



North Dakota House of Representatives

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TESTIMONY OF REP. LAWRENCE R. KLEMIN HOUSE INDUSTRY BUSINESS AND LABOR COMMITTEE HOUSE BILL NO. 1149 JANUARY 15, 2025

Mr. Chairman and Members of the House IBL Committee. I am Rep. Lawrence R. Klemin, Representative for District 47 in Bismarck. I am also Chairman of the North Dakota Commission on Uniform State Laws. I am here to testify in support of HB 1149, relating to the Revised Uniformed Unclaimed Property Act.

I would like to give you some information on the North Dakota Commission, which is established in Chapter 54-55 of the North Dakota Century Code, and its relationship to the National Conference of Commissioners on Uniform State Laws, also known as the Uniform Law Commission or ULC. There are currently 11 members of the North Dakota Commission. Three members are appointed by the Governor. These include one practicing lawyer, one faculty member from the UND School of Law, and one judge, currently Justice Jerad Tuft of the North Dakota Supreme Court. Three Commissioners are appointed by Legislative Management, one from the House, myself, one from the Senate, Sen. David Hogue, and one from the Legislative Council staff, Dustin Richard. The Attorney General appoints one member. There are four members on the North Dakota Commission who are members because they have been elected as Life Members of the ULC, having served for more than 20 years in the ULC. Sen. Hogue and I have also been elected as Life Members of the ULC.

Members of the North Dakota Commission are also appointed as Commissioners on the national ULC and participate in ULC study and drafting committees for new and revised uniform laws. ULC Commissioners are practicing lawyers, judges, legislators and legislative staff, and law professors, who have been appointed by state governments as well as the District of Columbia, Puerto Rico and the U.S. Virgin Islands. There are more than 350 ULC Commissioners. ULC commissioners donate thousands of hours of legal work, without compensation, to research, draft and promote enactment of uniform state laws in areas of state law where uniformity is desirable and practical.

The ULC was first established in 1892. North Dakota became a member in 1893. Since that time, North Dakota has enacted 183 uniform and model Acts, of which 80 are still currently in effect. The Acts have been subject to revision over time and some Acts

have been repealed as outdated. One of the current Acts is the Revised Uniform Unclaimed Property Act, which is the subject of HB 1149 being heard today.

The Revised Uniform Unclaimed Property Act in effect today is the latest revision to the Uniform Unclaimed Property Act, originally promulgated by the Uniform Law Commission in 1954. Unclaimed property is tangible property and some types of intangible property that are deemed abandoned if unclaimed by the owner after certain periods of time depending on the type of property. When it is deemed abandoned, the holder is required to turn it over to the Unclaimed Property Division of the Department of Trust Lands, which holds it for the owner. The Act must be updated from time to time to keep up with technological innovation and new forms of property.

The purpose of HB 1149 is to update the Revised Unclaimed Property Act. Susan Sommerfeld, Director of the Unclaimed Property Division, is here today to explain the bill. I would be happy to answer any questions you have about the North Dakota Commission or the ULC. Ms. Sommerfeld is the person who can answer questions about this bill and provide you with details about unclaimed property.

I urge you to give a favorable recommendation on HB 1149. Thank you.

Rep. Lawrence R. Klemin
District 47, Bismarck