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COMMITTEE REPORT

SENATE

FURTHER:

6/17/83

Date: 6-17-83

Mr. President:

The Committee on INTELECTUAL PROPERTY has had ONE

Proposed by an amendment in the conference on the bill to amend the Copyright Act of 1976, relating to the deposit of regular editions of the legislative

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HR 2100 same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

RECEIVED

2 1983
POUCH-Y STATE CAPITOL
BUREAU ALASKA 99511
197 345-0800

Josephson,

MEMORANDUM

June 20, 1983

SUBJECT: Standing committee meeting during interim
(SJR 2)

TO: Senator Joe Josephson

FROM: Billy G. Berrier *BGB*
Director
Division of Legal Services

You have asked whether standing committees are authorized to meet during the interim. You have also asked whether the language in the draft substitute for SJR 2 would affect that power.

Standing committees are established by Rule 20 of the Uniform Rules of the Alaska State Legislature and are authorized by Rule 21(c) of the Uniform Rules to meet during the interim. That rule provides in relevant part:

A standing committee may meet between sessions.

* * *

A standing, special, or joint committee which acts between legislative sessions may consider any legislative matter which is consistent with the jurisdiction of the committee. A standing, special, or joint committee which acts between legislative sessions constitutes a subcommittee of the Legislative Council for administrative purposes.

The two rules together in my opinion establish the standing committees as interim committees when the legislature is not in session. This is expressly allowed by section 11, Article II, Constitution of the State of Alaska which provides:

INTERIM COMMITTEES. There shall be a legislative council, and the legislature may establish other

Senator Joe Josephson
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interim committees. The council and other interim committees may meet between legislative sessions. They may perform duties and employ personnel as provided by the legislature. Their members may receive an allowance for expenses while performing their duties.

Further, in my opinion, the legislature has very broad power to establish procedures to facilitate performance of its duties except as these powers are limited by the constitution. There is no limitation, indeed this is express permission.

The draft language in the proposed constitutional amendment relates only to sessions of the legislature. In my opinion it neither expressly nor impliedly conflicts with the express constitutional recognition of interim work.

Therefore in my opinion standing committees have the power to meet during the interim and the draft language does not change that.

BGB:ljb
25/001