

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
107TH LEGISLATURE

HOUSE AMENDMENT "A " to H.P. 1548, L.D.1865,
Bill, "AN ACT Establishing Educational
Requirements for Licensing of Real Estate Brokers."

Amend said Bill by inserting after the
enacting clause the following:

'Sec. 1. 32 MRSA §4101-A, as enacted by
PL 1973, c. 448, §2, is repealed and the following
enacted in place thereof:

'§4101-A. Schools

The Department of Educational and Cultural
Services with the approval of 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 Department of Educational
and Cultural Services with the approval 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
Department of Educational and Cultural Services
with the approval of the commission any authority
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 Department of Educational and Cultural Services
with the approval of the commission covering such
schools.

2. --suspension or revocation. The Department
of Educational and Cultural Services with the
approval of 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 Department of Educational and Cultural Services with the approval of 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 a school after the revocation or during a period of suspension of a permit, he shall be deemed guilty of a misdemeanor.'

Further amend said Bill by inserting at the beginning of the first line after the enacting clause the underlined figure and abbreviation 'Sec. 2.'

Further amend said Bill by striking out in the 6th line after the amending clause (5th line of L.F the underlined words "or by an individual"

Further amend said Bill in the 7th line after the amending clause (5th line of L.D.) by inserting after the underlined word "the" the following underlined words: 'Department of Educational and Cultural Services with the approval of the'

Further amend said Bill by striking out in the last line before the Statement of Fact the underlined word "commission" (next to the last line of the L.D.) and inserting in place thereof the following: 'Department of Educational and Cultural Services with the approval of the commission'

Statement of Fact

The purpose of this amendment is to change commission to the Department of Educational and Cultural Services with the approval of the commission.

Filed by Mr. Norris of Brewer.

Reproduced and distributed under the direction of the Clerk of the House.

4/29/75

(Filing No. H-219)