

SECOND MEETING OF THE EXECUTIVE COMMITTEE

NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS

July 26, 2005
Pittsburgh, Pennsylvania

Howard J. Swibel, Chair of the Executive Committee, called the meeting to order on July 26, 2005, at 12:15 p.m., at which time the following members of the Committee were present: Timothy Berg, K. King Burnett, Michael Houghton, Peter F. Langrock, Carl H. Lisman, Fred H. Miller, Robert A. Stein, Charles A. Trost, Martha Lee Walters, and James A. Wynn, Jr. Also present were Gene N. Lebrun, Chair of the Public Information Committee, William H. Henning, Executive Director; J. Elizabeth Cotton-Murphy, Chief Administrative Officer; John M. McCabe, Legislative Director/Legal Counsel; and Michael R. Kerr, Deputy Executive Director/Deputy Legal Counsel.

Life Membership

A motion was made and approved granting Commissioner Matthew S. Rae (CA) Life Membership.

Waiver of Two-Reading Rule

A motion was made and approved ratifying the vote of the Conference that Section 8.1(a)(3) of the Constitution regarding the reading of acts at two annual meetings be waived so that the Uniform Recognition of Foreign-Country Money Judgments can be submitted to a vote of the States.

Membership on Committee on Scope and Program

Commissioner Swibel led a discussion regarding the advisability of term limits for members of the Committee on Style. A motion was made and approved that, absent exceptional circumstances, members be appointed for three year terms that may be renewed twice for a maximum of nine years and that appointments be made on a staggered basis.

Report of the Committee on Scope and Program

Commissioner Martha Walters, Chair of the Committee on Scope and Program, presented the report of the committee, which was accepted. The Executive Committee approved the following resolutions after considering and discussing the recommendations of the Committee on Scope and Program:

1. Drafting Committee Recommendations:

RESOLVED, that a drafting committee on the discovery of electronic records be formed.

RESOLVED, that a drafting committee on interstate depositions and discovery of documents be formed.

RESOLVED, that a drafting committee on the misuse of genetic information in employment and insurance be formed, with an initial charge to review the policy choices framed in the study committee's prior reports, make outreach efforts to assess the view of the various constituencies, and further develop the proper scope of the proposal.

RESOLVED, that a drafting committee to amend the Unincorporated Nonprofit Association Act be formed.

RESOLVED, that a drafting committee on registered agents and annual filing requirements be formed to work with the ABA and IACA on these projects.

2. Study Committee Recommendations:

RESOLVED, that a study committee on health care information interoperability be formed.

RESOLVED, that a study committee on the regulation of medical examiners be formed, with an initial charge to investigate the possibility of funding and to identify the interested groups.

RESOLVED, that a study committee on faithless Presidential electors be formed.

RESOLVED, that a study committee on one call systems be formed, with an initial charge to review the status of state and local underground utility line location programs and study the expansion of these programs to also cover environmental controls and hazards.

RESOLVED, that a study committee on a bank deposits act be formed, with an initial charge to examine the need for and potential enactability of such a law, the parties and advisors necessary to mount an effective drafting effort, and the possible underwriting of costs.

RESOLVED, that a study committee on the disposal of electronic products be formed.

RESOLVED, that a study committee on the implementation of international conventions and treaties be formed, with an initial charge to review each of

eight potential international convention or treaty implementation projects identified by the Scope and Program Committee.

3. Scope Change Recommendations:

RESOLVED, that the scope of the drafting committee on agricultural and agricultural related cooperatives act be changed to delete the existing limiting reference to ‘agricultural and agricultural related’ and instead have a broader definitional scope, with specified appropriate exclusions, and that the drafting committee report to the Committee on Scope and Program at the midyear meeting. The committee also recommends the name of the committee be changed to the “Uniform Cooperative Association Act”.

RESOLVED, that the scope of the Drafting Committee on a Child Abduction Prevention Act be expanded to allow the committee to draft an act to allow courts to take preventative measures to deter child abduction both domestically and internationally. *(Recommendation previously approved and included here for tracking purposes)*

4. Report of the Committee on Review of Conference Acts:

RESOLVED, that the 1968 Uniform Child Custody Jurisdiction Act and the 1962 Principal and Income Act be designated as obsolete or superceded.

Budgets of PEB and JEBs

Upon motion made and approved, the budgets of the Joint Editorial Board for Uniform Real Property Acts, the Joint Editorial Board for Uniform Trust and Estate Acts, the Joint Editorial Board for Uniform Family Laws, the Joint Editorial Board for Uniform Unincorporated Organization Acts, and the Permanent Editorial Board for the Uniform Commercial Code were approved as submitted, except that the statement in the PEB budget that no disbursements to the constituent organizations was anticipated had been superseded by subsequent agreement of the Conference and the ALI providing for disbursements this fiscal year to each organization of at least \$50,000 and as much as \$75,000.

Other Business

A motion was made and approved adopting the recommendation of the International Legal Developments Committee that the Conference enter into an appropriate affiliation with the Organization of American States for the purpose of promoting uniformity of state law where practicable.

The Chair of the Executive Committee adjourned the meeting at 4:50 p.m.