

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)

FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 480

H. P. 364

House of Representatives, February 9, 1979

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

EDWIN H. PERT, Clerk

Presented by Mr. Jackson of Yarmouth.

Cosponsors: Miss Aloupis of Bangor, Miss Gavett of Orono and Mr. Tierney of Lisbon.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Provide for Continuing Education for Real Estate Brokers and Salesmen.

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

Sec. 1. 32 MRSA § 4115, 2nd sentence as repealed and replaced by PL 1975, c. 767, § 76, is amended to read:

The commission shall issue a new pocket card for each ensuing biennial period in the absence of any reason or condition which might warrant the refusal of granting a license, upon receipt of the written request of the applicant ~~and~~, the biennial fee therefor ~~and upon the applicant's presenting evidence of compliance with the requirements of section 4115-B.~~

Sec. 2. 32 MRSA §§ 4115-B and 4115-C are enacted to read:

§ 4115-B. Education requirements

Prior to renewal of an active broker's license or an active salesman's license, the applicant shall present evidence to the commission of participation or attendance during the preceding biennial license period of 12 clock-hours of real estate oriented educational courses of instruction approved by the commission,

except as provided in section 4115-C. The commission shall maintain a current list of approved sessions and courses of instruction. The commission may waive these requirements for any licensee who submits satisfactory evidence of inability to attend these sessions because of health or other circumstances beyond the licensee's control or who submits satisfactory evidence that he has received in the biennial period education deemed to be equivalent in the opinion of the commission to that required by this section.

The courses approved by the commission shall include, but not be limited to, the following: Rudimentary principles of conveyancing; elementary principles of land economics and appraisals; fundamentals of obligations between principal and agent; principles of real estate practice and canons of ethics pertaining thereto; and the provisions of this licensing statute and rules and regulations of the commission.

§ 4115-C. Exception to education requirements

Licensees applying for renewal of licenses which terminate upon July 1, 1981, in order to meet the educational requirements of section 4115-B, shall present evidence to the commission of participation or attendance during the preceding biennial license period of 6 clock-hours of real estate oriented educational courses specified in section 4115-B.

Sec. 3. 32 MRSA § 4118-A, last paragraph, as last amended by PL 1965, c. 513, § 70-B, is repealed and the following enacted in its place:

Anyone who has surrendered his license pursuant to this section and who applies for reinstatement of his license to active status shall be subject to all the provisions of this chapter applicable to an original applicant for a license excepting written examination, fee and the requirements of section 4115-B. Within 6 months from the date of reinstatement of a license, the licensee shall demonstrate to the commission that he has within the previous biennium attended 12 clock-hours of courses designated in section 4115-B of this chapter. If compliance is not demonstrated to the commission, then the active license expires and the license is given inactive status.

STATEMENT OF FACT

While existing law contains certain educational requirements for applicants for real estate broker licenses, there are no provisions imposing continuing educational requirements upon real estate brokers or salesmen licensees after issuance of an initial license. This bill requires 12 clock-hours of education in every 2-year period in order to renew a broker's or salesman's license. Inactive licensees who apply for reinstatement for an active license would have 6 months to meet the educational requirement.