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2003 HOUSE INDUSTRY, BUSINESS AND LABOR

HCR 3074

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10/10/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3074

House Industry, Business and Labor Committee

Conference Committee

Hearing Date February 26, 2003

Tape Number	Side A	Side B	Meter #
1		x	27.5-36.4
Committee Clerk Signature <i>Judith Hammar</i>			

Minutes: **Chairman Keiser** opened the hearing on HCR 3074.

Rep. Warner, District 4, appeared to introduce HCR 3074. (See attached) The intent is to study the current statutory framework of commercial entities, including possible inconsistent treatment of similarly situated entities. He stated that he will bow to the wisdom of the committee and would not be offended if this were hog housed and sent back for original intent or, if it were given it a do not pass and let die on the floor.

Al Jaeger, Secretary of State of North Dakota, appeared to offer oral testimony. The Commission on Uniform State Laws had intended to introduce legislation on partnerships. He urged them not to do so. Each business entity has its own chapter, an attorney can refer to each chapter pertaining to its business. The Secretary of State's Office is committed to a study regarding Uniform State Laws that Rep. Klemm and the Bar Association will bring back next session. He urged a Do Not Pass.

Rep. Nottestad moved a Do Not Pass to be Placed on the Consent Calendar.

Page 2
House Industry, Business and Labor Committee
Bill/Resolution Number HCR 3074
Hearing Date February 26, 2002

Rep. Klein seconded the motion.

Results of the roll call vote were **12-0-2**.

Rep. Thorpe will carry this on the floor.

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Date: 2/26/03
Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 3074

House Industry, Business & Labor Committee

Check here for Conference Committee

Legislative Council Amendment Number

Action Taken DNP Place on Consent Calendar

Motion Made By Nottestad Seconded By Klein

Representatives	Yes	No	Representatives	Yes	No
Chairman Keiser	✓		Rep.Boe	✓	
Rep. Severson, Vice-Chair	✓		Rep. Ekstrom	✓	
Rep. Dosch	✓		Rep. Thorpe	✓	
Rep. Froseth	✓		Rep. Zaiser		
Rep. Johnson	✓				
Rep. Kasper	✓				
Rep. Klein	✓				
Rep. Nottestad	✓				
Rep. Ruby	✓				
Rep. Tieman	✓				

Total (Yes) 12 No 0

Absent 2

Floor Assignment Thorpe

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

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Operator's Signature Date

REPORT OF STANDING COMMITTEE (410)
February 26, 2003 1:18 p.m.

Module No: HR-34-3517
Carrier: Thorpe
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HCR 3074: Industry, Business and Labor Committee (Rep. Kelsner, Chairman)
recommends **DO NOT PASS** and **BE PLACED ON THE CONSENT CALENDAR**
(12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3074 was placed on the
Tenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-34-3517

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2003 TESTIMONY

HCR 3074

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HOUSE CONCURRENT RESOLUTION 3074
HOUSE INDUSTRY, BUSINESS AND LABOR COMMITTEE
Representative John Warner, District 4
26 FEBRUARY 2003

Mr. Chairman, Members of the Committee,

I need to explain the origins of this resolution. Last summer while serving on a committee that received a report on business structures I was surprised to learn the number of Limited Liability Partnerships and Limited Liability Limited Partnerships that have arisen since these two business structures were created. I thought that four years might have turned up some thoughts on how well they were working and that perhaps an interim committee could provide a suitable forum for the discussion.

When the resolution came down from the Legislative Council it was much more comprehensive than that. I spoke to Jennifer Clark, who had done the draft, and she thought that an interim committee should look into inconsistent treatment and definitions. I have attached her one page memo entitled COMMERCIAL ENTITIES-SUMMARY and a nine page summary of the definitions of "person" found in the commercial code.

Since introducing the resolution I have had discussions with the Secretary of State and I understand that there is an ongoing, systematic review of the commercial code by Claire Jerkins, Director of the Business Division of the Secretary of State's Office and Bill Guy III with the State Bar Association.

I have been convinced that this issue is being adequately addressed and that it would not be in the best public interest to have it reviewed by a legislative interim committee at this time. I will leave it to the best wisdom of the committee if this should be advanced or given a unanimous DNA and quietly killed on the consent calendar.

COMMERCIAL ENTITIES - SUMMARY

This memorandum briefly summarizes some of the North Dakota legislative activity that created types of commercial entities, how business entities are referred to in the North Dakota Century Code (NDCC), and how commercial entities are treated in the North Dakota Century Code.

LEGISLATION

North Dakota law provides for a number of different types of commercial entities. A partial list of the different types of commercial entities allowed in North Dakota is included in 2003 House Concurrent Resolution No. 3074, a copy of which is attached as Appendix A. Some of these entities have existed since statehood, whereas others are recent creations. The creation of a type of commercial entity typically occurs through legislation. Over the past 10 years, significant legislation has been enacted which creates new or modifies existing types of commercial entities. For example:

- Chapter 10-32, Limited Liability Act, was created and enacted in 1993 by Senate Bill No. 2222, which is 107 pages of the 1993 Session Laws.
- Chapter 45-22, Limited Liability Partnerships, was created and enacted in 1995 by Senate Bill No. 2344, which is 36 pages of the 1995 Session Laws.
- Chapters 45-05, 45-06, 45-07, 45-08, and 45-09, Uniform Partnership Act, were repealed and replaced by NDCC Chapters 45-13, 45-14, 45-15, 45-16, 45-17, 45-18, 45-19, 45-20, and 45-21 by 1995 House Bill No. 1110, which is 30 pages of the 1995 Session Laws.
- Chapters 10-24, 10-25, 10-26, 10-27, and 10-28, North Dakota Nonprofit Corporation Act, were repealed and replaced with NDCC Chapter 10-33, by 1997 Senate Bill No. 2210, which is 87 pages of the 1997 Session Laws.
- Chapter 45-23, Limited Liability Limited Partnerships, was created and enacted in 1999 by Senate Bill No. 2271, which is 201 pages of the 1999 Session Laws.
- Numerous amendments relating to business corporations, professional corporations, and limited liability companies were made by 2001 Senate Bill No. 2142, which is 30 pages of the 2001 Session Laws.
- Numerous amendments relating to business corporations, limited liability companies, nonprofit corporations, limited partnerships, partnerships, limited liability partnerships, and limited liability limited partnerships are being

proposed in 2003 Engrossed House Bill No. 1362, which is a 182-page bill.

INCONSISTENT TREATMENT

A business entity may be treated inconsistently from similarly situated commercial entities in a variety of ways and for a variety of reasons. A business entity may be treated inconsistently from similarly situated commercial entities as a result of the broad range of types of business entities, which have been created at different times by different legislative measures introduced by different legislators and agencies with a variety of interests. Some of this differing treatment may be intentional and some may be unintentional.

For example, a business entity may be treated inconsistently from similarly situated commercial entities as a result of inconsistent statutory references to commercial entities. Generally, under NDCC Section 1-01-49, as used throughout the North Dakota Century Code, the term "person" means an individual, organization, government, political subdivision, or government agency or instrumentality. This section also defines an "organization" as including a foreign or domestic association, business trust, corporation, enterprise, estate, joint venture, limited liability company, limited liability partnership, limited partnership, partnership, trust, or any legal or commercial entity. However, the North Dakota Century Code contains at least 99 definitions of "person." A list of these definitions is attached as Appendix B. Some of these definitions may purposely vary from the general definition; however, it is likely that most of these definitions are not intended to differ from the general definition.

In addition, there are numerous portions of the North Dakota Century Code that specifically reference a particular type of commercial entity. Although some legislative measures affirmatively seek to address these portions of the North Dakota Century Code, it is possible that similarly situated commercial entities have been unintentionally omitted from these references.

SUMMARY

There is a broad range of types of commercial entities that have been created over a long period of time. Some of the legislative measures creating types of commercial entities are quite voluminous. Although some of these legislative measures appear to update statutory references to business entities, other measures may not.

ATTACH: 2

APPENDIX A

33024.0100

Fifty-eighth
Legislative Assembly
of North Dakota

HOUSE CONCURRENT RESOLUTION NO. 3074

Introduced by

Representative Warner

1 A concurrent resolution directing the Legislative Council to study the current statutory
2 framework of commercial entities, including possible inconsistent treatment of similarly situated
3 entities.

4 **WHEREAS**, North Dakota law provides for associations, joint ventures, trusts, business
5 trusts, enterprises, estates, partnerships, limited liability partnerships, limited liability limited
6 partnerships, cooperatives, limited liability companies, limited liability corporations,
7 corporations, nonprofit corporations, nonprofit organizations, professional organizations,
8 professional corporations, professional limited liability companies, professional limited liability
9 partnerships, and professional organizations; and

10 **WHEREAS**, in addition, these types of commercial entities frequently may be further
11 distinguished as closely held, foreign, or domestic; and

12 **WHEREAS**, the creation of new types of commercial entities is ongoing; and

13 **WHEREAS**, inconsistent statutory references to commercial entities results in confusion
14 and the need for judicial clarification or interpretation; and

15 **WHEREAS**, inconsistent treatment of similarly situated entities may be contrary to
16 legislative intent and may have the unintended consequence of hindering commercial
17 development in this state;

18 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES**
19 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

20 That the Legislative Council study the current statutory framework of commercial
21 entities, including inconsistent treatment of similarly situated entities; and

22 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
23 recommendations, together with any legislation required to implement the recommendations, to
24 the Fifty-ninth Legislative Assembly.

8. "Person" means an individual, organization, government, political subdivision, or government agency or instrumentality.

4. "Person" means any individual, firm, copartnership, corporation, limited liability company, company, association, joint-stock association, the state of North Dakota or any political subdivision thereof, and includes any trustee, receiver, assignee, or other similar representative thereof.

10. "Person" means any individual, firm, partnership, corporation, limited liability company, company, association, joint-stock association, or body politic; and includes any trustee, receiver, assignee, or other similar representative thereof.

15. "Person" means any individual, partnership, corporation, limited liability company, company, society, or association.

8. "Person" means both the singular and plural, as the case requires, and includes individuals, copartnerships, companies, societies, associations, firms, corporations, or limited liability companies.

7. "Person" means an individual, partnership, corporation, limited liability company, association, grower, cooperative, or any other business unit.

7. "Person" means an individual, partnership, corporation, limited liability company, association, grower, cooperative, or any other business unit.

8. "Person" means an individual, partnership, corporation, limited liability company, association, grower, cooperative, or any other business unit.

7. "Person" means any individual, partnership, corporation, limited liability company, association, grower, cooperative, or any other business unit.

6. "Person" means an individual, partnership, corporation, limited liability company, association, grower, cooperative, or any other business unit.

2. "Person" means an individual, firm, copartnership, corporation, limited liability company, company, society, or association, and implies both the singular and the plural as the case requires.

5. For purposes of this section, "person" means an individual, partnership, corporation, limited liability company, association, cooperative, or any business entity.

3. "Person" means an individual, firm, copartnership, corporation, limited liability company, or association.

15. "Person" means any individual, partnership, corporation, limited liability company, cooperative corporation or association, governmental agency, or other business entity.

8. "Person" means any individual, corporation, limited liability company, company, society, association, government agency, or other entity.

2. "Person" means an individual, corporation, limited liability company, partnership, firm, business trust, joint-stock company, association, syndicate, group, pool, joint venture, and any other unincorporated association or group.

2. "Person" means any individual, partnership, corporation, limited liability company, company, society, or association, except a farmer resident of North Dakota who may sell seed of his own production.

22. "Person" means individuals, firms, partnerships, associations, trusts, estates, corporations, and limited liability companies, and any and all other business units, devices, or arrangements.

7. "Person" means any individual, corporation, limited liability company, company, society, or association, or other business entity.

21. "Person" means any individual, partnership, association, fiduciary, corporation, limited liability company, or any organized group of persons, whether or not incorporated.

7. "Person" means a natural person, corporation, limited liability company, partnership, trust, agency, or other entity as well as the individual officers, directors, or other persons in active control of the activities of each such entity. "Person" also includes heirs, assigns, personal representatives, conservators, and guardians.

7. "Person" means any individual, partnership, corporation, limited liability company, association, trust, or other legal entity.

5. "Person" means an individual, corporation, limited liability company, partnership, or other legal entity.

10. "Person" means an individual, a corporation, a limited liability company, a partnership, an association, a joint-stock company, a trust, or any other unincorporated organization.

10. "Person" means any individual or public or private legal entity.

9. "Person" means an individual, partnership, corporation, limited liability company, association, organization, government or governmental subdivision or agency, business trust, estate, trust, or any other legal or commercial entity.

4. "Person" means an individual, partnership, association, corporation, limited liability company, and any other legal entity.

2. "Person" means an individual, corporation, limited liability company, partnership, trust, firm, association, or other legal entity.

12. "Person" means an individual, partnership, association, corporation, limited liability

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company, unincorporated organization, mutual company, joint stock company, trust, agent, legal representative, trustee, trustee in bankruptcy, receiver, labor organization, public body, public corporation, and the state and a political subdivision and agency thereof.

3. "Person" means individual, corporation, limited liability company, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

8. "Person" means an individual, corporation, limited liability company, governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

7. "Person" means an individual, partnership, committee, association, corporation, cooperative corporation, limited liability company, or other organization or group of persons.

21. "Person" means individual, corporation, limited liability company, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

2. "Person" means any individual, partnership, firm, association, company, corporation, or limited liability company.

5. "Person" means any individual, partnership, association, firm, corporation, or limited liability company.

2. "Person" means an individual, a corporation, a limited liability company, a partnership, an association, a joint stock company, a trust, or any group of persons whether incorporated or not, engaged in the commercial manufacture or sale of flour, white bread, or rolls.

22. "Person" means any individual, partnership, association, corporation, limited liability company, or organized group of persons whether incorporated or not.

2. "Person" means a natural person, partnership, corporation, limited liability company, or other form of business association.

1. "Person" means a natural person, partnership, corporation, limited liability company, or other form of business association.

6. "Person" means a government, governmental subdivision of an executive branch agency or authority, corporation, company, association, firm, partnership, society, estate, trust, joint venture, individual, individual representative, tribal government, and any other legal entity.

f. "Person" means a natural person, corporation, unincorporated association, partnership, proprietorship, or governmental entity.

6. "Person" means any individual, firm, trust, partnership, public or private association, corporation, or limited liability company.

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Operator's Signature Date

3. "Person" means natural persons, partnerships, firms, associations, corporations, and limited liability companies.

2. "Person" means any individual, corporation, limited liability company, company, firm, association, trust, or beneficiary thereof, but does not include any private or fraternal club or association.

8. "Person" means an individual, firm, partnership, association, corporation, limited liability company, or any other entity, whether organized for profit or not.

6. "Person" means any individual, corporation, limited liability company, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, any other state or political subdivision or agency thereof, and any legal successor, representative, agent, or agency of the foregoing, other than the commission, and other than federal government agencies licensed by the commission.

10. "Person" means any individual, trust, firm, joint-stock company, corporation (including a government corporation), limited liability company, partnership, association, or other legal entity, state, municipality, commission, political subdivision of a state, interstate body, or federal department, agency, or instrumentality.

14. "Person" means an individual, corporation, partnership, or other legal entity, whether public or private.

13. "Person" means any individual, corporation, limited liability company, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, any other state or political subdivision or agency thereof, and any legal successor, representative agency, or agency of the foregoing.

11. "Person" means any individual, corporation, limited liability company, partnership, firm, association, trust, estate, public or private institution, group, federal agency, political subdivision of this state or any other state or political subdivision thereof, and any legal successor, representative agent, or agency of the foregoing.

7. "Person" means an individual, trust, firm, joint stock company, federal agency, corporation, state municipality, commission, political subdivision, or any interstate body. The term also includes a consortium, a joint venture, a commercial entity, and the United States government.

11. "Person" means an individual, trust, firm, joint stock company, federal agency, corporation, state, municipality, commission, political subdivision of a state, or any interstate body. The term also includes a consortium, a joint venture, a commercial entity, and the United States government.

32. "Person" means any person, firm, partnership, association, corporation, limited liability company, organization, or business trust.

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4. "Person" means a natural person, company, corporation, unincorporated association, partnership, professional corporation, and any other legal entity.

3. "Person" means any individual, aggregation of individuals, trust, association, partnership, or corporation, or any affiliate thereof.

19. "Person" means any natural or artificial person including individuals, partnerships, associations, trusts, or corporations.

9. "Person" means an individual or a business entity.

6. "Person" means a natural person or a legal entity, including an individual, partnership, limited liability company, association, trust, or corporation.

15. "Person" means any individual, corporation, limited liability company, partnership, association, governmental entity, or voluntary organization.

4. As used in this section, the term "person" means an individual, corporation, partnership, business trust, unincorporated organization, association, or joint stock company.

38. "Person" means an individual, a corporation, a limited liability company, an organization, or other legal entity.

b. "Person" means any individual, partnership, association, joint stock company, corporation, limited liability company, government, political subdivision, governmental agency, or local governmental agency.

3. "Person" means any natural person, corporation, limited liability company, association, partnership, receiver, trustee, executor, administrator, guardian, or fiduciary.

10. "Person" means an individual, corporation, limited liability company, firm, partnership, or association.

10. "Person" means and includes any natural person, corporation, limited liability company, association, partnership, receiver, trustee, executor, administrator, guardian, fiduciary, or other representative of any kind, and includes any department, agency, or instrumentality of the state or of any governmental subdivision thereof; the masculine gender, in referring to a person, includes the feminine and the neuter genders.

3. "Person" means and includes any individual, corporation, limited liability company, partnership, common-law or statutory trust, association of any kind, the state of North Dakota, or any subdivision or agency thereof acting in a proprietary capacity, guardian, executor, administrator, fiduciary of any kind, or any other entity or being capable of owning an interest in and to a unit source of supply of oil and gas.

3. "Person" means and includes any natural person, corporation, limited liability company, association, partnership, receiver, trustee, executor, administrator, guardian, fiduciary, or other

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representative of any kind, and includes any department, agency, or instrumentality of the state or of any governmental subdivision thereof.

5. "Person" means and includes any natural person, corporation, limited liability company, association, partnership, receiver, trustee, executor, administrator, guardian, fiduciary, or other representative of any kind, and includes any department, agency, or instrumentality of the state or of any governmental subdivision thereof; the masculine gender, in referring to a person, includes the feminine and the neuter genders.

5. "Person" means and includes any natural person, corporation, limited liability company, association, partnership, receiver, trustee, executor, administrator, guardian, fiduciary, or other representative of any kind, and includes any department, agency, or instrumentality of the state or of any governmental subdivision thereof; the masculine gender, in referring to a person, includes the feminine and the neuter genders.

20. "Person" means an individual, partnership, firm, association, society, joint stock company, company, cooperative, corporation, limited liability company, or other business organization.

7. "Person" means an individual, partnership, firm, association, society, joint-stock company, company, cooperative, corporation, limited liability company, or other business organization.

8. "Person" means any natural person, corporation, limited liability company, association, partnership, receiver, trustee, executor, administrator, guardian, fiduciary, or other representative of any kind, and includes any department, agency, instrumentality, or political subdivision of the state. The masculine gender, in referring to a person, includes the feminine and the neuter genders.

6. "Person" means any individual, firm, association, partnership, cooperative, corporation, limited liability company, or any department, agency, or instrumentality of the state or any subdivision thereof.

8. "Person" means an individual, public agency, or a private corporation, limited liability company, firm, partnership, cooperative association, or business trust of any nature whatsoever, organized and existing under the laws of any state or the United States or under the laws of the Dominion of Canada or any province or political subdivision thereof.

18. "Person" means any individual, firm, partnership, corporation, limited liability company, company, association, joint-stock association, or body politic and includes any trustee, receiver, assignee, or other person acting in a similar representative capacity.

5. "Person" means any natural person, firm, association, corporation, limited liability company, or agents or employees thereof.

18. "Person" means an individual, corporation, limited liability company, partnership, association, or any other legal entity.

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4. "Person" means an individual, corporation, limited liability company, government, or governmental subdivision or agency, business trust, estate, trust, partnership, unincorporated association, two or more of any of the foregoing having a joint or common interest, or any other legal or commercial entity.

5. "Person" means a human being.

2. "Person" means any individual, firm, partnership, corporation, limited liability company, association, union, or other organization.

3. "Person" means a natural person, corporation, limited liability company, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

13. "Person" means an individual, business association, state or other government including the government of the United States, governmental subdivision or agency, public corporation, public authority, estate, trust, two or more persons having a joint or common interest, or any other legal or commercial entity.

3. "Person" means any individual, organization, association, partnership, corporation, or limited liability company.

1. "Person" means an individual, corporation, limited liability company, business trust, partnership, association, or any other legal entity.

8. "Person" means an individual, partnership, corporation, limited liability company, association, or other group, however organized.

4. "Person" means any natural person or the person's legal representative, partnership, corporation, limited liability company, company, trust, business entity, or association, and any agent, employee, salesman, partner, officer, director, member, stockholder, associate, trustee, or cestui que trust thereof.

5. "Person" means any individual, partnership, association, joint stock association, trust, corporation, limited liability company, or any other form of business enterprise but does not include the government of the United States or North Dakota.

11. "Person" means an individual, a corporation, a limited liability company, a partnership, a joint venture, an association, a joint-stock company, a trust, or an unincorporated organization.

5. "Person" means any natural person or individual.

4. "Person" means any natural person, corporation, limited liability company, partnership, firm, association, or governmental entity.

12. "Person" means an individual, a corporation, a limited liability company, a partnership, an association, a joint-stock company, a trust where the interests of the beneficiaries are evidenced

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by a security, an unincorporated organization, a government, or a political subdivision of a government, but does not include a contract market designated by the commodity futures trading commission or any clearinghouse thereof or a national securities exchange registered with the securities and exchange commission or any employee, officer, or director of such contract market, clearinghouse, or exchange acting solely in that capacity.

2. "Affiliate" means a person who directly or indirectly owns or controls, is owned or controlled by, or is under common ownership or control with, another person. Solely for purposes of this definition, the terms "owns", "is owned", and "ownership" mean ownership of an equity interest, or the equivalent thereof, of ten percent or more, and the term "person" means an individual, partnership, committee, association, corporation, or any other organization or group of persons.

2. "Person" means a natural person, firm, association, corporation, or limited liability company.

4. "Person" means any natural person, firm, corporation, or limited liability company or the clerk, agent, or abettor of any such person, firm, corporation, or limited liability company.

12. "Person" means any natural person, firm, partnership, corporation, or limited liability company.

2. "Person" means any natural person, copartnership, association, corporation, or limited liability company.

15. "Person" means any person, partnership, corporation, limited liability company, association, or organization.

9. "Person" means any individual, partnership, corporation, limited liability company, or association.

16. "Person" means an individual, estate, trust, partnership, corporation, and any other business entity.

10. "Person" means any individual, firm, fiduciary, partnership, corporation, limited liability company, trust, or association however formed.

4. "Person" means an individual, trust, estate, fiduciary, partnership, limited liability company, limited liability partnership, corporation, or any other legal entity.

19. "Person" means every individual, partnership, firm, association, joint venture, corporation, limited liability company, estate, business trust, receiver, or any other group or combination acting as a unit.

22. "Person" means every individual, partnership, firm, association, joint venture, corporation, limited liability company, estate, business trust, receiver, or any other group or combination acting as a unit.

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Julietta Richardson
Operator's Signature

10/16/03
Date

21. "Person" means every individual, partnership, firm, association, joint venture, corporation, limited liability company, estate, business trust, receiver, or any other group or combination acting as a unit.

13. "Person" means every individual, partnership, firm, joint venture, corporation, limited liability company, estate, business trust, receiver, or any group or combination acting as a unit.

10. "Person" means any individual, estate, trust, corporation, cooperative corporation, limited liability company, or association.

10. "Person" means any individual, estate, trust, corporation, cooperative corporation, limited liability company, or association.

6. "Person" means any person, firm, partnership, association, corporation, limited liability company, agency, or any other private or governmental organization, which includes, but is not limited to, any agency of the United States, a state agency, or any political subdivision of the state.

5. "Person" means any person, firm, partnership, association, corporation, limited liability company, agency, or any other private or governmental organization, which includes, but is not limited to, any agency of the United States, a state agency, or any political subdivision of the state.

4. "Person" means any individual, corporation, limited liability company, company, association, partnership, or municipality.

11. "Person" means any individual, partnership, firm, corporation, limited liability company, company, society, association, the state, or any department, agency, or subdivision thereof, or any other entity which occupies or owns land or which causes noxious weed seeds or propagating parts to be disseminated or transported in this state.

Statistics - Business Registration/Information Division

(Numbers in effect on February 24, 2003)

Domestic Corporations

Profit Corporations.....	11,924
Cooperatives (reporting).....	382
Nonprofit Corporations.....	5,510
Churches.....	1,412
Banks.....	40
Credit Unions.....	80
Professional Corporations.....	744
Farm Corporations.....	671
Insurance Corporations.....	48

Foreign Corporations

Profit Corporations.....	11,091
Cooperatives.....	76
Nonprofit.....	1084
Professional.....	76

Limited Liability Companies

Domestic.....	2,144
Domestic Professional.....	18
Domestic Farm.....	53
Foreign.....	1429
Foreign Professional.....	2

Limited Liability Partnerships

Domestic.....	1459
Domestic Professional.....	19
Foreign.....	47
Foreign Professional.....	10

Limited Partnerships

Domestic.....	1,264
Foreign.....	334

Limited Liability Limited Partnerships

Domestic.....	275
Foreign.....	10

Fictitious Names..... 1,538

Trademarks..... 1,512

Trade Names..... 14,268

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La Costa Rickford
Operator's Signature

10/16/03
Date

Chapter Thirteen (C) (Part 2)
Business Registration/Information Division
Six Biennial Histories

	1991	1993	1995	1997	1999	2001
Domestic (In-state)						
Chartered Corporations						
For Profit Corporations.....	9,019	9,647	10,734	10,871	11,623	11,675
Cooperatives	373	463	434	419	409	387
Nonprofit Corporations	8,016	8,336	8,735	8,989	9,418	* 5,180
Churches	2,800	2,892	2,950	3,025	3,150	* 1,370
State Banks	117	111	106	99	96	92
Credit Unions.....	55	51	48	47	46	42
Professional.....	463	506	552	569	648	698
Farm.....	315	403	499	557	602	623
Foreign (out-of-state)						
Chartered Corporations						
For Profit Corporations.....	5,008	5,566	7,307	8,272	8,594	10,575
Cooperatives	34	37	45	48	61	67
Nonprofit Corporations	312	435	562	667	887	872
Limited Liability Companies						
Domestic			366	577	1,074	1,542
Domestic Professional			1	3	5	11
Domestic Farm.....			12	19	33	49
Foreign			62	144	519	939
Foreign Professional			0	0	0	1
Limited Liability Partnerships						
Domestic			8	434	762	1,063
Domestic Professional			4	15	15	15
Foreign			1	7	24	29
Foreign Professional			0	4	6	8
Limited Partnerships	523	626	664	1,099	1,491	1,566
Limited Liability Limited Partnerships						176
Fictitious Names	1,213	1,233	1,362	1,863	1,928	1,799
Trademarks	1,241	1,230	1,286	1,322	1,324	1,497
Trade Names.....	2,689	2,929	3,565	6,735	10,165	12,669

* The reason for the drop in numbers in 2001 for nonprofit corporations and churches is explained on the last page of Chapter 9.

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Operator's Signature Yolanda Richardson Date 10/16/03