

MAINE STATE LEGISLATURE

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EIGHTH REVISION

THE
REVISED STATUTES

OF THE
STATE OF MAINE

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VOLUME I



By the Authority of the Legislature

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association, or corporation so convicted. All fines and penalties over and above the cost of court proceedings shall inure to the commission.

Sec. 13. Sharing commissions with unlicensed persons. 1937, c. 83, § 13. 1939, c. 201, § 3. It shall be unlawful for any licensed broker or salesman to offer, promise, allow, give, or pay, directly or indirectly, any part or share of his commission or compensation arising or accruing from any real estate transaction to any person who is not a licensed broker or salesman, or a person acting in a capacity which exempts him under the provisions of section 2, in consideration of services performed or to be performed by such unlicensed person; and no real estate salesman shall be employed by, or accept compensation from, any person other than the broker under whom he is at the time licensed, and it shall be unlawful for any licensed real estate salesman to pay a commission to any person except through the broker under whom he is at the time licensed. A licensed broker, however, may share his commission with a non-resident broker, even though the latter is not licensed in his own state, or in this state, provided such non-resident broker is doing business regularly and legally within his own state.

CHAPTER 76.

ART COMMISSION.

Sec. 1. Art commission created. 1933, c. 172, § 1. The art commission, as heretofore established, shall consist of 3 members who shall be appointed by the governor with the advice and consent of the council. Upon the expiration of the term of office of any member, his successor shall be appointed for a term of 3 years. The commission shall serve without compensation, but shall be allowed necessary expenses to be paid from the appropriation of the executive department. The commission shall have power to adopt its own rules and regulations.

Sec. 2. Powers and duties. 1933, c. 172, § 2. The commission shall act in an advisory capacity relative to the creation, acquisition, construction, erection, or remodeling by the state of any work of art. The commission shall file with the governor, within 30 days, its opinion of such proposed work of art together with such suggestions and recommendations as it may deem proper. The term "work of art" as used in this section shall include any painting, portrait, mural decoration, stained glass, statue, tablet, bas-relief, ornament, fountain, or any other article or structure of a permanent character intended for decoration or commemoration.

The commission shall act in an advisory capacity relative to the artistic character of any building constructed, erected, or remodeled by the state, or upon land owned by the state, and when, upon request of the governor, there shall be submitted to said commission any plan relating to such construction, erection, or remodeling of any such building, accompanied by designs, descriptions, specifications, drawings, or models sufficient to enable the commission to determine the artistic character of such building, the commission shall file with the governor, within 30 days after such submission, its opinion of such proposed building together with such suggestions and recommendations as it may deem proper. The

term "building" as used in this section, shall include structures intended for human occupation and use, and also bridges, arches, gates, walls, or other permanent structures of any character.

No painting, portrait, statue, or tablet shall be accepted or placed in the state house without the permission of the commission. The commission shall advise the superintendent of buildings where to hang paintings, portraits, and pictures and where to place statues and other works of art.

CHAPTER 77.

STATE RACING COMMISSION.

Sec. 1. State racing commission. 1935, c. 130, § 1. The state racing commission, as heretofore established, and hereinafter in this chapter called the "commission", shall consist of 3 members who shall be appointed and may be for cause removed by the governor with the advice and consent of the council. Upon the expiration of the term of office of any member, his successor shall be appointed for a term of 3 years. Any vacancy shall be filled by appointment for the unexpired term. The members shall serve until their successors are appointed and qualified. So far as practicable they shall be persons interested in the establishment and development of a Maine breed of standard bred horses and no member of the commission shall have any pecuniary interest in any racing or the sale of pari mutuel pools licensed under the provisions of this chapter.

See c. 27, § 16, re state aid to agricultural societies.

Sec. 2. Organization. 1935, c. 130, § 2. The commissioners shall select one from their number to be chairman and another to be secretary of the commission. Two of the members of the commission shall constitute a quorum to do business. It shall be the duty of the secretary to keep a record of all proceedings of the commission and to preserve all books, maps, documents, papers, and records entrusted to its care.

Sec. 3. Racing fund. 1935, c. 130, § 3. The treasurer of state shall keep a separate account, to be known as the racing fund, to which shall be credited all money received from the tax on contributions to pari mutuel pools as provided for in this chapter. Said fund shall be used for the general purposes of the state until otherwise ordered by the legislature.

See §§ 6, 7.

Sec. 4. Office. 1935, c. 130, § 5. The commission shall have an office in Augusta and, during the time in which racing is conducted in the state, may maintain branch offices elsewhere.

Sec. 5. Assistants. 1935, c. 130, § 6. 1937, c. 221, § 25. The commission, with the approval of the governor and council, is authorized to employ such assistants and employees as it may deem necessary to provide adequate policing and to carry out the purposes of this chapter and fix their compensation on a per diem basis, subject to the provisions of the personnel law.

See c. 14, §§ 2-4, re bond of state employees.