

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1009

H. P. 714

House of Representatives, February 22, 1967

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mrs. Kilroy of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Relating to Fees, Compensation, Trust Accounts and Criminal Offenses Under Real Estate Law.

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

Sec. 1. R. S., T. 32, § 4004-A, amended. The last sentence of section 4404-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:

The broker shall notify the commission within 30 days after opening any such account of the banking institution in which said account is located, **and the broker shall give written authorization to the commission to examine and audit said trust account whenever the commission deems it necessary.**

Sec. 2. R. S., T. 32, § 4005, amended. The first sentence of section 4005 of Title 32 of the Revised Statutes is amended to read as follows:

Any real estate broker or real estate salesman licensed as such real estate broker or real estate salesman in accordance with this chapter, who fails to renew his, her or its license annually and continues to act as a real estate broker or real estate salesman, shall be punished by a fine of not less than ~~\$10~~ **\$25** nor more than ~~\$25~~ **\$100**.

Sec. 3. R. S., T. 32, § 4052, amended. Section 4052 of Title 32 of the Revised Statutes is amended to read as follows:

§ 4052. Compensation

Each member of the commission shall receive as full compensation for each day actually spent on the work of said commission the sum of ~~\$20~~ **\$25** and his actual and necessary expenses incurred in the performance of duties pertaining to his office.

Sec. 4. R. S., T. 32, § 4105, amended. The last sentence of section 4105 of Title 32 of the Revised Statutes is amended to read as follows:

The applicant shall state whether he has been convicted of a criminal offense involving moral turpitude, and if so, what offense; if the applicant is a partnership or association, whether any member thereof has been so convicted; if the applicant is a corporation, whether any officer or director has been so convicted.

Sec. 5. R. S., T. 32, § 4105, amended. Section 4105 of Title 32 of the Revised Statutes is amended by adding at the end, the following sentence.

Convictions for violation of the fish and game laws or motor vehicle traffic laws or municipal ordinances where the fine imposed does not exceed \$50 shall not be deemed to constitute a criminal record against any person so convicted.

Sec. 6. R. S., T. 32, § 4107, amended. The 2nd paragraph of section 4107 of Title 32 of the Revised Statutes, as repealed and replaced by section 3 of chapter 223 of the public laws of 1965, is amended to read as follows:

The annual renewal fee for each real estate broker's license shall be ~~\$10~~ \$15. The annual renewal fee for each real estate salesman's license shall be ~~\$5~~ \$10. When a partnership, association or corporation shall have paid a renewal fee of ~~\$10~~ \$15 and shall have designated one of its members or officers as a real estate broker as provided in section 4114, the fees payable by any other member or officer actively engaged in the real estate business of such partnership, association or corporation shall be ~~\$5~~ \$10 for the renewal fee, for which a salesman's license shall be issued; but any such member or officer shall be entitled to a broker's license upon the payment of the usual renewal fee therefor.

Sec. 7. R. S., T. 32, § 4107-A, additional. Title 32 of the Revised Statutes is amended by adding a new section 4107-A, as follows:

§ 4107-A. Original fees; corporations, partnerships, associations

As a condition precedent to the conduct of business as a real estate broker, an association, partnership or corporation shall pay an original license fee of \$20.

Sec. 8. R. S., T. 32, § 4110, amended. The first sentence of section 4110 of Title 32 of the Revised Statutes, as amended by section 3-A of chapter 223 of the public laws of 1965, is further amended to read as follows:

The commission is authorized to require each applicant for a first-time broker's license or a first-time salesman's license or any applicant for a renewal of his broker's or salesman's license who has permitted his license to lapse for more than 2 years since the expiration of the last previous license issued to him to appear in person at such time and place as the commission shall designate for that purpose for a written examination as to his qualifications to act as a broker or salesman and the commission shall collect a fee of ~~\$35~~ \$40 in the case of a broker and ~~\$30~~ \$35 in the case of a salesman.