

Minutes
Executive Committee Video Conference
Uniform Law Commission
Thursday, June 7, 2018
Chicago

Carl H. Lisman, Executive Committee Chair, called the meeting to order on June 7, 2018, at 9:05 a.m. Central Time.

The following members of the Committee were present by video conference or telephone: Commissioners Thomas J. Buiteweg, Treasurer; Diane F. Boyer-Vine; Gail Hagerty; Anita Ramasastry, President; Daniel Robbins, Chair, Committee on Scope and Program; Steve Wilborn, Vice President; and Nora Winkelman, Secretary. Commissioners Richard T. Cassidy, Immediate Past President; Barry Hawkins; and Ryan Leonard, Legislative Committee Chair, did not attend the meeting.

Also present by video conference: Commissioner Vincent P. Cardì; Commissioner Juliet M. Moringiello; Commissioner Louise Ellen Teitz; Liza Karsai, Executive Director; Elizabeth Cotton-Murphy, Chief Administrative Officer; Ben Orzeske, Chief Counsel; and Katie Robinson, Legislative Program Director.

1. Approval of Minutes

A motion was made and approved accepting the minutes of the Executive Committee meeting held May 10, 2018, as amended.

Commissioner Lisman reported on progress made to restore dues from the state of Arizona. The state will pay a total of \$100,000 for the fiscal years 2018 and 2019.

2. Request for privileges of the floor

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

3. Request for 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 Amendments to Uniform Commercial Code Articles 1, 3, 8, and 9, the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act, and the Uniform Fiduciary Income and Principal Act pursuant to ULC Bylaw 44A.4.

4. Civil Remedies for Unauthorized Disclosure of Intimate Images Act

Commissioner Lisman noted that the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act is up for final reading this summer.

Commissioner Cardi, Drafting Committee Chair, reported on the policy decisions reached by the committee in light of the lack of clear U.S. Supreme Court authority addressing liability for distributing an intimate image when the subject of the image has not consented to distribution or further disclosure of the image. Drafting in an area involving activity or conduct related to the First Amendment necessarily restricts drafting within a narrow band of policy.

5. Reading of the Uniform Supplemental Commercial Law for the Uniform Regulation of Virtual Currency Businesses Act

Commissioner Lisman reported that the substance of the Uniform Supplemental Commercial Law for the Uniform Regulation of Virtual Currency Businesses Act had been included in the original regulation act submitted to the floor for consideration at the 2017 annual meeting, and therefore the reading this summer could qualify as a second reading without need to request a waiver of the two-reading rule.

Staff was asked to review the 2016 and 2017 annual meeting transcripts to determine whether the substance of the Supplemental Commercial Law for the Uniform Regulation of Virtual Currency Businesses Act was read, as opposed to presented, at a prior annual meeting. If not, the Executive Committee will conduct an email ballot on whether to approve a waiver of the two-reading rule under Article 8.1(b).

6. Request for correction of error in Section 606 of the Uniform Protected Series Act

A motion was made and approved authorizing the correction of the error in Section 606 of the Uniform Protected Series Act.

7. Request for guidance regarding the reading of the Amendments to Revised Uniform Law on Notarial Acts at the 2018 Annual Meeting

Commissioner Lisman reported on how the new section and two minor corresponding supplements to existing sections of the Revised Uniform Law on Notarial Acts would be presented on the floor this summer. Given the length of the full revised uniform law, it was decided that only the proposed amendments would be included in hard copy materials. The complete revised act prior to the amendments will be made available electronically and a few copies will be available in hard copy in the meeting room when the act is considered by the Committee of the Whole.

8. Hague Convention

Commissioner Ramasastry reported that Commissioner Teitz attended the Hague Convention as an observer. The State Department did not accredit ULC delegates or anyone else from outside the federal government. A letter will be sent to the new legal advisor to get a better sense of where the ULC international projects stand with the US State Department and the executive branch.

9. Announcement of ULC Fellow

Executive Director Karsai reported on the engagement of a ULC Fellow scheduled to start in the fall. Cameron Pestinger, a University of Wyoming Law School graduate, is a welcomed addition to the Chicago office, and we are confident that he will prove to be an excellent Fellow.

10. Executive Session

The Committee went into executive session at 9:30 a.m. Central Time.

The meeting was adjourned at 9:43 a.m. Central Time.

2018 Privileges of the Floor

Act	Name	Role
Civil Remedies for Unauthorized Disclosure of Intimate Images Act	Allen, Jeffrey M.	ABA Advisor
	Franks, Mary Anne.	Reporter
	Stephen Y. Chow	Observer
Criminal Records Accuracy Act.....	Aisenberg, Michael	ABA Section Advisor
	Chanenson, Steven	Reporter
	Domitrovich, Stephanie	ABA Section Advisor
	Hyatt, Jordan.....	Associate Reporter
	Saltzburg, Steve.....	ABA Advisor
Amendments to UCC Articles 1, 3, 8, and 9	Adams, Kristen.	ALI Member
	Boss, Amelia	ALI Member
	Cohen, Neil.....	ALI Member
	Ewing, Eileen	ABA Advisor
	Harmon, Teresa	ALI Member
	Harris, Steven L.	Reporter
	Mann, Ronald.....	ALI Member
	Powell, Norman	ALI Member
	Weise, Steven O.	ALI Member
Electronic Wills Act.....	Gary, Susan N.	Reporter
	Rogers, John T.	ABA Advisor
Fiduciary Income and Principal Act	Aucutt, Ronald.	Reporter
	LaPiana, William.	ABA Advisor
	Lee, Paul.....	ABA Section Advisor
Highly Automated Vehicles Act.....	Donohue, Kelly A.....	ABA Advisor
	Tarver, Derek.	Associate Reporter
	Walker Smith, Bryant.....	Reporter
Amendments to Revised Law on Notarial Acts.....	Anderson, William A.	Observer
	Aronson, Marc L.....	Observer
	Butler, Kathleen	Observer
	Gaudio, Arthur	Reporter
	Reiniger, Timothy.....	ABA Section Advisor
	Wine, James C.	ABA Advisor

2018 Privileges of the Floor

Act	Name	Role
Nonparent Custody and Visitation Act.....	Atkinson, Jeff J.	Reporter
	Joslin, Courtney G.	Observer
	Levy, Eddie Varon	ABA Section Advisor
	Palmer, Allen G.	ABA Advisor
	Teitz, Louise Ellen.....	ABA Section Advisor
Registration of Canadian Money Judgments Act	Adkisson, Jay D.....	ABA Section Advisor
	Close, Arthur L.....	ULCC Member
	Curley, Stephen J.....	ABA Section Advisor
	Dalton, Clark W.	ULCC Member
	George, James P.....	Reporter
	Getz, Russell	ULCC Member
	Lown, Peter J.....	ULCC Member
	McGovern, Darcy	ULCC Member
	Richman, Steven M.	ABA Advisor
Supplemental Commercial Law to the Uniform Regulation of Virtual Currency Businesses Act		
	Hughes, Sarah J.	Reporter
	O'Reilly, James T.	ABA Advisor
	Rocks, Sandra M.....	ABA Section Advisor
	Weise, Steven O.	ALI Observer
Tort Law Relating to Drones Act	McGlynn, Daniel R.....	ABA Section Advisor
	McNeal, Gregory S.	Reporter
	Ratnaswamy, John P.	ABA Advisor