

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1140

2001 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1140

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1140

House Industry, Business and Labor Committee

Conference Committee

Hearing Date Jan 22, 2001

Tape Number	Side A	Side B	Meter #
1	X		32,4-37 & 52,-60
Committee Clerk Signature <i>Heidi Lee</i>			

Minutes: Chairman R. Berg, Vice-Chair ~~G. Keiser~~, Rep. M. Ekstrom, Rep. R. Froelich, Rep. G. Froseth, Rep. R. Jensen, Rep. N. Johnson, Rep. J. Kasper, Rep. M. Klein, Rep. Koppang, Rep. D. Lemieux, Rep. B. Pietsch, Rep. D. Ruby, Rep. D. Severson, Rep. E. Thorpe.

Rep Bellew & Rep Meier: We are sponsoring the bill on behalf of the Sec of States office.

Clara Jenkins: *Sec. Of States office. Written testimony*

Vice-Chairman Keiser: Will this create any reciprocity problems?

Jenkins: No.

Rep Koppang: I move a do pass.

Rep Jensen: I second.

**12 yeas, 0 nays, 3 absent**

**Carrier: Rep Jensen**

# FISCAL NOTE

Requested by Legislative Council  
12/26/2000

Bill/Resolution No.: HB 1140

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
<b>Revenues</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Appropriations</b>	\$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.*

This bill will establish in state law the same filing requirements for a foreign limited liability partnership that already in state law for a North Dakota domestic limited liability partnership.

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.*

This is a revenue neutral bill.

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.*

Non applicable

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

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<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: 1-22-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. ~~Click here to type Bill/Resolution No.~~ 1140

House Industry, Business and Labor Committee

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

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

Action Taken Do Pass

Motion Made By Koppang Seconded By Jensen

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) 12 No 0

Absent 3

Floor Assignment Jensen

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

REPORT OF STANDING COMMITTEE (410)  
January 22, 2001 11:33 a.m.

Module No: HR-10-1366  
Carrier: Jensen  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

HB 1140: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends  
**DO PASS** (12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1140 was placed  
on the Eleventh order on the calendar.

2001 SENATE INDUSTRY, BUSINESS AND LABOR

HB 1140



2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1140

Senate Industry, Business and Labor Committee

Conference Committee

Hearing Date February 19, 2001.

Tape Number	Side A	Side B	Meter #
1	x		14.5 to 16.3
Committee Clerk Signature <i>Doris E. Perez</i>			

Minutes:

The meeting was called to order. All committee members present. Hearing was opened on HB 1140 relating to limited liability partnership registrations filed with the secretary of state.

**Representative Larry Bellew**, District 38, sponsor of the bill. Urges do pass.

**Al Jaeger**, Secretary of State, in favor. Written testimony attached. The intent is to change two words and establish the same requirements for domestic and foreign limited liability partnerships.

No opposing testimony. Discussion held.

**Senator Espegard**: Motion: do pass. **Senator Every**: Second

Roll call vote: 7 yes; 0 no. Motion carried. Floor assignment : **Senator Espegard**.

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

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1140

Senate Industry, Business and Labor Committee

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

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

Action Taken Do Pass

Motion Made By Sen Espgaard Seconded By Sen Every

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

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen Espgaard

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

**REPORT OF STANDING COMMITTEE (410)**  
February 19, 2001 9:31 a.m.

**Module No: SR-30-3833**  
**Carrier: Espegard**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1140: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1140 was placed on the Fourteenth order on the calendar.**

2001 TESTIMONY

HB 1140

ALVIN A. JAEGER  
SECRETARY OF STATE



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SECRETARY OF STATE

STATE OF NORTH DAKOTA  
600 EAST BOULEVARD AVENUE DEPT 108  
BISMARCK ND 58505-0500

January 22, 2001

TO: Rep. Berg and Members – House Industry, Business and Labor Committee

FR: Al Jaeger, Secretary of State (presented by Clara Jenkins, Director, Business Division)

RE: HB 1140 – Related to Limited Liability Partnerships (LLP)

Representatives Bellow and Meier introduced this bill at the request of the Secretary of State's office.

It is only a change of two words. Nevertheless, this bill will establish in state law the same filing requirements for a foreign limited liability partnership, which are already required of a North Dakota limited liability partnership.

Under the provisions of subsection 5 of section 45-22-03 of the North Dakota Century Code, a business entity, which is the managing partner in a North Dakota limited liability partnership, must register with the Secretary of State at the time the limited liability partnership registers.

Even though it is not stated in the law, the Secretary of State has required that same registration requirement of a foreign LLP. It has done that (based on advise from the agency's legal counsel) because the managing partner was transacting business in North Dakota and therefore required to register.

However, by making the change proposed in this bill, it will be clearly stated in this subsection that the registration requirement also applies to a foreign LLP. In addition, by having it in the law, the appropriate entities will be aware of this particular registration requirement beforehand. Consequently, when they submit their documents to the Secretary of State, they will be correct. Naturally, this will result in more efficient processing of the documents for all concerned.

This bill does not have a revenue impact.

ALVIN A. JAEGER  
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SECRETARY OF STATE

STATE OF NORTH DAKOTA  
600 EAST BOULEVARD AVENUE DEPT 108  
BISMARCK ND 58505-0500

February 19, 2001

TO: Senator Mutch and Members – Senate Industry, Business and Labor Committee

FR: Al Jaeger, Secretary of State

RE: HB 1140 – Related to Limited Liability Partnerships (LLP)

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