

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1107

2001 HOUSE JUDICIARY

HB 1107

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1107

House Judiciary Committee

Conference Committee

Hearing Date 01-17-01

Tape Number	Side A	Side B	Meter #
Tape II	x		4183 to 5050
Committee Clerk Signature <i>John Diers</i>			

Minutes: Chr DeKrey opened the hearing on HB 1107. A bill for an act to provide for the adoption of the Uniform Foreign Money-Judgement Recognition Acts.

Jay Buringrud: Assistant Director of the Legislative Council see page 285 Uniform Money-Judgement Recognition Act.

Chr DeKrey: Does anyone have any questions for Jay?

Rep Kretschmar: How many states have adopted this one?

Jay Buringrud: 31 states.

Rep Grande: Does this help if the state has an issue or an individual?

Jay Buringrud: It doesn't matter if it is a state or individual.

Rep Klemm: What procedure one would follow to collect on a judgment.

Jay Buringrud: That is covered under the Foreign Money Claims Act.

Rep Klemm: Do Canada and Mexico have such a bill?

Jay Buringrud: I don't know.

Page 2

House Judiciary Committee

Bill/Resolution Number HB 1107

Hearing Date 01-17-01

Chr DeKrey; Any other questions for Jay? Does anyone else wish to appear on HB 1107? If not we will close the hearing on HB 1107. What are the wishes of the committee? Does someone have a motion for me? Rep Maragos made a DO PASS motion on HB 1107. Rep Delmore seconded the motion. Discussion. The clerk will take the roll on HB 1107. The motion passes with 14 YES, 0 No, and 1 Absent. Floor Assignment - Rep Klemin.

Date: 01-17-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB-1107

House JUDICIARY Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken DO Pass

Motion Made By Rep Maragos Seconded By Rep Delmore

Representatives	Yes	No	Representatives	Yes	No
CHR - Duane DeKrey	✓				
VICE CHR -- Wm E Kretschmar	✓				
Rep Curtis E Brekke	✓				
Rep Lois Delmore	✓				
Rep Rachael Disrud	✓				
Rep Bruce Eckre	✓				
Rep April Fairfield					
Rep Bette Grande	✓				
Rep G. Jane Gunter	✓				
Rep Joyce Kingsbury	✓				
Rep Lawrence R. Klemin	✓				
Rep John Mahoney	✓				
Rep Andrew G Maragos	✓				
Rep Kenton Onstad	✓				
Rep Dwight Wrangham	✓				

Total (Yes) 14 No 0

Absent 1

Floor Assignment Rep Klemin

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

REPORT OF STANDING COMMITTEE (410)
January 19, 2001 11:14 a.m.

Module No: HR-09-1280
Carrier: Klemin
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1107: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS
(14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1107 was placed on the
Eleventh order on the calendar.

2001 SENATE JUDICIARY

HB 1107

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1107

Senate Judiciary Committee

Conference Committee

Hearing Date March 12th, 2001

Tape Number	Side A	Side B	Meter #
2	x		22.1-51.4
Committee Clerk Signature			

Minutes: **Senator Traynor**, opened the hearing on HB 1107.

Jay Buringurd, from the legislative council, this has been adopted by 29 states. North Dakota is a void in the 29 states. To provide for the adoption of the Uniform Foreign Money-Judgments Recognition Act.

Senator Trenbeath, Section 4 Line 23- By whose procedural law?

Jay Buringurd, I would assume by the foreign court.

(Discussion)

Senator Trenbeath, on the second page, line 12., what is a seriously inconvenient form?

Jay Buringurd, probably Sri Lanka. I don't practice law. If Canada or the US had something in their laws saying this would be settled by Tibet say.

Senator Trenbeath, I think this is entirely subjective.

Senator Traynor, How many states have adopted this?

Jay Buringurd, 29.

Senator Traynor, was this drawn by international lawyers?

Jay Buringurd, I assume so.

Senator Lyson, on line 31, page 2, can you explain that to me?

Jay Buringurd, this is very broad. Up to the court to determine justification. Does not say they have to do it.

Senator Bercler, how do tribes fit into this? We predate statehood.

Jay Buringurd, it looks like tribes could fit. You are a governmental unit. As long as the requirements of 4 and 5 are met.

Senator Bercler, I think this is a long time coming. Who is responsible? I think it is good. I would like to have tribe people look at it. We need to start working together.

Jay Buringurd, Alaska, California, Oklahoma and Minnesota have adopted and they have a large Indian populations.

Senator Bercler, one of these states is as large as our whole state. In Alaska they have 21 tribal people in their legislature.

Senator Nelson, why is this on the shelf for 39 years. What would be wrong if it stayed another 39 years.

Rep. Kutchman, I am not an expert on these acts. Whether it passes or stays on shelf.

Senator Bercler, who is the expert? Why are we continually changing our code? Put some tribal language to it.

Jay Buringurd, it would be the general council in regard to uniform acts. That is being considered more and more.

Senator Traynor, I am aware of auto accidents started in Tribal Court. The tribal court does not have jurisdiction.

Page 3
Senate Judiciary Committee
Bill/Resolution Number 1107
Hearing Date March 12th, 2001

Jay Buringurd, I believe the tribe would be considered a foreign state. I would assume if it went to district court, personal jurisdiction would still be easiest.

Senator Traynor, there was personal jurisdiction.

Senator Bercier, I would like to get this to the tribal counsel ASAP.

Jay Buringurd, I will contact the national office to see what the tribal involvement has been in other states.

Senator Lyson, from personal experience in Norway, a family death. (explains)

Senator Bercier, would like to get to the four tribal chairmen. I can get some info from Native American Relief Fund.

Senator Traynor, closed the hearing on HB 1107.

SENATOR LYSON MOTIONED TO DO NOT PASS, SECONDED BY SENATOR WATNE. VOTE INDICATED 5 YEAS, 0 NAYS AND 2 ABSENT AND NOT VOTING. SENATOR LYSON VOLUNTEERED TO CARRY THE BILL.

REPORT OF STANDING COMMITTEE (410)
March 13, 2001 3:04 p.m.

Module No: SR-43-5505
Carrier: Lyson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1107: Judiciary Committee (Sen. Traynor, Chairman) recommends DO NOT PASS
(5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1107 was placed on the
Fourteenth order on the calendar.