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ROLL NUMBER

DESCRIPTION

2073

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Lacosta Rickford

Date

10/15/03

2003 SENATE JUDICIARY

SB 2073

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Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2073

Senate Judiciary Committee

☐ Conference Committee

Hearing Date 01/28/03

Tape Number	Side A	Side B	Meter #
1	X		1.7 - 4
Committee Clerk Signature <i>Maria L. Salby</i>			

Minutes: Senator John T. Traynor, Chairman, called the meeting to order. Roll call was taken and all committee members present. Sen. Traynor requested meeting starts with testimony on the bill:

Testimony Support of SB 2073

Clara Jenkins, Director, Business Division on behalf of Al Jaeger, Secretary of State (meter .6)

Read Testimony - Attachment #1

Senator John T. Traynor, Chairman asked what type of business the Canada (Foreign) business was engaged in. Ms. Jenkins was not sure but the location is Fargo. Are all foreign business required to register? Yes. We have many corporations but do not have limited partnerships.

Sen. Traynor questioned why not? (meter 2.1) Discussed Subsection 19.

Sen. Traynor stated that the bill corrected an unintended omission.

Discussion of History and Fees. (meter 3.5)

Testimony in opposition of SB 2073

Page 2

Senate Judiciary Committee

Bill/Resolution Number SB 2073

Hearing Date 01/28/03

None

Testimony Neutral to SB 2073

None

Motion Made to DO PASS SB 2073 by Senator Thomas L. Trenbeath and seconded by

Senator Dennis Bercier

Roll Call Vote: 6 Yes. 0 No. 0 Absent

Motion Passed

Floor Assignment: Senator Carolyn Nelson

Senator John T. Traynor, Chairman closed the hearing

Date: January 28, 2003
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2073

Senate JUDICIARY Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By Senator Thomas Trenbeath Seconded By Senator Dennis Bercier

Senators	Yes	No	Senators	Yes	No
Sen. John T. Traynor - Chairman	X		Sen. Dennis Bercier	X	
Sen. Stanley. Lyson - Vice Chair	X		Sen. Carolyn Nelson	X	
Sen. Dick Dever	X				
Sen. Thomas L. Trenbeath	X				

Total (Yes) SIX (6) No ZERO (0)

Absent Zero (0)

Floor Assignment Senator Carolyn Nelson

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

REPORT OF STANDING COMMITTEE (410)
January 28, 2003 1:06 p.m.

Module No: SR-16-1192
Carrier: Nelson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2073: Judiciary Committee (Sen. Traynor, Chairman) recommends **DO PASS**
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2073 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-16-1192

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Date

2003 HOUSE JUDICIARY

SB 2073

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10/15/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2073

House Judiciary Committee

☐ Conference Committee

Hearing Date 3-4-03

Tape Number	Side A	Side B	Meter #
1	xx		16.7-20.5
Committee Clerk Signature <i>A. Penrose</i>			

Minutes: 11 members present, 2 members absent (Rep. Maragos & Rep. Wrangham).

Chairman DeKrey: We will open the hearing on SB 2073.

Clara Jenkins, Director, Business Division, Secretary of State: Support (see attached testimony).

Rep. Kretschmar: Do we have a foreign general partnership.

Ms. Jenkins: At this point, general partnerships don't have a registration requirement with the Secretary of State.

Rep. Delmore: Will there be a fee assessed to these people now, that they weren't paying before.

Ms. Jenkins: We believe that the one Canadian company, that is a limited partnership that is registered with us, is the only foreign limited partnership doing business here and they pay the same fee as the domestic companies.

Page 2

House Judiciary Committee

Bill/Resolution Number SB 2073

Hearing Date 3-4-03

Chairman DeKrey: Thank you. Further testimony in support, in opposition. We will close the hearing. What are the committee's wishes in regard to SB 2073.

Rep. Kretschmar: I move a Do Pass.

Rep. Eckre: Seconded.

11 YES 0 NO 2 ABSENT

DO PASS

CARRIER: Rep. Bernstein

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Operator's Signature

10/15/03
Date

Date: 3/4/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2073

House Judiciary Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep. Kretschmar Seconded By Rep. Eckre

Representatives	Yes	No	Representatives	Yes	No
Chairman DeKrey	✓		Rep. Delmore	✓	
Vice Chairman Maragos	AB		Rep. Eckre	✓	
Rep. Bernstein	✓		Rep. Onstad	✓	
Rep. Boehning	✓				
Rep. Galvin	✓				
Rep. Grande	✓				
Rep. Kingsbury	✓				
Rep. Klemin	✓				
Rep. Kretschmar	✓				
Rep. Wrangham	AB				

Total (Yes) 11 No 0

Absent 2

Floor Assignment Rep. Bernstein

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

REPORT OF STANDING COMMITTEE (410)
March 4, 2003 11:06 a.m.

Module No: HR-38-3829
Carrier: Bernstein
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
SB 2073: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS**
(11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2073 was placed on the
Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-38-3829

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10/15/03
Date

2003 TESTIMONY

SB 2073

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Date

10/15/03

ALVIN A. JAEGER
SECRETARY OF STATE

PAGE www.state.nd.us/sec



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January 28, 2003

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Att # 1

SB 2073

TO: Senator Traynor, Chairman, and Members of the Senate Judiciary Committee

FR: Clara Jenkins, Director, Business Division on behalf of Al Jaeger, Secretary of State

RE: SB 2073 - Registration of Foreign Limited Partnerships.

This bill is intended to do the following.

1. Except for Foreign Limited Partnerships, the Century Code allows business entities that are chartered in another state, or another country, to become registered with the Secretary of State's office. This bill will extend the same registration privilege to Foreign Limited Partnerships as is now available to all other business entities currently authorized by North Dakota law.
2. The retroactive clause in Section 3 will "legalize" the registration of a Foreign Limited Partnership, organized in Canada, which was inadvertently registered by the Secretary of State's office. This would allow their registration to remain in effect and them to continue their business operations in North Dakota.
3. The emergency clause in Section 4 will allow the earlier registration of a currently pending application of a Canadian organized Foreign Limited Partnership. Without the emergency clause, the registration could not be filed until after August 1, 2003. With the emergency clause, the law will become effective as soon as the bill is filed in the Secretary of State's office. By several months, the earlier registration would allow the applicant to begin to transfer property and commence their business activities in the state.

Same
testimony
turned
in to House

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