

April 29, 1963.
Passed on File.

S. J. R. 17
By APPROPRIATIONS COMMITTEE.

Passed Senate, Date...5-1-63....

Passed House, Date...5-18-63....

Vote: Ayes...46... Nays...2.....

Vote: Ayes...90... Nays...1.....

Approved.....

*appropriations 5/6
Pass 5/18*

SENATE JOINT RESOLUTION

A Joint Resolution to create a commercial code study committee to investigate the need of revising the laws of Iowa concerning sales; bills, notes and checks; bank deposits and collections; letters of credit; bulk transfers; warehouse receipts; bills of lading and other documents of title; investment securities, chattel mortgages; conditional sales and other secured transactions and to make an appropriation for such committee.

WHEREAS, the commercial law of this state is now found in case law developed over many years and in a number of separate statutes, so that the determination of a commercial law question can be a time-consuming and uncertain process, and

WHEREAS, with the exception of a few subjects as to which so-called "uniform" Acts have been adopted, the commercial law of this state is not the same as that of our neighboring states or of the great commercial states, to the inconvenience and risk of businessmen in this state carrying on multistate transactions, and

WHEREAS, as a result of advances in technology and changes in the economy, business methods have changed substantially since the early part of the century when many of the case law and statutory rules were developed, so that heretofore unsettled legal questions are presented and some of the old rules may cause unnecessary inconvenience, and

WHEREAS, in order to simplify, modernize and make uniform the commercial law of the several states, the National Conference of Commissioners on Uniform Laws and the American Law Institute have drafted the Uniform Commercial Code which is published in the 1962 edition of "Uniform Laws Annotated" and which would replace much of the present commercial law of any state adopting it, including the laws under sales; bills, notes and checks; bank deposits and collections; letters of credit; bulk transfers; warehouse receipts, bills of lading and other documents of title; investment securities, and chattel mortgages, conditional sales and other secured transactions, and

WHEREAS, the Uniform Commercial Code has been adopted in at least twenty-three states including the neighboring state of Illinois and is understood to be under consideration by the legislatures of at least eight other states including the neighboring states of Nebraska, Wisconsin, Minnesota and Missouri, now therefore,

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. A commercial code study committee consisting of
2 eleven members is hereby created. The purpose of this committee
3 shall be to study and review the findings of the American Law
4 Institute and its draft of the Uniform Commercial Code.

1 Sec. 2. The committee shall be composed of three members of
2 the senate to be appointed by the president of the senate; three
3 members of the house of representatives to be appointed by the
4 speaker of the house; three members of the bar of Iowa to be
5 selected by the governing board of the state bar association;
6 and two members appointed by the governing board of the state
7 bankers' association. Vacancies shall be filled by the appoint-
8 ing authority.

1 Sec. 3. The committee shall hold its first organizational
2 meeting the second Monday in July, 1963, at the statehouse in
3 Des Moines at which time it shall choose a chairman from its
4 members and shall adopt rules for the conduct of its meetings.
5 The committee is authorized to use the necessary personnel and
6 facilities of any agency of the state and to employ such aids
7 and employees as are necessary to conduct its business and
8 to fix the compensation of such employees. The committee
9 may hold public hearings, shall have access to all official
10 records, may subpoena witnesses and compel production of books,
11 papers, or other documents pertaining to its investigation and
12 study. Witnesses shall be entitled to witness fees and actual
13 travel expenses as approved by the committee. The committee may
14 appoint subcommittees to hold hearings and conduct investigations
15 in any part of the state. Any member of the committee shall
16 have power to administer oaths.

1 Sec. 4. The committee shall make a report of its findings

2 and recommendations, accompanied by proposed legislation, to the
3 governor and to all members of the next general assembly by
4 December 15, 1964.

1 Sec. 5. Members of the committee shall be reimbursed for
2 their actual and necessary expenses incurred by them in the
3 discharge of their duties. There is hereby appropriated from
4 the general fund of the state the sum of ten thousand dollars
5 or so much thereof as may be necessary to carry out the provi-
6 sions of this Act. The compensation of the employees and ex-
7 penses of the committee and its authorized expenditures shall
8 be paid by warrants drawn by the state comptroller on vouchers
9 approved by the chairman or secretary of the committee and audited
10 according to law.