

Legis. Prog.

May 22, 2002

Memorandum 2002-27**Legislative Intent and CLRC Recommendations**

The standard Note that prefaces a Commission recommendation states:

This report includes an explanatory Comment to each section of the recommended legislation. The Comments are written as if the legislation were already operative, since their primary purpose is to explain the law as it will exist to those who will have occasion to use it after it is operative.

At the May meeting the Commission asked the staff to propose language to strengthen the Note with respect to legislative intent. The staff suggests that the following sentence (derived from the Commission's Annual Report) be added to the Note:

The Comments are legislative history and are entitled to substantial weight in construing the statutory provisions.

Respectfully submitted,

Nathaniel Sterling
Executive Secretary