

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1437

H.P. 1026

House of Representatives, February 23, 1999

An Act to Reorganize the Real Estate Appraisers Law.

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Reference to the Committee on Business and Economic Development suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative O'NEAL of Limestone.
Cosponsored by Senator KONTOS of Cumberland and
Representatives: BOLDUC of Auburn, BOWLES of Sanford, CLOUGH of Scarborough,
MENDROS of Lewiston, SHOREY of Calais, TRIPP of Topsham, USHER of Westbrook,
Senator: MacKINNON of York.

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

2 **Sec. 1. 5 MRSA §12004-A, sub-§9-B**, as enacted by PL 1989, c.
4 806, §1, is amended to read:

6 **9-B. Board of \$35/Day 32 MRSA @13967**
8 Real Estate Appraisers §14011

10 **Sec. 2. 23 MRSA §152, first ¶**, as amended by PL 1991, c. 684,
12 §1, is further amended to read:

14 The State Claims Commission, established by Title 5, section
16 12004-B, subsection 5, consists of 5 members. Four of the
18 members must be appointed by the Governor, 2 of whom must be
20 qualified appraisers certified as general real estate appraisers
22 pursuant to Title 32, chapter ~~123~~ 124 and 2 of whom must be
24 attorneys-at-law. The Governor shall designate one of the
26 attorneys-at-law to be chair. The members of the commission
appointed by the Governor shall serve for terms of 4 years. They
must be sworn, and for inefficiency, willful neglect of duty or
for malfeasance in office may, after notice and hearing, be
removed by the Governor on the address of both branches of the
Legislature or by impeachment. In case of a vacancy occurring
through death, resignation or removal, the Governor shall appoint
a successor for the whole term of the member whose place that
successor takes, subject to removal as provided in this section.

28 **Sec. 3. 32 MRSA §13251-A**, as enacted by PL 1995, c. 240, §1,
30 is amended to read:

32 **§13251-A. Conflict of interest**

34 A real estate broker or associate broker may not knowingly
36 provide or offer an appraisal or opinion of market value, as set
38 forth in section ~~13963~~ 14004, on real estate in a transaction
where the broker or associate broker, or any other licensee
licensed with the agency, is to receive a fee on that transaction.

40 **Sec. 4. 32 MRSA c. 123** as amended, is repealed.

42 **Sec. 5. 32 MRSA c. 124** is enacted to read:

44 CHAPTER 124

46 REAL ESTATE APPRAISAL LICENSING AND CERTIFICATION

48 SUBCHAPTER I

50 GENERAL PROVISIONS

52 §14001. Short title

2 This chapter may be known and cited as the "Real Estate
3 Appraisal Licensing and Certification Act."

4 **§14002. Definitions**

6 As used in this chapter, unless the context otherwise
7 indicates, the following terms have the following meanings.

8
9 1. Appraisal. "Appraisal" means an analysis, opinion or
10 conclusion prepared by a real estate appraiser related to the
11 nature, quality, value or utility of specified interests in, or
12 aspects of, identified real property.

13 2. Appraisal foundation. "Appraisal foundation" means the
14 appraisal foundation incorporated as an Illinois nonprofit
15 corporation on November 30, 1987 and recognized under the federal
16 Financial Institutions Reform, Recovery, and Enforcement Act of
17 1989 as the organization that establishes the Uniform Standards
18 of Professional Appraisal Practice.

19 3. Appraiser qualifications board. "Appraiser
20 qualifications board" means an independent board of the appraisal
21 foundation authorized to establish the minimum education,
22 experience and examination criteria for licensed real estate
23 appraisers.

24 4. Appraisal report. "Appraisal report" means any written
25 or oral communication of an appraisal.

26 5. Board. "Board" means the Board of Real Estate
27 Appraisers.

28 6. Commissioner. "Commissioner" means the Commissioner of
29 Professional and Financial Regulation.

30 7. Complex residential property. "Complex residential
31 property" means a residential property of one to 4 units
32 exhibiting characteristics, determined by the board, that are not
33 typical of the property type or marketplace, including, but not
34 limited to:

35 A. Unusual forms of ownership, such as partial interests;

36 B. Property interests other than fee simple, such as those
37 encumbered by easements, life estates or elaborate lease
38 terms;

39 C. Unstable market conditions;

40 D. Changing patterns of land use when issues of
41 compatibility, zoning and highest and best use are
42 significant factors;

2 E. Environmentally contaminated properties; and

4 F. Physical characteristics, such as lot size, topography
6 and building type, that are unusual.

8 8. Department. "Department" means the Department of
10 Professional and Financial Regulation.

12 9. Noncomplex residential property. "Noncomplex
14 residential property" means property that is not defined as
16 complex residential property in subsection 7.

18 10. Real estate. "Real estate" means an identified parcel
20 of land, including improvements, if any.

22 11. Real estate appraisal activity. "Real estate appraisal
24 activity" means the act or process of making an appraisal of real
26 property and communicating a report.

28 12. Real estate appraiser. "Real estate appraiser" means a
30 person who engages in real estate appraisal activity for a fee or
32 other valuable consideration. "Real estate appraiser" includes
34 review appraisers and appraisal administrators.

36 13. Real property. "Real property" means one or more
38 defined interests, benefits or rights inherent in the ownership
40 of real estate.

42 14. Uniform Standards of Professional Appraisal Practice.
44 "Uniform Standards of Professional Appraisal Practice" means
46 those standards adopted by the appraisal standards board of the
48 appraisal foundation.

50 **§14003. License required**

Except as provided in section 14004, it is unlawful for a
 person to prepare, for a fee or other valuable consideration, an
 appraisal or appraisal report relating to real estate or real
 property in this State without first obtaining a real estate
 appraisal license. This section does not apply to individuals
 who do not render significant professional assistance in arriving
 at a real estate appraisal analysis, opinion or conclusion.
 Nothing in this chapter prohibits any person who is licensed to
 practice in this State under any other law from engaging in the
 practice for which that person is licensed.

§14004. Exemption

Real estate appraisal activity does not include:

2 1. Salaried employees. Appraisals prepared by a salaried
employee of a real estate owner who, in the regular course of
4 employment, makes appraisals of the real estate of the employer
or of real estate under consideration for purchase or exchange
6 for the sole consideration of the employer; and

8 2. Brokers or associate brokers. Appraisals or opinions of
market value prepared by associate brokers or brokers who
10 maintain active licenses pursuant to chapter 114 rendered for
purposes other than for federally related transactions as defined
12 in Title XI of the Financial Institutions Reform, Recovery, and
Enforcement Act of 1989, Public Law 101-73, or in the federal
14 Office of Management and Budget Circular A-129, as either is
amended, or as the rules referred to in either are amended.

16 Any opinion or appraisal of market value rendered under this
section must contain the following language in bold print in a
18 prominent location: "This opinion or appraisal was prepared
solely for the client, for the purpose and function stated in
20 this report and is not intended for subsequent use. It was not
prepared by a licensed or certified appraiser and may not comply
22 with the appraisal standards of the uniform standards of
professional appraisal practice."

24 **§14005. Civil actions**

26 A person may not bring or maintain any action in the courts
28 of this State for the collection of compensation for the
performance of real estate appraisal services without first
30 proving that the person was properly licensed by the board at the
time the cause of action arose.

32 **§14006. Violation; injunction**

34 A person who violates this chapter commits a Class E crime.
36 The State may bring action in Superior Court to enjoin a person
from violating this chapter, regardless of whether proceedings
38 have been or may be instituted in the Administrative Court or
whether criminal proceedings have been or may be instituted.

40 **SUBCHAPTER II**

42 **BOARD**

44 **§14011. Board of Real Estate Appraisers; establishment**

46 1. Establishment. The Board of Real Estate Appraisers is
48 established within the department pursuant to Title 5, section
12004-A, subsection 9-B and shall carry out the purposes of this
50 Act.

2 2. Members. The board consists of 7 members appointed by
3 the Governor. Each member must be a citizen of the United States
4 and a resident of this State. The board consists of:

6 A. Two public members; and

8 B. Five members who hold valid appraiser licenses,
9 including at least one member who holds a certified general
10 license.

12 3. Geographic distribution. The Governor, in making
13 appointments, shall consider the desirability of having a broad
14 geographic distribution of representation.

16 4. Terms; removal. Terms of the members of the board are
17 for 3 years. Members may be removed by the Governor for cause.

18 5. Meetings; quorum. The board shall hold at least 4
19 regular meetings each year. Additional meetings may be held upon
20 the call or upon the written request of 2 board members. A
21 majority of the members of the board constitutes a quorum for the
22 transaction of business under this Act.

24 6. Election of officers. The board shall annually elect a
25 chair and other officers as it determines necessary.

26 §14012. Rules

28 The board may establish guidelines and rules by which this
29 chapter must be administered. Rules adopted pursuant to this
30 chapter are routine technical rules pursuant to Title 5, chapter
31 375, subchapter II-A. Rules are subject to Title 5, chapter 375,
32 subchapter II.

34 1. Hearings. The board may adopt rules governing the
35 conduct of hearings, including provisions governing
36 communications among the members of the board.

38 2. Investigations. The board may adopt rules governing
39 investigations and filing and processing of complaints in order
40 to ensure prompt, effective investigations of alleged violations
41 of this chapter as necessary to protect and promote the interests
42 of the public.

44 3. Standards. The board may adopt rules consistent with
45 the standards set forth in this chapter governing real estate
46 appraisal conduct in order to establish standards of practice
47 that serve the interest of the public and the appraisal business.

48 4. License qualifications. The board may adopt rules
49 relating to the qualifications and application for any license
50 authorized under this chapter that it considers necessary to
51 authorize.

2 ensure that applicants are sufficiently trustworthy and competent
3 to make real estate appraisals.

4 5. Education. The board may adopt rules to be applied in
5 determining whether educational programs meet the license
6 qualifications required under this chapter.

8 6. Other. The board may adopt and enforce other rules that
9 are necessary for the performance of its duties under this
10 chapter.

12 7. Fees. The board may establish, by rule, fees that are
13 reasonable and necessary for their respective purposes, except
14 that the set fee for any one purpose may not exceed \$300
15 biennially.

16 **§14013. Hearings**

18 1. Purpose. The board shall conduct hearings in conformity
19 with the Maine Administrative Procedure Act to assist with
20 investigations and to determine whether grounds exist for
21 suspension, revocation or denial of a license or as the board
22 otherwise determines necessary to fulfill its responsibilities
23 under this chapter.

24 2. Procedure. Except as provided in Title 5, section
25 10004, a license may not be denied, suspended or revoked and
26 renewal may not be refused without prior written notice and
27 opportunity for hearing on that denial, suspension, revocation or
28 refusal. The burden of proof is on the board in any proceeding
29 to suspend or revoke a license. A license may not be denied,
30 suspended or revoked and renewal may not be refused under this
31 section except by majority vote of the board.

32 3. Complaints. Any person may file a complaint with the
33 board seeking disciplinary action against the holder of a license
34 issued by the board. In addition, the board upon its own motion
35 may file a complaint. Complaints received by the board must be
36 processed in a manner consistent with section 60-G.

37 **§14014. Grounds for disciplinary action**

38 1. Grounds. The board may suspend, revoke or refuse to
39 renew a license pursuant to Title 5, section 10004. In addition,
40 the board may take any other action pursuant to Title 10, section
41 8003, subsection 5. The board's actions may be taken based on
42 any of the following grounds:

43 A. The licensee procures or attempts to procure licensure
44 under this chapter by knowingly making a false statement,
45 submitting false information or making a material
46 misrepresentation in an application filed with the board or
47 otherwise procuring licensure under this chapter by knowingly
48 making a false statement, submitting false information or making
49 a material misrepresentation in an application filed with the board
50 or otherwise procuring licensure under this chapter by knowingly
51 making a false statement, submitting false information or making
52 a material misrepresentation in an application filed with the board

- 2 procures or attempts to procure a license through fraud or
3 misrepresentation;
- 4 B. The licensee commits an act or omission in the practice
5 of real estate appraising that constitutes dishonesty, fraud
6 or misrepresentation with the intent to substantially
7 benefit the licensee or another person or with the intent to
8 substantially injure another person;
- 10 C. There is entry of a final civil or criminal judgment
11 against a licensee on grounds of fraud, misrepresentation or
12 deceit in the making of an appraisal of real estate;
- 14 D. Subject to Title 5, chapter 341, the licensee is
15 convicted in any court of any Class A, B, or C crime or a
16 crime that is substantially related to the qualifications,
17 functions or duties of a person developing real estate
18 appraisals and communicating real estate appraisals to
19 others;
- 20 E. The licensee pays a finder's fee or a referral fee to a
21 person who does not have an appraiser license in this State
22 in connection with an appraisal of real estate or real
23 property in this State;
- 26 F. The licensee makes a false or misleading statement in
27 that portion of a written appraisal report that deals with
28 professional qualifications or in any testimony concerning
29 professional qualifications;
- 30 G. The licensee violates this chapter or any rule adopted
31 under this chapter;
- 34 H. The licensee accepts a fee for performing an independent
35 appraisal service when, in fact, the fee is or was
36 contingent upon the appraiser's reporting a predetermined
37 analysis, opinion or conclusion or is or was contingent upon
38 the analysis, opinion, conclusion or valuation reached or
39 upon the consequences resulting from the appraisal
40 assignment;
- 42 I. The licensee fails or refuses without good cause to
43 exercise reasonable diligence in developing an appraisal,
44 preparing an appraisal report or communicating an appraisal;
- 46 J. The licensee demonstrates negligence or incompetence in
47 developing an appraisal, preparing an appraisal report or
48 communicating an appraisal;
- 50 K. The licensee violates the confidential nature of
51 individual, business or governmental records to which a

licensee gained access through employment or engagement as an appraiser; or

L. The licensee engages in appraisal activity requiring a license under this chapter that is beyond the scope of acts authorized by the license held.

SUBCHAPTER III

CERTIFIED GENERAL, CERTIFIED RESIDENTIAL, REAL PROPERTY APPRAISER, APPRAISER TRAINEE, TEMPORARY LICENSE

§14021. General qualifications

This section governs the application for licensure under this chapter.

1. Application. The applicant must submit a properly completed application on forms furnished by the board, together with the prescribed fee.

2. Age. The applicant must be at least 18 years of age at the time of application.

3. Residence. The applicant shall provide evidence of the applicant's legal residence.

4. High school. The applicant must be a high school graduate or hold an equivalency certificate.

5. Reputation. The applicant must have a good reputation for honesty, truthfulness, fair dealing and competency. The recommendation of at least 3 persons not related to the applicant who have acknowledged before a notary public that they have known the applicant for at least one year immediately preceding the date of the application that the applicant has such a reputation creates a rebuttable presumption that the applicant meets that qualification.

6. Other. The applicant shall comply with other requirements that may be prescribed by the board from time to time.

§14022. Place of business

A licensee shall designate and maintain a principal place of business where real estate appraisal records may be inspected for purposes consistent with this chapter and shall conspicuously display the license in the principal place of business. A nonresident is not required to maintain a place of business in

2 this State if the nonresident maintains an active place of
business in the state of domicile.

4 **§14023. License denial**

6 A license may be denied to any applicant:

8 1. Complete application. Who fails to submit a complete
10 application within 30 days after being notified of the materials
needed to complete the application;

12 2. Proof that applicant is trustworthy. Who fails to
14 provide satisfactory proof that the applicant is trustworthy and
competent to conduct real estate appraisal activity in a manner
16 that safeguards the interests of the public;

18 3. Suspension or revocation of license. Who has had any
20 professional or occupational license suspended or revoked for
disciplinary reasons or any application rejected for reasons
22 relating to untrustworthiness within 3 years prior to the date of
application;

24 4. Conviction of crime. Subject to Title 5, chapter 341,
26 who has been convicted of any Class A, B or C crime or any crime
that bears on the practice of real estate appraising; or

28 5. Meeting requirements of subchapter. Who fails to meet
30 the professional qualifications for licensure as provided in this
subchapter.

32 **§14024. Nonresidents and applicants licensed in another**
jurisdiction

34 1. Consent to service. All nonresident license applicants
36 shall submit, with the application, an irrevocable consent that
38 service of process on the applicant for an action filed in a
40 court of this State arising out of the applicant's activities as
a real estate appraiser in this State may be made by delivery of
42 the process to the commissioner if, in the exercise of due
diligence, a plaintiff can not effect personal service upon the
applicant.

44 2. Reciprocal agreements. The board may enter into
46 reciprocal agreements with other jurisdictions that have
substantially equivalent licensure laws and accord substantially
48 equal reciprocal rights to residents licensed in good standing in
this State.

50 3. Applicants licensed in another jurisdiction. An
52 applicant who is licensed under the laws of another jurisdiction
is governed by this subsection.

2 A. An applicant who is licensed under the laws of a
4 jurisdiction that has a current reciprocal agreement with
6 the board may obtain a license upon such terms and
8 conditions as may be agreed upon through the reciprocal
10 agreement.

12 B. An applicant who is licensed, in good standing, under
14 the laws of a jurisdiction that has not entered into a
16 reciprocal agreement with the board may qualify for
18 licensure by submitting evidence, satisfactory to the board,
20 that the applicant has met all of the qualifications for
22 licensure equivalent to those as set forth by this
24 subchapter for that level of licensure.

26 **§14025. License renewal**

28 Licenses expire biennially on December 31st or on such other
30 date as the commissioner determines. The board shall issue a
32 renewal license for each ensuing biennial period in the absence
34 of any reason or condition that might warrant the refusal of
36 granting a license, upon receipt of the written request of the
38 applicant, the biennial fee for the license and upon the
40 applicant presenting evidence of compliance with the requirements
42 of section 14027. Licenses may be renewed up to 90 days after
44 the date of expiration upon payment of a late fee, as established
46 by board rule, in addition to the renewal fee.

48 The board shall deny a renewal license to any applicant
50 whose license has lapsed for more than 90 days, unless the
52 applicant satisfies the provisions governing new applicants under
54 this subchapter, except that the board may waive the education
56 and examination requirements for new applicants, if the renewal
58 application is received within 2 years from the date of that
60 expiration.

62 **§14026. Changes**

64 The applicant shall report any change of address or name or
66 other material change in the conditions or qualifications set
68 forth in the original application no later than 10 days after the
70 change. Upon proper application, the board's records must be
72 changed and a new license issued for the unexpired term of the
74 current license, if appropriate.

76 **§14027. Continuing education**

78 As a prerequisite to renewal of a license, an applicant must
80 have completed the minimum hour requirements for continuing
82 education in programs or courses approved by the board and as set
84 by the appraiser qualification board. For purposes of this
86 section, the board may establish, by rule, a core educational
88 requirement.

2 **§14028. Standards of professional appraisal practice**

4 A real estate appraiser licensed under this chapter shall
6 comply with generally accepted standards of professional
8 appraisal practice and generally accepted ethical rules to be
10 observed by a real estate appraiser. Generally accepted
12 standards of professional appraisal practice and ethics are
14 currently, at a minimum, those established by the Uniform
16 Standards of Professional Appraisal Practice.

12 **§14029. Individual licensing**

14 Only an individual may be licensed under this chapter.

16 **§14030. Certified general real property appraiser**

18 1. Scope of license. A certified general real property
20 appraiser license entitles the holder to appraise all types of
22 real property.

22 2. Professional qualifications. Each applicant for a
24 certified general real property appraiser license must:

26 A. Hold a valid license under this chapter and demonstrate
28 experience as a real estate appraiser as required by the
30 appraiser qualifications board;

32 B. Satisfactorily complete the minimum classroom hours
34 required by the appraiser qualifications board in courses of
36 study approved by the Board of Real Estate Appraisers that
38 relate to real estate appraisal theory and practice. To
40 meet the classroom requirement, an applicant must
42 successfully complete no fewer than 15 hours in courses of
44 study approved by the board that relate specifically to the
46 Uniform Standards of Professional Appraisal Practice; and

48 C. Pass an examination administered by the board designed
50 to test an individual's knowledge of the basic principles of
52 land economics, real estate appraising, the Uniform
54 Standards of Professional Appraisal Practice and the ethical
56 rules to be observed by a real estate appraiser.

44 **§14031. Certified residential real property appraiser**

46 1. Scope of license. A certified residential real property
48 appraiser license entitles the holder to appraise residential
50 real estate or real property of one to 4 units, or land related
52 to that property, without regard to transaction value or
54 complexity when a net income capitalization analysis is not
56 required by the terms of the assignment.

2 2. Professional qualifications. Each applicant for a
3 certified residential license must:

4 A. Hold a valid license under this chapter and demonstrate
5 experience as a real estate appraiser as required by the
6 appraiser qualifications board;

7 B. Satisfactorily complete the minimum classroom hours
8 required by the appraiser qualifications board in courses of
9 study approved by the Board of Real Estate Appraisers that
10 relate to real estate appraisal theory and practice. To
11 meet the classroom requirement, an applicant must
12 successfully complete no fewer than 15 hours of study
13 approved by the board that relate specifically to the
14 Uniform Standards of Professional Appraisal Practice; and

15 C. Pass an examination administered by the board designed
16 to test an individual's knowledge of the basic principles of
17 land economics, real estate appraising, the Uniform
18 Standards of Professional Appraisal Practice and the ethical
19 rules to be observed by a real estate appraiser.

20 **§14032. Licensed real property appraiser**

21 1. Scope of license. A real property appraiser license
22 entitles the holder to appraise noncomplex residential property
23 of one to 4 units or the land related to that property when a net
24 income capitalization analysis is not required by the terms of
25 the assignment. For federally related transactions, a licensed
26 real property appraiser may appraise only residential property of
27 one to 4 units having a transaction value of less than \$1,000,000.

28 2. Professional qualifications. Each applicant for a
29 licensed appraiser license must meet the following qualifications:

30 A. Demonstrate experience in the real estate appraisal
31 field as required by the appraiser qualifications board;

32 B. Have satisfactorily completed the minimum classroom
33 hours required by the appraiser qualifications board in
34 courses of study approved by the Board of Real Estate
35 Appraisers that relate to the basic principles of real
36 estate appraisal. The required classroom hours must include
37 no fewer than 15 classroom hours of study specifically
38 relating to the Uniform Standards of Professional Appraisal
39 Practice; and

40 C. Pass an examination administered by the board designed
41 to determine the fitness of the applicant to practice.

42 **§14033. Trainee real property appraiser**

2 1. Scope of license. A trainee real property appraiser
4 license or "trainee license" entitles the holder or "trainee" to
6 appraise for a fee or other valuable consideration under the
8 direct supervision of a licensed real property appraiser, a
10 certified general real property appraiser or a certified
12 residential real property appraiser those properties that the
14 supervising appraiser is permitted to appraise.

16 2. Professional qualification. Each applicant for a
18 trainee license must submit evidence of satisfactory completion
20 of the minimum classroom hours required by the appraiser
22 qualifications board in courses of study approved by the Board of
24 Real Estate Appraisers, which must include coverage of the
26 Uniform Standards of Professional Appraisal Practice.

28 3. Filing with board. Before employing a trainee, a
30 licensed real property appraiser, certified residential real
32 property appraiser or certified general real property appraiser
34 must register the name and starting date of employment of that
36 trainee with the board.

38 4. Limited license term. Trainee licenses may only be
40 renewed for two biennial terms. After six years, the trainee is
42 not eligible for renewal but must qualify as a new applicant.

44 **§14034. Temporary license**

46 A temporary license may be issued to a nonresident in
48 accordance with this section.

50 1. Scope of license. A temporary license authorizes the
52 holder to perform the appraisal of real estate or real property
54 in this State required by a contract.

56 2. Professional qualifications. An applicant for a
58 temporary license must:

60 A. Submit evidence that the applicant is licensed, in good
62 standing under the laws of the applicant's state of domicile;

64 B. File a consent to service application meeting the
66 provisions of section 14024, subsection 1; and

68 C. Submit a copy of the contract for appraisal services
70 that requires the applicant to appraise real estate or real
72 property in this State and certify that the contract is in
74 full force and effect.

76 3. License limitations. A temporary license expires upon
78 the completion of the appraisal work required by the contract or
80 upon the expiration of a period of 6 months from the date of
82 issuance, whichever occurs first. A temporary license may be

2 extended for a period of 6 months from the expiration date of the
3 original license upon request of the license holder and as
4 necessary to fulfill the terms of the contract for appraisal
5 services.

6 **Sec. 6. 37-B MRSA §264, sub-§1**, as enacted by PL 1995, c. 684,
7 §3, is amended to read:

8
9 **1. Sale of property; proceeds.** The Adjutant General shall
10 designate an officer to inspect military property, real and
11 personal, and may condemn any inspected property that the
12 Adjutant General determines to be unfit for use by the military.
13 Property condemned under this subsection may be sold by the
14 Adjutant General. Real property condemned under this subsection
15 may not be sold for less than its appraised value as determined
16 by a person licensed as a real estate appraiser under Title 32,
17 chapter ~~123~~ 124.

18
19 All proceeds from the sale of condemned property must be paid
20 into the State Treasury and credited to the Capital Repair
21 Account of the Military Bureau established under section 154.

22 23 24 **SUMMARY**

25
26 The purpose of this bill is to organize the current law in a
27 way that will clarify the licensing requirements and standards of
28 practice for real estate appraisers. This bill organizes the
29 current law into separate subchapters containing general
30 provisions, establishing the Board of Real Estate Appraisers and
31 setting forth the licensing requirements and standards for
32 appraisers.

33
34 In addition, the proposed changes define the scope of
practice for each level of appraiser licensure.