

1999 SENATE INDUSTRY, BUSINESS AND LABOR

SB 2076

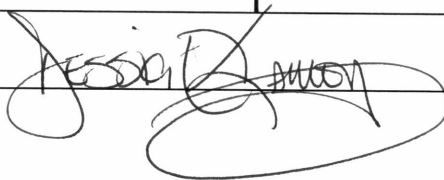
1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2076

Senate Industry, Business and Labor Committee

Conference Committee

Hearing Date January 11, 1999

Tape Number	Side A	Side B	Meter #
1		X	1602-3389
Committee Clerk Signature 			

Minutes:

Senator Mutch called the meeting to order. The clerk took the roll. Two senators were absent. Senator Mutch opened discussion on SB2076. Doug Bar spoke on behalf of the State Board of Social Work Examiners to explain the bill. He said that under the current law including records for officials on state licensing boards are open and accessible to the public. People can find out information on where they went to school, the degrees that they received, their home telephone number, or their home address. He said that there has been a couple of the occasions where a professional has kept that information unpublished. They had incidences where a formal client was stalking a professional. They went to the board office to find out their home address and the board, under current law, had to release the information. SB2076 does not make the information confidential, but it is not required for it to be open to the public. It will leave it up to the

licensee. The theory is that if they can't get the information from the licensee, then they probably shouldn't have the information anyway.

Senator Klein asked if this would include all of the state licensing board members. Doug Bar said that it would.

Senator Sand asked if lawful authorities could still get the information. Doug Bar said that they would and reminded the committee that it is not making this information confidential. It will not, however, be publicly published.

Chris Gerving testified in support of SB2076. testimony is included.

Senator Krebsbach asked Chris if they have had more than one occurrence. She said that they have.

Tom Tupa, National Association of Social workers, testified in support of SB2076. He said that his organization encouraged passage of the bill.

Jack McDonald testified neutrally on SB2076. He said that perhaps the licensees could write in and ask to keep their records confidential. He also said that not all people looking for information on the licensee are stalkers.

Senator Thompson asked Mr. McDonald that if they keep disclosing the information they will be closing up a lot of things that should be public information. Mr. McDonald said that he to was concerned about that.

Senator Mutch concluded the hearing on SB2076.

Discussion took place. Senator Sand motioned for a do pass on SB2076. Senator Krebsbach seconded the motion. The motion was successful. (5 yes, 0 no, 2 absent and not voting)

Senator Sand will carry the bill.

Date: 1/11/99
Roll Call Vote #: 2076

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

Senate INDUSTRY, BUSINESS AND LABOR Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By SENATOR SAND Seconded By SENATOR KREBSBACH

Senators	Yes	No	Senators	Yes	No
Senator Mutch	X				
Senator Sand	X				
Senator Klein	X				
Senator Krebsbach	X				
Senator Heitkamp					
Senator Mathern	X				
Senator Thompson	X				

Total (Yes) 5 No 0

Absent 2

Floor Assignment SENATOR SAND

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

REPORT OF STANDING COMMITTEE (410)
January 11, 1999 2:31 p.m.

Module No: SR-05-0481
Carrier: Sand
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2076: **Industry, Business and Labor Committee (Sen. Mutch, Chairman)** recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2076 was placed on the Eleventh order on the calendar.

1999 HOUSE INDUSTRY, BUSINESS AND LABOR

SB 2076

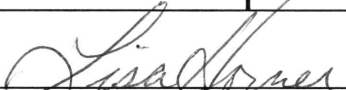
1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2076

House Industry, Business and Labor

Conference Committee

Hearing Date 2-2-99

Tape Number	Side A	Side B	Meter #
1		x	7.8-17.6
Committee Clerk Signature 			

Minutes: BILL SUMMARY: Relating to confidentiality of personal information maintained by occupational and professional boards. Chairman Berg opened the hearing.

James Fleming, State Board of Social Work Examiners : testified in support of the bill. I am with the Attorney Generals Office. I don't see anything wrong with the bill. Some people ask for confidential information in order to harass them. Social workers want some information confidential for safety reasons. The board has some discretion to exempt some files.

Chairman Berg : For the committee sake, can you please read again the difference between the two criteria.

James : There are three boxes of records. One is open records to public, upon request. One box is confidential box, which you can't give it out even if you wanted to. Then the third box is exempt; people holding the box can decide whether they will give the information out or not. The board decides on the third box, the exempt box. Sometimes it has emergency information.

Rep. Keiser : Can the option be a one time deal. I don't want that information given out any time. Or is it a case by case basis only, or is it both?

James : The bill itself does not mandate any particular procedure. If passed, it would create options.

Chris Gerving, N.D. Board of Social Workers Examiners : testified in support of the bill. This comes to you as a result of a situation that happened to one of our licensees. Because the board retains a licensee's personal information in their files, an individual was able to gather the residence, etc. on the licensee. With this information, the individual was able to stop the licensee. The individual was also bold enough to tell people where he got the information. This is not what this information is intended for. We are asking you to allow us to close only the personal information of our records to the public.

Tom Tupe of Bismarck, National Assoc. of Social Workers-N.D. Chapter : We do support this bill.

Jack McDonald, N.D. Newspapers Assn. & N.D. Broadcaster Assn, turned in testimony

Chairman Berg hearing no more testimony, closed the hearing.

ACTION: Rep. Stefonowicz made a motion to DO PASS and Rep. N. Johnson seconded the motion.

ROLL CALL VOTE: 15 YES and 0 NO with 0 ABSENT. Passed. Rep. Stefonowicz will carry the bill.

Date: _____
Roll Call Vote #: _____

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2076

House Industry, Business and Labor Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken _____

Motion Made By _____ Seconded
By _____

Representatives	Yes	No	Representatives	Yes	No
Chair - Berg	/		Rep. Thorpe	/	
Vice Chair - Kempenich	/				
Rep. Brekke	/				
Rep. Eckstrom	/				
Rep. Froseth	/				
Rep. Glassheim	/				
Rep. Johnson	/				
Rep. Keiser	/				
Rep. Klein	/				
Rep. Koppang	/				
Rep. Lemieux	/				
Rep. Martinson	/				
Rep. Severson	/				
Rep. Stefonowicz	/				

Total (Yes) 15 No _____

Absent _____

Floor Assignment _____

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

REPORT OF STANDING COMMITTEE (410)
February 24, 1999 2:44 p.m.

Module No: HR-33-3486
Carrier: Stefonowicz
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2076: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2076 was placed on the Fourteenth order on the calendar.

1999 TESTIMONY

SB 2076

TESTIMONY

1-11-99

SB 2076

Mr. Chairman and members of the Senate IB & L committee, my name is Chris Gerving, the Governor's appointee to the Board of Social Work Examiners. I am also a licensed social worker in the state of ND. I am here in support of SB 2076.

SB 2076, comes to you as the result of a situation that happened to one of our licensees. Because the Board retains a licensee's personal information in our files, an individual was able to gather the residence and other information on a licensee and with the personal information, was able to "stalk" the licensee. The individual was also bold enough to tell people where he got the information.

This is not the sort of thing for which public information was intended. We are asking you to allow us to close only the personal information part of our records to the public. We believe this will help protect licensees from future incidents such as I described above.

Thank you Mr. Chairman and committee members. I would be happy to try and answer any questions the committee may have.

FEBRUARY 2, 1999

HOUSE INDUSTRY, BUSINESS & LABOR COMMITTEE
SB 2076

CHAIRMAN BERG AND COMMITTEE MEMBERS:

My name is Jack McDonald. I'm appearing today on behalf of The North Dakota Newspaper Association and The North Dakota Broadcasters Association.

While we usually oppose bills that lead to more confidential records, we also recognize there is some information that should be confidential. This type of personal information about state employees is already confidential under state law. We see nothing wrong with extending this confidentiality of personal information to state occupational and professional licensees.

If you have any questions, I'll be happy to answer them. THANK YOU FOR YOUR TIME AND CONSIDERATION.