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Doreen G. Ball
Operator's Signature

10/2/03
Date

2003 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1179

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Dorena Hall
Operator's Signature

10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1179

House Industry, Business and Labor Committee

Conference Committee

Hearing Date 1/20/03

Tape Number	Side A	Side B	Meter #
3	x		52.0-end
3		x	0-1.0
Committee Clerk Signature <i>Jessie Hammer</i>			

Minutes: Chair Keiser opened the hearing on HB 1179.

Charles Johnson, General Counsel for the North Dakota Insurance Department, appeared to introduce HB 1179. (See attached)

As no one else was present to testify in support of or in opposition to HB 1179, Chair Keiser closed the hearing.

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Deanna Baller
Operator's Signature

1/21/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1179

House Industry, Business and Labor Committee

Conference Committee

Hearing Date February 11, 2003

Tape Number	Side A	Side B	Meter #
2		X	800-2391

Committee Clerk Signature *Elizabeth R. Fin*

Minutes: Chair Kelser opened discussion on HB 1179

Rep. Severson handed out amendment .0105 and an e-mail from Chuck Johnson. HB 1179 will stay in tact and the amendment adds a new section.

Rep. Kelser: Does it relate to the banking bill with the same definition of "customer"? Rep. Kasper said it does not and is actually more restrictive.

Rep. Severson: Noted that amendment .0103 had a back page and the Insurance Commissioner wanted it removed.

Rep. Kelser: Asked if we would be better off separating insurance from securities.

Rep. Ruby: 1477 is a blended bill. They should have marketing agreements equal, but you can not have a lump restriction because insurance companies, securities, and banks have different needs for their respective customers.

Chair Kelser decided to close the hearing and sent the subcommittee back with HB 1179, 1485, and 1477 to clean up the language on the bills and amendments.

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Domena Holbrook
Operator's Signature

10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1179

House Industry, Business and Labor Committee

Conference Committee

Hearing Date 2/12/03

Tape Number	Side A	Side B	Meter #
1		x	12.0-34.0

Committee Clerk Signature *Judith Hamma*

Minutes: Chairman Kelsner called for committee work on HB 1179. Rep. Severson walked the committee through the amendments. Conceptually, this is dealing with nonaffiliated third parties. Insurance Commissioner Poolman has covered the rules to this bill. This will put in into statute. Rep. Ruby moved to adopt the amendment .0106. Rep. Nottestad seconded the motion. Rep. Kasper stated that this is excellent as it doesn't nix the joint marketing which allows securities and insurance industries to share their confidential information. Customers will have to sign a disclosure form. Rep. Severson stated that he will resist the motion to adopt the amendments. Roll call vote results were 11-3-0. Rep. Severson moved a Do Pass As Amended. Rep. Klein seconded the motion. Roll call votes results were: 14-0-0. Rep. Severson will carry this on the floor.

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Dorinda Ball...
Operator's Signature

10/2/03
Date

38121.0106
Title.0200

Prepared by the Legislative Council staff for
Representative Severson
February 12, 2003

VR
2/12/03

HOUSE AMENDMENTS TO HOUSE BILL NO. 1179 IBL 2--13-03

Page 1, line 6, after the third boldfaced period insert:

"1."

Page 1, line 7, after "disclose" insert "to a nonaffiliated third party a customer's"

Page 1, line 9, after "1436]" insert "or contrary to the rules adopted by the commissioner under this section", after the fourth period insert "2. a.", overstrike "may" and insert immediately thereafter "shall", and overstrike "as may be"

Page 1, line 10, after the period insert:

"b."

Page 1, line 12, after the period insert:

"c."

Page 1, line 13, replace "the provisions of the previous sentence, the rules must." with "subdivision b and" and after "exceptions" insert an underscored comma

Page 1, line 15, after the underscored comma insert "the rules must"

Page 1, line 17, after the underscored period insert:

"d. Notwithstanding subdivision b, the model regulation exemptions, and the exemptions under federal law, the rules must provide that an insurance company, nonprofit health service corporation, or health maintenance organization must have an individual's consent before disclosing the individual's information to a nonaffiliated third party under a joint marketing agreement, as defined under section 502(b)(2) of the federal Financial Services Modernization Act of 1999 [Pub. L. 106-102; 113 Stat. 1437; 15 U.S.C. 6802(b)(2)].

3."

Renumber accordingly

