

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

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:

This chapter shall not apply to any person, partnership, association or corporation who as owner or lessor shall perform any of such acts with reference to property owned or leased by said owner or lessor or to the regular employees thereof with respect to the property so owned or leased, where such acts are performed in the regular course of, or as an incident to the management of such property and the investment therein, nor shall this chapter apply to persons acting as attorney in fact under a duly executed power of attorney from the owner in proper form for record, authorizing the final consummation by performance of any contract for the sale, leasing or exchange of real estate, nor shall this chapter be construed to include in any way the services rendered by an attorney at law in the performance of his duties as such attorney at law; nor shall it be held to include, while acting as such, a receiver, trustee in bankruptcy, administrator or executor or any person selling real estate under order of any court, nor to include a trustee, acting under a trust agreement, deed of trust or will, or the regular salaried employees thereof. This chapter does not apply to an auctioneer employed by an owner or his agent for services limited to "crying the sale." This chapter does not apply to 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.

Effective July 16, 1986.

CHAPTER 606

H.P. 1533 - L.D. 2161

AN ACT to Exempt Certain Firefighters from
the 3-year Statute of Limitations in
the Occupational Disease Law.

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

39 MRSA §189, sub-§1 is enacted to read:

1. Exception for full-time municipal firefighters. The 3-year limitation under this section does not apply to any full-time firefighter who files a claim for an occupationally-related cancer under this