

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
107TH LEGISLATURE

(Filing No. H-727)

HOUSE AMENDMENT "A" to H.P. 1677, L.D. 1924, Bill, "AN ACT Establishing Educational Requirements for Licensing of Real Estate Brokers."

Amend said Bill by striking out all of section 1 and inserting in place thereof 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'Sec. 1. 32 MRSA §4101-A, as enacted by PL 1973, c. 448, §2, is repealed and the following enacted in place thereof: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. Educational requirements for licensing real estate brokers

The board shall prescribe curricula and standards for educational programs to prepare students for the real estate profession and shall issue a certificate of approval to such educational programs within the State of Maine as meet the requirements of this chapter and of the board. At least every 3 years, the board shall thoroughly review each approved educational program prior to reissuing a certificate of approval for such program. Nothing in this section shall be construed to grant the board any authority over any such programs conducted by the University of Maine or any other public higher educational institution or any institution authorized by law to grant a degree.

1. Certificates of approval. Any educational program to prepare students for the real estate profession shall first obtain a certificate of approval from, and thereafter adhere to the prescribed curricula and standards of, the board.

2. Suspension or revocation. The board shall have authority to suspend or revoke the certificate of approval of such a program for violation of this section or for failing to adhere to the

prescribed curricula and standards of the board.

3. Prohibitions. It shall be unlawful for such a program to be offered without first procuring a certificate of approval for the program; or, having obtained a certificate of approval, it shall be unlawful to represent that enrolling in such a program provides any assurance of passing examinations given by the board. It shall also be unlawful to represent that the issuance of a certificate of approval is a recommendation or endorsement of the educational program.'

Further amend said Bill in section 2 by striking out in the 2nd line after the amending clause (same in L.D.) the word "commission" and inserting in place thereof the following: 'commission board'

Further amend said Bill in section 3 by striking out in the 6th and 7th lines after the amending clause (5th and 6th lines of L.D.) the underlined words "Department of Educational and Cultural Services and by the commission" and inserting in place thereof the underlined word 'board'

Further amend said Bill in section 3 by striking out in the 12th and 13th lines after the amending clause (10th and 11th lines of L.D.) the underlined words "Department of Educational and Cultural Services and by the commission" and inserting in place thereof the underlined word 'board'

Further amend said Bill in section 3 by striking out in the last 2 lines from the end (same in L.D.) the underlined words "Department of Educational and Cultural Services with the approval of the commission" and inserting in place thereof the underlined word 'board'

Further amend said Bill in section 4 by striking out in the 5th line after the amending clause (4th line of L.D.) the underlined word "commission" and inserting in place thereof the underlined word 'board'

Further amend said Bill in section 4 by striking out in the 11th and 12th lines (9th and 10th lines of L.D.) after the amending clause the underlined words "The Department of Educational and Cultural Services with the approval of the commission" and inserting in place thereof the underlined words 'The board'

Further amend said Bill in section 4 by striking out in the next to the last line (last line of L.D.) the underlined word "commission" and inserting in place thereof the underlined word 'board'

Further amend said Bill in section 6 by striking out in the 2nd and 3rd lines (2nd line of L.D.) the words "Department of Educational and Cultural Services" and inserting in place thereof the word 'board'

Statement of Fact

The purpose of this amendment is to remove from the Bill the Department of Educational and Cultural Services authority over real estate schools, courses and examinations. This amendment also / ^{brings} the bill in line with other legislation dealing with the same subject matter.

Filed by Mrs. Byer of Newcastle.

Reproduced and distributed under the direction of the Clerk of the House.
6/11/75

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