

A MODEL ACT TO PROVIDE FOR THE CREATION OF
A COMMISSION ON UNIFORM STATE LAWS, THE
APPOINTMENT OF COMMISSIONERS THERETO, AND
MAKING AN APPROPRIATION FOR THE SAME

Drafted by the

NATIONAL CONFERENCE OF COMMISSIONERS
ON UNIFORM STATE LAWS

At its

FIFTY-FOURTH ANNUAL CONFERENCE
AT CHICAGO, ILLINOIS

SEPTEMBER 5-9, 1944

WITH
FOREWORD

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FOREWORD

The National Conference of Commissioners on Uniform State Laws was organized in 1892, and has met annually each year since that date. The objects of the Conference, as stated in its Constitution, are (1) to promote uniformity in state laws on all subjects where uniformity is deemed desirable and practical; (2) to draft model acts on (a) subjects suitable for interstate compacts and (b) subjects in which uniformity will make more effective the exercise of state powers and promote interstate cooperation; and (3) to promote uniformity of judicial decisions throughout the United States.

The membership of the Conference consists of Commissioners appointed by authority of the legislative body, or if there be no such authority, then by the executive authority, of the several states of the United States of America to bring about uniformity of state laws. The commissions of the Commissioners give them authority to confer with Commissioners of other states of the United States.

An analysis made by the Conference in 1944 disclosed that thirty-two state legislatures have made statutory provision for the appointment of Commissioners, and defined their responsibilities by statute.

In order to facilitate the passage of legislation providing for the creation of a Commission on Uniform State Laws in those jurisdictions which do not have such legislation, the National Conference of Commissioners on Uniform State Laws has prepared this Model Act.

A MODEL¹ ACT

TO PROVIDE FOR THE CREATION OF A COMMISSION ON UNIFORM STATE LAWS, THE APPOINTMENT OF COMMISSIONERS THERETO, AND MAKING AN APPROPRIATION FOR THE SAME

Be it enacted...

SECTION 1. *Appointment of Commission.* A commission is hereby created to be known as the Commission on Uniform State Laws which shall consist of (three) recognized members of the bar who shall be appointed by the Governor for terms of four years each, and until their successors are appointed, and in addition thereto any residents of this state who because of long service in the cause of the uniformity of the state legislation shall have been elected life members of the National Conference of Commissioners on Uniform State Laws.

SECTION 2. *Appointments to fill vacancies.* Upon the death, resignation, failure or refusal to serve of any appointed Commissioner, his office becomes vacant; and the Governor shall make an appointment to fill the vacancy, such appointment to be for the unexpired term of the former appointee.

SECTION 3. *Meeting and Organization.* The Commissioners shall meet at least once in two years and shall organize by the election of one of their number of Chairman and another as Secretary, who shall hold their respective offices for a term of two years and until their successors are elected.

¹ The National Conference of Commissioners on Uniform State Laws in the promulgation of its Uniform Acts urges, with the endorsement of the American Bar Association, their enactment in each jurisdiction. Where there is a demand for an Act covering the subject matter in a substantial number of the States, but where in the judgment of the National Conference of Commissioners on Uniform State Laws it is not a subject upon which uniformity between the States is necessary or desirable, but where it would be helpful to have legislation which would tend toward uniformity where enacted, Acts on such subjects are promulgated as Model Acts.

SECTION 4. *Duties of Commissioners.* Each Commissioners shall attend the meeting of the National Conference of Commissioners on Uniform State Laws, and both in and out of such national Conference shall do all in his power to promote uniformity in State Laws, upon all subjects where uniformity may be deemed desirable and practicable; said Commission shall report to the legislature at each regular session, and from time to time thereafter as said Commission may deem proper, an account of its transactions, and its advice and recommendation for legislation. It shall also be the duty of said Commission to bring about as far as practicable the uniform judicial interpretation of all uniform laws.

SECTION 5. *Appropriation.* There is hereby appropriated out of State funds not otherwise appropriated a sum sufficient to reimburse appointed members of the Commission on Uniform State Laws for their necessary expenses in performing the duties of their offices, to defray the cost of printing the Commission's reports, and to make a contribution on behalf of this state to the National Conference of Commissioners on Uniform State Laws in sum not to exceed \$...per annum. The amount of such expenses and contributions shall be certified to the (State Comptroller) by the Chairman of the Commission, and (Comptroller) is hereby authorized to draw warrants and Treasurer of the States to pay same for these purposes.

SECTION 6. *Former Acts Repealed.* All Acts and parts of Acts inconsistent herewith are hereby repealed.

SECTION 7. *When Act Takes Effect.* This Act shall take effect [from date of its passage].