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Yalosta Rickford  
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10/2/03  
Date

2003 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1038

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Valista Rickford  
Operator's Signature

10/2/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1038

House Industry, Business and Labor Committee

Conference Committee

Hearing Date February 3, 2003

Tape Number	Side A	Side B	Meter #
1	X		0-1560

Committee Clerk Signature *Beth Leier*

Minutes: Chair Kelsner: Opened hearing on HB 1038

Jennifer Clark (Legislative Council): There are three substantive changes. Page one changes the definition of "customer" and "financial institutions." Page three has the removal of the definition of "person." The definition of "person" clarifies the customer of financial institutions protected by the state financial privacy law does not have to live in the state of ND. Residents are domiciled because a customer can be an individual or an entity. "Financial institutions" clarifies that we are talking about the bank or credit union. That entity is required to be in the state.

Rep. Kelsner: On the sections on page three, subsections 12 and further, please review that section. Clark said she would get laws out of the Federal Register because it pertains to Gramm-Leach-Bliley, where they would look to interpret it.

Marilyn Foss (General Counsel for ND Bankers): Supports with offered amendment with testimony.

Page 2

House Industry, Business and Labor Committee

Bill/Resolution Number 1038

Hearing Date February 3, 2003

**Joel Gilbertson (Independent Community Banks of ND):** Supports bill as amended by Foss.

**Greg Tschider (ND Credit Union League):** Supports with written testimony.

**Tim Karsky (Commissioner of Financial Institutions):** Supports as amended by Foss.

**Earl Jarolimek (Community First Bank, Fargo):** Supports. ND does not follow federal privacy laws. The amendment by Foss clears up problem of whether to follow federal, ND, or other state laws.

**Rep. Kasper:** Does Community First have affiliated insurance and affiliated security services?

Jarolimek said the insurance services are through an affiliate. The investment services are through a third party. Rep. Kasper then asked if they share or sell information to any outside nonaffiliated third party. Jarolimek said they do not. There is a joint marketing exception in federal law. Kasper asked about the joint marketing ventures, but Jarolimek refrained from commenting because the hearing today is on export.

**Chair Keiser:** Closed hearing on 1038.

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*Yalosta Rickford*  
Operator's Signature

10/2/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1038

House Industry, Business and Labor Committee

Conference Committee

Hearing Date February 11, 2003

Tape Number	Side A	Side B	Meter #
1	X		1654-1767

Committee Clerk Signature *Elizabeth R. Quinn*

Minutes: Chair Kelsor: Opened discussion on HB 1038. Amendments to 1478 merged the two bills together.

Rep. Ruby moved DNP. Seconded by Rep. Klein.

Vote: 14 Yes 0 No 0 Absent and not voting Carrier: Froseth

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*Tabitha Rickford*  
Operator's Signature

*10/2/03*  
Date

Date: 2/11/03  
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1038

House INDUSTRY BUSINESS & LABOR Committee

Check here for Conference Committee

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

Action Taken DNP

Motion Made By Ruby Seconded By Klein

Representatives	Yes	No	Representatives	Yes	No
Chairman Keiser	✓		Boe	✓	
Vice-Chair Severson	✓		Ekstrom	✓	
Dosch	✓		Thorpe	✓	
Froseth	✓		Zaiser	✓	
Johnson	✓				
Kasper	✓				
Klein	✓				
Nottestad	✓				
Ruby	✓				
Tieman	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Froseth

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

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Yolanda Rickford  
Operator's Signature

10/2/03  
Date

**REPORT OF STANDING COMMITTEE (410)**  
February 11, 2003 9:36 a.m.

Module No: HR-26-2218  
Carrier: Froseth  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
HB 1038: Industry, Business and Labor Committee (Rep. Keiser, Chairman)  
recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
HB 1038 was placed on the Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-26-2218

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*Salosta Rickford*  
Operator's signature

*10/2/03*  
Date

