

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fifth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1964, Title 3 Section 164, Subsection 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1971

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Fifth Legislature
1971

Whereas, unreasonable delays in testing water supplies can cause a threat to the public health; and

Whereas, unreasonable delays in testing water can create serious problems in real estate transfers when FHA and VA are involved; and

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,

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

Sec. 1. R. S., T. 22, § 562, amended. Section 562 of Title 22 of the Revised Statutes is amended by adding at the end the following new paragraph:

The department may make a charge, not to exceed \$2, for chemical and bacteriological examination of private water supplies. All such fees collected shall be credited to the General Fund.

Sec. 2. Appropriation. There is appropriated to the Department of Health and Welfare from the General Fund the sum of \$31,690 to provide for expansion of laboratory services for testing of water supplies. The breakdown shall be as follows:

	1971-72	1972-73
HEALTH AND WELFARE, DEPARTMENT OF		
Personal Services	(1) \$13,022	(1) \$13,768
All Other	2,100	2,100
Capital Expenditures	700	—
	\$15,822	\$15,868

Emergency clause. In view of the emergency cited in the preamble, this Act shall become effective July 1, 1971.

Effective July 1, 1971

Chapter 467

AN ACT Relating to Power to Loan under State Housing Authority's Law.

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

R. S., T. 30, § 4601-A, sub-§ 1, ¶ L, additional. Subsection 1 of section 4601-A of Title 30 of the Revised Statutes, as enacted by section 7 of chapter 470 of the public laws of 1969 and as amended, is further amended by adding a new paragraph L to read as follows:

L. Loan or make commitments to loan money, secured by mortgage or otherwise, on such terms and conditions as may be agreed upon by the State Housing Authority from time to time, including but not limited to prepayment, interest rate, rentals and project design and planning, after consideration of the comparative need for such housing in the area and contemporary mortgage lending market conditions; provided that the State Housing Authority shall take into consideration the standards enumerated in section 4760 and has determined that the applicant has, in writing, been refused funds on a comparable loan by 3 banks authorized to do business within 100 miles radius of the site of the proposed construction, except that such loans as shall be made hereunder shall be made exclusively for housing projects, including single family dwellings, which shall be either insured, guaranteed or assisted by the Federal Government and shall not pledge the faith and credit of the State of Maine.

Effective September 23, 1971

Chapter 468

AN ACT Revising the Laws Relating to Real Estate Brokers and Salesmen.

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

Sec. 1. R. S., T. 14, § 2602, sub-§ 10, additional. Section 2602 of Title 14 of the Revised Statutes, as amended by chapter 354 of the public laws of 1965 and by chapter 318 of the public laws of 1967, is further amended by adding a new subsection 10 to read as follows:

10. Money deposited. By reason of any money deposited with him in a broker's trust account under Title 32, section 4004-A, except to the extent provided in that section.

Sec. 2. R. S., T. 32, § 4003, amended. The last sentence of section 4003 of Title 32 of the Revised Statutes, as amended by section 1 of chapter 312 of the public laws of 1969, is further amended to read as follows:

A licensed broker may share his commission with a nonresident ~~broker~~, provided such nonresident ~~broker~~ is licensed as a real estate broker within his own state.

Sec. 3. R. S., T. 32, § 4004-A, amended. The first sentence of section 4004-A of Title 32 of the Revised Statutes, as enacted by section 2 of chapter 223 of the public laws of 1965, is amended to read as follows:

Every real estate broker shall ~~deposit in~~ maintain a trust account or accounts in a banking institution located in the State of Maine for the sole purpose of depositing all earnest money deposits, rental money and all other moneys held by him as a real estate broker in which his clients or other persons with whom he is dealing have an interest. The trust account and the withdrawal orders, including all checks drawn on said account, shall name the subject broker as trustee, and said accounts shall be free from trustee process, except by those persons for whom the broker has made the deposits and then only to the ex-