



North Dakota Association of REALTORS®

To advocate for the success of our members in partnership with our local Associations and the National Association of REALTORS®

Minutes

**Government Affairs Committee**

June 20, 2017

Bismarck Courtyard by Marriott North

Present: Dave Lanpher, Past Chair; Amy Hullet, Director Liaison; Neal Messer; Ninetta Wandler; Greg Larson; Jamie McLean; Desri Neether; Kristin Oban; Vicki Roller; Mary Shelkey-Miller; Mary Splichal; Arlene Volk; Ron Volk; Kevin Fisher; Dewey Uhlir; Sharon Lunski; Mike Swartz; Todd Fettig; Cindy Harvey; Delynn Weishaar; Tate Cymbaluk.

Absent with prior notice: Tricia Schlosser; Phil Vanyo; Jack Kavaney; Paul Krabbenhoft; Tom Beadle\*; Josh Boschee\*; Tom Kading\*; Scott Louser\*; Scott Meyer\*; Jim Roers\*; Steve Vetter\* (\*legislators/ex-officio)

Absent: Todd Fettig; Tyler Hofland; Candi Steidler.

Guests: Nicole Schoeder; Deborah Nichols; Judy Maslowski; Rochelle Eick; Lynda Hartmann; Nancy Deichert; Lyn Dwyer; Scot Nething; Cindy Harvey; Nick Leavy; Shane Cullen; Amber Carlton; Barb Lupo; Shawn Ostlie; Emily Johnson; Shari Timms; LuAnn White; Dawid Boroski; Joyce Kuntz; Sue Heth; Pat Jergenson (NDREC); Diann Loper; Rita Schuster.

Staff: Jill Beck, Jane Marum, Nancy R. Willis

Presiding: Dave Lanpher, Past Chair  
Director Liaison: Amy Hullet, Vice President  
Staff Liaison: Nancy R. Willis, GAD

1. Dave Lanpher called the meeting to order and all in the room introduced themselves.
2. The April 26, 2017 meeting minutes were approved. **M/S/C**
6. Agenda Item 6 was moved up to allow Zach Rubin-McCarry, NAR Political Rep for our region who joined the meeting by phone, to leave if necessary. Rubin-McCarry provided a federal update. Of the seven bills that have been marked up by the U.S. House on Flood Insurance, the Financial Services Committee passed two. One bill was supported by NAR and one was not. Five additional bills would be considered for passage the next day and all are supported by NAR. Once all have been passed by the committee, they will most likely be packaged as an omnibus bill to be voted on by the entire House and then moved to the Senate. Rubin-McCarry said he anticipated a CFA at some point in time on national flood insurance reauthorization. As everyone is aware, NAR commissioned a study by Price Waterhouse Cooper of the GOP Blueprint released by the House last year and thought to be the starting point for the tax code restructure. This information, which shows in its current form to be detrimental to homeowners, has been shared with ND's congressional delegation by NAR lobbyist Dan Blair. Blair also has spoken with Sen. Hoeven about rural agriculture provisions in proposed HUD rules' changes that NAR would like to see preserved. Senator Heidi Heitkamp was added to a the President's Circle list of legislators approved to be funded this year and \$34,000 has been raised for her to date.

318 W. Apollo Ave. | Bismarck, ND 58503

office: 701-355-1010 | toll free: 800-279-2361 | fax: 866-665-1011

info@ndrealtors.com | www.ndrealtors.com



Nancy Willis reviewed the 2017 Legislative Session voting record. Information was provided about the Bastiat Caucus, a group of conservative legislators, and discussion was held about their influence on legislation. Rep. Tom Kading is a member of this group. Willis was asked to send out a list of legislator members for the committee's information.

3. Willis reviewed the list of 2017-2018 Interim Legislative Studies drawing particular attention to a study of licensing boards related to an anti-trust suit that went to the Supreme Court regarding the Dental Board in North Carolina which was accused of driving teeth whitening services out of the state. The Supreme Court ruled for the plaintiff agreeing that these services, except when performed by dentists, were driven out of the state by dentists and thus constituted a violation of anti-trust law. This now has raised concerns nationwide in regards to professional licensing/practice boards/commissions and the type of oversight necessary to avoid antitrust complaints.
4. Lanpher reviewed possible 2019 Legislative Issues and discussion was held about each.
  - The committee agreed to pursue research on proposing First Time Home Buyer Savings Accounts. Minnesota and Montana both have passed legislation creating these accounts. **M/S/C**
  - A task force under the Professional Development Committee is researching additional pre- and post-licensing education requirements. They asked for a volunteer from this committee and Tate Cymbaluk volunteered. The Task Force also plans to seek participation from the NDREC. The committee agreed to support this effort and any legislation needed once the task force completes its work and any recommendations as approved by the Board. **M/S/C**
  - How teams operate within brokerages has become a hot topic nationwide and the committee agreed studying the issues raised by teams is worth investigating. Many states now have legislation regulating teams. South Dakota introduced legislation this past session, but it was defeated. They intend to re-introduce next session. The NDREC executive director or a commissioner will be asked to participate in any investigation of legislation related to teams. **M/S/C**
  - Neil Messer of Dickinson asked that staff investigate possible legislation allowing property managers to obtain vehicle owner information from DOT if the vehicle appears to be abandoned. He said he used to be able to obtain that information from law enforcement, but now it is considered confidential. Willis said in talking with representatives from the ND Apartment Association, they expressed an interest in this as well. Willis said in NDCC the definition of an abandoned vehicle is one that has remained immobile for more than 48 hours without consent of the property owner. Law enforcement has the authority to have a vehicle towed, once it's been abandoned. If the vehicle is older than seven years and has issues, it can be disposed of immediately. If not, law enforcement needs to give the owner 10 days in which to reclaim his/her vehicle. **M/S/C**
  - The committee discussed mandatory property condition statements, but any action on this issue was tabled due to lack of consensus. **M/S/C**

Nancy Deichert, AE, BMBOR told the committee that municipalities are looking into creating a coalition that would work on sponsoring legislation to allow levying of currently prohibited taxes such as vehicle and fuel taxes to fund infrastructure. Tate Cymbaluk said they have had serious sign ordinance issues in Williston due to a sign ordinance case ruling by the Supreme Court in Reed v. Town of Gilbert (AZ). Willis said NAR has approved Issues Mobilization dollars for AZ and the law firm of Robinson & Cole has been hired to create model sign ordinance language that can be used nationwide. Willis will keep the committee updated.

7. Lanpher referred to NAR Committee Reports available for information.  
There being no further business, the meeting was adjourned.

Respectfully submitted,

Nancy R. Willis, GAD