

LEGAL SERVICES

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MEMORANDUM

April 15, 2018

SUBJECT: HCS CSSB 37(RLS) and the single subject rule
(HCS CSSB 37(RLS); Work Order Nos. 30-LS0191\T;
30-GH1053\N)

TO: Representative Gabrielle LeDoux
Attn: Courtney Enright

FROM: Claire E. Radford
Legislative Counsel



You requested a CS that merges CSHB 231(RLS) into CSSB 37(FIN), which is attached, and an accompanying memorandum regarding the single subject rule.¹ CSHB 231(RLS) relates to the Board of Pharmacy, licensing and inspection of certain facilities located out-of-state, drug supply chain security, and creates an executive administrator position for the Board of Pharmacy. CSSB 37(FIN) reduces the membership of the Alaska Commercial Fisheries Entry Commission to two individuals, relates to the duties of the commissioner serving as chair of the commission; provides that a single commissioner may exercise all powers and duties of the commission if there is a vacancy on the commission, provides for commissioner compensation, and relates to tie votes of the commission.

As I previously advised in my phone conversation on April 14, 2018, with Greg Smith, these bills may generally fit under the broad subject of "boards or commissions." As I also advised at that time, I am unsure how broad courts will interpret single subjects to be if a challenge were raised. Since these bills do not only make changes to the Board of Pharmacy, and the Alaska Commercial Fisheries Entry Commission is not structured in the same manner, it is possible that a court may find that the bills are too disparate to fit a single subject. However, since both bills appear to fit the subject "boards or commissions," it is more likely that a court will find there is no single subject violation.

If I may be of further assistance, please advise.

CER:boo
18-308.boo

Attachment

¹ Article II, §13, Constitution of the State of Alaska.