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DESCRIPTION

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Deanna Hall
Operator's Signature

10/2/03
Date

**2003 HOUSE INDUSTRY, BUSINESS AND LABOR
HB 1136**

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Deanne Hallcraft
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10/2/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1136

House Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date 1-14-03

Tape Number	Side A	Side B	Meter #
3	XX		17.0-30.0
Committee Clerk Signature <i>Pam Deves</i>			

Minutes: Chairman Kelsor: Let's open HB1136.

Joe Ibach, ND Real Estate Appraisal & Ethics Board: 17.3 In support. (SEE ATTACHED)

Rep. Ekstrom: Under section 2, page 2, you are removing 15 classroom hours. You are going to challenge those continuing education requirements. Are they presently 15 hours? Are you going to pro-rate the expiration dates?

Joe: Yes. And also, yes, to the second question.

Rep. M. Klein: On page 3, line 7, "complaint in writing" is taken out. What are you putting in its place?

Joe: 22.6 The board will accept any complaint. Before it had to be varified in writing. Now it will take any complaint. It allows annomymous complaints. Eliminates hostility.

Rep. Klein: You don't have a chance to respond or you don't know what caused the complaint. How do you handle that?

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Pam Deves
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1/14/03
Date

Page 2
House Industry, Business and Labor Committee
Bill/Resolution Number HB1136
Hearing Date 1-14-03

Joe: You caught me off guard. Through the open records law, any person who has a complaint filed against them, gets to see the file. We will be cautious in that it will disregard frivolous ones. A complaint comes into the office and we as board members do not see it. The administrator takes the complaint and sends it to the review appraiser we have on staff, generally out of state. They determine if there is merit. If not, they send it back and say dismiss it. As a board, we deal only with real estate appraisal process.

Chairman Kelser: What this does is to eliminate the signature?

Joe: Yes.

Rep. Thorpe: 26.7 You underline some new language in here. What was the problem? Line 8, page 3.

Joe: It gives the board flexibility. It took out the old language.

Chairman Kelser: Do you know how much your board members are reimbursed per day?

Joe: Yes. \$50 per day, state rate.

Rep. N. Johnson: In section 2, it talks about about giving flexibility to meet the federal mandate. Do the mandates change very often?

Joe: In the appraisal business, no not very often. But if we don't give us the flexibility, we will have to come back every session and get a change.

Rep. Ekstrom: As you change the requirements, they will be subject to administrative rule change, correct?

Joe: Yes.

Chairman Kelser: Any opposition? HB1136 is now closed.

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Donna Ballman
Operator's Signature

1/12/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1136

House Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date 1/15/03

Tape Number	Side A	Side B	Meter #
4	x		15.0-20.0
Committee Clerk Signature			

Minutes: Chairman Kelser called committee work on HB 1136. This bill deals with real estate appraisers qualifications and an ethics board.

Rep. Froseth moved a do pass. Rep. Severson seconded the motion.

The bill clarifies some of the provisions that the appraisal board works under now. The Board of Appraisers is a federally mandated board. This bill will clarify state codes to allow them more flexibility to adjust to federal mandates and changes in their regulations. The intent is to improve the functions of the state board. The complaint process will become streamlined as it will no longer be required to submit written and signed complaints).

Chairman Kelser: This board exists in statute. They become a branch of the state government of North Dakota. They operate on behalf of the state.

A roll call vote carried the motion for a do pass: 13-0-1.

Rep. Froseth will carry this bill to the floor.

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Date

Date: 1/15/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1136

House Industry, Business & Labor Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Froese Seconded By Severson

Representatives	Yes	No	Representatives	Yes	No
Chairman Keiser	✓		Rep. Bee	✓	
Rep. Severson, Vice-Chair	✓		Rep. Ekstrom	✓	
Rep. Dosch	✓		Rep. Thorpe	✓	
Rep. Froese	✓		Rep. Zaiser	✓	
Rep. Johnson	✓				
Rep. Kasper	✓				
Rep. Klein	✓				
Rep. Nottelstad	✓				
Rep. Ruby	✓				
Rep. Tieman	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Froese

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

REPORT OF STANDING COMMITTEE (410)
January 18, 2003 12:01 p.m.

Module No: HR-00-0041
Carrier: Prosech
Insert LC1. Title:

REPORT OF STANDING COMMITTEE
HB 1136: Industry, Business and Labor Committee (Rep. Kaler, Chairman)
recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
HB 1133 was placed on the Eleventh order on the calendar.

(2) DESK, (2) COMM

Page No. 1

HR-00-0041

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10/2/03
100

2003 SENATOR INDUSTRY, BUSINESS AND LABOR

ED 1136

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Deanna Ballantyne
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10/2/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1136

Senate Industry, Business and Labor Committee

☐ Conference Committee

Hearing Date 03-12-03

Tape Number	Side A	Side B	Meter #
1	XXXX		0-1445
Committee Clerk Signature <i>Lisa L. Berkson</i>			

Minutes: Chairman Mutch opened the hearing on HB 1136. All Senators were present.

HB 1136 relates to licensing of real estate appraisers.

Joe Ibach, North Dakota Appraisers board introduced the bill. See attached testimony.

Senator Klein: How many members do you have?

Ibach: Approximately 220

Senator Mutch: Do all of the appraisals that you do have to meet federal mandate requirements?

Ibach: Only if it is a federal financial institution.

Senator Mutch: Will this cause more "hear-say" claims? If anyone can file a complaint and not have their name put to it?

Ibach: Because there is only 220 members, if a complaint was placed, they know each other well. There are some bad appraisers out there and other members don't want their name on the complaint because of retaliation. With this, members will be more apt to report bad appraisers.

There was no opposition to HB 1136. Hearing closed. No action at this time.

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Operator's Signature

10/2/03
Date

Page 2

Senate Industry, Business and Labor Committee

Bill/Resolution Number 1136

Hearing Date 03-11-03

The bill was evaluated in committee work that afternoon. (tape 3, side A)

Senator Espgaard moved a DO PASS. Senator Klein seconded.

Roll Call Vote: 7 yes. 0 no. 0 absent.

Carrier: Senator Espgaard

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10/2/03
Date

Date: 3-12-03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

Senate 1136 Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Espgaard Seconded By Klein

Senators	Yes	No	Senators	Yes	No
Sen. Mutch, Chairman	X				
Sen. Klein, Vice Chairman	X				
Sen. Krebsbach	X				
Sen. Nothing	X				
Sen. Heitkamp	X				
Sen. Every	X				
Sen. Espgaard	X				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Espgaard

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

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Operator's Signature Donna Ballin

10/2/03
Date

REPORT OF STANDING COMMITTEE (410)
March 13, 2003 9:05 a.m.

Module No: **SP-45-4630**
Carrier: **Espagard**
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1136: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends
DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1136 was placed
on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SP-45-4630

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10/2/03
Date

2003 TESTIMONY

MB 1136

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10/2/03
Date

HOUSE BILL NO. 1136

Requested by the North Dakota Real Estate Appraiser Qualifications & Ethics Board
Presented by: Joe Ibach, Chairman
January 14, 2003

The North Dakota Real Estate Appraiser Qualifications & Ethics Board (Appraisal Board) was established in 1991 as a result of Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA). It was enacted through the Department of the Treasury-Federal Reserve System and Federal Deposit Insurance Corporation. Thus, we are a Federally mandated board.

The Appraisal Board operates under Chapter 43.23.3 of the ND Century Code. As such, we are charged with all aspects pertaining to licensed and certified real estate appraisers in North Dakota. This proposed bill is essentially a "housekeeping" bill. The proposed changes are clearly identified but, briefly, they include:

1. Section 1, 1.-"pursuant to chapter 28-32", clarifies the Board's rule making authority.
2. Section 2, 1.-give the Board flexibility to meet Federal education mandates.
3. Section 3-permit term to expire on December 31: makes it easier to administer.
4. Section 4-simply better terminology for inactive status.
5. Section 5-removes specific time frame to allow flexibility.
6. Section 6-clarifies language

To summate, the proposed changes in House Bill No. 1136 provides the needed changes and clarification to implement our duties and responsibilities as the North Dakota Real Estate Appraiser Qualifications & Ethics Board. Therefore, the Board requests a "do pass" from the committee.

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BLS

HOUSE BILL NO. 1136

Requested by the North Dakota Real Estate Appraiser Qualifications & Ethics Board
Presented by: Joe Isach, Chairman
March 12, 2003

The North Dakota Real Estate Appraiser Qualifications & Ethics Board (Appraisal Board) was established in 1991 as a result of Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA). It was enacted through the Department of the Treasury-Federal Reserve System and Federal Deposit Insurance Corporation. Thus, we are a Federally mandated board.

The Appraisal Board operates under Chapter 43.23.3 of the ND Century Code. As such, we are charged with all aspects pertaining to licensed and certified real estate appraisers in North Dakota. This proposed bill is essentially a "housekeeping" bill. The proposed changes are clearly identified but, briefly, they include:

1. Section 1, f.-"pursuant to chapter 26-32", clarifies the Board's rule making authority.
2. Section 2, 1.-give the Board flexibility to meet Federal education mandates.
3. Section 3-permit term to expire on December 31: makes it easier to administer.
4. Section 4-simply better terminology for inactive status.
5. Section 5-removes specific time frame to allow flexibility.
6. Section 6-clarifies language

To summate, the proposed changes in House Bill No. 1136 provides the needed changes and clarification to implement our duties and responsibilities as the North Dakota Real Estate Appraiser Qualifications & Ethics Board. Therefore, the Board requests a "do pass" from the committee.

Donna Ballantyne
Operator's Signature

10/2/03
Date