

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 1522

H. P. 1183

House of Representatives, March 19, 1973

Referred to the Committee on Business Legislation. Sent up for concurrence and ordered printed.

E, LOUISE LINCOLN, Clerk

Presented by Mr. Palmer of Nobleboro.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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**AN ACT Regulating the Employment of Real Estate Appraisers  
by State Departments and Agencies.**

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Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 5, c. 6, additional. Title 5 of the Revised Statutes is amended by adding a new chapter 6 to read as follows:

CHAPTER 6

REAL ESTATE APPRAISERS

§ 101. Appraisers registered

All persons accepting contract employment as real estate appraisers with state departments and agencies shall register with the Secretary of State. Only persons who are members in good standing of the American Institute of Appraisers or who are found by the Commissioners of Transportation, Parks and Recreation and Director of the Bureau of Public Improvements, as a committee, to be qualified by either education or a minimum of 5 years' practical experience, or combination thereof, as an appraiser may be registered.

§ 102. Secretary of State to list

As persons register each shall be assigned a number in numerical order beginning with number 1. As new persons register they shall each be assigned the next consecutive number. The list maintained by the Secretary of State shall contain the name, business address and telephone number of each appraiser. He shall also keep a record of what department or agency employs the appraiser and the dates thereof.

### § 103. Selection of appraiser

The list shall be a rotating list and departments or agencies shall use the appraiser whose name is at the top of the list. When the contract is signed, the appraiser's name shall be placed at the bottom of the list.

### § 104. Fees of appraisers

The committee shall prepare a schedule of fees with minimum and maximum limits within which departments or agencies may negotiate contracts.

### § 105. Limit of time of contract

No department or agency may contract with an appraiser for more than one project in any one contract, except for time, as a witness, necessary for court or administrative hearings. A project, as used in this section, may encompass more than one piece of land but must be such as to be completed within 90 days from the date of the contract, except a contract may be extended when it cannot be completed within the 90 days, with the approval of the committee named in section 101.

### § 106. Refusal

If an appraiser refuses employment without just cause, to be determined by the committee, his name shall be placed at the bottom of the list. If an appraiser refuses employment 3 consecutive times without just cause, to be determined by the committee, he shall be deleted from the list for a period of one year. Upon being restored, he shall be placed at the bottom of the list. A department or agency shall not refuse employment to the appraiser whose name is given it by the Secretary of State, except with the written approval of the appraiser.

## STATEMENT OF FACT

This bill seeks to create a rotating list for hiring contract appraisers by State Departments and agencies. It seeks to correct the present situation where a department can tie up an appraiser to do all its appraising, thus preventing him from working for a person from whom the state seeks to purchase property.