

I. September 28, 2020

II. Legislation Committee

III. Members:

Kyra Folk-Farber, *Co-chair (2018-2022), Samuel J. Crawford, *Co-chair (2020-2024), Alyssa Nance (2020-2024), Kerry C. Masteller (2020-2024), Peter Shirts (2019-2023), Anthony L. Sharp (2019-2023), Pamela Pagels (2018-2022), Jacey Kepich (2018-2022), Kathleen L. DeLaurenti (2017-2021), Marci A. Cohen (*ex officio*)

*Pending Board action / approval

IV. Board Action Required:

The Legislation Committee requests that the Board consider and approve this Committee's proposal to add a co-chair to its leadership structure.

Following the co-chairing model of the Career Development and Services Committee, we propose to appoint two (2) equal co-chairs with staggered terms. The co-chairing structure will provide the leaders of this Committee with ongoing, mutual support of each other's professional development as well as a more equitable distribution of labor across duties and responsibilities in service to both the Committee and the Music Library Association (MLA). By appointing a new co-chair now, when the existing chair has two years remaining in their appointment, the foundation would be laid for the existing chair to mentor the new co-chair. Co-chairs in their third and fourth years of appointment would submit reports and file documentation on behalf of the Committee; however, the co-chair in their first and second years could carry out these responsibilities, if necessary. This ensures both continuity of leadership and expands capacity of the Committee to address important issues.

The Committee asks that the Board (retroactively) recognize and appoint Samuel (Sam) Crawford as co-chair, to serve alongside Kyra Folk-Farber, effective immediately. At the end of Kyra's term (2022), another incoming co-chair will be appointed to work alongside Sam for the remainder of his term (until 2024), after which this (newer) co-chair will take the helm. This will properly align the succession and service terms of co-chairs, moving forward.

As Kyra Folk-Farber is currently on leave at her institution (until January 2021), we also ask the Board to recognize and temporarily appoint Kathleen DeLaurenti as co-chair in her stead, until she returns.

V. Brief Summary of Activities:

- Committee Chair Kyra Folk-Farber developed several “reduced budget” proposals / scenarios for the Legislation Committee for FY21, submitting these to Anne Shelley and Tracey Rudnick in preparation to reduce expenses this fiscal year.
- Committee members Peter Shirts and Anthony Sharp drafted and submitted a public comment on behalf of the MLA Legislation Committee in response to the U.S. Copyright Office’s study concerning unclaimed royalties.
- The Committee continues to follow numerous, recent legislative matters related to copyright, including:
 - The copyright infringement lawsuit filed by member companies of the Association of American Publishers (AAP) against the Internet Archive and its “Open Library” and “National Emergency Library” initiatives
 - The U.S. Copyright Office’s rulemaking process for section 1201 (and how to petition for temporary exemptions to this provision) under the Digital Millennium Copyright Act
 - The U.S. Copyright Office’s proposal to update the Music Modernization Act’s (MMA’s) transition period regulations for transfer and reporting of royalties to the Mechanical Licensing Collective (MLC)
- The Committee clarified and outlined desired changes to its existing leadership structure.