

**2013 SENATE JUDICIARY**

**SB 2123**

# 2013 SENATE STANDING COMMITTEE MINUTES

**Senate Judiciary Committee**  
Fort Lincoln Room, State Capitol

SB2123  
2/5/2013  
Job #18289

☐ Conference Committee

Committee Clerk Signature



**Minutes:**

**To provide for the Uniform Asset-Freezing Orders Act**

**Senator David Hogue - Chairman**

**Senator Hogue** - Introduces the bill and explains the Uniform Law Commission. He goes on to explain asset freezing and how this will facilitate collections. He says assets can be transferred by the click of a mouse. This act prevents those debtors from thwarting the judgments by being able to transfer assets at a moment's notice to locations around the globe. He explains two provisions in Section 3 relating to asset freezing orders. He says ND is the first state to propose this.

**Marilyn Foss** - General Council for ND Bankers Association - In support - She explains to the committee that ND has been the first state to adopt other Uniform Law. ND will benefit and more states will be adopting this, it gives a uniform set of rules.

**Jack McDonald** - Independent Community Banks of ND - In support and says it will bring uniformity to the law.

Opposition - 0

Neutral - 0

Close the hearing on 2123.

# 2013 SENATE STANDING COMMITTEE MINUTES

**Senate Judiciary Committee**  
Fort Lincoln Room, State Capitol

SB2123  
2/11/2013  
Job #18812

☐ Conference Committee

Committee Clerk Signature



## Minutes:

Vote

Senator David Hogue - Chairman

Committee work

Senator Sitte moves a do not pass

Senator Armstrong seconded

Discussion

Senator Sitte believes this is a solution in search of a problem and moved a do not pass.

Senator Hogue explains Uniform Law. The committee discusses fraudulent transfers and the current law verses this bill. Senator Sitte says this would cause an encumbrance on the citizens of ND.

Vote on do not pass

Vote 6 yes, 1 no

Motion passes

Senator Sitte will carry

Date: 2/11/13  
Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 2123

Senate JUDICIARY Committee

☐ Check here for Conference Committee

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

Action Taken: ☐ Do Pass ☒ Do Not Pass ☐ Amended ☐ Adopt Amendment  
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By S. Sitte Seconded By S. Armstrong

Senators	Yes	No	Senator	Yes	No
Chairman David Hogue			Senator Carolyn Nelson	<input checked="" type="checkbox"/>	
Vice Chairman Margaret Sitte	<input checked="" type="checkbox"/>		Senator John Grabinger	<input checked="" type="checkbox"/>	
Senator Stanley Lyson	<input checked="" type="checkbox"/>		<u>Senator Hogue</u>		<input checked="" type="checkbox"/>
Senator Spencer Berry	<input checked="" type="checkbox"/>				
Senator Kelly Armstrong	<input checked="" type="checkbox"/>				

Total (Yes) 4 No 1

Absent 0

Floor Assignment S. Sitte

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

**REPORT OF STANDING COMMITTEE**

**SB 2123: Judiciary Committee (Sen. Hogue, Chairman)** recommends **DO NOT PASS**  
(6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). SB 2123 was placed on the  
Eleventh order on the calendar.