

Pennsylvania for the code's revision. The revised version was substituted for the original in 1959 solely in the interest of uniformity.

Turning now to the other States, we find that Alaska and Michigan each have but one variation from the official text. Illinois has only three, Kentucky and New Mexico have four each, and the other States have larger numbers.

WORK OF THE EDITORIAL BOARD

In an effort to stop the making of miscellaneous unauthorized amendments to satisfy the draftsmen's vagaries in a single State, the suggestion was made in 1961 that a "Permanent Editorial Board for the Uniform Commercial Code" be established. An application was made by the American Law Institute to the Maurice and Laura Falk Foundation of Pittsburgh³ for a fund, the income of which would endow the work of such a board. The fund was granted, and the board was created early in 1962. It will review the code not less often than once in 5 years and, with the approval of the Executive Committees of the National Conference of Commissioners on Uniform State Laws and of the American Law Institute, will make recommendations for amendments to the code to keep it up to date. This board will also examine and report on any unauthorized amendments which are made by the States which either have enacted the code or will enact it in the future.

The permanent editorial board and three subcommittees have studied all amendments to the code made in the 18 enacting States.

As of October 31, 1962, the board made its Report No. 1. It recommended 23 amendments to the code, offered three new optional provisions, and rearranged the alternative provisions in section 9-401 in such a way as to render them more understandable. It also rejected 180 amendments made by the 18 States and gave its reasons for rejecting them.

It should be made clear that the fact that the permanent editorial board is recommending several dozen amendments at this time does not mean that it is going to recommend amendments with great frequency or in large numbers henceforth.

The code as a whole was reviewed by the original editorial board in 1956 after the report of the New York Law Revision Commission became available. Until 1962 there had been no further official review of the entire code.⁴ The agreement between the conference and the institute enjoins the permanent editorial board to promulgate a minimum number of amendments and places strict limits on the board's jurisdiction. There is no danger whatever that the board will undertake to write a new code.

LOOKING TO THE FUTURE

Of the 32 States which have not enacted the code, only 5 seem to have done nothing whatever looking toward its enactment. The code will be introduced into the legislatures of many of the remaining 27 States in 1963, and it is safe to predict that when the 1963 sessions have come to an end there will be no less than 30 code states—and those of us who have been assiduously urging the universal adoption of the code by the States certainly hope that the number will be greater.

NEED FOR UNIFORMITY EMPHASIZED

We cannot urge too strongly that the texts of the codes introduced into and enacted by 1963 legislatures be the 1962 official text with no variations. This will be the 1958 official text with the amendments recently promulgated by the permanent editorial board.

In the 18 States which have enacted the code there is substantial work to be done to make the codes conform to the 1962 official text. We do not understand the fear which has been expressed in some quarters that legislatures will resent having the most recently promulgated amendments introduced in 1963 and being asked to repeal all nonuniform amendments—or to state it differently to "clean up" their codes.

The commercial code project would never have been undertaken except in an effort to bring about uniformity in State law regulating commercial transactions. Unless the importance of this is emphasized all around, then, of course, a legislature may be annoyed by the introduction of a bill to bring the code of its particular State up to date, especially if it is only a year or so ago that the code was enacted.

³ This foundation contributed more than \$275,000 toward the original cost of preparing the code.

⁴ In 1958 several amendments to two articles of the code were promulgated. These amendments are included in the 1958 Official Text.