

## **Minutes**

### **Web and Audio Conference of the Executive Committee Uniform Law Commission**

June 2, 2020  
Chicago, IL

Daniel Robbins, Chair of the Executive Committee, called the meeting to order on June 2, 2020, at 2:03 p.m. Chicago Time.

The following members of the Committee were present: Carl H. Lisman, President; Timothy Berg, Committee on Scope and Program Chair; Bill Breetz, Vice President; Steve Wilborn, Legislative Committee Chair; Tom Buiteweg, Treasurer; Martha Starkey, Secretary; Anita Ramasastry, Immediate Past President; Paula Tackett; Ryan Leonard; and Jamie Pedersen.

Also present: Tim Schnabel, Executive Director; Elizabeth Cotton-Murphy, Chief Administrative Officer; Ben Orzeske, Chief Counsel; and Katie Robinson, Legislative Program Director.

#### **1. Minutes**

A motion was made and approved accepting the minutes of the Executive Committee Meeting held May 5, 2020.

#### **2. Request for life membership:**

A motion was made and approved nominating Lawrence Klemin (ND) for election to life member of the Conference.

A motion was made and approved nominating Paul Kurtz (GA) for election to life member of the Conference contingent upon attending the 2020 annual meeting.

#### **3. Consideration of requests for:**

##### **a. Name change**

A motion was made and approved that the name of the Alternatives to Bail be changed to the *Pretrial Release and Detention Act*.

A motion was made and approved that the name of the Uniform Public Participation Protection Act be changed to the *Uniform Public Expression Protection Act*.

b. Uniform designation

A motion was made and approved designating the Pretrial Release and Detention Act as uniform act.

c. Waiver of line-by-line reading

A motion was made and approved granting the requests for a waiver of line-by-line reading of certain sections of the following acts pursuant to ULC Bylaw 44A.4: the Uniform Easement Relocation Act; the Uniform Pretrial Release and Detention Act; and the Uniform Public Expression Protection Act.

d. Privilege of the floor

A motion was made and approved granting privileges of the floor to reporters, ABA advisors, and selected observers to drafting committees. A list of individuals who were approved is included as Appendix A.

4. Consideration of changes to flex benefits

Elizabeth Cotton-Murphy, Chief Administrative Officer, summarized proposed changes to the NCCUSL Flexible Benefit Plan Document. Due to the nature of the public health emergency posed by COVID-19 and unanticipated changes in the need for medical care, plan sponsors may amend their Cafeteria Plans to allow eligible employees and active participants to prospectively adjust payroll contribution amounts to existing Flexible Spending Accounts (health FSA and dependent care) through the end of the current plan year (December 31, 2020). The changes allow employees to revoke an election, make a new election, or decrease or increase an existing election regarding the medical reimbursement plan and the dependent care assistance plan on a prospective basis.

A motion was made and approved authorizing the change to the current Benefit Plan Document.

5. 2020 Annual Meeting

a. 46.1 Procedural Change

President Lisman reported on plans use of Section 46.1 of the ULC's Rules of Procedure to provide supplemental guidance necessary to adjust existing procedures to accommodate meeting remotely and reported on the planed procedural adjustments.

A letter will go out to commissioners in the next day or so with information about pandemic-driven adjustments to the annual meeting plans.

b. Business Agenda

President Lisman summarized plans for the July business agenda for the Committee's consideration.

c. Fall Meeting

President Lisman reported on the search for fall meeting space in Washington DC for a possible in-person annual meeting where acts up for a first reading would be considered. Until we are comfortable that we will have a critical mass of commissioners available and willing to attend an in-person meeting, we cannot schedule a date for the meeting.

6. Upcoming Meeting Dates

Chair Robbins reported that the Executive Committee will meet via Zoom on Thursday, July 9, 2020, and Tuesday, July 14, 2020. Ms. Cotton-Murphy will survey the committee for three-hour blocks of time when the committee can meet both days.

The meeting was adjourned at 3:13 p.m. Chicago time.

## **Appendix A**

### **2020 VIDEO-TELECONFERENCE Requests for Privilege of the Floor**

#### **Alternatives to Bail Act**

Josh Bowers .....Reporter  
Sandra G. Mayson .....Associate Reporter  
Margaret M. Cassidy .....ABA Advisor

#### **Uniform Easement Relocation Act**

John Lovett.....Reporter  
Ira Waldman.....ABA Advisor

#### **Uniform Public Participation Protection Act**

Robert T. Sherwin .....Reporter  
Laura L. Prather .....ABA Advisor  
Jay D. Adkisson .....ABA Section Advisor  
Thomas Burke .....Observer