

# MICROFILM DIVIDER

OMI/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2142

2001 SENATE INDUSTRY, BUSINESS AND LABOR

SB 2142

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2142

Senate Industry, Business and Labor Committee

Conference Committee

Hearing Date January 15, 2001

Tape Number	Side A	Side B	Meter #
1	x		0 to 26.7
(March 19/01) 1	x		18.7 to 21.9
Committee Clerk Signature <i>Doris E. Perry</i>			

Minutes:

The committee was called to order. All members present. The hearing was opened on SB 2142 relating to business corporation, professional corporation, and limited liability companies.

AL JAEGER, ND Secretary of State, submitted amendment to correct Section 32 of the bill.

Written testimony attached.

WILLIAM L. GUY III, Chairman, ND Business Entity Drafting Committee in support of the bill. Written testimony attached..

CLARA JENKINS, Director, Business Development Division, ND Secretary of State. This bill cleans up the bill passed last session.

SENATOR KREBSBACH: What type of business this regulates?

C. JENKINS: All from farming to business.

SENATOR MUTCH: Any advantages of a LCC?

Page 2  
Senate Industry, Business and Labor Committee  
Bill/Resolution Number 2142  
Hearing Date January 15, 2001

A. JAEGER: LCC combines the benefits of corporation and partnership and provides fiscal (tax) advantages.

No testimony against. Discussion. Hearing concluded

SENATOR KLEIN: Motion to adopt amendment.

SENATOR EVERY: Seconded

Roll call vote: yes 7; no 0; absent not voting 0. Motion passed.

SENATOR KREBSBACH: Motion: Do pass bill as amended. SENATOR KLEIN: seconded.

Roll call vote: yes 7; no 0; absent not voting 0. Motion passed.

Carrier: SENATOR KREBSBACH.

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Senate Industry, Business and Labor Committee

Bill/Resolution Number 2142

Hearing Date ~~January 15, 2001~~

March 19/01. Tape 1-A- 18.7 to 21.9

Committee reconvened. All member, except Senator Espegard, present. Committee studied House amendments and letter submitted by Secretary of State Al Jaeger.

**Senator Klein:** The intent of the amendment is consistency. Motion to accede to House amendments.

**Senator Krebsbach:** Second.

Roll call vote: 6 yes; 0 no; 1 absent not voting. Motion carried.

Floor assignment: **Senator Krebsbach.**

**FISCAL NOTE**  
 Requested by Legislative Council  
 12/28/2000

Bill/Resolution No.: SB 2142

Amendment to:

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

The main overall purpose of this bill is to make technical corrections to sections of state law that pertain to business corporations, professional corporations, and limited liability companies.

For the purposes of consistency with existing law for domestic corporations, foreign corporations, and domestic limited liability companies, the bill increases the fee from \$20 to \$50 for the filing of merger documents for a foreign limited liability company so that the merger fees for all four business structures will be the same.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The revenue impact to the state's general fund is less than \$500.

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Non applicable

<b>Name:</b>	Al Jaeger	<b>Agency:</b>	Secretary of State
<b>Phone Number:</b>	328-2900	<b>Date Prepared:</b>	01/03/2001

Date: 1/15/01  
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2142

Senate Senate Industry, Business and Labor Committee

Subcommittee on \_\_\_\_\_  
or

Conference Committee

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

Action Taken To adopt amendment

Motion Made By

Sen. Klein

Seconded

By

Sen. Every

Senators	Yes	No	Senators	Yes	No
Senator Mutch - Chairman	✓		Senator Every	✓	
Senator Klein - Vice Chairman	✓		Senator Mathern	✓	
Senator Espegard	✓				
Senator Krebsbach	✓				
Senator Tollefson	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment \_\_\_\_\_

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

To correct sequence in Section 32 of the bill



Date: January 15/2001  
Roll Call Vote #: 2

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2142

Senate Industry, Business and Labor Committee

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

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

Action Taken Do pass, amended

Motion Made By S Krebsbach Seconded By S Klein

Senators	Yes	No	Senators	Yes	No
Senator Mutch - Chairman	✓		Senator Every	✓	
Senator Klein - Vice Chairman	✓		Senator Mathern	✓	
Senator Espegard	✓				
Senator Krebsbach	✓				
Senator Tollefson	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen. Krebsbach

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

REPORT OF STANDING COMMITTEE (410)  
January 15, 2001 4:27 p.m.

Module No: SR-05-1022  
Carrier: Krebsbach  
Insert LC: 18156.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

**SB 2142: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2142 was placed on the Sixth order on the calendar.**

Page 24, line 26, remove "a."

Page 25, line 1, replace "b" with "a"

Page 25, line 11, replace "c" with "b"

Renumber accordingly

Date: 3/19/01  
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2142

Senate Industry, Business and Labor Committee

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

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

Action Taken Accede to House amendments

Motion Made By Sen Klein Seconded By Sen Krebsbach

Senators	Yes	No	Senators	Yes	No
Senator Mutch - Chairman	✓		Senator Every	✓	
Senator Klein - Vice Chairman	✓		Senator Mathern	✓	
Senator Espgaard	A				
Senator Krebsbach	✓				
Senator Tollefson	✓				

Total (Yes) 6 No 0

Absent 1

Floor Assignment Sen Krebsbach

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

2001 HOUSE INDUSTRY, BUSINESS AND LABOR

SB 2142

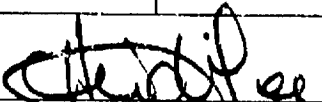
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2142

House Industry, Business and Labor Committee

Conference Committee

Hearing Date March 6, 2001

Tape Number	Side A	Side B	Meter #
2		X	47.6
3	X		-13
Committee Clerk Signature 			

Minutes:

Chairman Berg: We'll go to SB 2142.

Al Jaeger: *Sec. Of State* Written testimony sponsoring bill.

William Guy: *NDBEDC* Written testimony in behalf of the bill.

Clara Jenkins: *Business Divisions* Written testimony in support of bill.

*No pertinent questions to testifiers.*

Chairman Berg: We'll close the hearing, what is the committee's wishes?

Rep. M. Klein: I move the amendment

Rep Pietsch: Second.

*Motion carried.*

Rep M. Klein: I move a do pass as amended.

Rep Koppang: I second.

13 yea, 0 nay, 2 absent Carrier Rep. Pietsch

Date: 3-6-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2172

House Industry, Business and Labor Committee

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

Action Taken Do Passes Amended

Motion Made By M. Klein Seconded By Koppang

Representatives	Yes	No	Representatives	Yes	No
Chairman- Rick Berg	✓		Rep. Jim Kasper		
Vice-Chairman George Keiser	✓		Rep. Matthew M. Klein	✓	
Rep. Mary Ekstorm	✓		Rep. Myron Koppang	✓	
Rep. Rod Froelich	✓		Rep. Doug Lemieux	✓	
Rep. Glen Froseth	✓		Rep. Bill Pietsch	✓	
Rep. Roxanne Jensen	✓		Rep. Dan Ruby		
Rep. Nancy Johnson	✓		Rep. Dale C. Severson	✓	
			Rep. Elwood Thorpe	✓	

Total (Yes) 13 No 0

Absent 2

Floor Assignment Rep Pietsch

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

**REPORT OF STANDING COMMITTEE (410)**  
March 9, 2001 8:45 a.m.

Module No: HR-41-5161  
Carrier: Pletsch  
Insert LC: 18156.0201 Title: .0300

**REPORT OF STANDING COMMITTEE**

SB 2142, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2142 was placed on the Sixth order on the calendar.

Page 5, line 12, overstrike "solely"

Page 13, line 21, overstrike "or renewal registration"

Renumber accordingly

2001 TESTIMONY

SB 2142



