

Hi, this is Chris Micheli, a principal with the Sacramento governmental relations firm of Aprea & Micheli, and an adjunct professor at McGeorge School of Law in its Capital Lawyering Program. Today's podcast is to take a brief look at the Commission on Uniform State Laws.

The Uniform Law Commission or the ULC is also called formerly the National Conference of Commissioners on Uniform State Laws, which is a nonprofit that was established in 1892, and the Commission is charged with providing states with, as they describe it, well-researched and drafted legislation to hopefully bring greater clarity and stability to different areas of law across all of the states, and they promote the enactment of uniform acts in different areas of state law where the commissioners believe uniformity is both desirable and practical.

California created the CCUSL, the California Commission on Uniform State Laws, shortly thereafter, after the federal one in 1897, and its task is to represent the state of California on the National Uniform Law Commission. Since that time, California has enacted quite a number of different uniform acts. In 2012, the Commission on Uniform State Laws, the California Commission that is, was actually incorporated into the office of Legislative Council.

In the California Government Code, the California Commission on Uniform State Laws is provided for, the Commission again is housed in the Legislative Council Bureau, and the commission itself consists of one Senator, one Assemblymember, six gubernatorial appointees, the Legislative Council herself, today that's Diane Boyer-Vine, any person elected as a life member of the National Conference of Uniform State Laws, as well as any person who has served as a commissioner for at least five years.

The Uniform Law Commissioners serve at the pleasure of their appointing authorities. They are required to participate in the Commission activities so long as the Commission activities do not conflict with their legislative duties, and, as you can probably imagine, the commissioners are required to be members in good standing of the State Bar. They can be admitted into practice in another state, and they can also be a judge in the state of California.

Now per the Government Code, each commissioner appointed by the governor holds his or her office for four years, and when a vacancy occurs. As with other vacancies in state service, the Governor is required to appoint a person to fill the balance of that term, and state law provides that all the commissioners are eligible for reappointment.

Now, these commissioners do not receive any compensation for their services, but they do get paid \$100 per diem while on official Commission business as well as any of their actual expenses incurred such as travel to go to the commissioner meetings. The state commissioners may participate in the work of the National conference and the Office of Legislative Council may cover the commissioner's expenses. The Commission itself meets at least once every two years by state law in the state of California and the commissioners must elect a member as their chairperson and one as the secretary. Those individuals hold those two offices against chair and secretary for a term of two years. The commissioners must attend any of the meetings of the national commission.

It's the duty of our state commissioners to promote uniformity in state laws on subjects where uniformity is deemed desirable and practical. That is placed in California statute in the government code. The commissioners must bring about as practical the adoption of the different uniform acts that are recommended by the National Commission. The State Commission must also put together and recommend any additional legislation that they deem to be necessary to accomplish uniformity among the state laws. Then finally, the commission is required to report to the legislature actually as they deem desirable and practical.

There's been quite a number of bills that are a uniform model or other acts that had been promulgated by the Uniform Law Commission that are in effect in the state of California. They are everything from Adult Guardianship and Protective Proceedings Jurisdiction that was adopted in 2014 to the Aircraft Financial Responsibility Act.

Many provisions, different articles of the Uniform Commercial Code. Some might recall the UCC from their law school course on contracts, things like durable powers of attorney, electronic transactions, health care decisions, and wills. A lot of uniform acts on interstate wills and death taxes. Acts involving military and overseas voters. Different premarital agreements, trusts, trade secrets, and it concludes with a vendor and purchaser risks from 1947 and voidable transactions that was adopted in 1986.

Again, more than 30 different Federal Acts, Model Acts, Uniform Acts that have been promulgated by the Federal Uniform Law Commission are in effect today in the state of California. I hope you enjoyed that brief overview of the work of the Commission on Uniform State Laws. Thanks for joining.