

**1999 HOUSE AGRICULTURE**

**MB 1364**

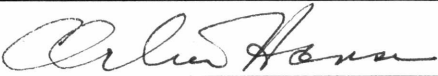
1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1364

House Agriculture Committee

Conference Committee

Hearing Date 1-28-99

Tape Number	Side A	Side B	Meter #
One HB 1364	x		0 to 3
Committee Clerk Signature 			

Minutes:

Summary of bill: Relates to information required in Articles of Assoc. of a Coop Assoc filed with the Sec of State.

Clair.....: Sec of State office..(Testmony attached). This makes it clear that a cooperative must provide their name and a complete address for its principal office in its articles of association when filed with the Sec of State's office. ( This is the same information that is required of all other business entities.

Motion by Rep Koppang for a DO PASS as amended , second by Rep Warner

Vote total: YES 13 NO 0 ABSENT 2 motion carried.

Bill carrier: Rep Koppang

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1364

Page 1, line 8, after “the” insert “name and”

Page 1, line 8, overstrike “its” and insert immediately thereafter “the cooperative’s”

Date: 1-29-99  
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 136 4

House AGRICULTURE Committee \_\_\_\_\_

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken No Pass or Amended

Motion Made By Koppang Seconded By Warner

Representatives	Yes	No	Representatives	Yes	No
Eugene Nicholas, Chaiman	✓		Bob Stefonowicz	✓	
Dennis E. Johnson, Vice Chm	✓				
Thomas T. Brusegaard	✓				
Earl Rennerfeldt	✓				
Chet Pollert	✓				
Dennis J. Renner					
Michael D. Brandenburg					
Gil Herbel	✓				
Rick Berg	✓				
Myron Koppang	✓				
John M. Warner	✓				
Rod Froelich	✓				
Robert E. Nowatzki	✓				
Phillip Mueller	✓				

Total (Yes) 12 No 0

Absent 0

Floor Assignment Koppang

**REPORT OF STANDING COMMITTEE**

**HB 1364: Agriculture Committee (Rep. Nicholas, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1364 was placed on the Sixth order on the calendar.

Page 1, line 8, after "the" insert "name and" and overstrike "its" and insert immediately thereafter "the cooperative's"

Renumber accordingly

**1999 SENATE AGRICULTURE**

**HB 1364**

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1364

Senate Agriculture Committee

Conference Committee

Hearing Date 3/4/99

Tape Number	Side A	Side B	Meter #
2	X		1300-1630
2		X	5461-5742
Committee Clerk Signature <i>Tricia Ferguson</i>			

Minutes:

Senator Wanzek called the meeting to order, roll call was taken, all were present.

Senator Wanzek opened the hearing on HB 1364.

Representative Koppang introduced the bill. Said it was simply a housekeeping bill.

Bob Schaible from the Secretary of State handed out testimony in support of the bill. Enclosed.

Clara Jenkins from the Secretary of State spoke in support of the bill. Housekeeping to clarify the address requirements. Bill makes it clear that a cooperative must provide either the name and complete address of its registered agent or a completed address not just the city for its principle city.

Senator Klein closed the hearing on HB 1364.

Discussion was held.

Senator Klein made the motion for a Do Pass.

Page 2  
Senate Agriculture Committee  
Bill/Resolution Number Hb 1364  
Hearing Date 3/4/99

Senator Mathern seconded.

ROLL CALL: 7 Yes, 0 No

CARRIER: Senator Kroeplin



Date: 3/4  
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1364

Senate Agriculture Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Klein Seconded By Mathern

Senators	Yes	No	Senators	Yes	No
Senator Wanzek	✓				
Senator Klein	✓				
Senator Sand	✓				
Senator Urlacher	✓				
Senator Kinnoin	✓				
Senator Kroeplin	✓				
Senator Mathern	✓				

Total (Yes) 7 No 0

Absent \_\_\_\_\_

Floor Assignment Senator Kroeplin

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)  
March 4, 1999 4:12 p.m.

Module No: SR-39-4071  
Carrier: Kroeplin  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

HB 1364, as engrossed: Agriculture Committee (Sen. Wanzek, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1364 was placed on the Fourteenth order on the calendar.

**1999 TESTIMONY**

**HB 1364**



SECRETARY OF STATE  
STATE OF NORTH DAKOTA  
600 EAST BOULEVARD AVENUE DEPT 108  
BISMARCK ND 58505-0500

January 29, 1999

TO: Rep. Nicholas and Members - House Agriculture Committee

FR: Al Jaeger, Secretary of State

RE: HB 1364 – Articles of Association for a Cooperative

The intent of this bill is to clarify this section of law by making it clear that a cooperative must provide their name and a complete address for its principal office in its articles of association when filed with the Secretary of State's office (this is the same information that is already required of all other business entities).

While this change in the law may appear to be somewhat insignificant, having this information is essential for the proper management of the cooperative's records within the Secretary of State's office.

Although providing this information would seem logical and reasonable to most, the introduction of this bill was prompted by a recent filer's refusal to provide more than the law currently provides. That is, only the name of the city.

Finally, in our continuing review of the bill since its introduction, we identified the need for two amendments that would make the law even clearer. They are attached to this testimony and we respectfully request they become a part of this bill.



SECRETARY OF STATE

STATE OF NORTH DAKOTA  
600 EAST BOULEVARD AVENUE DEPT 108  
BISMARCK ND 58505-0500

March 4, 1999

TO: Senator Wanzek and Members – Senate Agriculture Committee

FR: Bob Schaible, Deputy Secretary of State

RE: HB 1364 – Articles of Association for a Cooperative

The intent of this bill is to clarify the address requirements in subsection 11 of section 10-15-05. The bill makes it clear that a cooperative must provide either the name and complete address of its registered agent or a complete address (not just the city) for its principal office in its articles of association when those documents are filed with the Secretary of State's office.

This is the same information that is already required of all other business entities that are filed with the Secretary of State's office. We believe it is important to have the procedural laws governing the various business entities as uniform as possible.

While this change in the law may appear to be somewhat insignificant, having this information is essential for the proper management of the cooperative's records within the Secretary of State's office. The bill does not change anything regarding those cooperative's records that are already on file.

The purpose of the amendments adopted in the House was to further clarify the address requirements.