

MAINE STATE LEGISLATURE

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1 (GOVERNOR'S BILL)
2 (EMERGENCY)
3 FIFTH SPECIAL SESSION
4

5 ONE HUNDRED AND TENTH LEGISLATURE
6

7 **Legislative Document**

No. 2151

9 H. P. 2419 House of Representatives, May 13, 1982
Reference to the Committee on Business Legislation suggested
and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Brannigan of Portland.

10 Cosponsors: Senator Clark of Cumberland, Representative Telow
of Lewiston and Representative Perkins of Brooksville.

11
12 **STATE OF MAINE**
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-TWO
16

17 **AN ACT to Adjust Fees for Licenses**
18 **Issued by the Real Estate Commission.**
19

20 **Emergency preamble.** Whereas, Acts of the Legislature
21 do not become effective until 90 days after adjournment
22 unless enacted as emergencies; and

23 Whereas, the 90-day period will not terminate until
24 after the Real Estate Commission collects license revenue
25 for fiscal year 1983 funding; and

26 Whereas, revenue generated by the current license fee
27 structure is insufficient to fund the current Real Estate
28 Commission program; and

29 Whereas, in the judgment of the Legislature, these
30 facts create an emergency within the meaning of the Consti-
31 tution of Maine and require the following legislation as
32 immediately necessary for the preservation of the public
33 peace, health and safety; now, therefore,

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

2 **Sec. 1.** 32 MRSA §4101-A, sub-§1, as amended by PL
3 1975, c. 767, §62, is further amended to read:

4 1. Certificate of approval. Any educational program
5 to prepare students for the real estate profession shall
6 first pay the prescribed fee and obtain a certificate of
7 approval from and thereafter adhere to the prescribed cur-
8 ricula and standards of the commission.

9 **Sec. 2.** 32 MRSA §4107, as repealed and replaced by PL
10 1979, c. 693, §2, is repealed and the following enacted in
11 its place:

12 §4107. Fees - brokers, salesmen and schools

13 1. License examinations.

14 A. First examination \$50
15 B. Retake examinations 20

16 2. Licenses and pocketcards.

17 A. Two-year active \$60
18 B. Two-year inactive 40
19 C. One-year temporary (broker only) 40
20 D. Two-year duplicate (branch office) 50
21 E. Replacement 10
22 F. Record modifications 10
23 G. Prelicensure program certification 50
24 H. Continuing education program approval 50
25 I. Other educational program approvals 50

26 **Sec. 3.** 32 MRSA §4115-B, 4th ¶, as enacted by PL 1979,
27 c. 196, §2, is amended by adding before the first sentence
28 the following:

29 The commission shall collect the prescribed application
30 fee.

31 **Emergency clause.** In view of the emergency cited in
32 the preamble, this Act shall take effect when approved.

33 FISCAL NOTE

34 It is estimated that enactment of this bill will
35 increase dedicated revenues by approximately \$44,000 in the
36 fiscal year ending June 30, 1982, and an estimated annual

1 increase of \$87,000 for fiscal year 1983.

2 STATEMENT OF FACT

3 The purpose of this bill is to fund the Real Estate
4 Commission pending consideration of the recommendations of a
5 study, to be conducted by the joint standing committee of
6 the Legislature having jurisdiction over business legis-
7 lation; such study having already received the approval of
8 the Legislative Council.

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