MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document   **No. 1202**

S. P. 391   In Senate, March 14, 1979
  On Motion of Senator Katz of Kennebec, referred to the Committee on Business
Legislation. Sent down for concurrence and ordered printed.
  Presented by Senator Clark of Cumberland.
    Cosponsor: Senator Pierce of Kennebec.
                              MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Clarify and Correct Laws Related to Real Estate Brokers and Salesmen.

Be it enacted by the People of the State of Maine, as follows:
  Sec. 1.   32 MRSA § 4101-A, first sentence, as amended by PL 1975, c. 767, § 62, is further amended to read:

  The commission shall prescribe curricula and standards for educational programs to prepare **entry level** 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 commission.

  Sec. 2.   32 MRSA § 4101-A, sub-§ 2, as amended by PL 1975, c. 767, § 62, is further amended to read:

  2. Suspension or revocation. The commission shall have authority to ~~suspend or revoke~~ **file a complaint with the Administrative Court requesting the suspension or revocation of** 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 commission.

  Sec. 3.   32 MRSA § 4103, sub-§ 1, ¶F is repealed as follows:

  ~~F. Is a citizen of the United States.~~

STATEMENT OF FACT

Section 1 is intended to clarify and limit the Real Estate Commission's authority to approve real estate education courses.

Section 2 is intended to make the language consistent with requirements of the Administrative Procedure Act.

Section 3 repeals Title 32, section 4103, subsection 1, paragraph F. Citizenship as a requirement for licensure has been ruled by the Attorney General to be unconstitutional and this bill eliminates the requirement.