

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 347

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO THE IDAHO REAL ESTATE APPRAISERS ACT; AMENDING SECTION 54-4106,
2 IDAHO CODE, TO PROVIDE AN ADDITIONAL POWER AND DUTY OF THE REAL ESTATE
3 APPRAISER BOARD.
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 54-4106, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 54-4106. REAL ESTATE APPRAISERS -- REAL ESTATE APPRAISER BOARD -- POW-
9 ERS AND DUTIES -- COMPENSATION. (1) There is hereby created in the department
10 of self-governing agencies, a real estate appraiser board, hereinafter re-
11 ferred to as the "board," which shall administer the provisions of this chap-
12 ter. The board shall consist of five (5) members to be appointed by the gov-
13 ernor as follows:

14 (a) One (1) from the northern district consisting of the counties
15 of Idaho, Lewis, Nez Perce, Clearwater, Latah, Benewah, Boundary,
16 Shoshone, Kootenai and Bonner; one (1) from the southeastern district
17 consisting of the counties of Lemhi, Butte, Clark, Fremont, Jefferson,
18 Madison, Teton, Bonneville, Bingham, Caribou, Bear Lake, Franklin,
19 Oneida, Power and Bannock; one (1) from the southwestern district con-
20 sisting of the counties of Owyhee, Elmore, Ada, Canyon, Boise, Gem,
21 Payette, Washington, Adams and Valley; one (1) from the south central
22 district consisting of the counties of Blaine, Camas, Cassia, Custer,
23 Gooding, Jerome, Lincoln, Minidoka and Twin Falls; and one (1) from the
24 state at large;

25 (b) On July 1, 1990, the governor shall appoint the members of the
26 board, each of whom shall be a real estate appraiser with not less than
27 five (5) years' experience in the real estate appraisal business in
28 Idaho. As of July 1, 1999, the board appointment from the state at large
29 is extended for a period of two (2) years and the board appointment from
30 the south central district is extended for a period of one (1) year.
31 Each regular appointment thereafter, other than an appointment to fill
32 an unexpired term, shall be for a term of four (4) years and each board
33 member shall hold office until a successor is appointed and qualified.
34 Upon the death, resignation or removal of any member of the board, the
35 governor shall appoint a state licensed or state certified real estate
36 appraiser to fill the unexpired term. Appointments to fill any vacancy
37 other than that resulting from the expiration of a term shall be made
38 for the unexpired term. After July 1, 1991, new board members shall be
39 required to be state licensed or certified real estate appraisers with
40 not less than five (5) years' experience in the real estate appraisal
41 business in Idaho;

1 (c) Within fifteen (15) days after the appointment of the members of the
 2 board, the board shall call a meeting and organize by the election of a
 3 chairman. Thereafter, the chairman may call meetings of the board when-
 4 ever he deems it advisable but if he refuses to call a meeting upon writ-
 5 ten demand of the other four (4) members of the board, then such members
 6 may call such meeting. Reasonable notice shall be given in writing by
 7 mail of such meeting.

8 (2) The board shall have, in addition to the powers conferred elsewhere
 9 in this chapter, the following powers and duties:

10 (a) To authorize, by written agreement, the bureau of occupational li-
 11 censes to act as its agent in its interest;

12 (b) To adopt, pursuant to the administrative procedure act, such rules
 13 as the board, in its discretion, deems necessary for the administra-
 14 tion and enforcement of this chapter, and any such rules deemed neces-
 15 sary by the board to keep the Idaho real estate appraisers act in compli-
 16 ance with federal law, rule, regulation or policy;

17 (c) To conduct investigations into violations of the provisions of this
 18 chapter;

19 (d) To receive applications for and issue licenses or certificates to
 20 real estate appraisers pursuant to this chapter;

21 (e) To hold meetings, hearings and examinations at such places and at
 22 such times as it shall designate;

23 (f) To collect, deposit and disburse application and other fees, as re-
 24 quired by this chapter or federal law;

25 (g) To maintain a register of all state licensed or certified residen-
 26 tial and state certified general real estate appraisers;

27 (h) To censure a state licensed or certified appraiser or suspend or
 28 revoke appraisal licenses or certificates as provided in this chapter,
 29 subject to the provisions of the Idaho administrative procedure act,
 30 chapter 52, title 67, Idaho Code; and

31 (i) To adopt rules governing the registration and limitations of real
 32 estate appraiser trainees; and

33 (j) To require new applicants to submit to a satisfactory finger-
 34 print-based criminal history check of the Idaho central criminal data-
 35 base and the federal bureau of investigation criminal history database
 36 and to collect fees from applicants for the costs of such background
 37 check.

38 (3) Each member of the board of real estate appraisers shall be compen-
 39 sated as provided in section 59-509(m), Idaho Code.