

Minutes
Web and Audio Conference of the Executive Committee
Uniform Law Commission

Friday, January 22, 2021
Chicago, IL

Daniel Robbins, Chair of the Executive Committee, called the meeting to order on January 22, 2021, at 2:30 p.m. Central Time.

The following members of the Committee were present in person or by conference phone: Carl H. Lisman, President; Timothy Berg, Committee on Scope and Program Chair; William Breetz, Vice President; Steve Wilborn, Legislative Committee Chair; Martha Starkey, Secretary; Tom Buiteweg, Treasurer; Jamie Pedersen; Paula Tackett; and Ryan Leonard. Anita Ramasastry, Immediate Past President, attended a portion of the meeting.

Also present: Tim Schnabel, Executive Director; Elizabeth Cotton-Murphy, Chief Administrative Officer; Katie Robinson, Legislative Program Director; and Ben Orzeske, Chief Counsel. The following commissioner Division Chairs were present for part of the meeting: Mary M. Ackerly; William W. Barrett, Lead Division Chair; Thomas S. Hemmendinger; William H. Henning; John T. McGarvey; and Cam Ward.

1. Division Chair Reports

Commissioners Ackerly, Barrett, Hemmendinger, Henning, McGarvey, and Ward reported on the drafting and study committee activities of their respective divisions.

2. Budget and Finance

a. Proposed Revisions to the FY 2020-2021 Budget

Commissioner Buiteweg summarized the memorandum and proposed budget submitted to the Committee and led a discussion of the proposed fiscal year 2021 budget. A motion was made and approved adopting the budget as proposed. The motion passed by unanimous vote.

c. State Dues Report

Commissioner Buiteweg summarized the written report submitted for the Committee's consideration. The report was received by the committee.

d. Report on ULC Investments

Commissioner Buiteweg summarized the written report submitted for the Committee's consideration. The report was received by the committee.

3. Report of the Committee on Scope and Program

Commissioner Berg presented the report of the Committee on Scope and Program (“Scope”).

a. Recommendations Concerning Discharge of Committees

1. Scope approved the following resolution for consideration, recommending that the Study Committee on Online Sales Tax Collection be discharged.

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that the Study Committee on Online Sales Tax Collection be discharged with a letter of thanks to the committee.

A motion was made and approved to discharge the Study Committee on Online Sales Tax Collection.

b. Recommendations Concerning Establishment of New Study Committees

Scope approved the following two resolutions for consideration, recommending study committees be formed with respect to the following issues:

1. Scope approved the following resolution for consideration, recommending that a study committee to study the use of tenant information in rental decisions be formed:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that a Study Committee on Use of Tenant Information in Rental Decisions be formed to study the need for and feasibility of a uniform or model act on the subject.

After discussion, action was deferred to the February meeting of the Executive Committee.

2. Scope approved the following resolution for consideration, recommending that a study committee to study the need for and feasibility of state legislation on election law be formed:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that a Study Committee on Election Law be formed to study the need for and feasibility of a model act on the subject.

After discussion, action was deferred to the February meeting of the Executive Committee.

c. Recommendations Concerning the Establishment of New Drafting Committees

Scope approved the following four resolutions for consideration, recommending drafting committees be formed with respect to the following issues:

1. Scope approved the following resolution for consideration, recommending that a joint ALI-ULC Committee be authorized to proceed to drafting on additional topics:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that the Joint ALI-ULC Committee on the Uniform Commercial Code and Emerging Technologies be authorized to proceed to drafting on the remaining topics within its scope, i.e., digital assets, payments issues, and bundled transactions.

A motion was made and approved to authorize the joint ALI-ULC committee on the Uniform Commercial Code and Emerging Technologies to proceed to drafting on the remaining topics within its scope, i.e., digital assets, payments issues, and bundled transactions.

2. Scope approved the following resolution for consideration, recommending that a drafting committee be formed to amend or revise the Uniform Health Care Decisions Act:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that a Drafting Committee to Revise the Uniform Health Care Decisions Act be formed, to address issues set forth in the Study Committee's report of December 18, 2020, with careful consideration to be given to the question of whether to address mental health issues.

A motion was made and approved to appoint a drafting committee to revise the Uniform Health Care Decisions Act by addressing the issues set forth in the Study Committee's report of December 18, 2020, with careful consideration to be given to the question of whether to address mental health issues.

3. Scope approved the following resolution for consideration, recommending that a drafting committee on special deposits be formed:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that a Drafting Committee on Special Deposits be formed.

A motion was made and approved to appoint a drafting committee on special deposits.

4. Scope approved the following resolution for consideration, recommending that a drafting committee on tenancy in common ownership default rules be formed:

RESOLVED, that the Committee on Scope and Program recommends to the Executive Committee that a Drafting Committee on Tenancy in Common Ownership Default Rules be formed.

A motion was made and approved to appoint a drafting committee on tenancy in common ownership default rules.

The meeting adjourned at 4:08 p.m. Central Time.