

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -  
2008**

**COMMITTEE STATEMENT**

**LB1011**

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**Hearing Date:** February 04, 2008

**Committee On:** Banking, Commerce and Insurance

**Introducer(s):** (Langemeier)

**Title:** Change the Real Property Appraiser Act

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**Roll Call Vote - Final Committee Action:**

Placed on General File

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**Vote Results:**

8 Yes                      Senators Carlson, Christensen, Gay, Hansen,  
Langemeier, Pahls, Pankonin, Pirsch

0 No

0 Absent

0 Present, not voting

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**Proponents:**  
Senator Chris Langemeier  
Kitty Policky

**Representing:**  
Introducer  
NE Real Property Appraiser Board

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or change:**

LB 1011 (Langemeier, Erdman) would amend various sections of the Real Property Appraiser Act to update provisions and repeal obsolete provisions. The bill would provide, section by section, as follows:

Section 1 would amend section 76-2207 of the Real Property Appraiser Act to provide that an “appraiser trainee” will no longer be defined as a person who, under the direct supervision of a “licensed” real property appraiser, assists the appraiser in any phase of appraisal activity. The definition would continue to apply to a person under the direct supervision of a certified residential or certified general real property appraiser.

Section 2 would amend section 76-2213.01 of the Real Property Appraiser Act to provide that “Uniform Standards of Professional Appraisal Practice” shall be defined as the standards promulgated by the Appraisal Foundation as the standards existed on January 1, “2008” rather than January 1, “2007.”

Section 3 would amend section 76-2221 of the Real Property Appraiser Act, which currently provides that the Real Property Appraiser Act shall not apply to any real property appraiser who is a salaried employee of the federal government, a state agency or political subdivision which appraises real estate, an insurance company, or financial institution. The bill would amend this section to provide that any such employee who also practices as an independent real property appraiser for “other nonexempt entities” shall be subject to the act, “including the provisions of the Uniform Standards of professional Appraisal Practice.” The bill would amend this section to provide that any such appraiser who prepares an appraisal report for an exempt entity shall not sign it as a credentialed appraiser and shall include a disclosure that the opinion of value may not meet the minimum standards contained in the Uniform Standards of Professional Appraisal Practice and is not governed by the Real Property Appraiser Act. The bill would amend this section to provide that any appraiser appointed to act as a referee by a county board of equalization and who prepares an appraisal report shall not sign it as a credentialed appraiser and shall include a disclosure that the opinion of value may not meet the minimum standards contained in the Uniform Standards of Professional Appraisal Practice and is not governed by the Real Property Appraiser Act. The bill would amend this section to provide for repeal of provisions which became obsolete on January 1, 2008.

Section 4 would amend section 76-2222 of the Real Property Appraiser Act to provide that no person shall serve as a member of the Real Property Appraiser Board for consecutive terms rather than for “more than two” consecutive terms.

Section 5 would amend section 76-2223 of the Real Property Appraiser Act to provide that the Real Property Appraiser Board may collect and transmit to the appropriate federal authority any fees established under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as the act existed on January 1, “2008” rather than January 1, “2006.”

Section 6 would amend section 76-2228 of the Real Property Appraiser Act to provide for repeal of provisions which became obsolete on January 1, 2008.

Section 7 would amend section 76-2229 of the Real Property Appraiser Act to provide that no person other than an appraiser trainee shall assume or use the title appraiser trainee or any title, designation, or abbreviation likely to create the impression that he or she is an appraiser trainee in this state.

Section 8 would amend section 76-2229.01 of the Real Property Appraiser Act to specify that its provisions became applicable on and after January 1, 2008.

Sections 9 to 11 would amend sections 76-2230, 76-2231.01, and 76-2232 of the Real Property Appraiser Act to provide for repeal of provisions which became obsolete on January 1, 2008.

Section 12 would amend section 76-2233 of the Real Property Appraiser Act, which allows a nonresident to qualify for reciprocal credentialing if the applicant is currently a resident of the state, territory, or the District of Columbia in which he or she is credentialed to appraise real property. The bill would amend this section to provide for repeal of provisions which allow the Real Property Appraiser Board to waive the residence requirement under special residency circumstances.

Section 13 would amend section 76-2241 of the Real Property Appraiser Act to provide that the Real Property Appraiser Board shall charge and collect a temporary credential “application” fee rather than a temporary credential fee and provide that such fee for a licensed real property appraiser shall be no more than two hundred dollars rather than no more than one hundred fifty dollars. The bill would amend this section to provide that the Real Property Appraiser Board may collect and transmit to the appropriate federal authority any fees established under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as the act existed on January 1, “2008” rather than January 1, “2006.”

Section 14 would amend section 76-2244 of the Real Property Appraiser Act to provide that each “resident” credential holder shall designate and maintain a principal place of business, and provide that upon any change in his or her principal place of business, a “resident or nonresident” credential holder shall promptly give notice to the Real Property Appraiser Board.

Section 15 would amend section 76-2249 of the Real Property Appraiser Act to provide that the directory which the Real Property Appraiser Board may prepare showing the name and place of business of credential holders shall be provided to federal authorities as required by the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as the act existed on January 1, “2008” rather than “2006.”

Section 16 would provide for repealers.

**Explanation of amendments, if any:**

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Senator Rich Pahls, Chairperson