

LDIR#188
UNIFORM
COMMERCIAL
CODE

COMMERCIAL CODE REFERENCES

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File

MANUFACTURERS TRUST COMPANY
INTERNATIONAL BANKING DEPARTMENT
FIFTY FIVE BROAD STREET
NEW YORK 15, N.Y.

JOHN L. O'HALLORAN
VICE PRESIDENT

HANOVER 2-7200

March 20, 1961

State Legislature of the State of Alaska,
Juneau,
Alaska.

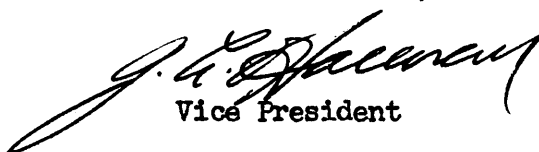
Attention: State Assembly

Gentlemen:

The undersigned is chairman of a subcommittee appointed by the New York Clearing House Association to study Article 5 of the Uniform Commercial Code.

Enclosed is a copy of this subcommittee's unanimous report. I direct your attention to the fact that this report, at the moment, is solely the view of the subcommittee as it has not yet been passed upon for formal release by the New York Clearing House Association in connection with reports by other subcommittees on other articles of the Code.

Very truly yours,


Vice President

Enc.

**THE UNIFORM COMMERCIAL CODE
ITS PURPOSE, HISTORY AND EFFECT ON ALASKA LAW**

Alaska presently has many of the so called uniform acts, including the following: The Uniform Sales Act, the Uniform Negotiable Instruments Act, the Uniform Warehouse Receipts Act, the Uniform Trust Receipts Law, the Uniform Stock Transfer Act and the Uniform Bills of Lading Act. Most of these acts were drafted by the National Conference of Commissioners on Uniform State Laws near the turn of the century, i.e., Negotiable Instruments Law (1896), Uniform Sales Act (1906), Uniform Bills of Lading Act (1909). In the years since these Acts were drafted many new commercial practices have come into being. Also, there have been a great number of conflicting decisions and interpretations of these older Acts.

Because of the difficulty of piecemeal amendment of old uniform laws, the Uniform Commercial Code has been written to replace the now out-dated provisions of these older uniform acts and modernize the commercial law to conform to present day business and banking practices. Also the Code is more explicit and less susceptible to conflicting interpretations than were the older uniform acts.

The Uniform Commercial Code comes highly recommended. It was prepared under the joint direction of the National

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STATE OF REVIEW OF PARTS 1 - 4
ART. III, PROPOSED PROBATE CODE

3.01. No comment

3.02. No comment

3.03. The majority of your committee believes that the word [INTERESTED] should be stricken on line 17. Reasons:

(1) "Interested person", as defined on p. 109 (10) is not as broad as the class of persons who may qualify as personal representative (Sec. 3.04). The majority of your committee believes any person who may qualify as personal representative should be able to petition for his own appointment.

(2) The majority of your committee believes a stranger to the estate should have a right to petition, since he may wish to purchase property of the estate, the title to which can only be cleared through administration of the estate. ^{FP} The minority of your committee believes the advantages of the majority's position are outweighed by the consideration that a non-interested party should not be allowed to harass the heirs by bringing a probate action. In small estates this could be too costly, and the heirs might be persuaded to buy off the outsider to keep him from bringing the proceeding.

3.04. Your committee believes ~~the first part~~ would redraft subdivision (3) as follows:

Sec. 3.04. . . . Any person may serve as personal representative except

* * *

(3) a non-resident, except that:

(a) a person named or specified as executor, who is not a resident, may qualify by becoming a resident, [REPLACING AN ADMINISTRATOR WITH THE WILL ANNEXED IF ONE HAS BEEN APPOINTED, OR BECOMING A JOINT EXECUTOR IF ANOTHER EXECUTOR HAS QUALIFIED;]

(b) a personal representative who is a resident at the time of his appointment and thereafter becomes a non-resident, or one who is not a resident [AND DOES NOT BECOME A RESIDENT] may qualify by filing a bond to be approved by the court, and an irrevocable power of

**ALASKA LEGISLATIVE COUNCIL
Legislative Reference Library
Juneau, Alaska**

**MASSACHUSETTS' EXPERIENCE
Under The
UNIFORM COMMERCIAL CODE**

By

Walter D. Malcolm

**NATIONAL CONFERENCE OF COMMISSIONERS
ON UNIFORM STATE LAWS**

1155 East 60th Street

Chicago 37, Illinois

**LDIR#203
UNIFORM
TAX
FORE-
CLOSURE
ACT 1965**

SUGGESTED PROPERTY TAX LEGISLATION

1. Property Tax Survey Commission
2. Property Tax Organization and Administration
3. Property Tax Assessment Standards and Equalization
4. Property Tax Review and Appeal Procedure

Excerpts from

1965 STATE LEGISLATIVE PROGRAM
of the Advisory Commission on Intergovernmental Relations

and

PROGRAM OF SUGGESTED STATE LEGISLATION, 1965
Council of State Governments

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS
Washington, D. C. 20575
September 1964



ALASKA LEGISLATIVE COUNCIL

REPORT ON

SUGGESTED UNIFORM TAX FORECLOSURE ACT

January

1965

1 IN THE HOUSE

BY THE RULES COMMITTEE BY REQUEST
OF THE LEGISLATIVE COUNCIL

2 HOUSE BILL NO. 13

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for a uniform method of
7 delinquent real property tax and special
8 assessment foreclosure by general law and
9 home rule boroughs and cities; and providing
10 for an effective date."

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

12 * Section 1. AS 7 is amended by adding a new chapter to read:

13 CHAPTER 17. COLLECTION OF DELINQUENT REAL PROPERTY TAXES

14 ARTICLE 1. COLLECTION ENFORCEMENT.

15 Sec. 07.17.010. ENFORCEMENT BY BOROUGH. (a) On as-
16 sumption of the areawide power of tax assessment and collec-
17 tion, the first or second class borough shall enforce collec-
18 tion of all delinquent tax liens accruing to the borough and
19 to each city in the borough, including liens accruing but not
20 enforced before the time the borough assumes the power as well
21 as liens accruing thereafter.

22 (b) A city in the borough may not enforce collection of
23 delinquent tax liens after the borough assumes the areawide
24 power of tax assessment and collection.

25 Sec. 07.17.020. MANDATORY ENFORCEMENT DUTY. (a) The
borough tax collector has a mandatory duty to enforce de-