

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

11924

2005 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1124

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1124

House Industry, Business and Labor Committee

Conference Committee

Hearing Date 1-11-05

Tape Number	Side A	Side B	Meter #
1	x		21.7-31.7

Committee Clerk Signature



Minutes:

**Chairman Keiser:** Opened the hearing on HB 1124. All committee members were present.

**Jodie R. Campbell, Executive Secretary, ND Real Estate Appraiser Qualifications & Ethics**

**Board:** Appeared on behalf of the board in support of HB 1124 and provided written testimony.

**(SEE ATTACHED TESTIMONY).**

**Representative Froseth:** Your removing a minimum number of continuing education hours required and leaving it to the discretion of the board, what are your minimum continuing ed. requirements and how do you propose to handle it if this change is made?

**Jodie Campbell:** Our minimum number is 42 hours every three years, this is set at the national level and we have to meet the requirements at the national level, which is 14 hours a year.

**Representative Dietrich:** What is the cost of the license fee or permit?

**Jodie Campbell:** The cost is \$150.00 per application.

No opposition.

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House Industry, Business and Labor Committee  
Bill/Resolution Number HB 1124  
Hearing Date 1-11-05

**Representative Froseth:** Made a **DO PASS** motion on HB 1124.

**Representative Dietrich:** **SECOND** the motion.

**Motion carried: VOTE: 14-YES 0-NO 0-ABSENT**

**Meeting adjourned.**

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1124

House Industry, Business and Labor Committee

Conference Committee

Hearing Date 1-19-05

Tape Number

4

Side A

x

Side B

Meter #

5.1-9.1

Committee Clerk Signature



Minutes:

**Chairman Keiser:** Reconvened on HB 1124. all committee members were present.

The only way we will grant reciprocity is if they are comparable, or if Minnesota comes up to our standards.

**Representative Froseth:** North Dakota requires 3 actual work products to evaluate or set there standards where as MN. does not, but S.Dak. also, so that is the difference in standards, the other thing that I raise with some regards to the continued education a lot of these agencies and here it doesn't it goes by the national standard, its in their administrative rules. Our position is that this doesn't need further amending .

**Representative Froseth: I MOVE a DO PASS.**

**Representative Dietrich: SECOND** the Motion.

Motion carried. **VOTE: 14-YES 0-NO 0-Absent.**

**Representative Dietrich will carry the bill to the floor.**

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House Industry, Business and Labor Committee

Bill/Resolution Number HB 1124

Hearing Date 1-19-05

Meeting adjourned.

**FISCAL NOTE**  
 Requested by Legislative Council  
 01/04/2005

Bill/Resolution No.: HB 1124

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.

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

1B. **County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

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

No fiscal impact due to the fact the grade as noted in 43-23.3-23 does not change

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.

n/a

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.

n/a

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.

n/a

<b>Name:</b>	Dave Krabbenhoft	<b>Agency:</b>	DOCR
<b>Phone Number:</b>	328-6135	<b>Date Prepared:</b>	01/07/2005

Date: 1-19-05

Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1124

House

INDUSTRY, BUSINESS AND LABOR

Committee

Check here for Conference Committee

Legislative Council Amendment Number

Action Taken Do Pass

Motion Made By Rep. Froseth

Seconded By Rep. Dietrich

Representatives	Yes	No	Representatives	Yes	No
G. Keiser-Chairman	Y		Rep. B. Amerman	X	
N. Johnson-Vice Chairman	Y		Rep. T. Boe	X	
Rep. D. Clark	X		Rep. M. Ekstrom	X	
Rep. D. Dietrich	X		Rep. E. Thorpe	X	
Rep. M. Dosch	X				
Rep. G. Froseth	X				
Rep. J. Kasper	X				
Rep. D. Nottestad	X				
Rep. D. Ruby	X				
Rep. D. Vigasaa	X				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Dietrich

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



**REPORT OF STANDING COMMITTEE (410)**  
January 20, 2005 6:59 a.m.

**Module No: HR-13-0739**  
**Carrier: Dietrich**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1124: Industry, Business and Labor Committee (Rep. Keiser, Chairman)**  
recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
HB 1124 was placed on the Eleventh order on the calendar.

2005 SENATE INDUSTRY, BUSINESS AND LABOR

HB 1124

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1124

Senate Industry, Business and Labor Committee

Conference Committee

Hearing Date March 14, 2005

Tape Number	Side A	Side B	Meter #
1		X	860-1630

Committee Clerk Signature



Minutes:

**Chairman Mutch opened the hearing on HB 1124. All Senators were present.**

**Jodie Campbell, Executive Secretary for the ND Appraiser's Board**, appeared in support of the bill. See written testimony.

**Senator Espegaard-** So, this is about temporary permits that are issued, and to combine them so they are more easily understood?

**Jodie-** Yes.

**Senator Klein-** Are you trying to create a temporary permit?

**Jodie-** We offer a temporary permit already. It costs \$150 to fill out an application, then they are given a one time assignment.

There was no opposition to the bill.

**Chairman Mutch closed the hearing on HB 1124. No action was taken.**

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1124

Senate Industry, Business and Labor Committee

Conference Committee

Hearing Date 3-15-05

Tape Number	Side A	Side B	Meter #
1		xxx	2600-2789

Committee Clerk Signature

*Yisa Van Berkom*

**Minutes: Chairman Mutch allowed committee discussion on HB 1124. All Senators were present.**

**Senator Heitkamp:** There was a suggestion by someone on the committee to make an amendment on this and she didn't want it.

**Chairman Mutch:** Those home loans are federally guaranteed anyway.

**Senator Espegard:** It seems to me this was just kind of a technical thing they wanted to have some reciprocity between the states, didn't they? There are two kinds of permits, temporary, and they want to get it down to one.

**Senator Klein moved a DO PASS. Senator Heitkamp seconded.**

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

**Carrier: Senator Fairfield**

Date: 3-15-05  
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1124

Senate Industry, Business, and Labor

Committee

Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

Do Pass

Motion Made By

Klein

Seconded By

Heitkamp

Senators	Yes	No	Senators	Yes	No
Chairman Mutch	X		Senator Fairfield	X	
Senator Klein	X		Senator Heitkamp	X	
Senator Krebsbach	X				
Senator Espegard	X				
Senator Nething	X				

Total (Yes)

7

No

0

Absent

0

Floor Assignment

Mutch Fairfield

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

**REPORT OF STANDING COMMITTEE (410)**  
March 15, 2005 12:50 p.m.

**Module No: SR-47-4998**  
**Carrier: Fairfield**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1124: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1124 was placed on the Fourteenth order on the calendar.**

2005 TESTIMONY

HB 1124

## HOUSE BILL NO. 1124

Requested by the North Dakota Real Estate Appraiser Qualifications and Ethics Board  
Presented by: Jodie R. Campbell, Executive Secretary, on Behalf of the Board

January 11, 2005

The North Dakota Real Estate Appraiser Qualifications and 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, the Board is charged with all aspects pertaining to licensed and certified real property appraisers in North Dakota.

Briefly, the proposed changes to Chapter 43-23.3 include:

- 1) Clarifying the requirements for an appraiser who is licensed or certified by another state to make application for a permit to appraise real property in North Dakota. An appraiser licensed or certified by another state can make application for either full licensure or certification or for a temporary practice permit. The addition of Section 2 details the requirements when the applicant is applying for full licensure or certification. Section 4, as amended, details the requirements when the applicant is applying for a temporary practice permit.
- 2) Section 5 – Allows the Board the flexibility to address continuing education issues in rules.

The proposed changes to House Bill No. 1124 provides the needed clarification to implement the duties and responsibilities of the North Dakota Real Estate Appraiser Qualifications and Ethics Board. Therefore, the Board requests a "do pass" from the committee.



## HOUSE BILL NO. 1124

**Requested by the North Dakota Real Estate Appraiser Qualifications and Ethics Board  
Presented by: Jodie R. Campbell, Executive Secretary, on Behalf of the Board**

**March 14, 2005**

The North Dakota Real Estate Appraiser Qualifications and 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, the Board is a federally mandated Board.

The Appraisal Board operates under Chapter 43-23.3 of the ND Century Code. As such, the Board is charged with all aspects pertaining to licensed and certified real property appraisers in North Dakota.

The proposed changes in Chapter 43-23.3 include the following:

- 1) The law currently identifies a nonresident permit as one category. In practice, this can include either a temporary permit or full licensure/certification through reciprocity. Since these permits are different, the Appraisal Board felt better clarification and separation of the two permits would be prudent. Therefore, the proposed changes in the law would provide for separating the non-resident permit category into two sections.

The addition of Section 2 details the requirements when an applicant is applying for licensure or certification via reciprocity. It has always been the policy of the Board that applicants for licensure or certification through reciprocity have qualifications and requirements substantially equivalent to those required of a resident applicant. In particular, a resident applicant must provide work product examples for review prior to obtaining a permit. A majority of the states require work product review as part of their qualifying criteria. However, some states do not. The Board does not sign reciprocal agreements with states that do not review work product prior to licensure or certification.

The Board receives applications for licensure or certification from nonresident applicants that are licensed in numerous states and are making application for a permit in North Dakota via reciprocity. The proposed changes in Section 2 allow the Board to look at the state where the applicant was originally licensed or certified to make sure those requirements are at least substantially equivalent to those required in North Dakota. In particular, the Board is looking to see that the applicant has had actual work product reviewed prior to obtaining a permit.

Section 4 is amended then to detail the requirements for an applicant applying specifically for a temporary practice permit.

- 2) Section 5 – Allows the Board the flexibility to address continuing education issues in rules.

The proposed changes to House Bill No. 1124 provide the needed clarification to implement the duties and responsibilities of the North Dakota Real Estate Appraiser Qualifications and Ethics Board. Therefore, the Board requests a "do pass" from the committee.