

NORTH DAKOTA COMMISSION ON UNIFORM STATE LAWS

National Conference of Commissioners on Uniform State Laws
Ritz-Carlton, Huntington Hotel & Spa
Pasadena, California
Saturday, July 28, 2007

Commissioner William E. Kretschmar, Chairman, called the meeting to order at 8:10 a.m. on Saturday, July 28, 2007.

Members present: William E. Kretschmar, Jay E. Buringrud, Gail H. Hagerty, Frank F. Jestrab, Lawrence R. Klemin, Candace Zierdt

Members absent: Owen L. Anderson, David J. Hogue, Dave Nething, Michael B. Unhjem

Chairman Kretschmar noted that North Dakota Century Code Section 54-55-03 provides that the chairman and secretary of the commission hold office for two years.

Commissioner Hagerty nominated Commissioner Kretschmar for chairman, and Commissioner Klemin nominated Commissioner Buringrud for secretary. All commissioners present voted "aye."

Copies of a memorandum entitled *North Dakota Uniform Laws Recommendations and Enactments Since 1999* were distributed to the commissioners before the meeting for their review. In addition, the materials distributed to the commissioners upon registering for the conference provided a state-by-state tally of the 11 "targeted Acts" of the national conference.

Chairman Kretschmar identified these Acts as the "target Acts" designated by the conference which have not been adopted in North Dakota:

- The 2001 amendments to the Uniform Interstate Family Support Act;
- The Uniform Environmental Covenants Act;
- The Uniform Foreign Country Money Judgments Recognition Act;
- The Uniform Mediation Act;
- The Uniform Prudent Management of Institutional Funds Act; and
- The Uniform Real Property Electronic Recording Act.

Chairman Kretschmar said the Uniform Unclaimed Property Act is a "target to complete," but the Unclaimed Property Division is opposed to the revised version of the Act. He inquired as to potential recommendations to the Legislative Council's interim Judiciary Committee, chaired by Representative Klemin.

Commissioner Klemin said the Uniform Rules Relating to the Discovery of Electronically Stored Information, if approved at this conference, could be submitted to the Joint Procedure Committee of the North Dakota Supreme Court. Chairman Kretschmar said he would submit a letter to the Joint Procedure Committee recommending adoption of the Uniform Rules.

Commissioner Klemin said the commission should defer making a report to the interim Judiciary Committee until after the national conference in 2008. Commissioner Hagerty said if the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act is approved this year, initial contacts could be made with the North Dakota AARP as well as with local individuals who work with elder care issues, e.g., Mr. Rodger Wetzel with St. Alexius and attorney Mr. Mel Webster. Because of Commissioner Hagerty's work with the Uniform Anatomical Gift Act before and during the 2007 legislative session, the consensus was for Commissioner Hagerty to initiate the informal contacts.

No further business appearing, Chairman Kretschmar adjourned the meeting at 8:25 a.m.

Jay E. Buringrud
Secretary