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"100 by 100"

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## INTRODUCTION

### "100 BY 100"

NELSON B. CRISP

The year 1991 marks the beginning of the National Conference's 100th anniversary. For this special time, we are reminded of the "Centennial legislative slogan: 100 by 100." This slogan represents our endeavor to have 100 of our acts adopted by the 100th year since the foundation of the National Conference of Commissioners on Uniform State Laws, hereinafter referred to as ULC (Uniform Law Commissioners).

It was thus in 1892 that the first National Conference of Commissioners on Uniform State Laws convened in Saratoga, New York. However, much arduous work was necessitated in order for this event to occur! It all started in 1889, when the New York Bar Association appointed a committee whose purpose was to look into the uniformity of laws. The following year, Commissioners were appointed with the approval of the New York Legislature. These Commissioners were to "examine certain subjects of national importance that seemed to show conflict among the laws of the several commonwealths, to ascertain the best means to effect an assimilation or uniformity in the laws of the states, and especially whether it would be advisable for the State of New York to invite the other states of the Union to send representatives to a convention to draft uniform laws to be submitted for approval and adoption by the several states." At the same time, the American Bar Association passed a resolution recommending "that each state provide for Commissioners to confer with the Commissioners of

other states on the subject of uniformity of legislation on certain subjects." Very quickly each state showed interest in participating in the Conference and by the year 1912, every state was actively involved in it.

As the years went by and the Conference reached its golden anniversary, its leadership began to reassess its goal and try to determine how the ULC could better serve the federal system. The Commissioners decided that they could be even more useful in the future if they attacked major problems with more comprehensive solutions rather than trying to cope with them a piece at a time. The result was the launching of the project that produced the Uniform Commercial Code (UCC), a major piece of legislation accredited to the ULC. The breadth of the UCC is difficult to grasp. It guarantees that commercial transactions in California are subject to the same law as those in Maine. As a matter of fact, both a child who purchases penny candy in a neighborhood shop and a manufacturer who buys Robot welders for his assembly complete their transaction within the framework of the Uniform Commercial Code.

Since its foundation, the Conference has been a steady contributor to state law, and has drafted over two hundred uniform laws spreading over various fields of law, many of which have been widely enacted. The North Carolina General Assembly enacted its first "product" from the National Conference in 1899 and had, as of June 1990, adopted fifty-three uniform acts.

It is the purpose of the ULC to promote uniformity in state laws where such uniformity pertaining to specific subjects is most desirable and practicable. In order to accomplish this goal, we, the Commissioners, participate in drafting acts and hope that such acts will then be accepted by the various states.

As committee members, our duties are first to decide which policies need to be addressed. Thereafter, we establish a firm plan and then we start to review the statutes. At this time, a lengthy discussion pertaining to the manner in which we should write or rewrite the provision takes place. A reporter is appointed as the draftsman and many drafts are hammered out in long fall and spring committee meetings. Extensive discussions and debates precede each draft. Then, the full Conference reviews the committee product, word by word. Usually, after the second reading the Conference approves the Uniform Act in the form in which it is submitted to the states. Thereafter comes the difficult task of convincing the legislatures to pass the act.

For the year 1989-1990, the North Carolina Commissioners were assigned committees focusing on the following policies: Commissioner Marion W. Benfield, Jr. was assigned to the Permanent Editorial Board for Uniform Commercial Code, the Commercial Code Article 2A - Leases - and Uniform Personal Property Leasing Act Standby Committee, the Construction Lien Act Standby Committee, the Marketable Title Act Drafting Committee and the Real Property Act Joint Editorial Board. North Carolina Delegation Chairman Rhoda B. Billings is also the Chairman of Division F and serves as an ex-officio member of all the committees of this Division, which include the Adoption Act Drafting Committee, the Anatomical Gift Act Standby Committee, the Certification of Questions of Law Act and Drafting Committee on Amendments, the Evidence Standby Committee, the Parliamentary Practice Committee, the Periodic Payment of Bodily Injury Awards Act Drafting Committee, the Pretrial Detention Act Standby Committee and the Tort Reform Act Study Committee. Commissioners Richard L. Braun and Robinson O. Everett were on a committee whose goal was to draft legislation which, later, became the Controlled Substances Act. The former was assigned the Victims of Crime Act Drafting Committee as well. Commissioner Carlton E. Fellers is working to get the North Carolina Legislature to enact the Uniform Unclaimed Property Act. Associate Commissioner Charles J. Murray's assignment was the Construction Lien Act Standby Committee. Commissioner Elmer R. Oettinger joined the Computer Software Contracts Act Study Committee and the Defamation Act Drafting Committee. Commissioner Steven R. Rader's committee assignments were the Child Support Enforcement Act Review Committee and the Liaison with the Uniform Law Conference of Canada and International Organizations Committee.

I received an invitation to be a Commissioner for the National Conference of Commissioners on Uniform State Laws in May 1987. Presently, I am the legislative liaison for North Carolina's Commission and am serving on a committee whose purpose is to rewrite the Uniform Reciprocal Enforcement of Support Act. I have served as a member of the Uniform Probate Code Article II and have been attending committee meetings regularly since October 1988.

It is the effort contributed by dedicated Commissioners who receive no salaries or fees for their work with the Conference that earned the ULC the media label of "prestigious"! My personal experience with this distinguished body of law professors, judges and lawyers coming from various states, and who meet during the sum-

mer to discuss and debate uniform state laws, and in the fall, winter and spring of every year to set up the committees and do the actual drafting, has been the most stimulating and rewarding experience I have ever had as an attorney!