

Study L-648

January 24, 1995

First Supplement to Memorandum 95-3

Uniform Prudent Investor Act: Comments of California Bankers Association

We have now received the expected letter from the California Bankers Association requesting the Commission to “refrain from introducing the draft language in its current form and allow CBA, through its representatives to provide further input.” (See attached letter from Maurine C. Padden.) The letter mentions the “time limits afforded under the current legislative calendar.” The deadline for requesting bill drafts from Legislative Counsel has already passed. The next important time limit is the deadline for bill introduction, which is currently set at February 28. This deadline will pass before the Commission has another meeting. Accordingly, if this project is to proceed this year, the bill must be introduced in its current form within the next four weeks or so.

As noted in the earlier memorandum, the bill can be amended as needed to respond to CBA’s concerns. This process is not directly related to introduction of the bill. The staff remains hopeful that in the next month or two, the CBA committee will conclude its review and we can work out the details so that the bill can move forward.

Respectfully submitted,

Stan Ulrich
Assistant Executive Secretary



California Bankers Association
Established 1891

Law Revision Commission
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January 23, 1995

California Law Revision Commission
Stan Ulrich, Assistant Executive Secretary
4000 Middlefield Road, Suite D-2
Palo Alto, Ca. 94303-4739

Dear Stan:

This will confirm our telephone conference call on January 20, 1995 in which I requested that you convey to the Commission our wish to work further on the draft language for the Uniform Prudent Investor legislation prior to it's introduction as a bill.

On behalf of California Bankers Association, I urge the Commission to delay in it's introduction of this proposal in it's current form so that we may work with staff to assure that our concerns with the proposal are fully met.

Due to the complexity of the legislation and the time limits afforded under the current legislative calendar, we do not believe that we can identify all potential issues and develop alternative language prior to the next meeting of the Commission on Thursday January 26, 1995.

Accordingly, we respectfully request that the Commission refrain from introducing the draft language in its current form and allow CBA, through its representatives to provide further input on proposal including the identification and proposed resolution of all areas of concern so that the final product is workable within the California Probate Code.

Sincerely,

Maurine C. Padden
Vice President/Legislative Counsel

cc: All member, Trust State Government Affairs Committee