

Minutes
Executive Committee Video Conference
Uniform Law Commission
Thursday, December 6, 2018
Chicago

Carl Lisman, Chair of the Executive Committee, called the meeting to order on December 6, 2018, at 9:05 a.m. Central Time.

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

Also present by video conference: Commissioner William Henning; Steve Willborn, Interim Executive Director; Elizabeth Cotton-Murphy, Chief Administrative Officer; Ben Orzeske, Chief Counsel; and Katie Robinson, Legislative Program Director.

1. Ethics Committee Report

Bill Henning summarized the revised proposal submitted for the Committee's consideration. The revisions incorporate ideas and comments received from members of the Executive Committee and commissioners in attendance at the informational session held in Louisville in July.

After discussion, a motion was made and adopted to approve the recommendations of the Ethics Working Group as amended. Commissioner Henning will revise the draft and submit the final version to the Chicago office for distribution. The Policy on Conflicts of Interest Relating to Study and Drafting Committees as amended will go into effect upon distribution. Interim Executive Director, Steve Willborn, was asked to distribute the policy to active committee chairs.

2. Approval of Minutes of November 15, 2018

A motion was made and approved accepting the minutes of the Executive Committee meeting held November 15, 2018.

3. Diversity and Inclusion Policy Review

Carl Lisman reported that the Committee on Diversity and Inclusion has recommended several minor style changes to the approved Statement on Diversity and Inclusion. The Statement as approved by the Executive Committee along with the changes being recommended by the Committee on Diversity and Inclusion Committee will be submitted to the Committee on Style for review. The Committee on Style will submit a final version of the styled policy to the Executive Committee for final approval and distribution. Interim Executive Director Willborn will relay that information to the Committee on Diversity and Inclusion.

4. Anti-Harassment Policies

Interim Executive Director Willborn summarized the revised documents submitted for the Committee's consideration. The revisions incorporate changes discussed during the November meeting.

A motion was made and approved to adopt the *Employee Policy on Harassment, Discrimination and Retaliation*, the *Commission Policy on Harassment, Discrimination and Retaliation*, and the *Distribution and Education* document. These will be reviewed by the Committee on Style and by outside legal counsel prior to distribution.

5. Informational Reports

A. Stakeholders Meetings

i. Extreme Risk Protection Orders Stakeholder Meeting

Interim Executive Director Willborn reported that the stakeholder meeting in Washington D.C. was cordial and well-attended. The unanimous consensus of those who attended was that the feasibility of a model extreme risk protection orders law was worth continued investigation. A webinar has been scheduled for December 7, 2018, to continue the conversation.

ii. Data Breach Notification Stakeholder Meeting

Anita Ramasastry reported on the Data Breach Notification stakeholder meeting. There appears to be greater chance of federal legislation in this area and stakeholders are currently focusing resources and energy on legislative activity related to issues of privacy in the state of California and European Union.

B. Website

Ms. Cotton-Murphy reported on plans to launch the new website on December 14, 2018.

C. 401(k)

Carl Lisman reported on a procedural issue that requires that the ULC establish a 457(b) plan to accept ULC employee retirement contributions, while maintaining the existing 401(a) plan to accept employer contributions. This will result in slightly higher expenses to the ULC on an going forward basis. The ULC plans to implement this change at the beginning of the next fiscal year.

The meeting was adjourned at 9:50 a.m.