

**1999 HOUSE GOVERNMENT AND VETERANS AFFAIRS**

**HB 1276**

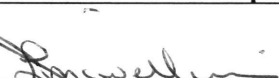
1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1278

House Government and Veterans Affairs Committee

Conference Committee

Hearing Date 1-21-1999

Tape Number	Side A	Side B	Meter #
1		X	25.7 - 48.0
3	X		25.1 - 27.3
Committee Clerk Signature 			

Minutes: Some of the individuals testifying submit written testimony. When noted please refer to it for more detailed information.

Representative Klein, Chairman of the GVA Committee opened the hearing on January 21, 1999.

Summary of the Bill: Relating to continuing education requirements of real estate licensure.

Testimony in Favor:

Representative S. Kelsh, Appeared before the committee to introduce the bill he sponsored.

Representative Kliniske, Is there a definition of quasi retirement?

Kelsh, No.

Representative Klein, Why do we want to put all of this in codes? Shouldn't be in the rules.

Kelsh, I don't think so.

Representative Winrich, What is the effect of eliminating the date 1-1-84 from this?

Kelsh, Legislative council did that.

Representative Winrich, It would put each Realtor on their own tracking system and make it harder for the for the board to follow.

Testimony in Opposition:

Claus Lembke, ND Realtors Association. It the language does not change the cycle that Realtors our on (the three year cycle). The date is needed once you start the bill then it's arbitrary. All Realtors are on the same cycle. We are opposed to this bill.

Janelle Kerr, Director of the ND Association of Realtors submitted written testimony which she read in it's entirety (**please refer to her testimony**).

Representative Thoreson, Again in the bill it says it has to be done every three years and if you fail to keep up within a year, you'll fall behind? Where does that year come up?

Kerr, Were trying to change it.

Jan Gubrud, Real estate broker submitted written testimony to the committee which she read in it's entirety (**please refer to her testimony**).

Dennis Schulz, ND Real Estate Commission stated that for the most part, everything has worked well. We advertise in news letters to let people know that they need to get their hours within the three year period. Two mandatory classes and 24 hours total

Representative Klein, If a person loses their certificate can it be verified and do you keep records of this?

Schulz, They can get verification from where they took the classes and from Mr. Lembke. We do not keep records ourselves of who did what or took the course.

Representative Hawken, Can they get education in other states?

Schulz, Yes, if they are approved by the real estate commission.

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House Government and Veterans Affairs Committee

Bill/Resolution Number HB 1278

Hearing Date 1-21-1999

Representative Klein, Closed the hearing on HB 1278.

Committee Action:

Representative Winrich, Made a motion for a Do Not Pass.

Representative Haas, Seconded the motion.

Motion Passes, Do Not Pass **15-0-0**.

Representative Gorder, Is the carrier for the bill.



Date: 1-21-99

Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1278

House GOVERNMENT AND VETERANS AFFAIRS Committee

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

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

Action Taken DO NOT PASS

Motion Made By WINRICH Seconded By HAAS

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN KLEIN	✓		REP. WINRICH	✓	
VICE-CHAIR KLINISKE	✓				
REP. BREKKE	✓				
REP. CLEARY	✓				
REP. DEVLIN	✓				
REP. FAIRFIELD	✓				
REP. GORDER	✓				
REP. GRANDE	✓				
REP. HAAS	✓				
REP. HAWKEN	✓				
REP. KLEMIN	✓				
REP. KROEBER	✓				
REP. METCALF	✓				
REP. THORESON	✓				

Total (Yes) 15 No 0

Absent 0

Floor Assignment GORDER

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

REPORT OF STANDING COMMITTEE (410)  
January 22, 1999 7:42 a.m.

Module No: HR-14-0998  
Carrier: Gorder  
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1278: Government and Veterans Affairs Committee (Rep. Klein, Chairman)  
recommends **DO NOT PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
HB 1278 was placed on the Eleventh order on the calendar.

**1999 TESTIMONY**

**HB 1278**



**Janelle Kerr**  
**Re/Max Realty Plus**  
**2506 S Washington St, Suite A**  
**Grand Forks, ND 58201**  
**701-746-1313**



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Testimony HB 1278  
House Government and Veterans Affairs  
January 21, 1999

Mr. Chairman and members of the Government and Veterans Affairs Committee, my name is Janelle Kerr, broker with RE/MAX Realty Plus in Grand Forks. Currently I'm serving as President of the Grand Forks Board of Realtors and as a Director for the North Dakota Association of Realtors.

We polled our Board, and our major reason for opposing this legislation is our belief in the need for continuing education for all licensees whether they sell 50 properties annually or only one or two. The need to keep up with changes in our industry becomes even more important to those licensees that may be considered semi-retired. Practicing real estate sales on a part time or semi-retired basis points to the fact that a licensee is unlikely to keep up with changes and trends that one learns about by reading trade journals and magazines, by attending Board of REALTORS® meetings and most importantly by attending education programs. We know that the real estate commerce is changing at such a rapid pace that if you failed to keep up on changes within a shorter period than a year you will fall behind and buyers and sellers of real estate will receive inferior service from such licensees.

Since this may be the largest purchase a consumer may make in their lifetime, they deserve the service of a knowledgeable and competent professional. The purpose of licensure is to assure competence. The only way to assure competency is through education.

Therefore I ask you to vote a Do Not Pass on House Bill 1278.

Thank you.

**Jan Gubrud, CRS, GRI**  
**Broker Associate**  
**Fredricksen Real Estate**  
**719 2<sup>nd</sup> Street West**  
**Williston, ND 58801**  
**701-572-8167**

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Testimony HB 1278  
House Government and Veterans Affairs  
January 21, 1999

Mr. Chairman and members of the Committee, my name is Jan Gubrud, and I am a REALTOR® from Williston and I am speaking in opposition to HB 1278.

My deepest concern with this bill is its offer to exempt a REALTOR® actively working within the profession from continuing education. When I started in real estate 13 years ago we only needed a one-page contract for a listing or a sale. We now have between five and eight documents, depending on the addendum's or disclosures required.

For example, three years ago through the legislative process, we needed five new disclosure forms before anyone could be obligated to a transaction. Changes in the profession are constant and the easiest way to insure that all REALTORS® are aware of these changes is through education.

I encourage you to recommend a do not pass on HB 1278.

Thank you for giving me your time.

