

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FOURTEEN

S.P. 685 - L.D. 1724

**An Act To Conform Licensing Requirements for Real Estate Appraisers with  
Federal Law**

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

**Sec. 1. 32 MRSA §14021, sub-§7** is enacted to read:

**7. Fingerprinting.** In accordance with standards adopted by the appraiser qualifications board, an applicant shall submit a set of the applicant's fingerprints, taken by a law enforcement officer, and any other information necessary for a statewide and nationwide criminal history record check to be completed by the Department of Public Safety, State Bureau of Identification and the Federal Bureau of Investigation, commencing at the time determined by the appraiser qualifications board. All costs associated with the criminal history record check are the responsibility of the applicant and must be submitted with the fingerprints. Criminal history records provided to the board of real estate appraisers are confidential and may only be used to determine an applicant's eligibility for licensure. The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of a criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal record check may inspect and review criminal history record information pursuant to Title 16, section 709.

**Sec. 2. 32 MRSA §14024, sub-§2,** as enacted by PL 1999, c. 185, §5, is repealed.

**Sec. 3. 32 MRSA §14024, sub-§3,** as enacted by PL 1999, c. 185, §5, is amended to read:

**3. Applicants licensed in another jurisdiction.** An applicant who is licensed under the laws of another jurisdiction ~~is governed by this subsection.~~ may be issued a license if:

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

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

C. The applicant holds a license in good standing from a jurisdiction with requirements for licensure that meet or exceed the license requirements as set forth by this subchapter for that level of licensure; and

D. The appraiser licensing program of the other jurisdiction complies with Title XI of the federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989 as determined by the federal agency responsible for the determination under that Act.

**Sec. 4. 32 MRSA §14027, sub-§1**, as amended by PL 2011, c. 286, Pt. L, §2, is further amended to read:

**1. Requirement.** As a prerequisite to renewal of a license, an applicant must have completed continuing education as set forth by rules adopted by the board. An applicant may not repeat for credit the same continuing education course offering within a license renewal cycle.

**Sec. 5. 32 MRSA §14035, sub-§2**, as amended by PL 2011, c. 286, Pt. L, §3, is further amended to read:

**2. Professional qualifications.** An applicant for a certified general real property appraiser license must meet the licensing requirements ~~promulgated~~ established by the appraiser qualifications board. Each As a prerequisite to taking the examination required by section 14035-A, an applicant must:

~~A. Hold a bachelor's or higher degree from an accredited college or university or have successfully passed 30 semester credit hours in the following college-level subject matter courses from an accredited college, junior college, community college or university:~~

~~(1) English composition;~~

~~(2) Microeconomics;~~

~~(3) Macroeconomics;~~

~~(4) Finance;~~

~~(5) Algebra, geometry or higher mathematics;~~

~~(6) Statistics;~~

~~(7) Computers, word processing and spreadsheets;~~

~~(8) Business or real estate law; and~~

~~(9) Two elective courses in accounting, geography, agricultural economics, business management or real estate.~~

~~An applicant may receive credit for a college course for an exam taken through a college level examination program if a college or university accredited by a commission on colleges, a regional or national accreditation association or an accrediting agency that is recognized by the United States Secretary of Education accepts the exam and issues a transcript showing its approval;~~

B. Satisfactorily complete 300 creditable class hours as specified in the appraiser qualifications board's required core curriculum, which must include the 15-hour national uniform standards of professional appraisal practice course and examination; and

~~C. Pass the appraiser qualifications board's uniform state-certified general real property appraiser examination; and~~

D. Hold a valid license under this chapter and demonstrate 3,000 hours of appraisal experience obtained during no fewer than 30 months, including 1,500 hours of nonresidential appraisal work.

**Sec. 6. 32 MRSA §14035, sub-§3**, as enacted by PL 2005, c. 518, §6, is repealed.

**Sec. 7. 32 MRSA §14035-A** is enacted to read:

**§14035-A. Required examination; certified general real property appraiser**

An applicant for a certified general real property appraiser license must pass the appraiser qualifications board's uniform state-certified general real property appraiser examination within 24 months of the date the applicant is eligible to take the examination. An applicant must apply for a certified general real property appraiser license within 24 months of successfully completing the examination.

**Sec. 8. 32 MRSA §14036, sub-§2**, as amended by PL 2011, c. 286, Pt. L, §4, is further amended to read:

**2. Professional qualifications.** An applicant for a certified residential real property appraiser license must meet the licensing requirements ~~promulgated~~ established by the appraiser qualifications board. ~~Each~~ As a prerequisite to taking the examination required by section 14036-A, an applicant must:

A. Hold ~~an associate's~~ a bachelor's or higher degree from an accredited college or university ~~or have successfully passed 21 semester credit hours in the following collegiate level subject matter courses from an accredited college, junior college, community college or university:~~

- ~~(1) English composition;~~
- ~~(2) Principles of microeconomics or macroeconomics;~~
- ~~(3) Finance;~~
- ~~(4) Algebra, geometry or higher mathematics;~~
- ~~(5) Statistics;~~
- ~~(6) Computers, word processing and spreadsheets; and~~

~~(7) Business or real estate law.~~

~~An applicant may receive credit for a college course for an exam taken through a college level examination program if a college or university accredited by a commission on colleges, a regional or national accreditation association or an accrediting agency that is recognized by the United States Secretary of Education accepts the exam and issues a transcript showing its approval;~~

B. Satisfactorily complete 200 creditable class hours as specified in the appraiser qualifications board's required core curriculum, which must include the 15-hour national uniform standards of professional appraisal practice course and examination; and

~~C. Pass the appraiser qualifications board's uniform state-certified residential real property appraiser examination; and~~

D. Hold a valid license under this chapter and demonstrate 2,500 hours of appraisal experience obtained during no fewer than 24 months, including complex residential property appraisals completed under the supervision of a certified residential real property appraiser or a certified general real property appraiser under section 14035.

**Sec. 9. 32 MRSA §14036, sub-§3**, as enacted by PL 2005, c. 518, §7, is repealed.

**Sec. 10. 32 MRSA §14036-A** is enacted to read:

**§14036-A. Required examination; certified residential real property appraiser**

An applicant for a certified residential real property appraiser license must pass the appraiser qualifications board's uniform state-certified residential real property appraiser examination within 24 months of the date the applicant is eligible to take the examination. An applicant must apply for a certified residential real property appraiser license within 24 months of successfully completing the examination.

**Sec. 11. 32 MRSA §14037, sub-§2**, as enacted by PL 2005, c. 518, §8, is amended to read:

**2. Professional qualifications.** ~~Each~~ An applicant for a residential real property appraiser license must meet the licensing requirements ~~promulgated~~ established by the appraiser qualifications board. ~~Each~~ As a prerequisite to taking the examination required by section 14037-A, an applicant must:

A. Satisfactorily complete 150 creditable class hours as specified in the appraiser qualifications board's required core curriculum, which must include the 15-hour national uniform standard of professional appraisal practice course and examination;

~~B. Pass the appraiser qualifications board's licensed residential real property appraiser examination; and~~

C. Hold a valid license under this chapter and demonstrate 2,000 hours of appraisal experience obtained during no fewer than 12 months; and

D. Hold an associate or higher degree from an accredited college or university or have successfully completed 30 semester credit hours of college-level courses from an accredited college, junior college, community college or university.

**Sec. 12. 32 MRSA §14037, sub-§3**, as enacted by PL 2005, c. 518, §8, is repealed.

**Sec. 13. 32 MRSA §14037-A** is enacted to read:

**§14037-A. Required examination; residential real property appraiser**

An applicant for a residential real property appraiser license must pass the appraiser qualifications board's licensed residential real property appraiser examination within 24 months of the date the applicant is eligible to take the examination. An applicant must apply for a residential real property appraiser license within 24 months of successfully completing the examination.

**Sec. 14. 32 MRSA §14038, sub-§2**, as enacted by PL 2005, c. 518, §9, is amended to read:

**2. Professional qualifications.** ~~Each~~ An applicant for a trainee real property appraiser license must meet the licensing requirements ~~promulgated~~ established by the appraiser qualifications board. ~~Each~~ An applicant must satisfactorily complete ~~75 creditable class hours as specified in the appraiser qualifications board's required core curriculum, which must include the 15-hour national uniform standards of professional appraisal practice course and examination;~~

A. Seventy-five creditable class hours as specified in the appraiser qualifications board's required core curriculum, which must include the 15-hour national uniform standards of professional appraisal practice course, within 5 years of the date of application for licensure; and

B. A supervisory appraiser and trainee appraiser course as specified by the appraiser qualifications board.

**Sec. 15. 32 MRSA §14038, sub-§3**, as enacted by PL 2005, c. 518, §9, is repealed.

**Sec. 16. 32 MRSA §14038, sub-§4**, as enacted by PL 2005, c. 518, §9, is amended to read:

**4. Number of supervisors.** A trainee real property appraiser may have more than one supervising certified residential real property appraiser or certified general real property appraiser, ~~but a supervising appraiser may not supervise more than 3 trainee real property appraisers at one time.~~

**Sec. 17. 32 MRSA §14038, sub-§6**, as enacted by PL 2005, c. 518, §9, is repealed.

**Sec. 18. 32 MRSA §14039** is enacted to read:

**§14039. Supervisory appraiser**

**1. Scope of practice.** A supervisory appraiser is responsible for the training, guidance and direct supervision of a trainee real property appraiser as set forth by rules adopted by the board.

**2. Certified level license required.** A certified general real property appraiser or certified residential real property appraiser who has held a license for a minimum of 3 years and within the last 3 years has not had a license suspended or revoked or been subject to other disciplinary action that limits the licensee's legal eligibility to perform real estate appraisal activity may supervise a trainee real property appraiser.

**3. Completion of supervisory course.** A supervisory appraiser must satisfactorily complete a supervisory appraiser and trainee appraiser course as specified by the appraiser qualifications board to supervise a trainee real property appraiser licensed on or after January 1, 2015.

**4. Filing with board.** Before employing a trainee real property appraiser, a supervising certified residential real property appraiser or certified general real property appraiser must register the name and starting date of employment of that trainee with the board.

**5. Limitation on number of trainees.** A supervisory appraiser may not supervise more than 3 trainee real property appraisers at one time.

**Sec. 19. Effective date.** This Act takes effect January 1, 2015.