

LEGAL SERVICES

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MEMORANDUM

February 13, 2018

SUBJECT: Definition of Person (CSSB 176());
Work Order No. 30-LS1332\D)

TO: Senator Cathy Giessel
Attn: Akis Gialopsos

FROM: Emily Nauman 
Legislative Counsel

Please find the above-listed work order attached. Because "person" is not defined for purposes of AS 09.65.243, if not defined in this section, the definition of "person" under AS 01.10.060(a)(8) would apply. That paragraph states "person includes a corporation, company, partnership, firm, association, organization, business trust, or society, as well as a natural person." Note that differs from the definition of "person" in AS 46.03.900(18), which applies to all of AS 46.03, including AS 46.03.822. AS 46.03.900(18) defines "person" to mean "any individual, public or private corporation, political subdivision, government agency, municipality, industry, copartnership, association, firm, trust, estate, or any other entity whatsoever." To avoid confusion, I added language to the bill, at sec. 09.65.243(b), that adopts the definition of "person" that appears in AS 46.03.900 for purposes of proposed sec. 09.65.243. This ensures that no person currently subject to liability under AS 46.03.822 is excluded from the exemption under sec. 09.65.243. Because the term "person" as defined under AS 46.03.900(18) includes the state, the term has been removed from sec. 09.65.243(a).

If I may be of further assistance, please advise.

ELN:dls
18-056.dls

Attachment