

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 SEVENTH LEGISLATURE

Legislative Document

No. 685

H. P. 556

House of Representatives, February 18, 1975

Referred to Committee on Business Legislation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Kany of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Limit Maine Licenses for Real Estate Brokers and Salesmen
to Residents.

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

Sec. 1. 32 MRSA § 4002 is repealed and the following enacted in place thereof:

§ 4002. Nonresident brokers and salesmen

The resident qualifications and the examination requirements shall not apply on application of a nonresident broker or salesman for a license limited to transactions involving industrial plants, sites and parks, provided such applicant has been licensed in some other state as a broker or salesman for a period of 10 years and submits proof that he specializes in industrial real estate, and provided such other state allows similar privileges to residents of this State.

Every nonresident applicant shall file an irrevocable consent that actions may be commenced against such applicant in the proper court of any county of this State in which a cause of action may arise or in which the plaintiff may reside, by the service of any process or pleading authorized by the laws of this State on the secretary of the commission, this consent stipulating and agreeing that such service of such process or pleadings on the secretary shall be taken and held in all courts to be as valid and binding as if due service had been made upon the applicant personally within this State. The instrument containing such consent shall be authenticated by the seal thereof, if a corporation, or by the acknowledged signature of a member or officer thereof, if otherwise. All such applications, except from individuals, shall be accom-

panied by the duly certified copy of the resolution of the proper officers or managing board authorizing the proper officer to execute such applications. In case any process or pleadings mentioned in the case are served upon the secretary of the commission, it shall be by duplicate copies, one of which shall be filed in the office of the commission and the other immediately forwarded by registered mail to the main office of the applicant against which the process or pleadings are directed.

Sec. 2. 32 MRSA § 4103, sub-§ 1, ¶ B, as last amended by PL 1971, c. 468, § 7, is repealed and the following enacted in place thereof:

B. Is a resident of the State, qualified to vote in municipal and state elections prior to his application;

STATEMENT OF FACT

The purpose of this Act is to limit Maine licenses for real estate brokers and salesmen to residents because of residents' long-run interest in actions beneficial to the State of Maine. Transactions involving industrial plants, sites and parks are not limited to Maine licenses because of a desire not to inhibit the use of out-of-state capital for economic development investments in the State of Maine.