

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

SECOND SPECIAL SESSION

December 12, 1991 to January 7, 1992

SECOND REGULAR SESSION

January 8, 1992 to March 31, 1992

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SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
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PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1992

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

quirements for certification of instructors of motorcycle driver education. The requirements must include a provision to demonstrate proficiency in operating a motorcycle.

A person may conduct or sponsor a motorcycle driver education program for remuneration without the commercial driver education school or instructor license required by Title 32, chapter 95, as long as the program and the instructors are certified by the Secretary of State.

Sec. 5. 29 MRSA §583-G is enacted to read:

§583-G. Fees

The annual fee for instructor certification is \$100. The annual fee for inspection of a motorcycle education classroom is \$50. The fee for inspection of a motorcycle driving range is \$50.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 3, 1992.

CHAPTER 801

H.P. 1734 - L.D. 2422

An Act to Extend the Appraisal License Effective Date

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, in order to comply with a federal mandate, the Legislature enacted an appraisal licensing and certification law, which took effect December 31, 1991; and

Whereas, federal law has extended the required effective date to December 31, 1992; and

Whereas, the State does not have as many licensed and certified appraisers as are needed; and

Whereas, the demand for appraisers at this time is enormous because of low interest rates, which are causing consumers to want to refinance existing homes or buy new homes, and because of the large number of bank-owned properties that need to be appraised; and

Whereas, it is vitally necessary in order to stimulate Maine's economy that Maine's citizens be able to take advantage of the low interest rates in an expedient and timely manner; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 3 MRSA §927, sub-§11, ¶B, as amended by PL 1991, c. 263, §1, is further amended to read:

B. Independent agencies:

- (1) State Civil Service Appeals Board;
- (2) Maine Labor Relations Board;
- (3) Workers' Compensation Commission;
- (4) Board of Accountancy;
- (5) State Board of Social Worker Licensure;
- (6) Electricians' Examining Board;
- (7) Maine Occupational Information Coordinating Committee;
- (8) State Employee Health Commission; and
- (9) Board of Counseling Professionals Licensure; and
- (10) Board of Real Estate Appraisers.

Sec. 2. 32 MRSA §13964, as affected by PL 1991, c. 509, §51, is amended by adding at the end a new paragraph to read:

This section takes effect December 31, 1992.

Sec. 3. 32 MRSA §13970, sub-§3, as amended by PL 1991, c. 2, §3, is further amended to read:

3. Evidence of study. Any licensee who is initially licensed under this section must, in addition to the continuing education requirement for a first renewal, submit evidence of satisfactory completion of a minimum of 50 ~~75~~ classroom hours in courses of study approved by the board that relate to real estate appraisal. The required 50 ~~75~~ classroom hours must include no fewer than 35 ~~60~~ classroom hours of study relating to the basic principles of real estate appraising and no fewer than 15 classroom hours of study specifically relating to the Uniform Standards of Professional Appraisal Practice.

Sec. 4. 32 MRSA §13972, sub-§6, as amended by PL 1991, c. 2, §4, is further amended to read:

6. Educational requirement. The applicant must have satisfactorily completed a minimum of ~~50~~ 75 classroom hours in courses of study approved by the board that relate to real estate appraisal. The required ~~50~~ 75 classroom hours must include no fewer than ~~35~~ 60 classroom hours of study relating to the basic principles of real estate appraising and no fewer than 15 classroom hours of study specifically relating to the Uniform Standards of Professional Appraisal Practice.

A. The courses of study required to satisfy these minimum classroom hours must be approved by the board and be consistent with and equivalent to standards set by the appraisal foundation, whether these courses of study are conducted by an accredited university, college, technical college, junior college or other group.

Sec. 5. 32 MRSA §13979, sub-§1, ¶B, as amended by PL 1991, c. 2, §6, is further amended to read:

B. Satisfactorily complete a minimum of ~~85~~ 105 classroom hours in courses of study approved by the board. To meet the ~~85~~ 105 classroom hour requirement, an applicant must successfully complete no fewer than ~~70~~ 90 classroom hours in courses of study approved by the board that relate to real estate appraisal theory and practice, plus 15 classroom hours in courses of study approved by the board that relate specifically to the Uniform Standards of Professional Appraisal Practice.

(1) The courses of study required to satisfy these minimum classroom hours must be approved by the board and be consistent with and equivalent to standards set by the appraisal foundation, whether these courses of study are conducted by an accredited university, college, technical college, junior college or other group;

Sec. 6. 32 MRSA §13980, sub-§3 is enacted to read:

3. Credit. An appraiser licensed or certified prior to December 31, 1991 is entitled to a credit of 20% of the renewal fee of the appraiser's first 2 biennial renewals.

Sec. 7. 32 MRSA §13983, as enacted by PL 1989, c. 806, §3, is repealed.

Sec. 8. PL 1989, c. 806, §7, as amended by PL 1991, c. 509, §51, is repealed.

Sec. 9. Application. This Act applies retroactively to December 31, 1991.

Sec. 10. Effective date. Those sections of this Act that amend the Maine Revised Statutes, Title 32,

sections 13970, 13972 and 13979 take effect December 31, 1992.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 3, 1992, unless otherwise indicated.

CHAPTER 802

H.P. 1740 - L.D. 2427

An Act to Distribute General Purpose Aid for Local Schools for Fiscal Year 1992-93

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

Sec. 1. 20-A MRSA §1301, sub-§1, ¶C is enacted to read:

C. Notwithstanding paragraphs A and B and for fiscal year 1992-93 only, the state valuation and resident pupil information used to calculate the shared cost for each municipality must be the same as the information used for fiscal year 1991-92.

Sec. 2. 20-A MRSA §1704, sub-§1, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

1. Formula. A community school district shall share its costs among the member municipalities on the basis of:

A. The number of resident pupils in each municipality;

B. The state valuation of each member municipality's real property as set in the calendar year prior to the district's fiscal year;

C. In accordance with any combination of paragraphs A and B; or

D. In accordance with any other formula authorized by the Legislature.

Notwithstanding paragraphs A to D and for fiscal year 1992-93 only, the state valuation and resident pupil information used to calculate the shared cost for each municipality must be the same as the information used for fiscal year 1991-92.

Sec. 3. 20-A MRSA §15602, sub-§7 is enacted to read:

1. Fiscal year 1992-93. Notwithstanding any other provision of this Title, the following provisions apply to