

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 SIXTH LEGISLATURE

Legislative Document

No. 1944

H. P. 1517

House of Representatives, May 17, 1973

Reported by Majority from the Committee on Business Legislation and printed under Joint Rules No. 18.

E. LOUISE LINCOLN, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Schools Teaching Real Estate Subjects.

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

Sec. 1. R. S., T. 20, § 2661, amended. The first paragraph of section 2661 of Title 20 of the Revised Statutes, as enacted by chapter 451 of the public laws of 1969 and as amended, is further amended to read as follows:

Any person, partnership or institution or corporation operating or maintaining a private business, trade, vocational or technical school in Maine, except schools of hairdressing and beauty culture required to be approved by the State Board of Hairdressers, schools of barbering required to be approved by the State Board of Barbers, schools for real estate required to be approved by the Real Estate Commission, and an institution authorized by law to grant a degree, shall register the institution with the Commissioner of Educational and Cultural Services on forms prepared for this purpose, and prior to operation obtain a permit from the Department of Educational and Cultural Services.

Sec. 2. R. S., T. 32, § 4101-A, additional. Title 32 of the Revised Statutes is amended by adding a new section 4101-A to read as follows:

§ 4101-A. Schools

The commission is authorized to formulate rules and regulations relative to the establishment and operation of schools offering courses designed to prepare students for the examinations of the commission for licenses for real estate brokers and salesmen and relative to the courses of study, instruction, instructor qualifications, grades and grading systems and related matters. Nothing in this section shall be construed to grant the commission any au-

thority over any such courses conducted by the University of Maine or any other public higher education institution or any institution authorized by law to grant a degree.

1. Certificate of approval. Any such school shall first obtain a certificate of approval from, and thereafter abide by the rules and regulations of, the commission covering such schools.

2. —suspension or revocation. The commission shall have authority to suspend or revoke the certificate of approval of any school for violation of this section or of the rules and regulations promulgated pursuant thereto.

3. Prohibitions. It shall be unlawful for any school to offer courses or to conduct classes of instruction in real estate subjects without first procuring a certificate of approval; or having obtained a certificate of approval, to represent that its students are assured of passing examinations given by the commission, or to represent that the issuance of a certificate of approval is a recommendation or endorsement of the school to which it is issued or of any course of instruction given by it.

4. Fees. The application of each school shall be accompanied by a fee of \$20 and, if issued, shall be annually renewable on payment of a fee of \$10.

5. Penalty. In the event that any person is found guilty of violating this section in the operation of a school, or any rule or regulation adopted pursuant thereto, or attempts to continue to operate as a school after the revocation or during a period of suspension of a permit, he shall be deemed guilty of a misdemeanor.