

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 490, L.D. 1501, Bill, "An Act to Modify Various Licensing Board Laws"

Amend the bill by striking out all of sections 1 to 16, 18 and 19, 23 to 25 and 40 to 59.

Further amend the bill by striking out all of section 60 and inserting in its place the following:

'Sec. 60. 32 MRSA §13962, sub-§8, as enacted by PL 1989, c. 806, §3, is amended to read:

8. Licensed real estate appraiser. "Licensed real estate appraiser" means a person who holds a current, valid real estate appraiser license issued under the provisions of this Act. For federally related transactions, a real estate appraiser may only appraise single-family residential properties consisting of one to 4 units and any other properties that the board may prescribe by rule. The board may by rule require that if the single-family properties referred to in this section exceed a certain size or complexity their appraisal must be done by a state-certified appraiser.

Further amend the bill in section 63 in subsection 2 in paragraph B (page 29, line 4 in L.D.) by striking out the following: "~~member;~~" and inserting in its place the following: 'member; and'

Further amend the bill in section 63 in subsection 2 by striking out all of paragraph C.

Further amend the bill in section 63 in subsection 2 by striking out all of paragraph D and inserting in its place the following:

2 'D. Five members who hold valid appraiser licenses or
3 certifications, including at least one residential and one
4 commerical real estate appraiser.'

6 Further amend the bill in section 63 in subsection 2 by
7 relettering the paragraphs to read consecutively.

8 Further amend the bill by striking out all of sections 64
9 and 68.

12 Further amend the bill by renumbering the sections to read
13 consecutively.

14 Further amend the bill by inserting before the statement of
15 fact the following:

18 **FISCAL NOTE**

20 **1993-94 1994-95**

22 **REVENUES**

24 Other Funds \$2,425 \$16,590

26 The increase of the license fee and the frequency in which
27 it is collected will increase license revenue collections. The
28 estimated increases of dedicated revenues to the State Board of
29 Certification for Geologists and Soil Scientists are \$2,425 and
30 \$16,590 in fiscal years 1993-94 and 1994-95, respectively.

32 Registration of real estate appraiser trainers will result
33 in insignificant increases of dedicated revenues to the Board of
34 Real Estate Appraisers from application and registration fees.

36 The Board of Real Estate Appraisers will incur some minor
37 additional costs for the addition of 2 board members. These
38 costs can be absorbed within the board's existing budgeted
39 resources.'

42 **STATEMENT OF FACT**

44 This bill was submitted by the Department of Professional
45 and Financial Regulation as a means of dealing with numerous
46 technical-type issues concerning the various licensing boards.
47 This amendment removes all portions of the bill that the Joint
48 Standing Committee on Business Legislation has determined are not
49 necessary for the functioning of a board prior to the Second

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Regular Session of the 116th Legislature. The following sections from the original bill are retained by this amendment.

In section 17 of the bill, the law gives the Oil and Solid Fuel Board jurisdiction over coal and wood. This amendment extends their jurisdiction to other organic materials.

In sections 20 to 22 of bill, the law provides that the registrations of all permanent licenses issued to physicians by the Board of Registration in Medicine expire simultaneously on June 30th of even-numbered years. The bill provides for an even distribution of workload and cash receipts attendant on license registration renewal of physicians over a 24-month cycle. Current law sets no time limit on reinstatement after lapse, but under the Maine Revised Statutes, Title 32, section 3281 licensees who voluntarily withdraw from license registration may not be reinstated after 5 years. The bill provides for a 5-year time limit to apply for license reinstatement after a lapse in registration for failure to make a timely application to renew. The proposed revision would treat all former licensees equally.

In sections 26 to 37 the bill replaces the term "animal technician" with the term "veterinary technician." An animal technician required 2 years of college training or completion of a 2-year certified program. A veterinary technician requires 2 years in a college program. The bill does not change the function of this position, which is to perform under supervision and direction any function of a veterinarian except diagnosis, prescribing treatment or performing surgery. The bill also establishes the category of animal health assistant for which there are no qualifications. Under direct supervision of a veterinarian or veterinary technician, the animal health assistant performs all the duties of the veterinary technician except those dealing with reading laboratory tests.

In sections 38 and 39 the bill changes the relicensing cycle for geologists from 2 years to one year. The fee is increased from \$45 to \$65 per year.

In section 60 the practice of licensed real estate appraisers working on federally regulated transactions is limited to single-family residential properties consisting of one to 4 units. The amendment moves the new provision from the definition of a real estate appraiser to the definition of a licensed real estate appraiser and clarifies some wording.

Sections 61 and 62 of the bill adds the category of registered real estate appraiser trainee.

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2 Section 63 of the bill adds 2 appraisers to the board for a
total of 7, one of whom is a public member and one is a
4 representative of a mortgage lending organization. The amendment
clarifies some wording of this provision.

6 Section 65 of the bill requires an applicant for a license
for real estate appraisal to have 2 years of field experience.

8 Section 66 of the bill provides the requirements for
10 registration as an appraiser trainee.

12 Currently, a person may be denied an appraiser's license if
that person has had any professional or occupational license
14 revoked. Section 67 of the bill adds license suspension to this
provision.

16 Section 69 of the bill requires that persons who are
18 grandfathered in to licensing or certification status must meet
the education requirements of licensure by December 31, 1994 and
20 the experience requirements by December 31, 1995.

Reported by Senator Cianchette for the Committee on Business
Legislation. Reproduced and Distributed Pursuant to Senate
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(6/1/93)

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