



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 1071

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H.P. 764

House of Representatives, March 19, 2013

### An Act Regarding Qualifications for Real Estate Licensees

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Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative VOLK of Scarborough.  
Cosponsored by Senator CUSHING of Penobscot and  
Representatives: CLARK of Easton, WILLETTE of Mapleton, WILSON of Augusta, Senator:  
HAMPER of Oxford.

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

2 **Sec. 1. 32 MRSA §13062, sub-§1**, as amended by PL 2007, c. 402, Pt. BB, §4, is  
3 further amended to read:

4 **1. Real Estate Commission composition.** The Real Estate Commission, established  
5 by Title 5, section 12004-A, subsection 37, consists of 4 industry members, one member  
6 of the real estate education field and ~~2 one public members~~ member as defined in Title 5,  
7 section 12004-A.

8 **Sec. 2. 32 MRSA §13065, sub-§6**, as enacted by PL 1987, c. 395, Pt. A, §212, is  
9 repealed.

10 **Sec. 3. 32 MRSA §13194**, as amended by PL 2007, c. 402, Pt. BB, §23, is further  
11 amended to read:

12 **§13194. License renewal**

13 Licenses expire on December 31st, or at such other times as the Commissioner of  
14 Professional and Financial Regulation may designate, of each biennial period for which it  
15 was issued, ~~except those licenses issued under section 13200~~. The director shall issue a  
16 renewal license for each ensuing biennial period in the absence of any reason or condition  
17 that might warrant the refusal of granting a license, upon receipt of the written request of  
18 the applicant, the biennial fee as set under section 13007 for the license and upon the  
19 applicant presenting evidence of compliance with the requirements of section 13197. The  
20 director shall deny a renewal license to any applicant whose license has lapsed for more  
21 than 90 days, unless the renewal license applicant passes the license examination  
22 designated by commission rule for this purpose.

23 **Sec. 4. 32 MRSA §13197, sub-§1**, as amended by PL 2005, c. 378, §8 and  
24 affected by §29, is further amended to read:

25 **1. Requirement.** As a prerequisite to renewal of a license, applicants must complete  
26 21 clock hours of continuing education within 2 years prior to the date of application in  
27 programs or courses approved by the commission. Programs or courses under this  
28 subsection may be on any topic generally relevant to the practice of real estate brokerage.  
29 This requirement does not apply to agency and company licenses.

30 **Sec. 5. 32 MRSA §13198, sub-§2**, as repealed and replaced by PL 2009, c. 112,  
31 Pt. A, §17, is amended to read:

32 **2. Professional qualifications.** An applicant for a broker license must meet the  
33 following qualifications ~~under paragraphs A and B~~.

34 A. The applicant must have been licensed as an associate broker affiliated with a real  
35 estate brokerage agency for ~~2~~ 4 years within the 5 years immediately preceding the  
36 date of application.

37 ~~B. The applicant must satisfactorily complete the course of study meeting guidelines~~  
38 ~~established by the commission.~~

