

S.F. No. 2991 and H.F. No. 2829, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

The following document shows the differences between S.F. No. 2991, the third engrossment, and H.F. No. 2829, the first engrossment.

May 7, 2018

Patrick D. Murphy
Chief Clerk, House of Representatives

Explanation of Comparison Reports

When a Senate File is received from the Senate, it is given its first reading and must be referred to the appropriate standing committee or division under Rule 1.11.

But if the House File companion of that Senate File has already been reported out of Committee and given its second reading and is on the General Register, the Senate File must be referred to the Chief Clerk for comparison pursuant to Rule 1.15.

The Chief Clerk reports whether the bills were found to be identical or not identical. Once the bills have been compared and the differences have been reported, the Senate File is given its second reading and is substituted for the House File. The House File is then considered withdrawn.

Pursuant to rule 3.33, if the bills are not identical and the chief author of the bill wishes to use the House language, the chief author must give notice of their intent to substitute the House language when the bill is placed on the Calendar for the Day or the Fiscal Calendar. If the chief author of the bill wishes to keep the Senate language, no action is required.

1.1 A bill for an act
 1.2 relating to commerce; regulating real estate appraisals; creating an advisory board;
 1.3 prescribing its duties; amending Minnesota Statutes 2016, section 13D.08, by
 1.4 adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter
 1.5 82B.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2016, section 13D.08, is amended by adding a subdivision
 1.8 to read:

1.9 Subd. 19. **Real Estate Appraisal Advisory Board.** Certain meetings of the Real Estate
 1.10 Appraisal Advisory Board are governed by section 82B.073, subdivision 5.

1.11 Sec. 2. **[82B.073] REAL ESTATE APPRAISAL ADVISORY BOARD.**

1.12 Subdivision 1. **Creation; appointments.** (a) The Real Estate Appraisal Advisory Board
 1.13 is created and composed of seven persons appointed by the commissioner. Members are
 1.14 appointed to the board subject to the following conditions:

1.15 (1) members must currently be, and have been for the past five years, residents of this
 1.16 state;

1.17 (2) the membership of the board must reasonably reflect the geographic distribution of
 1.18 the population of this state;

1.19 (3) one member must be currently licensed as, and have been actively engaged and in
 1.20 good standing for the past five years as, a certified general real property appraiser;

1.21 (4) two members must be currently licensed as, and have been actively engaged and in
 1.22 good standing for the past five years as, a certified residential real property appraiser;

2.1 (5) one member must be currently licensed as, and have been actively engaged and in
 2.2 good standing for the past five years as, a real estate appraiser and as a real estate broker
 2.3 or salesperson under chapter 82;

1.1 A bill for an act
 1.2 relating to commerce; regulating real estate appraisals; authorizing broker license
 1.3 reinstatement in certain instances; creating an advisory board; prescribing its duties;
 1.4 amending Minnesota Statutes 2016, sections 13D.08, by adding a subdivision;
 1.5 82.62, by adding a subdivision; proposing coding for new law in Minnesota
 1.6 Statutes, chapter 82B.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2016, section 13D.08, is amended by adding a subdivision
 1.9 to read:

1.10 Subd. 19. **Real Estate Appraisal Advisory Board.** Certain meetings of the Real Estate
 1.11 Appraisal Advisory Board are governed by section 82B.073, subdivision 5.

1.12 Sec. 2. Minnesota Statutes 2016, section 82.62, is amended by adding a subdivision to
 1.13 read:

1.14 Subd. 6a. **Commissioner discretion to reinstate license.** For individuals who were
 1.15 licensed as a broker prior to 1990, the commissioner may enter into an order to reinstate a
 1.16 license revoked or suspended for a failure to renew under subdivision 6, without necessity
 1.17 for reexamination or additional experience requirements, provided the individual submits
 1.18 payment for all prior past due renewal fees and demonstrates compliance with all continuing
 1.19 education requirements under section 82.61.

2.1 Sec. 3. **[82B.073] REAL ESTATE APPRAISAL ADVISORY BOARD.**

2.2 Subdivision 1. **Creation; appointments.** (a) The Real Estate Appraisal Advisory Board
 2.3 is created and composed of seven persons appointed by the commissioner. Members are
 2.4 appointed to the board subject to the following conditions:

2.5 (1) members must currently be, and have been for the past five years, residents of this
 2.6 state;

2.7 (2) the membership of the board must reasonably reflect the geographic distribution of
 2.8 the population of this state;

2.9 (3) one member must be currently licensed as, and have been actively engaged and in
 2.10 good standing for the past five years as, a certified general real property appraiser;

2.11 (4) two members must be currently licensed as, and have been actively engaged and in
 2.12 good standing for the past five years as, a certified residential real property appraiser;

2.13 (5) one member must be currently licensed as, and have been actively engaged and in
 2.14 good standing for the past five years as, a real estate appraiser and as a real estate broker
 2.15 or salesperson under chapter 82;

2.4 (6) one member must represent appraisal management companies, as defined in section
 2.5 82C.02, subdivision 4, as evidenced by the member's employment with an appraisal
 2.6 management company;

2.7 (7) one member must represent the interests of the general public and have knowledge
 2.8 of the real estate business; and

2.9 (8) the commissioner must be a member.

2.10 (b) In making appointments under paragraph (a), clauses (3) and (4), the commissioner
 2.11 must consider recommendations by members and the Minnesota chapters of any nationally
 2.12 recognized real estate appraisal organization.

2.13 (c) In making the appointment under paragraph (a), clause (5), the commissioner must
 2.14 consider recommendations by members and organizations representing the real estate
 2.15 industry.

2.16 (d) In making the appointment under paragraph (a), clause (6), the commissioner must
 2.17 consider recommendations by members and appraisal management companies.

2.18 Subd. 2. **Terms.** The terms, compensation, and removal of members are governed by
 2.19 section 15.059. Members are limited to serving two full terms on the board. **The board does**
 2.20 **not expire.**

2.21 Subd. 3. **Quorum.** A majority of the board members constitutes a quorum. A vacancy
 2.22 in the membership of the board does not impair the right of a quorum to exercise all of the
 2.23 rights and perform all of the duties of the board.

2.24 Subd. 4. **Meetings.** The board shall meet at least quarterly and may be convened by the
 2.25 chairperson or by three members of the board upon ten days' written notice.

2.26 Subd. 5. **Open meetings.** Meetings of the board shall comply with chapter 13D.

2.27 Subd. 6. **Officers.** The board shall, annually at the first meeting of the fiscal year, elect
 2.28 a chair from its members. The chair shall preside over the meetings and shall coordinate
 2.29 with the commissioner in developing and distributing an agenda for each meeting.

2.30 Subd. 7. **Commissioner's report.** The commissioner shall provide a quarterly report to
 2.31 the board that includes a summarized list of:

3.1 (1) appraisal courses and seminars that were not approved for continuing education
 3.2 credit and the reason for the denial; and

3.3 (2) public disciplinary actions taken by the commissioner against a real estate appraiser.

3.4 Subd. 8. **Duties.** The board shall advise, provide input, and suggest best practices to the
 3.5 commissioner regarding real estate appraisers, including, but not limited to, licensing, public
 3.6 disciplinary matters, continuing education, and industry-related trends.

2.16 (6) one member must represent appraisal management companies, as defined in section
 2.17 82C.02, subdivision 4, as evidenced by the member's employment with an appraisal
 2.18 management company;

2.19 (7) one member must represent the interests of the general public and have knowledge
 2.20 of the real estate business; and

2.21 (8) the commissioner must be a member.

2.22 (b) In making appointments under paragraph (a), clauses (3) and (4), the commissioner
 2.23 must consider recommendations by members and the Minnesota chapters of any nationally
 2.24 recognized real estate appraisal organization.

2.25 (c) In making the appointment under paragraph (a), clause (5), the commissioner must
 2.26 consider recommendations by members and organizations representing the real estate
 2.27 industry.

2.28 (d) In making the appointment under paragraph (a), clause (6), the commissioner must
 2.29 consider recommendations by members and appraisal management companies.

2.30 Subd. 2. **Terms.** The terms, compensation, and removal of members, other than the
 2.31 commissioner, are governed by section 15.059. Members are limited to serving two full
 2.32 terms on the board.

3.1 Subd. 3. **Quorum.** A majority of the board members constitutes a quorum. **If there is a**
 3.2 **vacancy in the membership of the board, a majority of the remaining members of the board**
 3.3 **constitute a quorum.**

3.4 Subd. 4. **Meetings.** The board shall meet at least quarterly and may be convened, upon
 3.5 ten days' written notice, by the chair or by three members of the board.

3.6 Subd. 5. **Open meetings.** Meetings of the board shall comply with chapter 13D.

3.7 Subd. 6. **Chair.** The board shall, annually at the first meeting of the calendar year, elect
 3.8 a chair from its members. The chair shall preside over the meetings and shall coordinate
 3.9 with the commissioner in developing and distributing an agenda for each meeting.

3.10 Subd. 7. **Commissioner's report.** The commissioner shall provide a quarterly report to
 3.11 the board that includes a summarized list of:

3.12 (1) appraisal courses and seminars that were not approved for continuing education
 3.13 credit and the reason for the denial; and

3.14 (2) public disciplinary actions taken by the commissioner against a real estate appraiser.

3.15 Subd. 8. **Duties.** The board shall advise, provide input, and suggest best practices to the
 3.16 commissioner regarding real estate appraisers, including, but not limited to, licensing, public
 3.17 disciplinary matters, continuing education, and industry-related trends.

3.18 Subd. 9. **Expiration.** The board expires January 1, 2030.

3.7 Sec. 3. **FIRST MEETING OF REAL ESTATE APPRAISAL ADVISORY BOARD.**

3.8 The commissioner of commerce shall convene the first meeting of the Real Estate
3.9 Appraisal Advisory Board under Minnesota Statutes, section 82B.073. All other meetings
3.10 shall be convened in accordance with Minnesota Statutes, section 82B.073, subdivision 4.

3.19 Sec. 4. **FIRST MEETING OF REAL ESTATE APPRAISAL ADVISORY BOARD.**

3.20 (a) The commissioner shall specify three members to serve terms that are coterminous
3.21 with the governor and four members to serve terms that expire on the first Monday in January
3.22 one year after the terms of the other members.

3.23 (b) The commissioner of commerce shall make the first appointments to the Real Estate
3.24 Appraisal Advisory Board by September 1, 2018. The commissioner of commerce shall
3.25 convene the first meeting of the Real Estate Appraisal Advisory Board under Minnesota
3.26 Statutes, section 82B.073, by November 1, 2018. All other meetings shall be convened in
3.27 accordance with Minnesota Statutes, section 82B.073, subdivision 4.