

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 954 Session of  
2003

INTRODUCED BY ROBERTS, HORSEY, KIRKLAND, McCALL, MELIO, PALLONE,  
PISTELLA, SAINATO, SHANER, R. STEVENSON, THOMAS, WASHINGTON  
AND YOUNGBLOOD, MARCH 21, 2003

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, MARCH 21, 2003

AN ACT

1 Amending the act of July 10, 1990 (P.L.404, No.98), entitled "An  
2 act providing for the certification of real estate  
3 appraisers; specifying requirements for certification;  
4 providing for sanctions and penalties; and making an  
5 appropriation," further providing for the State Board of  
6 Certified Real Estate Appraisers; and making editorial  
7 changes.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 4 of the act of July 10, 1990 (P.L.404,  
11 No.98), known as the Real Estate Appraisers Certification Act,  
12 is amended to read:

13 Section 4. State Board of Certified Real Estate Appraisers.

14 (a) Creation.--There is hereby created the State Board of  
15 Certified Real Estate Appraisers as a departmental  
16 administrative board in the Department of State. The board shall  
17 consist of [seven] nine members who are citizens of the United  
18 States and who have been residents of this Commonwealth for a  
19 two-year period immediately prior to appointment, two of whom  
20 shall be public members, [four] five of whom shall be persons

1 who are State-certified real estate appraisers, one of whom  
2 shall be the Attorney General or his or her designee and one of  
3 whom shall be the Secretary of the Commonwealth or his or her  
4 designee. [For the initial board appointments, the four  
5 professional members need not be certified at the time of  
6 appointment but shall have appropriate appraisal experience and  
7 education and shall have demonstrated adherence to standards of  
8 professional practice.]

9 (b) Term of office.--The professional and public members  
10 shall serve four-year terms[, except as provided in subsection  
11 (c),] and shall be appointed by the Governor by and with the  
12 advice and consent of a majority of the members elected to the  
13 Senate.

14 [(c) Initial appointments.--Within 90 days of the effective  
15 date of this act, the Governor shall nominate one professional  
16 member to serve a four-year term; one public member and one  
17 professional member to serve three-year terms; one public member  
18 and one professional member to serve two-year terms; and one  
19 professional member to serve a one-year term.]

20 (d) Continuation in office.--Each professional and public  
21 member shall continue in office until a successor is duly  
22 appointed and qualified but no longer than six months after the  
23 expiration of the term. In the event that a board member shall  
24 die, resign or otherwise become disqualified during the term of  
25 office, a successor shall be appointed in the same way and with  
26 the same qualifications as set forth in this section and shall  
27 hold office for the unexpired portion of the unexpired term.

28 (e) Limit on terms.--No board member shall be eligible for  
29 appointment to serve more than two consecutive four-year terms.

30 (f) Forfeiture of membership.--A board member who fails to

1 attend three consecutive meetings shall forfeit his or her seat  
2 unless the secretary, upon written request from the member,  
3 finds that the member should be excused from a meeting because  
4 of illness or the death of a family member.

5 (g) Compensation.--Each member of the board, except the  
6 secretary, shall receive per diem compensation at the rate of  
7 \$60 per diem when actually attending to the work of the board.  
8 Members shall also receive reasonable traveling, hotel and other  
9 necessary expenses incurred in the performance of their duties  
10 in accordance with Commonwealth regulations.

11 (h) Forfeiture for nonattendance.--A public member who fails  
12 to attend two consecutive statutorily mandated training seminars  
13 in accordance with section 813(e) of the act of April 9, 1929  
14 (P.L.177, No.175), known as The Administrative Code of 1929,  
15 shall forfeit his or her seat unless the secretary, upon written  
16 request from the public member, finds that the public member  
17 should be excused from a meeting because of illness or the death  
18 of a family member.

19 (i) Quorum.--A majority of the members of the board serving  
20 in accordance with law shall constitute a quorum for purposes of  
21 conducting the business of the board. A member may not be  
22 counted as part of a quorum or vote on any issue unless he or  
23 she is physically in attendance at the meeting.

24 (j) Meetings.--The board shall meet at least four times a  
25 year in Harrisburg.

26 (k) Notice.--Reasonable notice of all meetings shall be  
27 given in conformity with [the act of July 3, 1986 (P.L.388,  
28 No.84), known as the Sunshine Act] 65 Pa.C.S. Ch. 7 (relating to  
29 open meetings).

30 (l) Operating procedures.--The board shall [meet within 30

1 days after the appointment of its initial members and] set up  
2 operating procedures and an application form for certifying  
3 appraisers. It shall be the responsibility of the board to  
4 circulate these forms and educate the public to the requirements  
5 of certification. No other board and no commission within the  
6 Bureau of Professional and Occupational Affairs shall be  
7 responsible, in any manner, for the policies, procedures or  
8 other substantive matters which are within the powers and duties  
9 of the board as set forth in this act.

10 (m) Election of officers.--The board shall elect annually  
11 from its membership a chairman, a vice chairman and a secretary.

12 Section 2. This act shall take effect in 60 days.