



200 W. Madison
Suite 1500
Chicago, IL 60606

T 312-335-4100
F 312-335-4400
www.appraisalinstitute.org

January 25, 2017

Mr. Thomas Stevens, Chair
Montana Board of Real Estate Appraisers
300 South Park Avenue, 4th Floor
Helena, MT 59602

Via Electronic Mail

Dear Mr. Stevens:

The Appraisal Institute (AI) has reviewed the Full Board Agenda for the January 26, 2017, meeting of the Montana Board of Real Estate Appraisers (hereinafter, "Board"). The agenda contains only two items: 1) "Discussion on presentation at AARO Spring 2017 Conference regarding the future of the Appraisal SubCommittee [sic] and the Appraisal Foundation;" and 2) "Discussion of support letter for the Appraisal SubCommittee [sic] and the Appraisal Foundation."

The purpose of this letter is to express AI's concern that neither of the two agenda items for the January 27 meeting is related to any of the 11 powers and duties established in Section 37-54-105 of the Montana Code¹. As such, we do not believe that it is legal or appropriate for these two items to be on the Board's agenda.

In addition, we question the need for the Board to expend valuable state resources, and to utilize Board members' time, to hold a formal meeting when the only items on the agenda **are not related** specifically to the Board's mission to administer and enforce the provisions of Montana's Real Estate Appraiser Licensing and Certification Act.

Each of the two items on the Agenda for the January 26 Board meeting is related to federal laws and agencies (the Appraisal Subcommittee) and potential federal legislation. We do not believe that either of the agenda items falls within the powers and duties of the Board. Remember, the Board is required to obtain pre-approval from the Governor's office before taking a position on federal legislation.

The "Montana Board Member Training Manual" is clear that agencies, departments and boards must seek approval from the Governor's Office before taking positions on legislation. The Governor needs to ensure that the laws of the state and programs that boards oversee are taking appropriate positions on legislation and that the boards are well-informed on the Governor's policy and legislative goals. Therefore, agencies, boards, commissions, advisory councils and departments are required to seek pre-

¹ Section 37-54-105 of the Montana Code establishes the "Powers and duties of board" to implement and administer the Real Estate Appraiser Licensing and Certification Act.¹ Found at:
http://leg.mt.gov/bills/mca/title_0370/chapter_0540/part_0010/section_0050/0370-0540-0010-0050.html

Mr. Thomas Stevens, Chair

January 25, 2017

Page 2

approval from the Office of the Governor before taking positions on legislation.² We believe that this mandate precludes the Board from taking a position on any federal legislation without the Governor's pre-approval.

We understand that the Board has already taken some action in relation to agenda item #1. We believe that this action was inappropriate.

For these reasons, we respectfully request that the two agenda items referenced above be removed from the agenda for the January 26, 2017, meeting of the Board.

Thank you in advance for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Amorin".

Jim Amorin, MAI, SRA, AI-GRS
2017 President

cc: Governor Steve Bullock
Commissioner Pam Bucy
Ms. Sharon Peterson, Executive Administrator
Ms. Jennifer McGinnis, President, Montana Chapter of the AI

² "Montana Board Member Training Manual" pages 15-16, available at:
http://b.bsd.dli.mt.gov/license/pdf/board_member_manual.pdf