

Minutes of the

**NORTH DAKOTA COMMISSION ON UNIFORM STATE LAWS**

National Conference of Commissioners on Uniform State Laws  
The Westin at Copley Place  
Boston, Massachusetts  
Saturday, July 6, 2013

Commissioner William E. Kretschmar, Chairman, called the meeting to order at 11:40 a.m. on Saturday, July 6, 2013.

**Members present:** William E. Kretschmar, Jay E. Buringrud, Gail H. Hagerty, Lawrence R. Klemin, Bradley Myers, Dave Nething, Candace M. Zierdt.

**Members absent:** Owen L. Anderson, David Hogue

**It was moved, seconded, and carried on a recorded vote that Commissioner Kretschmar be reelected chairman and Commissioner Buringrud be reelected secretary of the commission.** All commissioners present voted "aye." No negative votes were cast.

Copies of a memorandum entitled *North Dakota Uniform Laws Recommendations and Enactments Since 2001* were distributed to the commissioners before the meeting for their review.

Discussion concerned whether to make recommendations to the Legislative Management interim Judiciary Committee. Commissioner Kretschmar said initial recommendations could include the uniform Acts approved by the National Conference of Commissioners on Uniform State Laws at the current conference. Commissioner Klemin said specific recommendations do not need to be made this early in the interim. He said specific recommendations could be made after the 2014 meeting of the commission. Commissioner Buringrud said the Judiciary Committee could be informed that the commission was considering the 2013 conference Acts but will not make specific recommendations until later in the interim.

Commissioner Hagerty said the commission should recommend to the Joint Procedure Committee of the North Dakota Supreme Court those uniform Acts that could be adopted by the court by rule. She said the court adopted the Uniform Interstate Depositions and Discovery Act. She said the Joint Procedure Committee could be requested to consider the Uniform Collaborative Law Act for adoption as a court rule.

Commissioner Hagerty said the God's Child Project could be approached as a supporter of the Uniform Act on Prevention of and Remedies for Human Trafficking. She said the commission also should consider re-recommending the two uniform Acts that did not make it through the 2013 session--the amendment to Uniform Commercial Code (UCC) Article 4A and the Uniform Asset-Freezing Orders Act.

The consensus was to inform the interim Judiciary Committee that the commission was considering recommending:

- The amendment to UCC Article 4A (4A-108).
- The Uniform Asset-Freezing Orders Act.
- The Uniform Act on Prevention of and Remedies for Human Trafficking.
- The Uniform Powers of Appointment Act.
- The Uniform Harmonized Business Organization Code.
- Amendments to the Uniform Child Custody Jurisdiction and Enforcement Act Pertaining to International Proceedings.

Commissioners discussed the vacancy on the commission due to the Legislative Management's appointment of Commissioner Hogue as the member of the Senate on the commission. The vacancy is in the position of an attorney engaged in private practice.

No further business appearing, Chairman Kretschmar adjourned the meeting at 12:05 p.m.