

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

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

Effective March 25, 1986.

CHAPTER 604

S.P. 729 - L.D. 1852

AN ACT Concerning Filing Fees to the Public Utilities Commission.

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

Sec. 1. 35 MRSA §104, sub-§6 is enacted to read:

6. Filing fee. Within 30 days after the application for approval of a reorganization is filed pursuant to subsection 3-A, the commission may order the applicant to pay a filing fee not to exceed \$50,000, if the commission determines that the application may involve issues which will necessitate significant additional costs to the commission. The applicant may request the commission to waive all or a portion of the filing fee. The commission shall rule on the request for waiver within 30 days. Notwithstanding any other provision of law, filing fees paid as required in this subsection shall be segregated, apportioned and expended by the commission for the purposes of processing the application. Any portion of the filing fee that is received from an applicant and is not expended by the commission to process the application shall be returned to the applicant.

Sec. 2. 35 MRSA §2326, as amended by PL 1983, c. 822, §3, is further amended by adding at the end a new paragraph to read:

The petitioner or petitioners requesting commission intercession shall pay to the commission an amount equal to \$1,000 per megawatt of capacity of the facility in issue. The petitioner or petitioners may request the commission to waive all or part of the filing fee. Notwithstanding any other provision of law, filing fees paid as required in this paragraph shall be segregated, apportioned and expended

by the commission for the purposes of this section. Any portion of the filing fee that is received from any petitioner or petitioners and is not expended by the commission to process the request for intercession shall be returned to the petitioner or petitioners.

Effective July 16, 1986.

CHAPTER 605

S.P. 857 - L.D. 2160

AN ACT to Exempt Property Managers and
Site Managers from the Licensing as
Real Estate Brokers or Salesmen.

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

Sec. 1. 32 MRSA §4001, sub-§2, as amended by PL 1975, c. 248, is further amended to read:

2. Real estate broker. A "real estate broker" is any person, firm, partnership, association or corporation who for a compensation or valuable consideration sells or offers for sale, buys or offers to buy, or negotiates the purchase or sale or exchange of real estate, or who leases or offers to lease, or rents or offers for rent or lists or offers to list for sale, lease or rent, any real estate or the improvements thereon for others, as a whole or partial vocation. Further, any person, firm, partnership, association or corporation obtaining 3 or more options to purchase real estate within a one-year period for the purpose of finding a buyer for the option, or the real estate under option, within 6 months from the date the option was obtained, must be a real estate broker as defined by this section. Any person, partnership, association or corporation who performs on behalf of the owner of real estate, fiscal, administrative or physical management of the real estate, including leasing or renting the real estate, is not a "real estate broker."

Sec. 2. 32 MRSA §4001, last ¶, as enacted by PL 1981, c. 501, §68, is amended to read: