

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 19, 2016

SUBJECT: Bill relating to motor vehicle franchises, motor vehicle transactions, motor vehicle dealers, motor vehicle manufacturers, and motor vehicle distributors (Work Order No. 29-LS1150\H)

TO: Senator John Coghill
Attn: Rynniva Moss

FROM: Terry Bannister
Legislative Counsel

This memo accompanies the bill described above. I was not able to reach Mr. Sleeper before finalizing this version.

1. Constitutional issues remaining. As we discussed, this version of the bill still contains language that raises constitutional impairment of contracts and separation of powers issues.
2. Applicability. Although the requested changes tied the findings and applicability provisions together in AS 45.25.010, you may want to consider placing the applicability provisions in uncoded law at the end of the bill.
3. Distributor references. While some references to distributors were removed, many were not. I did remove a few occurrences that appeared to have been overlooked. I suggest reviewing the remaining references to determine if there are some others that you want to delete.
4. Terminology. The term, "previous year model," was added to the bill as requested. That term is not clear to the average reader and needs to be defined.
5. Use of "of." The use of the word "of" was requested in sec. 45.25.150(a)(1) in place of "after." Earlier it was requested in place of "before." Because "of" is so imprecise, can "before or after" or "after" be used?

If I may be of further assistance, please advise.

TLB:dla
16-173.dla

Attachment