.

As a result of regulatory action and litigation in other states, industry representatives and regulators are reviewing state statutes to determine if they contain provisions for the sale of these products when incidental to the renting or leasing of a motor vehicle. This Act will remove any ambiguity on licensure regarding the offering and sale of these insurance products in connection with the vehicle rental. The Division of Insurance and the industry would both be positively impacted by enactment of this legislation.

SB 87 establishes the jurisdiction of the Division of Insurance over the rental car industry in regard to the sale of their insurance products. Clarification of Division oversight and authority allows the agency to better regulate the sale of these products and protect consumer interests. The industry will gain a clear understanding of the requirements and its responsibilities regarding the promotion and sale of their insurance products.

Many of these products have been offered for 10 to 20 years. While many of the coverages are optional, customers who are not covered by existing insurance because they don't own their own vehicles need access to this type of insurance to avoid potential liability. SB 87 will allow uninterrupted access to coverage.



Official Business

# Alaska State Legislature

## SENATE LABOR & COMMERCE COMMITTEE

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### SB 87, RENTAL CAR INSURANCE

#### SECTIONAL

Section 1 exempts the new limited license for selling car rental insurance, that is established in following section 2, from the general examination and testing requirements of the Division of Insurance for applicants and licensees.

Section 2 adds a new subsection AS 21.27.150 (a)(7) that establishes the "rental motor vehicle limited producer license", the conditions for the license, and its limitations.

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# SENATOR DAVE DONLEY

ALASKA STATE LEGISLATURE

## SECTIONAL ANALYSIS

SENATE BILL 88 (Version 1-LS0409\I)

**"An Act relating to licensure of dietitians and nutritionists"**

**Section 1:** Adds a new chapter to AS 08. The new chapter is Chapter 38 that is entitled *Dietitians and Nutritionists*.

**The following are the new sections of Chapter 38:**

**Sec. 08.38.010. License Required (page 1)**—This section stipulates that a person may not use the title of "dietitian," "licensed dietitian," "nutritionist," "licensed nutritionist," or an occupational title using the word "dietitian" or "nutritionist".

Also, covered by this section are the penalties for meeting the stipulations of this section.

**Sec. 08.38.020. Dietitian Licensure (page 2)**—This section stipulates that the department shall issue a dietitian license to individuals completing the requisite criteria.

**Sec. 08.38.030. Nutritionist Licensure (page 2)**—This section stipulates that the department shall issue a nutritionist license to individuals completing and meeting the requisite criteria.

**Sec. 08.38.040. Grounds for suspension, revocation, or refusal to issue a license (page 2)**—This section allows the department, after a hearing, to impose a disciplinary sanction or refuse to issue a license to an individual licensed under this chapter if they commit one of the listed offenses.

**Sec. 08.38.050. Licensure by credentials (page 3)**—The department may issue a license to an individual it determines as having sufficient credentials from another state.

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**Page 2**  
**Sectional Analysis**  
**Senate Bill 88**

**Sec. 08.38.080. Exemptions (page 3)**—This section allows exemptions to the requirements of this chapter. The exemptions include: an animal nutritionist or a person serving in the armed services or who is a federal employee whose job title includes the term "dietitian" or "nutritionist".

**Sec. 08.38.100. Definitions (page 3)**—This section sets out the relevant definitions to this chapter.

**Section 2:** (page 4)—This section adds conforming language to AS 08.01.010 to include regulation of dietitians and nutritionists to the applicability of Title 08 Business and Professions.

**Section 3:** (page 4)—This section adds conforming language to AS 08.02.010(a) Professional designation requirements.

**Sections 4 & 5:** (page 5)—These sections set out the effective dates of this Act.

# FISCAL NOTE

**STATE OF ALASKA  
1999 LEGISLATIVE SESSION**

**BILL NO. SB 88**

Revision Date/Time (Note if correction) _____	Dept. Affected <u>Commerce &amp; Econ Dev.</u>
Title <u>An Act relating to licensure of dietitians and</u>	BRU <u>Occupational Licensing</u>
<u>nutritionists; and providing for an effective date.</u>	Component <u>Occupational Licensing</u>
Sponsor <u>Senator Donley</u>	
Requester <u>Senate Labor and Commerce</u>	Component Serial No. <u>2360</u>

**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	18.4	18.4	18.4	18.4	18.4	18.4
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	9.0	9.0	9.0	9.0	9.0	9.0
Supplies	1.0	1.0	1.0	1.0	1.0	1.0
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>28.4</b>	<b>28.4</b>	<b>28.4</b>	<b>28.4</b>	<b>28.4</b>	<b>28.4</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>	56.8	0.0	56.8	0.0	56.8	0.0
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**FUND SOURCE (Thousands of Dollars)**

FUND SOURCE	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	28.4	28.4	28.4	28.4	28.4	28.4
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>28.4</b>	<b>28.4</b>	<b>28.4</b>	<b>28.4</b>	<b>28.4</b>	<b>28.4</b>

Estimate of any current year (FY99) cost: 0.0

**POSITIONS**

Full-time					
Part-time					
Temporary					

**ANALYSIS:** (Attach a separate page if necessary)

SB 88 creates licensing of dietitians and nutritionists by the Department of Commerce and Economic Development. The division of occupational licensing anticipates existing staff will perform the licensing and investigative functions; however, like all licensing programs, time spent on this program will be based on positive timekeeping. The personal services costs reflected in this fiscal note are estimates of time that will be required to implement this new program. All costs will be covered by licensing fees. The estimated costs are explained on the attached page.

Prepared by Jennifer Strickler, Administrative Manager  
 Division Occupational Licensing  
 Approved by Commissioner Deborah B. Sedwick  
 Agency Commerce & Economic Development

Phone 465-2144  
 Date/Time 3/9/99 11:47 AM  
 Date 3/9/99

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# FISCAL NOTE

STATE OF ALASKA  
1999 LEGISLATIVE SESSION

BILL NO. SB 88

ANALYSIS: (Continued)

## DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT FISCAL NOTE CALCULATIONS FOR SB 88

**PERSONAL SERVICES** **\$18.4**

Provides 2.5 months of an Occupational Licensing Examiner I position, Range 12, \$8.5;  
Provides 2.0 months of an Investigator III position, Range 18, \$9.9.

**CONTRACTUAL SERVICES** **\$9.0**

Funding provides approximately 60 hours of AG legal time for regulations, license appeals, and discipline, \$6.0; and, printing, postage, communications, and advertising costs, \$3.0. Any examination fees are anticipated to be paid by the applicant directly to the examining agency.

**SUPPLIES** **\$1.0**

To fund daily operating supplies of the program.

**TOTAL:** **\$28.4**

**REVENUE & FUND SOURCE:** Revenue will be generated by licensing fees sufficient to cover program costs. Approximately 100 licensees are expected to seek licensure and renew licenses biennially. Licensing fees must cover direct costs plus approximately \$100 per licensee for division/department overhead for the two-year period. Based on 100 licensees, licensing fees are estimated to be \$668.00 for the first biennium, and adjusted to actual costs based on positive timekeeping for the first renewal.



**SENATOR DAVE DONLEY**  
ALASKA STATE LEGISLATURE

**CHANGES BETWEEN SB 88 and CSSB 88 ( )**  
**Versions 1-LS0409\G and 1-LS0409\I**

**Working from Version 1-LS0409\G the Changes Are:**

Many of these changes are merely technical changes. However, the first and second changes listed below represent substantial changes to the intent of the legislation. By deleting these words the bill is changed from a bill that would license the practice and title of dietitians and nutritionists to one that **just licenses the title** of dietitians and nutritionists.

**Page 1, line 6—Delete:** "Except as provided in 08.38.080,"

**Page 1, line 8—Delete:** "engage in dietetics or nutrition practice;"

**Page 2, lines 10—Insert Language after "who" that says "pays the required fee,"**

**Page 2, lines 14—Insert Language after "who" that says "pays the required fee,"**

**Page 2, line 16-17—Delete:** "in Rockville, Maryland"

**Page 2, line 18—Delete:** "in New York, New York"

**Page 3, line 16—delete:** "Reciprocity" and insert "Licensure by credentials". This is requested because reciprocity implies that a reciprocal agreement exists between Alaska and other jurisdictions -as requested by Occupational Licensing.

**Page 3, line 17—Delete:** "who is licensed" and Insert "who holds a current unrestricted license" - because we want to ensure that the license is valid and not under suspension, probation, etc.

**Page 3, line 17-18—Delete:** "the District of Columbia" and Insert language "political jurisdictions of the US or Canada"

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Pages 3-5, line 20—Delete: Exemptions— 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, and 13. the exemptions are no longer needed since the deletion of subsection (1) of 08.38.010, thus making this bill a Title Licensure rather than a practice licensure. A new exemption is included in the CS to exempt persons serving in the Armed Services or who is an employee of the federal government.

Page 5, line 24—Delete: "Chicago, Illinois,".



# SENATOR DAVE DONLEY

ALASKA STATE LEGISLATURE

## SPONSOR STATEMENT

FOR

**CSSB 88 ( )**

**"An Act relating to licensure of dietitians and Nutritionists"**

The Committee Substitute for Senate Bill 88 codifies professional title licensure of dietitians and nutritionists. Senate Bill 88 increases public access to the services of dietitians and nutritionists, helps to ensure the quality of such services, and protects consumers.

Senate Bill 88 represents sound public policy because it protects Alaskans from the potential harm that could be caused by untrained individuals. It accomplishes this by allowing Alaskans to differentiate between individuals who are qualified nutritionists and dietitians and those who are not. Also, with the advent of managed care and HMO's, it is necessary to make sure that the work of dietitians and nutritionists will be performed by experts in that field. There is legislation pending in Congress, which includes reimbursement for nutrition services within the Medicare Program, but only to those recognized by the state as nutrition professionals.

Senate Bill 88 contains provisions which ensure that individuals with nutrition practice experience and bachelor's, master's, or doctoral degrees from accredited schools may continue to work in Alaska. There are over 120 registered dietitians and nutritionists that live throughout Alaska. They work in hospitals, nursing homes, public health clinics, school nutrition programs and with athletic programs. In hospitals and clinics they are part of the health care team (physicians, nurses and therapists) providing education in diabetes, heart disease, kidney failure, digestive disorders, eating disorders, high risk pregnancies, AIDS and cancer treatments, to name just a few.

The licensing of dietitians and nutritionists enables the public to identify individuals who are qualified by education, experience and examination to provide nutrition care services. Recognition defines the dietetics and nutrition practice which includes the integration and application of the principles derived from the sciences of nutrition, biochemistry, food physiology, management, and behavioral and social sciences to achieve and maintain the health of the citizens of Alaska through the provision of nutrition care services.

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Page 2  
Senate Bill 88  
Sponsor Statement

Senate Bill 88 corrects the current situation where any person can call themselves a "nutritionist" or "dietitian" without even one day of formal education or experience. This can endanger the consumer with harmful, expensive or even dangerous advice and unproven therapies. Senate Bill 88 would reduce this danger to the public, through the licensing of dietitians and nutritionists.

Senate Bill 88 does not establish a new board. The licensing program will be conducted by the Division of Occupational Licensing, and will have no cost to the state, since licensing fees from the dietitians and nutritionists will pay for all of the program's administrative costs. It is also important to note that Senate Bill 88 will in no way impact other professions practicing nutrition or health food retailers unless they refer to themselves as a nutritionist or dietitian without meeting the standards that this bill would codify.

## Evidence on the Cost Effectiveness of Medical Nutrition Therapy

Findings both from randomized controlled clinical trials and from case studies show that medical nutrition therapy can save health care dollars and improve outcomes when provided to patients with diseases or injuries that place them at high risk of malnutrition -- being inadequately nourished. Almost 17 million patients each year are treated for illnesses or injuries that stem from or place them at risk of malnutrition. Whether in hospitals, long-term care institutions, or scattered throughout the community, medical professionals recognize that medical nutrition therapy is a key factor in improving outcomes and speeding recovery for at least 40 percent of hospital patients in the U.S. who are malnourished based on clinical nutrition evaluations (Roubenoff, Roubenoff, Preto & Balke, "Malnutrition among hospitalized patients: A problem of physician awareness," *Archives of Internal Medicine*, 1987).

An internal analysis of nearly 2,400 case studies submitted by ADA members shows that on average more than \$8,000 per patient can be saved with the intervention of medical nutrition therapy. Case studies show that, for diseases and conditions in which medical nutrition therapy is appropriate, the average annual or one-time savings per case include:

- For cancer, \$10,535 savings per case because specialized nutrition therapy enhances effectiveness of chemotherapy and radiation therapy;
- for heart disease, \$9,134 savings per case because medical nutrition therapy reduces the need for drugs and other artery-clearing procedures and/or surgery;
- for type I diabetes (insulin-dependent), \$9,049 savings per case because diabetic complications that result in hospitalization are reduced;
- for type II diabetes (non insulin-dependent), \$1,994 savings per case because medical nutrition therapy reduces or eliminates the need for insulin or oral agents;
- for kidney disease, \$18,467 savings per case by postponing the need for dialysis;
- for high cholesterol, \$2,709 savings per case by reducing the need for drugs;
- for hypertension, \$4,075 savings per case by reducing drug use and preventing complications such as stroke; and
- for a variety of other conditions -- such as burns and surgery -- requiring tube or intravenous feedings, \$7,051 savings per case by transitioning the patient to less invasive and less expensive nutrient sources.

A survey of 2,337 patient records at 19 hospitals indicates that early nutritional interventions and regular clinical nutrition services reduce hospital stays for malnourished and at-risk patients. The reduced hospital days translate into \$8,200 per bed per year average cost savings according to *Cutting Hospital Costs with Clinical Nutrition Services*, a new report by the Nutritional Care Management Institute (NCMI) of Tucker, Georgia.

A report in the July 1995 issue of *The American Journal of Medicine* highlights a study which found that the use of a diabetes team, led by an endocrinologist working with a nurse diabetes educator and dietitian, resulted in a 56 percent reduction in length of hospital stays among patients hospitalized with a primary diagnosis of diabetes compared with patients treated by an internist alone. Currently, hospital care of diabetic patients costs an estimated \$65 billion a year. The potential 5-day reduction in hospitalization found by this study translates into billions of dollars per year in potential health care savings.

## THE CASE FOR STATE LICENSURE: STATE REGULATION OF DIETITIANS AND NUTRITIONISTS

**Objective:** To explain the state licensure process and its impact on dietetics and nutrition professionals.

### Background

Licensing is a process whereby a government agency grants individuals permission to engage in a specified profession or occupation when individual applicants have attained the minimal degree of competency required to ensure that the public's health, safety and welfare will be reasonably well protected.

One of the primary purposes of The American Dietetic Association, which is composed of over 68,000 nutrition/dietetic professionals worldwide, is to promote optimal health and nutrition status of the general population. The American Dietetic Association has reaffirmed this policy by endorsing state licensure of dietitians as a means of protecting the health and welfare of the public.

The field of professional and occupational regulation is more complex today than ever, despite efforts of legislators and others to contain professional regulation through reform measures such as sunrise and sunset. Sunrise refers to the process whereby a professional group, seeking regulation, drafts proposed credentialing legislation and supporting materials for review by a legislatively enacted body to determine whether regulation of the profession, trade or practice is justified. This group then recommends to the legislature whether regulation is appropriate and, if so, the type of regulation. Sunset is the periodic review regulatory boards and agencies to assess their performance and effectiveness. This review often includes reassessment of the legislation which originally created the board or agency.

### Rationale

Licensing of dietitians/nutritionists enables the public to identify individuals who are qualified by education, experience and examination to provide nutrition care services. State recognition defines the dietetics and nutrition practice which includes the integration and application of the principles derived from the sciences of nutrition, biochemistry, food, physiology, management and behavioral and social sciences to achieve and maintain the health of individuals through the provision of nutrition care services.

### Definitions

Registration, certification and licensure are commonly accepted terms often used interchangeably from state to state, and from occupation to occupation. The following are accepted definitions of these terms.

**Licensure** defines the minimum competency and scope of practice for professions and occupations. It provides penalties for individuals who practice or perform duties not authorized by the regulatory board or agency.

Certification grants title protection (right to title) to persons meeting predetermined standards. Individuals without certification may perform the function of the occupation but may not use the title. A title act does not protect the public from incompetent individuals. It does, however, inform the public of the qualifications possessed by an individual using the title.

Registration requires individuals to file their names, addresses, and qualifications with a government agency before practicing the occupation. This may include posting a bond or filing a fee.

### Procedures

Over the years, the public has recognized that licensing protects society from incompetent practitioners. Proponents of licensing maintain that the public benefits by assuring consumers that high-quality goods and services will be provided. Licensure protects the public by screening out individuals who could do harm and discipline those who have inflicted harm. Without licensure, there is no legal recourse for the person victimized by harmful nutritional advice.

The basic question of: "who benefits most from licensing -- the public or the regulated profession?" must be answered by state dietetic associations in the quest to become and remain a regulated profession.

The following questions and concerns must be answered before state legislators act to regulate dietitians/nutritionists.

- What is the problem? Has the public been harmed because the profession has not been regulated?
- Why should the profession be regulated? Who are the users of the services offered? What is the extent of autonomy of the practitioners?
- What efforts have been made to address the problems? Does the profession have a code of ethics? Has a nongovernmental certification program been established to assist the public in identifying qualified practitioners? Could the use of existing standards solve the problems? Would strengthening existing laws or standards help to deal with the problem?
- Have alternatives to licensure been considered? Could an existing agency be used to regulate the profession? Could registration of practitioners coupled with minimum standards set by a state agency be used?
- Will the public benefit from regulation of the profession? How will regulation help the public identify qualified practitioners? How will regulation assure that practitioners are competent? How will the public's complaints against practitioners be handled?

- Will regulation be harmful to the public? Will competition be restricted by the regulated group, e.g. prohibiting price advertising? Will regulation increase the cost of goods and services to consumers?
- Why is regulation being sought? Is the profession seeking to enhance its status by identifying its own scope of practice in law? Is the profession seeking licensure in order to gain reimbursement under federal or state programs or private insurers? Is the public seeking greater accountability of the profession?
- What will the cost of regulation be for the state?

After the above concerns have been addressed and the state association decides to pursue state regulation, the following guidelines should be used to plan a licensure campaign.

#### General guidelines when seeking state licensure

- Understand your state legislative process. (e.g., sunrise/sunset laws).
- Contact the Governor's office to determine their position prior to bill introduction.
- Hire a lobbyist who is knowledgeable regarding licensure issues.
- Compile a consumer cost-benefit analysis.
- Educate public officials, build coalitions, initiate grassroots efforts, link individual RD with their legislator.
- Address Governor's and legislature's concerns in the development of legislative strategy.
- Organize members (e.g., calling tree, letter writing, and relationship building).
- Know your opposition, develop counter-arguments.
- Develop a state licensure bill.
- In conjunction with your lobbyist, identify one or more bill sponsors in both the House and the Senate.
- Attend hearings, testify, work continuously with legislators.
- Offer assistance to agencies charged with implementing the licensure law.

**ADA is recognized as the accrediting agency for both coordinated undergraduate programs in dietetics and dietetic internships by the Council on Post secondary Accreditation and the US. Department of Education. ADA has existed since 1917, but many self-styled "nutritionists"—some of whom have "degrees" from unaccredited schools—began using this title in the 1970's. By the 1980's, nutrition fraud was widespread enough to draw national attention, thanks to the report issued and hearings conducted by Representative Claude Pepper's Health and Long-Term Care Subcommittee. Health fraud costs Americans somewhere between \$25 and \$50 billion a year; nutrition fraud is the most common type of health fraud.**

#### **What will dietitian/nutritionist licensing do?**

- Protect people from potential harm caused by untrained individuals.
- Provide increased protection from the health and economic costs of nutrition fraud.
- Enable consumers to distinguish between qualified and unqualified providers.
- Establish locally enforceable standards for ethical practice.
- Increase availability of nutrition services by providing a means for consumers to recognize qualified nutrition experts.

#### **Will dietitian/nutritionist licensing increase health care costs?**

**No.** Dietitian-nutritionist licensing will reduce health care costs because their services are cost effective in many ways, for example:

- Averted costs of lifetime care for mentally/physically retarded person due to low infant birth weight prevented through improved nutrition care during pregnancy.
- Reduced frequency/length of hospital stay through appropriate nutrition care of patients—especially those with heart disease, cancer, diabetes, alcoholism substance abuse, or kidney problems.
- Decreased length of hospital stay through appropriate nutrition support that prepares a patient for surgery and cancer treatments and speeds wound healing.
- Decreased hospital stay and better growth rate of premature infants through improved nutrition care.

#### **Who do I call to support dietitian/nutritionist licensing or to get more information?**

Look in your local telephone directory for the district or state dietetic association nearest you, or call Janet B. Witt, Administrator, State Government Affairs, Washington, D.C. (202-371-0500).



## THE AMERICAN DIETETIC ASSOCIATION

216 WEST JACKSON BOULEVARD  
CHICAGO, ILLINOIS 60606-6905  
312/899-0040

DIVISION OF GOVERNMENT AFFAIRS  
1225 EYE STREET, NW #1250  
WASHINGTON, DC 20005  
202/371-0500

### LAWS THAT REGULATE DIETITIANS/NUTRITIONISTS

- Alabama (1989)\*\*-licensing of dietitian/nutritionist
- Arkansas (1989)-licensing of dietitians
- California (1982)-registration\* of dietitians
- Connecticut (1994)-certification of dietitians
- Delaware (1994)-certification of dietitians/nutritionists
- District of Columbia (1986)-licensing of dietitians and nutritionists
- Florida (1988)-licensing of dietitians, nutritionists and nutrition counselors
- Georgia (1994)\*\*-licensing of dietitians
- Idaho (1994)-licensing of dietitians
- Illinois (1991)-licensing of dietitians and nutrition counselors
- Indiana (1994)-certification of dietitians
- Iowa (1985)-licensing of dietitians
- Kansas (1989)\*\*-licensing of dietitians
- Kentucky (1994)\*\*-licensing of dietitians and certification of nutritionists
- Louisiana (1987)\*\*-licensing of dietitians/nutritionists
- Maine (1994)\*\*-licensing of dietitians and dietetic technicians
- Maryland (1994)\*\*-licensing of dietitians and nutritionists
- Minnesota (1994)-licensing of dietitians and nutritionists
- Missouri (1998)\*-certification# of dietitians
- Mississippi (1994)\*\*-licensing of dietitians and nutritionist title protection
- Montana (1987)\*\*-licensing of nutritionists and dietitian title protection
- Nebraska (1995)\*\*-licensing of medical nutrition therapists
- Nevada (1995)\*-certification of dietitians
- New Mexico (1997)\*\*-licensing of dietitians, nutritionists and nutrition associates
- New York (1991)-certification of dietitians and nutritionists
- North Carolina (1991)-licensing of dietitians and nutritionists
- North Dakota (1989)\*\*-licensing of dietitians and certification# of nutritionists
- Ohio (1986)-licensing of dietitians
- Oklahoma (1984)-licensing of dietitians
- Oregon (1989)-certification# of dietitians
- Puerto Rico (1974)\*\*-licensing of dietitians and nutritionists
- Rhode Island (1991)\*\*-licensing of dietitians and nutritionists
- South Dakota (1996) licensing of dietitians and nutritionists
- Tennessee (1987)-certification-of dietitians/nutritionists
- Texas (1993)\*\*-certification# of dietitians
- Utah (1996)\*\*-certification of dietitians
- Vermont (1993)-certification of dietitians
- Virginia (1995)\*-certification of dietitians and nutritionists
- Washington (1988)-certification of dietitians and nutritionists
- West Virginia (1996)-licensing of dietitians
- Wisconsin (1994)-certification of dietitians

\* This is an entitlement law, which protects use of the title by individuals meeting state mandated qualifications.

\*\* Year amended and/or reauthorized.

# These laws provide the certified practitioner with a license, and are termed "voluntary licensing" laws.

- **Licensing**-statutes include an explicitly defined scope of practice, and performance of the profession is illegal without first obtaining a license from the state.
- **Statutory certification**-limits use of particular titles to persons meeting predetermined requirements, while persons not certified can still practice the occupation or profession.
- **Registration**-is the least restrictive form of state regulation. As with certification, unregistered persons may be permitted to practice the profession if they do not use the state recognized title. Typically, exams are not given and enforcement of the registration requirement is minimal.

ALASKA STATE

**HOSPITAL & NURSING HOME**  
ASSOCIATION

March 16, 1999

The Honorable Senator Mackie  
Chair, Senate Labor and Commerce Committee  
State Capitol Building, Room 427  
Juneau AK 99801-1182

Dear Senator Mackie:


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

426 Main Street

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ • JUNEAU, AK 99801 • (907) 586-1790 • FAX (907) 463-3573

March 9, 1999

Senator Jerry Mackie  
Alaska State Legislature  
Room 427 - State Capitol  
Juneau, AK 99801 - 1182

Dear Senator Mackie:

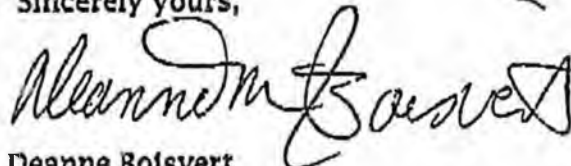
I am writing you in support of Senate Bill 88 (State licensure for dietitians and nutritionists).

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.

Please support Senate Bill 88!

Sincerely yours,



Deanne Boisvert  
Public Health Educator

P. O. BOX 6612 SITKA, AK 99835  
PHONE: (907) 747-3501 • FAX: (907) 966-2489



3/9/99

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

From: Valerie Naquin, Program Director, Early Head Start

Re: Senate Bill 88

Dear Senator Donley:

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

Having a good understanding of child development I am aware how important good nutrition is to the young children and families I have served.

I have had the opportunity to work with a registered nutritionists in my current job with Early Head Start. Her assistance has been very valuable. Without her assistance I could not give the support that is needed to our families.

It is very important that the information she gives is accurate and knowledgeable. I believe that Alaska needs to identify the experts in the field of food and nutrition. This will help ensure that our families 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 efforts to achieve licensure. Please feel free to contact me if you have any questions. I can be reached at 907-451-8814.

Sincerely,



Valerie Naquin

EHA Early Head Start  
Memo

3/9/99

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

From: AnneMarie Ingalls, Center Based-Coordinator Early Head Start

Re: Senate Bill 88

Dear Senator Donley:

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

I have worked in the Early Childhood field for 17 years. I have had the privilege of serving young children meals and snacks as well as supervise cooks, which prepare according to our state's ChildCare Food Program guidelines.

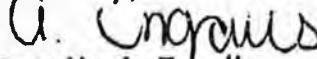
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Thank you for supporting the Alaska Dietetic Association's efforts to achieve licensure. Please feel free to contact me if you have any questions. I can be reached at 907-451-8814.

Sincerely,

  
AnneMarie Ingalls

March 11, 1999

Senator Dave Donely  
Alaska State Legislature  
Room 508 - State Capitol  
Juneau, Alaska 99801-1162

Re: Senate Bill 88

Dear Senator Donely:

This is to let you know that I wish to support the Senate Bill 88.

I work for Providence Kodiak Island Medical Center as a registered dietitian and a nurse manager. I have opportunity to do nutrition counseling for home health clients and for cardiac rehab clients both in hospital and as outpatients. The feedback I receive from these clients show that sound advice is utilized and they reach out for more.

The main reason I support licensure is that it would help clients in Kodiak and all of Alaska to identify experts in the field of food and nutrition. They need sound advice and medical nutrition therapy. Health 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 questions. I can be reached at (907) 486-9545, FAX 486-1064.

Sincerely,

*Marjorie Ackley*

Marjorie Ackley, RN, RD, MPH  
Providence Kodiak Island Medical Center  
Home Health and Wellness Departments

ALASKA STATE

---

# HOSPITAL & NURSING HOME

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ASSOCIATION

March 16, 1999

The Honorable Senator Mackie  
Chair, Senate Labor and Commerce Committee  
State Capitol Building, Room 427  
Juneau AK 99801-1182

Dear Senator Mackie:

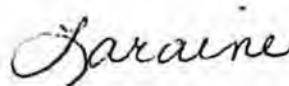
On March 14, 1999, the Labor and Commerce Committee will be hearing SB88 that licenses dietitians and nutritionists. The dietitians and nutritionists work in hospitals, nursing homes, public health clinics, school lunch programs, maternal and child health programs, sports medicine, the University system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

426 Main Street

~~XXXXXXXXXXXX~~ • JUNEAU, AK 99801 • (907) 586-1790 • FAX (907) 463-3573

March 9, 1999

Senator Jerry Mackie  
Alaska State Legislature  
Room 427 - State Capitol  
Juneau, AK 99801 - 1182

Dear Senator Mackie:

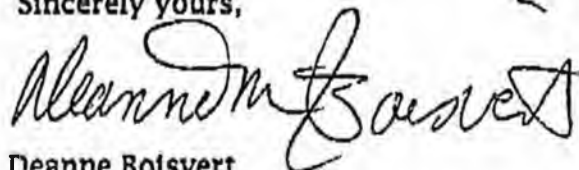
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The reason I support licensure is that I know, in addition to the dedicated and hard-working registered dietitians in Alaska, there are other people calling themselves "nutritionists" or "diet-consultants" but who have little or no education in this 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.

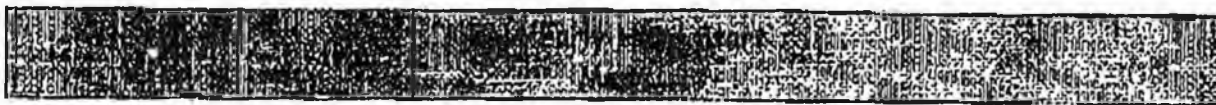
Please support Senate Bill 88!

Sincerely yours,



Deanne Boisvert  
Public Health Educator

P. O. BOX 6612 SITKA, AK 99835  
PHONE: (907) 747-3501 • FAX: (907) 966-2489



3/9/99

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

From: Valerie Naquin, Program Director, Early Head Start

Re: Senate Bill 88

Dear Senator Donley:

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

Having a good understanding of child development I am aware how important good nutrition is to the young children and families I have served.

I have had the opportunity to work with a registered nutritionists in my current job with Early Head Start. Her assistance has been very valuable. Without her assistance I could not give the support that is needed to our families.

It is very important that the information she gives is accurate and knowledgeable. I believe that Alaska needs to identify the experts in the field of food and nutrition. This will help ensure that our families 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 efforts to achieve licensure. Please feel free to contact me if you have any questions. I can be reached at 907-451-8814.

Sincerely,

  
Valerie Naquin

Alaska Early Head Start  
Memo

3/9/99

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

From: AnneMarie Ingalls, Center Based-Coordinator Early Head Start

Re: Senate Bill 88

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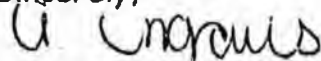
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Sincerely,

  
AnneMarie Ingalls

March 11, 1999

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

Re: Senate Bill 88

Dear Senator Donely:

This is to let you know that I wish to support the Senate Bill 88.

I work for Providence Kodiak Island Medical Center as a registered dietitian and a nurse manager. I have opportunity to do nutrition counseling for home health clients and for cardiac rehab clients both in hospital and as outpatients. The feedback I receive from these clients show that sound advice is utilized and they reach out for more.

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Thank you for supporting the Alaska Dietetic Association's effort to achieve licensure. Please feel free to contact me if you have questions. I can be reached at (907) 486-9545, FAX 488-1064.

Sincerely,

*Marjorie Ackley*

Marjorie Ackley, RN, RD, MPH  
Providence Kodiak Island Medical Center  
Home Health and Wellness Departments

**Kodiak  
Area  
Native  
Association**



3449 Rezanof Dr. East  
Kodiak, Alaska 99615  
Phone (907) 486-9800

March 11, 1999

Senator Jerry Mackie  
AK State Legislature  
State Capitol Rm 427  
Juneau, AK 99801-1182

Dear Senator Mackie;

I am writing to express my support for Bill No. 88, that I understand was introduced to the Senate on February 25, 1999.

I am a registered dietitian and a member of the Alaska Dietetic Association. I coordinate the Kodiak Women, Infants, and Children Program. I have also worked as a dietitian in British Columbia, Canada, where the use of the term "dietitian" requires a license, and is regulated under the Registered Health Professions Act.

I believe that licensure is a most effective way to indicate to the public where to find sound nutrition advice, and to protect them from less credible sources. This is especially important in the complex field of nutrition, where the mass media is full of contradictions, mixed messages and harmful "quackery" (e.g. quick fix weight loss diets). Licensure will ensure that minimum training requirements and standards of practice are met within the profession. Licensure provides mechanisms for the public or allied health professionals to file grievances against dietitians not following standards of practice or using the title without proper accreditation. Licensure will promote registered dietitians as the most credible source of nutrition information and increase public access to nutrition services. Nutrition and dietetics significantly reduce health care costs by preventing and/or speeding recovery times for many chronic diseases affecting the American population (e.g. heart disease, cancer, diabetes). Licensure will only enhance the positive effects of nutrition by granting Alaska's nutrition professionals with the public credibility they merit.

Thank you very much for your serious consideration of Bill No. 88. Please feel free to contact me at (907) 486-5958 if you have any questions.

Sincerely,

Handwritten signature of Heather Preece.

Heather Preece, M.H. Sc., RD  
Coordinator, Kodiak WIC Program



# SENATOR DAVE DONLEY

ALASKA STATE LEGISLATURE

CSSB 88 (version I)

Amendment 1

3/25/99

*Amendment # 2  
Approved*

Page 2, line 21: delete "or approved"

*Amendment # 3  
Approved*

*page 3, line 30: Insert after "regional"  
"or national"*

January-May: STATE CAPITOL • JUNEAU, AK • 99801-1182 • (907) 465-3892 • FAX: (907) 465-6595  
June-December: 716 W. 4TH AVE. • STE. 430 • ANCHORAGE, AK • 99501 • (907) 269-0234 • FAX: (907) 269-0238

Vice-Chair, Senate Finance Committee • Chair, Capital Budget Subcommittee •  
MEMBER: Senate Judiciary Committee • Senate Labor & Commerce Committee • Legislative Council



# SENATOR DAVE DONLEY

ALASKA STATE LEGISLATURE

CSSB 88 (version I)

Amendment 2

3/25/99

*Amendment 1  
approved*



Page 1, line 10: delete entire subsection (2) "advertise or otherwise hold out as being a dietitian or nutritionist."

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June-December: 716 W. 4TH AVE. • STE. 430 • ANCHORAGE, AK • 99501 • (907) 269-0234 • FAX: (907) 269-0238

Vice-Chair, Senate Finance Committee • Chair, Capital Budget Subcommittee •  
MEMBER: Senate Judiciary Committee • Senate Labor & Commerce Committee • Legislative Council

# FISCAL NOTE

**STATE OF ALASKA  
1999 LEGISLATIVE SESSION**

**BILL NO. CSSB 88 (L&C)**

Revision Date/Time (Note if correction) \_\_\_\_\_ Dept. Affected Commerce & Econ Dev.  
 Title An Act relating to licensure of dietitians and BRU Occupational Licensing  
nutritionists; and providing for an effective date. Component Occupational Licensing  
 Sponsor Senator Donley  
 Requester Senate Labor and Commerce Component Serial No. 2360

**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	8.5	8.5	8.5	8.5	8.5	8.5
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	6.0	6.0	6.0	6.0	6.0	6.0
Supplies	1.0	1.0	1.0	1.0	1.0	1.0
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>15.5</b>	<b>15.5</b>	<b>15.5</b>	<b>15.5</b>	<b>15.5</b>	<b>15.5</b>

CAPITAL EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
<b>CHANGE IN REVENUES ( )</b>	<b>31.0</b>	<b>0.0</b>	<b>31.0</b>	<b>0.0</b>	<b>31.0</b>	<b>0.0</b>

**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	15.5	15.5	15.5	15.5	15.5	15.5
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>15.5</b>	<b>15.5</b>	<b>15.5</b>	<b>15.5</b>	<b>15.5</b>	<b>15.5</b>

Estimate of any current year (FY99) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** *(Attach a separate page if necessary)*  
 CSSB 88 (L&C) creates licensing of dietitians and nutritionists by the Department of Commerce and Economic Development. The division of occupational licensing anticipates existing staff will perform the licensing and investigative functions; however, like all licensing programs, time spent on this program will be based on positive timekeeping. The personal services costs reflected in this fiscal note are estimates of time that will be required to implement this new program. All costs will be covered by licensing fees. The estimated costs are explained on the attached page.

Prepared by Jennifer Strickler, Administrative Manager  
 Division Occupational Licensing  
 Approved by Commissioner Deborah B. Sedwick  
 Agency Commerce & Economic Development

Phone 465-2144  
 Date/Time 3/26/99 4:02 PM  
 Date 3/30/99

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# FISCAL NOTE

STATE OF ALASKA  
1999 LEGISLATIVE SESSION

BILL NO. CSSB 88 (L&C)

ANALYSIS: (Continued)

## DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT FISCAL NOTE CALCULATIONS FOR CSSB 88 (L&C)

**PERSONAL SERVICES** **\$8.5**

Provides 2.5 months of an Occupational Licensing Examiner I position, Range 12, \$8.5.

**CONTRACTUAL SERVICES** **\$6.0**

Funding provides approximately 30 hours of AG legal time for regulations, license appeals, and discipline, \$3.0; and, printing, postage, communications, and advertising costs, \$3.0. Any examination fees are anticipated to be paid by the applicant directly to the examining agency.

**SUPPLIES** **\$1.0**

To fund daily operating supplies of the program.

**TOTAL:** **\$15.5**

**REVENUE & FUND SOURCE:** Revenue will be generated by licensing fees sufficient to cover program costs. Approximately 100 licensees are expected to seek licensure and renew licenses biennially. Licensing fees must cover direct costs plus approximately \$100 per licensee for division/department overhead for the two-year period. Based on 100 licensees, licensing fees are estimated to be \$410.00 for the first biennium, and adjusted to actual costs based on positive timekeeping for the first renewal.

CS FOR SENATE BILL NO. 88( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATOR DONLEY

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to licensure of dietitians and nutritionists; and providing for an  
2 effective date."

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

4 \* Section 1. AS 08 is amended by adding a new chapter to read:

5 Chapter 38. Dietitians and Nutritionists.

6 Sec. 08.38.010. License required. (a) An individual may not, unless licensed  
7 as a dietitian or nutritionist by the department,

8 (1) use the title "dietitian," "licensed dietitian," "nutritionist," "licensed  
9 nutritionist," or an occupational title using the word "dietitian" or "nutritionist"; or

10 (2) advertise or otherwise hold out as being a dietitian or nutritionist.

11 (b) The only penalty that may be imposed on an individual who engages in  
12 conduct that violates (a) of this section is a fine of not more than \$1,000 under a  
13 citation issued under AS 08.01.102 - 08.01.104.

14 (c) An individual who obtains or attempts to obtain a dietitian or nutritionist

1 license by dishonest or fraudulent means or who forges, counterfeits, or fraudulently  
2 alters a dietitian or nutritionist license, is punishable by a fine of not more than \$1,000  
3 under a citation issued by the department. For a citation under this subsection, the  
4 department shall use the citation procedures applicable to citations for unlicensed  
5 practice under AS 08.01.102 - 08.01.104, and an individual who receives a citation  
6 under this subsection is subject to the same requirements as an individual who receives  
7 a citation under AS 08.01.102 - 08.01.104.

8 **Sec. 08.38.020. Dietitian licensure.** The department shall issue a dietitian  
9 license to an individual who pays the required fee, applies on a form provided by the  
10 department, and submits evidence satisfactory to the department of being certified as  
11 a Registered Dietitian by the Commission on Dietetic Registration.

12 **Sec. 08.38.030. Nutritionist licensure.** The department shall issue a  
13 nutritionist license to an individual who pays the required fee, applies on a form  
14 provided by the department, and submits evidence satisfactory to the department that  
15 the individual either

16 (1) has qualified as a diplomate of the American Board of Nutrition or  
17 as a Certified Nutrition Specialist with the Certification Board for Nutrition Specialists;  
18 or

19 (2) meets the following qualifications:

20 (A) has received a master's or doctoral degree from an  
21 accredited or approved college or university with a major in human nutrition,  
22 public health nutrition, clinical nutrition, nutrition education, community  
23 nutrition, or food and nutrition; and

24 (B) has completed a documented work experience in human  
25 nutrition or human nutrition research of at least 900 hours.

26 **Sec. 08.38.040. Grounds for suspension, revocation, or refusal to issue a**  
27 **license.** The department may, after a hearing, refuse to issue a license or impose a  
28 disciplinary sanction authorized under AS 08.01.075 on an individual licensed under  
29 this chapter when the department finds that the license applicant or licensee, as  
30 applicable,

31 (1) secured or attempted to secure a license through deceit, fraud, or

1 intentional misrepresentation;

2 (2) engaged in deceit, fraud, or intentional misrepresentation in the  
3 course of providing professional services or engaging in professional activities;

4 (3) advertised professional services in a false or misleading manner;

5 (4) has been convicted of a felony or of another crime that affects the  
6 licensee's ability to continue to practice competently and safely;

7 (5) failed to comply with this chapter, with a regulation adopted under  
8 this chapter, or with an order of the department;

9 (6) continued dietetics or nutrition practice after becoming unfit due to

10 (A) professional incompetence;

11 (B) addiction or severe dependency on alcohol or a drug that  
12 impairs the licensee's ability to practice safely;

13 (C) physical or mental disability; or

14 (7) engaged in lewd or immoral conduct in connection with the delivery  
15 of professional service to patients.

16 **Sec. 08.38.050. Licensure by credentials.** The department may issue a  
17 license to an applicant who holds a current unrestricted license as a dietitian or  
18 nutritionist in another state or political jurisdiction of the United States or Canada if,  
19 in the judgment of the department, the standards for licensure in the other jurisdiction  
20 are not less stringent than the requirements in this chapter.

21 **Sec. 08.38.080. Exemption.** The requirements of this chapter do not apply to

22 (1) an animal nutritionist whose activities are limited to the nutritional  
23 care of animals; animal nutritionists may use the title "nutritionist" as long as they  
24 provide nutrition services only to animals; or

25 (2) a person who is serving in the armed forces of the United States or  
26 is an employee of the federal government whose job title includes the term "dietitian"  
27 or "nutritionist."

28 **Sec. 08.38.100. Definitions.** In this chapter,

29 (1) "accredited college or university" means a college or university  
30 accredited by the regional <sup>or national</sup> accrediting agencies recognized by the Council on  
31 Post-Secondary Accreditation and the United States Department of Education at the

1 time the degree was conferred;

2 (2) "Commission on Dietetic Registration" means the Commission on  
3 Dietetic Registration of the American Dietetic Association that is a member of the  
4 National Commission on Health Certifying Agencies, which establishes national  
5 standards of competence for individuals participating in the health care delivery  
6 system;

7 (3) "dietetics or nutrition practice" means the integration and  
8 application of scientific principles of food, nutrition, biochemistry, physiology, food  
9 management, and behavioral and social sciences to achieve and maintain human health  
10 through the provision of nutrition care services.

11 \* Sec. 2. AS 08.01.010 is amended by adding a new paragraph to read:

12 (36) regulation of dietitians and nutritionists under AS 08.38.

13 \* Sec. 3. AS 08.02.010(a) is amended to read:

14 (a) An acupuncturist licensed under AS 08.06, an audiologist licensed under  
15 AS 08.11, a person licensed in the state as a chiropractor under AS 08.20, a dentist  
16 under AS 08.36, a dietitian or nutritionist licensed under AS 08.38, a marital and  
17 family therapist licensed under AS 08.63, a medical practitioner or osteopath under  
18 AS 08.64, a direct-entry midwife certified under AS 08.65, a registered nurse under  
19 AS 08.68, an optometrist under AS 08.72, a licensed pharmacist under AS 08.80, a  
20 physical therapist or occupational therapist licensed under AS 08.84, a psychologist  
21 under AS 08.86, or a clinical social worker licensed under AS 08.95, shall use as  
22 professional identification appropriate letters or a title after that person's name that  
23 [WHICH] represents the [THAT] person's specific field of practice. The letters or title  
24 shall appear on all signs, stationery, or other advertising in which the person offers or  
25 displays personal professional services to the public. In addition, a person engaged in  
26 the practice of medicine or osteopathy as defined in AS 08.64.380, or a person  
27 engaged in any manner in the healing arts who diagnoses, treats, tests, or counsels  
28 other persons in relation to human health or disease and uses the letters "M.D." or the  
29 title "doctor" or "physician" or another title that tends to show that the person is  
30 willing or qualified to diagnose, treat, test, or counsel another person, shall clarify the  
31 letters or title by adding the appropriate specialist designation, if any, such as

1 "dermatologist", "radiologist", "audiologist", "naturopath", or the like.

2 \* Sec. 4. Except as provided in sec. 5 of this Act, this Act takes effect immediately under  
3 AS 01.10.070(c).

4 \* Sec. 5. AS 08.38.010, enacted by sec. 1 of this Act, takes effect January 1, 2000.



**SENATOR DAVE DONLEY**  
ALASKA STATE LEGISLATURE

**CHANGES BETWEEN SB 88 and CSSB 88 ( )**  
**Versions 1-LS0409\G and 1-LS0409\I**

**Working from Version 1-LS0409\G the Changes Are:**

Many of these changes are merely technical changes. However, the first and second changes listed below represent substantial changes to the intent of the legislation. By deleting these words the bill is changed from a bill that would license the practice and title of dietitians and nutritionists to one that **just licenses the title** of dietitians and nutritionists.

Page 1, line 6—Delete: "Except as provided in 08.38.080,"

Page 1, line 8—Delete: "engage in dietetics or nutrition practice;"

Page 2, lines 10—Insert Language after "who" that says "pays the required fee,"

Page 2, lines 14—Insert Language after "who" that says "pays the required fee,"

Page 2, line 16-17—Delete: "in Rockville, Maryland"

Page 2, line 18—Delete: "in New York, New York"

Page 3, line 16—delete: "Reciprocity" and insert "Licensure by credentials". This is requested because reciprocity implies that a reciprocal agreement exists between Alaska and other jurisdictions –as requested by Occupational Licensing.

Page 3, line 17—Delete: "who is licensed" and Insert "who holds a current unrestricted license" – because we want to ensure that the license is valid and not under suspension, probation, etc.

Page 3, line 17-18—Delete: "the District of Columbia" and Insert language "political jurisdictions of the US or Canada"

January-May: STATE CAPITOL • JUNEAU, AK • 99801-1182 • (907) 465-3892 • FAX: (907) 465-6595  
June-December: 716 W. 4TH AVE. • STE. 430 • ANCHORAGE, AK • 99501 • (907) 269-0234 • FAX: (907) 269-0238

Vice-Chair, Senate Finance Committee • Chair, Capital Budget Subcommittee •  
MEMBER: Senate Judiciary Committee • Senate Labor & Commerce Committee • Legislative Council

Pages 3-5, line 20—Delete: Exemptions— 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, and 13. the exemptions are no longer needed since the deletion of subsection (1) of 08.38.010, thus making this bill a Title Licensure rather than a practice licensure. A new exemption is included in the CS to exempt persons serving in the Armed Services or who is an employee of the federal government.

Page 5, line 24—Delete: "Chicago, Illinois,".

CS FOR SENATE BILL NO. 88( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATOR DONLEY

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to licensure of dietitians and nutritionists; and providing for an  
2 effective date."

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

4 \* Section 1. AS 08 is amended by adding a new chapter to read:

5 Chapter 38. Dietitians and Nutritionists.

6 Sec. 08.38.010. License required. (a) An individual may not, unless licensed  
7 as a dietitian or nutritionist by the department,

8 (1) use the title "dietitian," "licensed dietitian," "nutritionist," "licensed  
9 nutritionist," or an occupational title using the word "dietitian" or "nutritionist"; or

10 (2) advertise or otherwise hold out as being a dietitian or nutritionist.

11 (b) The only penalty that may be imposed on an individual who engages in  
12 conduct that violates (a) of this section is a fine of not more than \$1,000 under a  
13 citation issued under AS 08.01.102 - 08.01.104.

14 (c) An individual who obtains or attempts to obtain a dietitian or nutritionist

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license by dishonest or fraudulent means or who forges, counterfeits, or fraudulently alters a dietitian or nutritionist license, is punishable by a fine of not more than \$1,000 under a citation issued by the department. For a citation under this subsection, the department shall use the citation procedures applicable to citations for unlicensed practice under AS 08.01.102 - 08.01.104, and an individual who receives a citation under this subsection is subject to the same requirements as an individual who receives a citation under AS 08.01.102 - 08.01.104.

**Sec. 08.38.020. Dietitian licensure.** The department shall issue a dietitian license to an individual who pays the required fee, applies on a form provided by the department, and submits evidence satisfactory to the department of being certified as a Registered Dietitian by the Commission on Dietetic Registration.

**Sec. 08.38.030. Nutritionist licensure.** The department shall issue a nutritionist license to an individual who pays the required fee, applies on a form provided by the department, and submits evidence satisfactory to the department that the individual either

(1) has qualified as a diplomate of the American Board of Nutrition or as a Certified Nutrition Specialist with the Certification Board for Nutrition Specialists; or

(2) meets the following qualifications:

(A) has received a master's or doctoral degree from an accredited ~~or approved~~ college or university with a major in human nutrition, public health nutrition, clinical nutrition, nutrition education, community nutrition, or food and nutrition; and

(B) has completed a documented work experience in human nutrition or human nutrition research of at least 900 hours.

**Sec. 08.38.040. Grounds for suspension, revocation, or refusal to issue a license.** The department may, after a hearing, refuse to issue a license or impose a disciplinary sanction authorized under AS 08.01.075 on an individual licensed under this chapter when the department finds that the license applicant or licensee, as applicable,

(1) secured or attempted to secure a license through deceit, fraud, or

1 intentional misrepresentation;

2 (2) engaged in deceit, fraud, or intentional misrepresentation in the  
3 course of providing professional services or engaging in professional activities;

4 (3) advertised professional services in a false or misleading manner;

5 (4) has been convicted of a felony or of another crime that affects the  
6 licensee's ability to continue to practice competently and safely;

7 (5) failed to comply with this chapter, with a regulation adopted under  
8 this chapter, or with an order of the department;

9 (6) continued dietetics or nutrition practice after becoming unfit due to

10 (A) professional incompetence;

11 (B) addiction or severe dependency on alcohol or a drug that  
12 impairs the licensee's ability to practice safely;

13 (C) physical or mental disability; or

14 (7) engaged in lewd or immoral conduct in connection with the delivery  
15 of professional service to patients.

16 **Sec. 08.38.050. Licensure by credentials.** The department may issue a  
17 license to an applicant who holds a current unrestricted license as a dietitian or  
18 nutritionist in another state or political jurisdiction of the United States or Canada if,  
19 in the judgment of the department, the standards for licensure in the other jurisdiction  
20 are not less stringent than the requirements in this chapter.

21 **Sec. 08.38.080. Exemption.** The requirements of this chapter do not apply to

22 (1) an animal nutritionist whose activities are limited to the nutritional  
23 care of animals; animal nutritionists may use the title "nutritionist" as long as they  
24 provide nutrition services only to animals; or

25 (2) a person who is serving in the armed forces of the United States or  
26 is an employee of the federal government whose job title includes the term "dietitian"  
27 or "nutritionist."

28 **Sec. 08.38.100. Definitions.** In this chapter,

29 (1) "accredited college or university" means a college or university  
30 accredited by the regional accrediting agencies recognized by the Council on  
31 Post-Secondary Accreditation and the United States Department of Education at the

1 time the degree was conferred;

2 (2) "Commission on Dietetic Registration" means the Commission on  
3 Dietetic Registration of the American Dietetic Association that is a member of the  
4 National Commission on Health Certifying Agencies, which establishes national  
5 standards of competence for individuals participating in the health care delivery  
6 system;

7 (3) "dietetics or nutrition practice" means the integration and  
8 application of scientific principles of food, nutrition, biochemistry, physiology, food  
9 management, and behavioral and social sciences to achieve and maintain human health  
10 through the provision of nutrition care services.

11 \* Sec. 2. AS 08.01.010 is amended by adding a new paragraph to read:

12 (36) regulation of dietitians and nutritionists under AS 08.38.

13 \* Sec. 3. AS 08.02.010(a) is amended to read:

14 (a) An acupuncturist licensed under AS 08.06, an audiologist licensed under  
15 AS 08.11, a person licensed in the state as a chiropractor under AS 08.20, a dentist  
16 under AS 08.36, a dietitian or nutritionist licensed under AS 08.38, a marital and  
17 family therapist licensed under AS 08.63, a medical practitioner or osteopath under  
18 AS 08.64, a direct-entry midwife certified under AS 08.65, a registered nurse under  
19 AS 08.68, an optometrist under AS 08.72, a licensed pharmacist under AS 08.80, a  
20 physical therapist or occupational therapist licensed under AS 08.84, a psychologist  
21 under AS 08.86, or a clinical social worker licensed under AS 08.95, shall use as  
22 professional identification appropriate letters or a title after that person's name that  
23 [WHICH] represents the [THAT] person's specific field of practice. The letters or title  
24 shall appear on all signs, stationery, or other advertising in which the person offers or  
25 displays personal professional services to the public. In addition, a person engaged in  
26 the practice of medicine or osteopathy as defined in AS 08.64.380, or a person  
27 engaged in any manner in the healing arts who diagnoses, treats, tests, or counsels  
28 other persons in relation to human health or disease and uses the letters "M.D." or the  
29 title "doctor" or "physician" or another title that tends to show that the person is  
30 willing or qualified to diagnose, treat, test, or counsel another person, shall clarify the  
31 letters or title by adding the appropriate specialist designation, if any, such as

- 1 "dermatologist", "radiologist", "audiologist", "naturopath", or the like.
- 2 \* Sec. 4. Except as provided in sec. 5 of this Act, this Act takes effect immediately under
- 3 AS 01.10.070(c).
- 4 \* Sec. 5. AS 08.38.010, enacted by sec. 1 of this Act, takes effect January 1, 2000.

**S B**

**9 3**

# FISCAL NOTE

STATE OF ALASKA  
1999 LEGISLATIVE SESSION

BILL NO. SB 93

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 Senate 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						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>	<b>30.0</b>	<b>33.0</b>	<b>36.3</b>	<b>39.9</b>	<b>43.9</b>	<b>48.3</b>
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**FUND SOURCE** (Thousands of Dollars)

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

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 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 3/9/99 8:57 AM  
 Approved by Commissioner Deborah B. Sedwick Date 3/9/99  
 Agency Commerce and Economic Development

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# FISCAL NOTE

**STATE OF ALASKA  
1999 LEGISLATIVE SESSION**

**BILL NO. CSSB 93(FIN)**

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 Finance 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						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>	<b>30.0</b>	<b>33.0</b>	<b>36.3</b>	<b>39.9</b>	<b>43.9</b>	<b>48.3</b>
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**FUND SOURCE (Thousands of Dollars)**

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

Estimate of any current year (FY99) cost: \_\_\_\_\_

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

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The purpose of this bill is to eliminate the confusion that currently exists within the three standards of business name distinction. This bill will 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.

*Franklin T. Elder*

Prepared by Franklin T. Elder, Director Phone 465-2521  
 Division Banking, Securities and Corporations Date/Time 5/3/99 11:36 AM  
 Approved by Commissioner Deborah B. Sedwick Date 5/3/99  
 Agency Commerce and Economic Development

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Official Business

# Alaska State Legislature

## SENATE LABOR & COMMERCE COMMITTEE

State Capitol  
Juneau, AK 99801-1182

(907)465-3844

### SPONSOR STATEMENT

#### SB 93, Names of Businesses and Organizations.

The Alaska Department of Commerce and Economic Development, Division of Banking, Securities, and Corporations, Corporation Section 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 filing registered names for business entities and reservation of names for corporations. To do that, the Corporation Section must follow name availability guidelines under Title 10 and Title 32 of the Alaska Statutes.

This proposed legislation is drafted to change the current name availability standards under which business entities are allowed to file with the State of Alaska, from three conflicting guidelines to one.

The current guidelines under Title 10 and Title 32 are as follows:

1. Alaska Statutes 10.06, 10.20, 10.35 and 32.11 each use the guideline "...name may not be the same as, or deceptively similar to, the name of a corporation or registered/reserved name filed under this title."
2. Alaska Statute 10.25 uses the guideline "...name shall be distinct from the name of other cooperatives or corporations organized under the laws of or authorized to do business in this state."
3. Alaska Statutes 10.50 and 32.05 use the guideline "...name is distinguishable on the records of the department (from all other entities filed)."

As a result of the difference in the current guidelines and the margin of error encountered in determining name availability, many conflicts arise each year between different business entities within Alaska. Some of these private name conflicts ultimately result in a conflict with the State of Alaska if an entity believes a name was filed inappropriately. The State expends scarce resources when it must be party to a lawsuit resulting from "conflicting" registered names.

The old standards of "deceptively similar" and "distinct" should be replaced by the newest guideline "distinguishable on the record." This guideline would allow for more entities to file with the State of Alaska, because it is not as stringent as the "deceptively similar" standard.

The adoption of this newer standard would remove the state from these conflicts and allow those entities that see a problem in name similarity to resolve their disputes privately.

# STATE OF ALASKA

## DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

DIVISION OF BANKING, SECURITIES, AND CORPORATIONS

TONY KNOWLES, GOVERNOR

333 Willoughby Avenue, 9<sup>th</sup> 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: Dave Gray – Senator Mackie  
April 8, 1999

From: Dawn Williams

CS for Senate Bill No. 93(L&C)

“An Act relating to the names of businesses and organizations and 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 week based on the “deceptively similar” standard.

## BURR, PEASE & KURTZ

A PROFESSIONAL CORPORATION

**OF COUNSEL**

DONALD A. BURR  
THEODORE M. PEASE, JR.  
L. S. KURTZ, JR.

CHARLES P. FLYNN  
ARDEN E. PAGE  
RALPH E. DUERRE  
ANN C. LIDURO  
JOHN C. SIEMER  
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MICHAEL W. BEWRIGHT  
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810 N STREET  
ANCHORAGE, AK 99501-2288

TELEPHONE: (907) 276-6100  
FACSIMILE: (907) 268-2658  
E-MAIL: BPK@BPK.COM

TAX ID NO. 92-0027898

February 8, 1999

Deborah B. Sedwick, Commissioner  
Department of Commerce and Economic Development  
Post Office Box 110808  
Juneau, Alaska 998011-0808

Re: Business Name Registration

Dear Commissioner Sedwick:

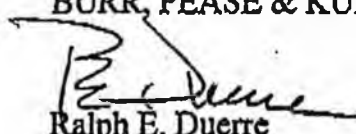
I applaud the Department's efforts to resolve a long-standing problem of having the State determine business names which are "deceptively similar" to other names. The State should not be making those determinations in the guise of corporate regulation; if they need be made, such determinations are more properly made by private parties, with the assistance of the courts if necessary, under concepts of unfair trade practices. Indeed, to the extent that the State has been forced into making such determinations (under the "deceptively similar" standard, *see, e.g.* Alaska Statutes 10.06.105 (business corporations), 10.20.021 (nonprofit corporations); 10.35.020 (business names); *cf.* AS 10.50.025 (limited liability companies)), the result has proved very frustrating to many of my clients, who find the State's determinations confusing and, at times, arbitrary.

I daresay I speak on behalf of many others in wholeheartedly supporting passage of legislation in the First Session of the Twenty-First Legislature to eliminate the "deceptively similar" standard currently set forth throughout Title 10 and elsewhere in the Alaska Statutes.

Thank you for your consideration.

Very truly yours,

BURR, PEASE & KURTZ

  
Ralph E. Duerre

nrb

bcc: Jerome O. List, D.D.S., M.D.  
3531-1W22606

**BRIAN W. DURRELL, P.C.**  
LAW OFFICE

BRIAN W. DURRELL

Direct: 907 258.3225  
bdurrell@durrell.com

1400 West Benson Blvd.  
Suite 370  
Anchorage, Alaska 99503  
Phone: 907 258.3224  
Fax: 907 258.3229

RECEIVED  
JANUARY 28, 1999  
AND COMMUNICATIONS

Deborah Sedwick, Commissioner  
State of Alaska, Dept. of Commerce  
and Economic Development  
P.O. Box 110808  
Juneau, Alaska 99811-0808

2-1-99

Re: Proposed business entity names legislation

Dear Commissioner:

I was pleased to see the proposed legislation from your department that would iron out many of the wrinkles and provide consistency to the various statutes in Titles 10 and 32 dealing with business entity names.

My office has a very active practice working with entrepreneurs and investors in organizing Alaska businesses that include corporations, partnerships and limited liability companies. My office is in almost daily contact with representatives of the Department addressing issues surrounding the organization of these business entities. Frequently, my office and our clients are faced with issues surrounding the use of business names and the determination of whether certain business names have already been taken or are available for new business entities. As the cover memo to the new legislation reflects, we currently face a labyrinth of varying rules addressing the use of business entity names.

I have read the proposed bill. I believe it would clarify and make consistent the rules surrounding the use of business entity names. The new legislation will substantially improve the current statutes dealing with business entity names and will avoid a significant amount of confusion that the Department, attorneys who organize businesses, and members of the business community would face in the absence of such clarifying legislation. I give this new legislation my wholehearted support.

Very truly yours,

BRIAN W. DURRELL, P.C.

*Brian W. Durrell*

Brian W. Durrell

BWD:jk

cc: Dawn Williams (via fax)

ASHBURN AND MASON

LAWYERS

A PROFESSIONAL CORPORATION

1130 WEST SIXTH AVENUE, SUITE 100  
ANCHORAGE, ALASKA 99501-5914

TELEPHONE  
(907) 276-4331

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MARK E. ASHBURN  
WILLIAM S. CUMMINGS  
JOAN M. FORTIN  
JULIAN L. MASON III  
JOHN C. McCARRON  
DONALD W. McCLINTOCK III  
DONNA J. McCREADY  
A. WILLIAM SAUPE  
KIRSTEN TINGLUM

5 FEB 3 PM 3 32

DIVISION OF  
SECURITIES,  
AND CORPORATIONS

January 29, 1999

Debra B. Sedwick, Commissioner  
State of Alaska  
Department of Commerce and Economic Development  
Division of Banking, Securities and Corporations  
P.O. Box 110808  
Juneau, Alaska 99811-0808

RE: Proposed Business Entity Names Legislation

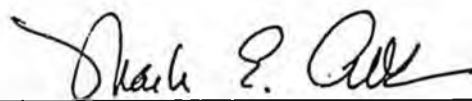
Dear Commissioner:

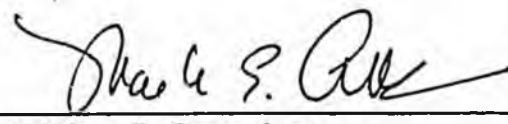

Ashburn & Mason, P.C., has a very active corporate practice, organizing and assisting Alaska businesses which include corporations, limited liability companies, and partnerships. We are often in contact with the Anchorage and Juneau Corporations Division offices, frequently over the issues of business entity names. This is why we are very pleased to see the Department's proposed legislation concerning business entity names.

We have read the bill and believe it will clear up many of the problems surrounding the use of business names. The Department, members of the business community, and attorneys who organize businesses will all benefit from the passage of this bill. We give it our support.

Very truly yours,

ASHBURN & MASON, P.C.

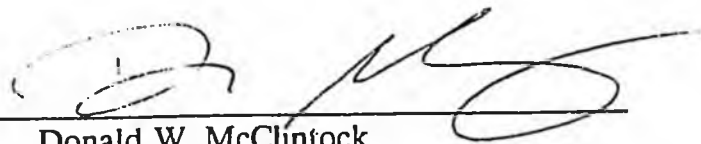
By:   
Mark E. Ashburn

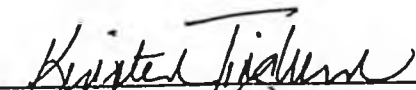
By:   
 William S. Cummings

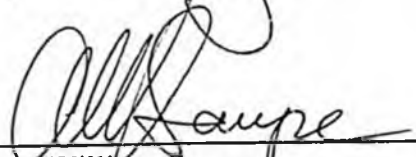
ASHBURN AND MASON, P. C.

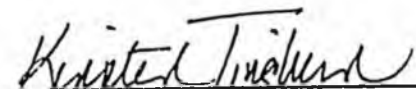
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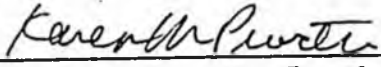
Debra B. Sedwick, Commissioner  
January 29, 1999  
Page -2-

By:   
Donald W. McClintock

By:   
for John C. McCarron

By:   
A. William Saupe

By:   
Kirsten Tinglum

By:   
Karen M. Procter, Legal Assistant

cc: Dawn Williams, Supervisor  
Corporations Division

January 15, 1999

Dawn Williams  
State of Alaska  
Department of Commerce and  
Economic Development  
Division of Corporations  
Juneau AK, 99801

Dear Dawn Williams ,

**SUBJECT: PROPOSED BUSINESS ENTITY LEGISLATION.**

Complete Corporate Services of Alaska Incorporated has reviewed the proposed legislation. We feel that this legislation would be beneficial to the State of Alaska, and its citizens. We feel that the state's exposure due to the wording of the previous legislation is unnecessary and not beneficial. This exposure results in superfluous litigation. We at Complete Corporate Services of Alaska, Inc., believe that disputes over business entity names are better resolved by the parties involved. We believe that the state can improve service and reduce liability with the proposed legislation. From our experience, our customers would appreciate this more modern approach to name registration.

Sincerely,



James M. Barrett  
Vice President  
Complete Corporate Services of Alaska, Inc.

3839 RIVERSIDE DRIVE  
STE 101  
JUNEAU, AK 99801