

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1264

H. P. 926 House of Representatives, February 12, 1965
Referred to the Committee on Legal Affairs. Sent up for concurrence and
ordered printed.

JEROME G. PLANTE, Clerk

Presented by Mr. Edwards of Portland

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Providing for the Registration of Home Improvement Companies and
Salesmen.

Be it enacted by the People of the State of Maine, a follows :

Sec. 1. R. S., T. 32, c. 24, additional. Title 32 of the Revised Statutes is
amended by adding a new chapter 24 to read as follows :

‘CHAPTER 24

HOME IMPROVEMENT

§ 1671. Commission; powers; duties; compensation

The Maine Home Improvement Commission, as hereby created and hereinafter
in this chapter called the “commission,” shall consist of 5 persons appointed by
the Governor, 3 whose vocation for a period of at least 10 years shall have been
that of a home improvement contractor or salesman and 2 from the public at
large. Each shall have been a resident of the State for 5 years prior to the date
of his appointment. There shall at no time be more than one commissioner
from any one county. Upon the expiration of the term of office or any member,
his successor shall be appointed for a term of 3 years and until his successor
is appointed and qualified. Members to fill unexpired vacancies shall be ap-
pointed for the unexpired term. The commission immediately upon the qualifi-
cation of the members appointed in each year shall organize by selecting from
its members a chairman and may do all things necessary for carrying out this
chapter and may from time to time promulgate necessary rules and regulations.

Each member shall receive as full compensation for each day actually spent
on the work of said commission his actual and necessary expenses incurred in
the performance of duties pertaining to his office.

Fees collected under this chapter shall be paid forthwith by the commission to the Treasurer of State with a detailed statement thereof and shall be credited to the General Fund.

§ 1672. Qualifications of applicants

An applicant for a home improvement company or salesman's license shall submit to the commission written evidence, verified by oath, that the applicant:

1. Rejection. Has not had an application rejected in this or any other state within 6 months prior to date of application; and
2. Revocation. Has not had a home improvement license revoked in this or any other state within 2 years prior to date of application.

§ 1673. License

1. Application. Every applicant for a home improvement company license shall apply therefor in writing upon blanks prepared or furnished by the commission.

2. Sworn statement. Every such applicant shall furnish a sworn statement, setting forth his present address both of business and residence, a complete list of all former places where he may have resided and been engaged in business for a period of 60 days or more during the last 2 years, together with the name and address of one home improvement company owner in each of said places where he may have resided or been engaged in business. If the applicant is a partnership or an association, the name and address of each member thereof shall be stated. If the applicant is a corporation, the name and address of each officer and director thereof shall be stated. The applicant shall state whether he has been convicted of a criminal offense involving a police record, and if so, what offense; if the applicant is a partnership or association, whether any member thereof has been so convicted and if the applicant is a corporation, whether any officer or director has been so convicted.

3. Recommendations. Such application shall be accompanied by the recommendation of at least 3 citizens, not related to the applicant, who have known the applicant for a period of 3 years and who have owned real estate for a period of one year or more in the State in which said applicant resides or has his place of business. The recommendation shall certify that the applicant bears a good reputation for honesty, truthfulness, fair dealing and competency and recommend that a license be granted to the applicant. If the applicant cannot procure such recommendations for the reason that he has not resided within the county for a period of 3 years, he may furnish similar recommendations from 3 persons with like qualifications from any county where the applicant has resided within the 3 years prior to the filing of his application. The commission, with due regard to the paramount interests of the public, may require such other proof as shall be deemed desirable as to the honesty, truthfulness, integrity, reputation and competency of the applicant. The application for a salesman's license shall in addition be accompanied by a written statement by the company into whose service he is about to enter, stating that in its opinion the applicant is honest, truthful and of good reputation and recommending that the license be granted to the applicant.

4. License fees. Every application for a license under this chapter shall be accompanied by the license fee prescribed. In the event the commission does not issue the license, the fee shall be returned to the applicant. The original fee for a home improvement company license shall be \$25 and the annual renewal fee shall be \$15. The original fee for a home improvement salesman's license shall be \$15 and the annual renewal fee shall be \$10.

5. Expiration. Every license shall expire on June 30th of each year and the commission shall issue a new license for each ensuing year.

6. Rules and regulations. The commission shall make and enforce rules and regulations connected with the application for any license and shall be deemed necessary with the application to administer and enforce this chapter.

§ 1674. Suspension or revocation

The commission may, upon its own motion and shall upon the verified complaint in writing of any person, provided such complaint together with evidence, documentary or otherwise, presented in connection therewith shall make out a prima facie case, investigate the actions of any home improvement contractor or salesman, or any person who shall assume to act in either capacity within the State.'