I. PREAMBLE

To the Nebraska State Legislature. The Nebraska Commissioners on Uniform State Laws respectfully submit this Annual Report for the 2014 calendar year.

II. OVERVIEW OF UNIFORM LAW COMMISSION

The Uniform Law Commission (ULC), also known as the National Conference of Commissioners on Uniform State Laws, has worked for the uniformity of state laws since 1892. It is comprised of state commissions on uniform laws from each state, the District of Columbia, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands. Each jurisdiction determines the method of appointment and the number of commissioners appointed. Most jurisdictions provide for their commission by statute. The statutory authority governing Nebraska’s uniform law commission can be found at Neb. Rev. Stat §§ 49-901 et seq.

There is only one fundamental requirement for the more than 300 uniform law commissioners: that they are members of the bar. While some commissioners serve as state legislators and other state officials, most are practitioners, judges and law professors. Uniform law commissioners serve for specific terms, and receive no salaries or fees for their work with the ULC.

Commissioners study and review the law of the states to determine which areas of law should be uniform. The commissioners promote the principle of uniformity by drafting and proposing specific statutes in areas of the law where uniformity between the states is desirable. The ULC can only propose – no uniform law is effective until a state legislature adopts it.

The ULC provides you and other state legislatures with expertly drafted legislation on issues of common interest across the nation. The work of the ULC simplifies the legal life of businesses and individuals by providing rules and procedures that are consistent from state to state. Representing both state government and the legal profession, it is a genuine coalition of state interests. It has sought to bring uniformity to the divergent legal traditions of more than 50 sovereign jurisdictions, and has done so with significant success.

III. HISTORY

On August 24, 1892, representatives from seven states – Delaware, Georgia, Massachusetts, Michigan, New York, New Jersey and Pennsylvania – met in Saratoga Springs, New York, to
form what is now known as the ULC. By 1912, every state was participating in the ULC. The U.S. Virgin Islands was the last jurisdiction to join, appointing its first commission in 1988.

Very early on the ULC became known as a distinguished body of lawyers. The ULC has attracted some of the best of the profession. In 1901, Woodrow Wilson became a member. This, of course, was before his more notable political prominence and service as President of the United States. Several persons, later to become Justices of the Supreme Court of the United States, have been members: former Justices Brandeis, Rutledge, and Souter, and former Chief Justice Rehnquist. Legal scholars have served in large numbers, including Professors Wigmore, Williston, Pound and Bogert. Many other distinguished lawyers have served since 1892, though their names are not as well known in legal affairs and the affairs of the U.S.

In each year of service, the ULC steadily increased its contribution to state law. Since its founding, the ULC has drafted more than 200 uniform laws on numerous subjects and in various fields of law, setting patterns for uniformity across the nation. Uniform Acts include the Uniform Probate Code, the Uniform Partnership Act, the Uniform Limited Partnership Act, the Uniform Anatomical Gift Act, the Uniform Interstate Family Support Act, the Uniform Child Custody Jurisdiction and Enforcement Act, and the Uniform Prudent Management of Institutional Funds Act.

In 1940, the ULC made the significant decision to address major commercial problems with comprehensive legal solutions – a decision that set in motion the project to produce the Uniform Commercial Code (UCC). Working with the American Law Institute (ALI), the UCC took ten years to draft initially. It then took another 14 years before it was enacted across the country. Since then, the ULC and the ALI have continuously reviewed and updated the UCC. It remains the signature product of the ULC.

Today the ULC is recognized primarily for its work in commercial law, family law, the law of probate and estates, the law of business organizations, health law, and conflicts of law.

The ULC arose out of the concerns of state government for the improvement of the law and for better interstate relationships. Its sole purpose has been, and remains, service to state government and improvement of state law.

IV. DIVERSITY STATEMENT

Each member jurisdiction determines the number of uniform law commissioners it appoints to the ULC, the terms of uniform law commissioners, and the individuals who are appointed from the legal profession of that jurisdiction. The ULC encourages appointing authorities to consider diversity in making appointments to their respective uniform law commissions, including race, ethnic and gender diversity. The ULC does its best work when uniform law commissioners are drawn from diverse backgrounds and experiences.
V. PROCEDURES

The ULC is convened as a body once a year. It meets for a period of seven or eight days, usually in July or August. In the interim period between these annual meetings, drafting committees composed of Commissioners meet to supply the working drafts that are considered at the annual meeting. At each annual meeting, the work of the drafting committees is read and debated. Each Act must be considered over a substantial period of years. No Act becomes officially recognized as a Uniform Act until the ULC is satisfied that it is ready for consideration in the state legislatures. It is then put to a vote of the states, during which each state caucuses and votes as a unit.

The ULC Executive Committee is the main governing body of the ULC. It is composed of the officers of the organization, certain ex-officio members, and members appointed by the ULC President. Certain activities are conducted by the standing committees. For example, the Committee on Scope and Program considers all new subject areas for possible Uniform Acts. The Legislative Committee superintends the relationships of the ULC to the state legislatures.

A small staff located in Chicago operates the national office of the ULC. The national office handles meeting arrangements, publications, legislative liaison, and general administration for the ULC.

The ULC maintains relations with several sister organizations. Official liaison is maintained with the American Bar Association, which provides advisors to all ULC drafting committees and many ULC study committees. Liaison is also maintained on an on-going basis with the American Law Institute, the Council of State Governments, the National Conference of State Legislatures, the Conference of Chief Justices, and the National Center for State Courts. Liaison and activities are conducted with other organizations as interests and activities necessitate.

VI. ACTIVITIES OF THE NEBRASKA COMMISSIONERS DURING 2013

A. The Nebraska Commissioners are:

Larry L. Ruth (1995), Chair – State Dues and Expenses, Parliamentary Practice, and Legislative Committees

Steven L. Willborn (2007), Secretary – American Tribal and Wage Garnishment Committees

Hon. C. Arlen Beam (1979) – International Choice of Court Agreements Convention Implementation Act Committee
Joanne M. Pepperl (1980) – Legislative Attorneys and Style Committees


Jill Robb Ackerman (2011) – Appointed on December 22, 2011

B. The Uniform Law Commission held its Annual Meeting on July 11-17, 2014, in Seattle, Washington. It was attended by Commissioners Perlman, Pepperl and Willborn.

C. Uniform Acts introduced in the 2014 Legislative Session were:

   LB 946, Faithful Presidential Electors Act, ENACTED
   LB 933, Prevention of and Remedies for Human Trafficking Act, PARTIALLY ENACTED
   LB106, Unsworn Foreign Declarations Act

   The Uniform Law Commissioners also closely monitored and assisted with LB 749, the Nebraska Model Business Corporation Act, which was enacted. This was an Act that needed to be amended to facilitate consideration of additional Uniform Law Commission Acts in the area of business organizations, such as the Model Entity Transactions Act.

VII. RECOMMENDATIONS FOR ENACTMENT

   Deployed Parents Custody and Visitation Act
   Fiduciary Access to Digital Assets Act
   Interstate Family Support Act amendments
   Prevention of and Remedies for Human Trafficking Act (amendments to current Nebraska statute)
   Unsworn Foreign Declarations Act

IX. ENACTMENT RECORD TO DATE
According to the records of the ULC, Nebraska has an outstanding record of enacting uniform and model acts prepared by the ULC. Adoption of these acts has improved the jurisprudence of the State of Nebraska at little cost because of the work done by the ULC in preparing the acts to a high level of technical competence.

**List of Uniform and Model Acts enacted in Nebraska**

5. Appointment of Commissioners, Act to Provide for (1944): *Enacted 1951*
8. Attendance of Witnesses from Without a State in Criminal Proceedings, Act to Secure (1936): *Enacted 1937*
27. Amendments to Revised UCC Article 9 (2010): *Enacted 2011*
29. Composite Reports as Evidence (1936): *Enacted 1951*
33. Criminal Extradition (1926): *Enacted 1935*
34. Revised Criminal Extradition (1936): *Enacted 1963*
37. Declaratory Judgments (1922): *Enacted 1929*
40. Divorce Recognition (1947): Enacted 1949
43. Enforcement of Foreign Judgments (1948): Enacted 1949
44. Revised Enforcement of Foreign Judgments (1964): Enacted 1993
50. Foreign Depositions (1920): Enacted 1951
51. Fraudulent Conveyance (1918): Enacted 1980
72. Narcotic Drug (1932): Enacted 1935
73. Negotiable Instruments Law (1896): Enacted 1905
74. Partnership * (1914): Enacted 1943
76. Photographic Copies of Business and Public Records as Evidence (1949): Enacted 1951
82. Property (1938): Enacted 1941
The table below demonstrates that Nebraska’s support of the Uniform Law Commission has also had a significant impact on state legislation throughout the United States. One of the main purposes of the Uniform Law Commission, as the name implies, is to draft and propose laws “to promote uniformity in the law among the several States where uniformity is desirable and practicable.” Thus, enactment of these laws in other States also serves Nebraska’s interest in aligning our laws with those of other states and, in so doing, improving comity between States and the overall efficiency of the legal system.

**Number of Uniform and Model Acts Enacted in Each State**

<table>
<thead>
<tr>
<th>State</th>
<th>Number</th>
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<tr>
<td>DISTRICT OF COLUMBIA</td>
<td>106</td>
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</tbody>
</table>
GEORGIA – 72
IDAHO – 127
INDIANA – 98
KANSAS – 113
LOUISIANA – 85
MARYLAND – 116
MICHIGAN – 115
MISSISSIPPI – 85
MONTANA – 146
NEVADA – 142
NEW JERSEY – 89
NEW YORK – 72
NORTH DAKOTA – 165
OKLAHOMA – 133
PENNSYLVANIA – 108
RHODE ISLAND – 98
SOUTH DAKOTA – 127
TEXAS – 90
UTAH – 132
VIRGINIA – 107
WEST VIRGINIA – 98
WYOMING - 96

HAwAIi - 136
ILLINOIS - 110
IOWA - 100
KENTUCKY - 94
MAINE - 103
 MASSACHUSETTS - 91
 MINNESOTA - 136
 MISSOURI - 80
 NEBRASKA - 112
 NEW HAMPSHIRE - 93
 NEW MEXICO - 146
 NORTH CAROLINA - 96
 OHIO - 83
 OREGON - 118
 PUERTO RICO - 29
 SOUTH CAROLINA - 81
 TENNESSEE - 100
 US VIRGIN ISLANDS - 79
 VERMONT - 91
 WASHINGTON - 126
 WISCONSIN - 136
2014 ANNUAL REPORT

TO THE NEBRASKA STATE LEGISLATURE

FROM THE

NEBRASKA COMMISSION ON UNIFORM STATE LAWS

(SUBMITTED DECEMBER 11, 2014)