

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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PUBLIC LAWS
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CHAPTER 221

S. P. 391 — L. D. 1202

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Sec. 3. 32 MRSA § 4103, sub-§ 1, ¶ F is repealed as follows: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

Effective September 14, 1979

CHAPTER 222

H. P. 1137 — L. D. 1403

AN ACT to Remove the Limitation on Outside Earnings of Disability Retirement Allowance Recipients.

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

Sec. 1. 5 MRSA § 1122, sub-§ 5, 2nd sentence, as repealed and replaced by PL 1975, c. 622, § 54, is repealed and the following enacted in its place:

If, for any year, that compensation exceeds \$10,000, the excess shall be deducted

from the disability or service retirement allowance payments during the next calendar year, the deductions to be prorated on a monthly basis in an equitable manner prescribed by the board of trustees over the year or part thereof for which benefits are received.

Sec. 2. Applicability. This Act shall apply to all employees of the State and of the local participating districts.

Effective September 14, 1979

CHAPTER 223

H. P. 1331 — L. D. 1578

AN ACT Concerning Public Agencies Contracting for Architectural Services.

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

5 MRSA § 1742, sub-§ 6, is repealed and the following enacted in its place:

6. Approve selection of architects and engineers. To approve the selection of architects and engineers registered in Maine in the planning, design and monitoring of construction of public improvements consistent with the policy of this State that proposals for architectural and engineering services for public improvements be publicly announced, and that contracts for architectural and engineering services be negotiated by the contracting authority on the basis of evaluation of professional competency and qualifications required for the type of services contemplated at fair and reasonable prices.

The bureau shall adopt procedures for the procurement of any professional architectural and engineering services for public improvements as defined in section 1741. The procedures shall be adopted pursuant to Title 5, chapter 375 and be deemed a rule.

The procedure shall contain a provision that, prior to initiating the process of selecting an architect or engineer for any project, the contracting authority shall advertise in a daily newspaper that serves the area in which the project is likely to be located. The advertisement shall state, at a minimum, that the selection is to take place and describe the procedures which an engineer or architect may use to be considered as a candidate in the selection process.

The director of the bureau shall maintain a list of engineers and architects who have expressed an interest in providing service to the State or school administrative units.

Effective September 14, 1979