

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
AT THE
SPECIAL SESSION
January 2, 1974
to
March 29, 1974

diction that has enacted the Interstate Civil Defense and Disaster Compact, chapter 4, any resulting agreement or agreements may be considered supplemental agreements pursuant to chapter 4, Article VI. If the other jurisdiction or jurisdictions with which the Governor proposes to cooperate have not enacted that compact, he may negotiate special agreements with the jurisdiction or jurisdictions. Any agreement, if sufficient authority for the making thereof does not otherwise exist, becomes effective only after approval by the Legislature.

6. Civil emergency preparedness agencies organized pursuant to this section may accept the services of the State Personnel Board and adopt the regulations thereof for the purpose of qualifying federal administrative funds. The State Personnel Board may enter into agreements with such civil emergency preparedness agencies for the purpose of furnishing merit system coverage for civil emergency preparedness employees or employees of other agencies and departments assigned full time to civil emergency preparedness duties. The State Personnel Board may charge for such services rendered, the fee to be consistent with the cost of coverage per state employee multiplied by the number of local, inter-jurisdictional, county or regional employees covered. Fees thus received shall be credited to the General Fund.

7. Duly appointed law enforcement officers of local, state and sheriffs organizations are empowered to enforce any of the provisions of this chapter or any rules or regulations promulgated thereunder in times of an emergency or during authorized alerts, including partial or full mobilization necessary to carry out section 57. It shall be unlawful for any individual to fail or refuse to comply with any just or reasonable order relative to the above from any such duly appointed law enforcement officer. Such failure to comply with such order shall constitute a misdemeanor.

8. Duly appointed law enforcement officers of local, state and sheriffs organizations shall have power to make arrests of persons found in violation of any provisions of this chapter or any rules and regulations promulgated thereunder in times of emergency necessary to carry out section 57.

Sec. 2. Amendatory clause. Wherever in Title 37-A of the Revised Statutes the words "civil defense" appear, other than in the title of a compact, they shall mean "civil emergency preparedness."

Effective June 28, 1974

CHAPTER 729

AN ACT Relating to the Real Estate Commission.

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

Sec. 1. R. S., T. 32, § 4005, amended. The first sentence of section 4005 of Title 32 of the Revised Statutes, as amended by section 1 of chapter 359 of the public laws of 1967, is further amended to read as follows:

Any real estate broker or real estate salesman licensed as such real estate broker or real estate salesman in accordance with this chapter, who fails to renew his, her or its license ~~annually~~ **biennially** and continues to act as a real

estate broker or real estate salesman, shall be punished by a fine of not less than \$25 nor more than \$100.

Sec. 2. R. S., T. 32, § 4107, repealed and replaced. Section 4107 of Title 32 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

§ 4107. Renewal fees

Every application for a license renewed under this chapter shall be accompanied by the license renewal fee prescribed.

The biennial renewal fee for each real estate broker's license shall be \$30. The biennial renewal fee for each real estate salesman's license shall be \$20. When a partnership, association or corporation shall have paid a renewal fee of \$10 and shall have designated one of its members or officers as a real estate broker as provided in section 4114, the fees payable by any other member or officer actively engaged in the real estate business of such partnership, association or corporation shall be \$20 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 renewal fee therefor.

Sec. 3. R. S., T. 32, § 4107-A, amended. Section 4107-A of Title 32 of the Revised Statutes, as enacted by section 6 of chapter 359 of the public laws of 1967, is amended to read as follows:

§ 4107-A. Original fees; corporations, partnerships, associations

As a condition precedent to the conduct of business as a real estate broker, an association, partnership or corporation shall pay an original license fee of ~~\$20~~ \$40.

Sec. 4. R. S., T. 32, § 4110, amended. The 2nd sentence of section 4110 of Title 32 of the Revised Statutes is repealed and the following enacted in place thereof:

Such fee shall cover the cost of processing the application and providing the examination. If the applicant is approved, the license fee shall be the same as the renewal fee, except the fee shall be $\frac{1}{2}$ if the unexpired license term is less than one year.

Sec. 5. R. S., T. 32, § 4112, amended. The 2nd sentence of section 4112 of Title 32 of the Revised Statutes is repealed.

Sec. 6. R. S., T. 32, § 4115, repealed and replaced. Section 4115 of Title 32 of the Revised Statutes, as amended by section 13 of chapter 468 of the public laws of 1971, is repealed and the following enacted in place thereof:

§ 4115. Expiration; renewals; revocation

Every license shall expire on the 30th day of June of each biennial period for which it was issued except those licenses issued under section 4102-A. The commission shall issue a new pocketcard for each ensuing biennial period in the absence of any reason or condition which might warrant the refusal of granting of a license, upon receipt of the written request of the applicant

and the biennial fee therefor. Licenses which have not been renewed must be returned to the Real Estate Commission by registered mail not later than 30 days after expiration. The revocation or expiration of a broker's license shall automatically suspend every real estate salesman's or broker's license granted to any person by virtue of his employment by the broker whose license has been revoked, pending a change of employer and the issuance of a new license. Such new license shall be issued without charge if granted during the same biennial period in which the original license was granted.

Sec. 7. R. S., T. 32, § 4115-A, additional. Title 32 of the Revised Statutes is amended by adding a new section 4115-A, to read as follows:

§ 4115-A. Limitation

The commission is authorized, for implementation and administration of biennial licensing, to issue licenses for less than a 2-year term. If such license issued is for less than one year, the fee for such license shall be $\frac{1}{2}$ the usual license fee.

Effective June 28, 1974

CHAPTER 730

AN ACT to Repeal the Corporate Franchise Tax and Recover Losses by an Adjustment in the Annual Report Fee.

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

Sec. 1. R. S., T. 5, § 86, amended. The first sentence of the 2nd paragraph of section 86 of Title 5 of the Revised Statutes is amended to read as follows:

For a certificate under the seal of the State, \$1 for a short form and ~~\$2~~ \$5 for a special detailed certificate; and for all copies at the rate of ~~50¢~~ 75¢ a page if such copies are prepared by the office of the Secretary of State and at the rate of ~~25¢~~ \$1 a page for proofreading such copies submitted to the office of the Secretary of State for certification.

Sec. 2. R. S., T. 13-A, § 1401, amended. The first paragraph of section 1401 of Title 13-A of the Revised Statutes, as enacted by section 1 of chapter 439 of the public laws of 1971, is amended to read as follows:

In addition to any ~~required fees for copying, comparing and authenticating documents or based on authorized capital stock, as required by sections 1402 and 1403,~~ the Secretary of State shall charge the following fees for filing documents required or permitted to be filed in his office by this Act, and for services specified herein:

Sec. 3. R. S., T. 13-A, § 1401, sub-§ 4, repealed and replaced. Subsection 4 of section 1401 of Title 13-A of the Revised Statutes, as enacted by section 1 of chapter 439 of the public laws of 1971, is repealed and the following enacted in place thereof:

4. Application to register corporate name as provided by section 303, \$10 per month for the number of months or fraction thereof remaining in the calendar year when first filed.