

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2211

2001 SENATE INDUSTRY, BUSINESS AND LABOR

SB 2211

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2211

Senate Industry, Business and Labor Committee

Conference Committee

Hearing Date January 30, 2001

Tape Number	Side A	Side B	Meter #
1	x		37.8 to 49.6
Committee Clerk Signature <i>Doree Perez</i>			

Minutes:

The meeting was called to order. All committee members present. Hearing was opened on SB 2211 relating to the provision of self-critical financial institution analysis privilege.

MARILYN FOSS, ND Bankers Assn. In favor of this bill. Written testimony attached. This bill is an incentive for self audit. Amendment enclosed.

JOEL GILBERTSON, ICBND, in favor of this bill.

SENATOR ESPEGARD: Bill makes it so it is not incriminatory?

MARILYN FOSS: In a way, if noncompliance is concluded discovery is made more difficult and harder to use against you.

No opposing testimony. Hearing concluded. SENATOR ESPEGARD: move do pass on amendment. SENATOR D. MATHERN seconded. Roll call vote: 7 yes; 0 no.

SENATOR TOLLEFSON moved do pass as amended. SENATOR KREBSBACH seconded.

Roll call vote: 7 yes; 0 no. Carrier SENATOR ESPEGARD

FISCAL NOTE
 Requested by Legislative Council
 01/17/2001

Bill/Resolution No.: SB 2211

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
Revenues				\$0		\$0
Expenditures				\$0		\$0
Appropriations				\$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

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

No fiscal impact.

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.*

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.*

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.*

Name:	Gary D. Preszler	Agency:	Dept. of Banking and Financial Institutions
Phone Number:	328-9933	Date Prepared:	01/24/2001

AMENDMENTS TO SB 2211

Page 2, line 17, replace "2000" with "2001"

Page 6, line 27, replace "26.1 51-06" with "6 of this Act"

Renumber accordingly.

Date: 1/30/01
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2211

Senate Senate Industry, Business and Labor Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Adopt amendment

Motion Made By Sen Espegard Seconded By Sen Mathern

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

Total (Yes) 7 No 0

Absent 0

Floor Assignment _____

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

REPORT OF STANDING COMMITTEE (410)
January 31, 2001 8:13 a.m.

Module No: SR-17-1973
Carrier: Espegard
Insert LC: 18278.0101 Title: .0200

REPORT OF STANDING COMMITTEE

SB 2211: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2211 was placed on the Sixth order on the calendar.

Page 2, line 17, replace "2000" with "2001"

Page 6, line 27, replace "26.1-51-06" with "6 of this Act"

Renumber accordingly

2001 HOUSE INDUSTRY, BUSINESS AND LABOR

SB 2211


2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2211

House Industry, Business and Labor Committee

Conference Committee

Hearing Date March 6, 2001

Tape Number	Side A	Side B	Meter #
1	X		31.1
		X	-7.11
Committee Clerk Signature 			

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.

Marilyn Foss: *ND Bankers Assoc. Written testimony in support.*

Rep Jensen: What is an in-camera review?

Foss: It is when you provide the documents to the court, as opposed to the parties.

Vice-Chairman Keiser: Material that is not protected is that the same?

Foss: Yes.

Vice-Chairman Keiser: May I ask to receive a copy?

Foss: The banks are free to do that and may very well. The examining authorities can get your internal audit now. What this bill does is to have institutions become more aggressive about auditing themselves for compliance and then the incentive to do it is the protection you get from taking corrective action.

Page 2

House Industry, Business and Labor Committee

Bill/Resolution Number SB 2211

Hearing Date March 6, 2001

Rep. Kasper: Would it be fair to say that this bill is a bill to protect banks against self-incrimination?

Foss: It protects the bank against having documents that are critical used against them. It does not protect them from having to disclose the information and response to a question properly propounded by anyone.

Rep Ekstrom: This somewhat allows the bank to be self-regulating.

Foss: Banks are examined for compliance, this bill doesn't have any impact on that.

Chairman Berg: We'll close the hearing on SB 2211.

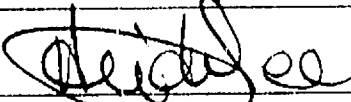
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2211(B)

House Industry, Business and Labor Committee

Conference Committee

Hearing Date March 12, 2001

Tape Number	Side A	Side B	Meter #
3	X		1.8-4.6
Committee Clerk Signature 			

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 Froseth: Explained bill to protect financial institutes from self-analysis.

Vice-Chairman Keiser: I move a do pass.

Rep M. Klein: 1 second.

13 yea, 1 nay, 1 absent Carrier Rep Froseth

Date: 3-7-01
 Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. SB 2211

House Industry, Business and Labor *enby* Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Keiser Seconded By M. Klein

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) 13 No 1

Absent 1

Floor Assignment Rep M. Klein

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

REPORT OF STANDING COMMITTEE (410)
March 7, 2001 3:37 p.m.

Module No: HR-39-5048
Carrier: M. Klein
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2211, as engrossed: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends DO PASS (13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed SB 2211 was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

SB 2211

