

MAINE STATE LEGISLATURE

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N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 589

S. P. 354

In Senate, February 10, 1949

Referred to the Committee on Legal Affairs, sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Denny of Lincoln.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

**AN ACT Relating to Maine Real Estate Commission and Brokers' Licenses
and Fees.**

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

Sec. 1. R. S., c. 75, § 5, amended. Section 5 of chapter 75 of the revised statutes is hereby amended by adding at the end thereof a new paragraph, to read as follows :

'The commission is hereby authorized to require every applicant for a first-time broker's license, or a first-time salesman's license, to appear in person at such time and place as the commission shall designate for that purpose, for a personal written or oral examination as to his qualifications to act as a broker or salesman, and the commission shall collect a fee of \$10 for such examination, which fee will entitle any applicant for a license to 1 retake examination, without additional charge, should the applicant fail to pass the first examination. The examination fee, provided herein, shall be in addition to any other fees authorized by this chapter.'

Sec. 2. R. S., c. 75, § 4, amended. Section 4 of chapter 75 of the revised statutes, as amended by chapter 196 of the public laws of 1947, is hereby further amended to read as follows :

Sec. 4. Qualifications for license. Brokers' licenses shall be granted only to persons who are 21 years of age or over, **who are citizens of the United States, and who have received an education which, in the judgment of the commission, is equivalent to that required for graduation from secondary schools of this state as recognized by the commissioner of education, and in addition, only to persons who have either actively engaged in the business of "real estate salesman" as defined by this chapter for a period of 2 years; or who have actively engaged in the business of "real estate salesman" as defined by this chapter for a period of 1 year and in addition, have satisfactorily completed a course pertaining to real estate, accredited by the commission in a college or school accredited by the commission. Nothing contained in this paragraph shall be construed to prevent a person from receiving a license who has previously been granted a license by the commission.**

Licenses shall be granted only to persons who are trustworthy and competent to transact the business of a real estate broker or real estate salesman in such manner as to safeguard the interests of the public, and only after satisfactory proof has been presented to the commission. The applicant must be a person whose application has not been rejected in this or any other state within 6 months prior to date of application, or whose real estate license has not been revoked in this or any other state within 2 years prior to date of application. Prior conviction for embezzlement or obtaining money by false pretense shall be, among others, sufficient grounds for denying a license.'

Sec. 3. R. S., c. 75, § 7, amended. The 3rd paragraph of section 7 of chapter 75 of the revised statutes is hereby amended to read as follows:

'The original fee for each real estate broker's license shall be \$10, and the annual renewal fee shall be ~~\$5~~ **\$10**. The original fee for each real estate salesman's license shall be \$5, and the annual renewal fee shall be ~~\$2~~ **\$5**; provided that when a partnership, association or corporation shall have paid an original fee of \$10 or a renewal fee of ~~\$5~~ **\$10** and shall have designated one of its members or officers as a real estate broker, as hereinafter provided in this section, the fees payable by any other member or officer actively engaged in the real estate business of such partnership, association or corporation shall be \$5 for the first registration fee and ~~\$2~~ **\$5** for the renewal fee, for which a salesman's license shall be issued; but any such member or officer shall be entitled to a broker's license upon the payment of the usual fee therefor.'