

ENGROSSED SENATE
JOINT
RESOLUTION NO. 32

By: Corn of the Senate

and

Piatt of the House

A Joint Resolution relating to amendments to permanent rule of the Oklahoma Real Estate Appraiser Board; disapproving, in part, amendments to permanent rule OAC 600:10-1-16, regarding supervision of trainee appraisers; directing program development; directing distribution; and declaring an emergency.

WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the Oklahoma Statutes, the Legislature reserves the right to designate the method for rule promulgation, establish policy, determine that a rule is not consistent with legislative intent and disapprove any rule or portion thereof at any time; and

WHEREAS, pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, the Oklahoma Real Estate Appraiser Board shall be responsible for setting forth requirements for certified real estate appraisers; and

WHEREAS, amendments to permanent rule OAC 600:10-1-16, which were adopted by the Oklahoma Real Estate Appraiser Board on December 3, 2004, submitted to the Legislature and Governor on December 10, 2004, approved by the Governor on January 24, 2005, and finally adopted on March 30, 2005, governing the number of trainee appraisers that may be supervised by a supervisory appraiser, do not reflect the intent of the Oklahoma Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 50TH OKLAHOMA LEGISLATURE:

SECTION 1. The Legislature hereby disapproves the revision to subsection (a) of OAC 600:10-1-16 which states:

“, but a supervisory appraiser may not supervise more than three (3) trainee appraisers at one time.”

SECTION 2. The Legislature hereby disapproves paragraph 3 of subsection (a) of OAC 600:10-1-16 which states:

“(3) Supervisory appraisers having responsibility for more than three (3) trainee appraisers on the effective date of this rule may keep those relationships intact, but may not undertake additional supervisory responsibilities until such time as this action will not violate the three (3) trainee limitation imposed above.”

SECTION 3. The Legislature hereby disapproves paragraph 5 of subsection (e) of OAC 600:10-1-16, which states:

“(5) State Licensed appraisers with supervisor-trainee relationships in place on the effective date of this rule may keep those relationships intact, but may not undertake additional supervisory responsibilities until such time as they have upgraded to State Certified General or State Certified Residential Appraiser.”

SECTION 4. The Legislature hereby directs the Oklahoma Real Estate Appraiser Board to develop a program which provides for progress monitoring, supervising certified appraiser qualifications, and supervision and oversight requirements for supervising appraisers, in compliance with the requirements of the Trainee Real Property Appraiser Qualification Criteria effective January 1, 2008, of the Appraiser Qualifications Board of The Appraisal Foundation.

SECTION 5. The Secretary of State is hereby directed to distribute copies of this resolution to the Governor, the Oklahoma Real Estate Appraiser Board, and the Editor of “The Oklahoma Register”.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 27th day of May, 2005.

Presiding Officer of the Senate

Passed the House of Representatives the day of May, 2005.

Presiding Officer of the House
of Representatives