MAINE STATE LEGISLATURE

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1 2	SECOND REGULAR SESSION
3 4	ONE HUNDRED AND TENTH LEGISLATURE
5 6	Legislative Document No. 1794
7 8 9	H. P. 1809 House of Representatives, January 12, 1982 Submitted by the Department of Business Regulation pursuant to Joint Rule 24. On Motion of Representative Brannigan of Portland referred to the Committee on Business Legislation and 1,500 ordered printed.
10	EDWIN H. PERT, Clerk Presented by Representative Racine of Biddeford. Cosponsors: Representative Telow of Lewiston and Senator Clark of Cumberland.
11	
12 13	STATE OF MAINE
14 15 16	IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-TWO
17 18 19	AN ACT to Adjust Fees for Licenses issued by the Real Estate Commission.
20	Be it enacted by the People of the State of Maine as follows:
21 22 23	Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
24 25 26	Whereas, the 90-day period may not terminate until after the Real Estate Commission collects license revenue for fiscal year 1983 funding; and
27 28 29	Whereas, revenue generated by the current license fee structure is insufficient to fund the current Real Estate Commission program; and

1 2 3 4 5	Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,
6	Be it enacted by the People of the State of Maine as follows:
7 8	Sec. 1. 32 MRSA §4101-A, sub-§1, as amended by PL 1975, c. 767, §62, is further amended to read:
9 10 11 12 13	1. Certificate of approval. Any educational program to prepare students for the real estate profession shall first pay the prescribed fee and obtain a certificate of approval from and thereafter adhere to the prescribed curricula and standards of the commission.
14 15	Sec. 2. 32 MRSA §4107, as last repealed and replaced by PL 1979, c. 693, §2, is amended to read:
16	§4107. Fees - brokers, salesmen and schools
17	1. License examinations.
18	A. First examination and one retake \$40 \$50
19	B. Retake examinations
20	2. Licenses and pocketcards.
21	<u>A.</u> Two-year active \$40 <u>\$100</u>
22	<u>B.</u> Two-year inactive
23	C. One-year temporary (broker only) 20 40
24	\underline{D} . Two-year duplicate (branch office) $\underline{10}$
25	<u>E.</u> Replacement 5 <u>10</u>
26	<u>F.</u> Record modifications 5 <u>10</u>
27	G. Prelicensure program certification 50
28	H. Continuing education program approval 25
29	I. Other educational program approvals 50

Sec. 3. 32 MRSA §4115-B, 4th ¶, as enacted by PL 1979, c. 196, §2, is amended by adding before the first sentence a new sentence to read:

The commission shall collect the prescribed application fee.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Statement of Fact

Real Estate Commission expenditures have exceeded revenues in each of the last 3 years. The Real Estate Fund balance has been depleted. Anticipated revenue will be insufficient to meet expenditures for the current program level during this fiscal year. Furthermore, a substantial year end balance is necessary to fund commission operations until the license renewal period in the 4th quarter of each fiscal year.

This bill will result in an annual license cost of \$50 for active real estate brokers and salesmen and \$30 for inactive real estate brokers and salesmen. It also establishes a fee for commission certification of educational programs.

This bill increases dedicated revenues by approximately \$170,000 annually.