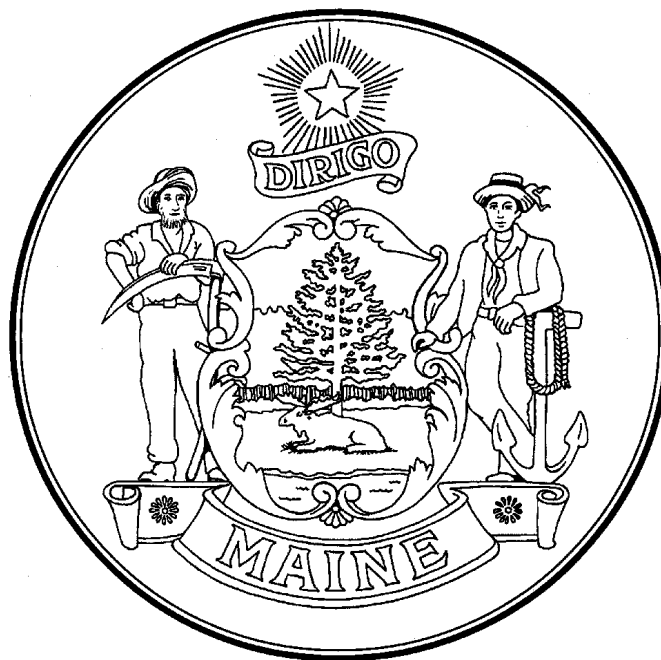


# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 1998 to June 19, 1999**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 18, 1999**

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

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1999**

**CHAPTER 128****H.P. 956 - L.D. 1354****An Act to Amend the Law Regarding  
Conflict of Interest****Be it enacted by the People of the State of  
Maine as follows:**

**Sec. 1. 20-A MRSA §1002, sub-§1**, as enacted by PL 1981, c. 693, §§5 and 8, is repealed and the following enacted in its place:

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Employee" means a person who receives monetary payment or benefits, no matter the amount paid or hours worked, for personal services performed for a school administrative unit.

B. "Volunteer" means a person who performs personal services for a school administrative unit without monetary payment or benefits of any kind or amount.

**Sec. 2. 20-A MRSA §1002, sub-§2**, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

**2. Employment by school administrative unit, school union, academy.** A member of a school board or spouse of a member may not be ~~employed as a full-time~~ an employee in a public school within the jurisdiction of the school board to which the member is elected or in a contract high school or academy located within a supervisory union in which the member is a representative on the union committee.

**Sec. 3. 20-A MRSA §1002, sub-§2-A** is enacted to read:

**2-A. Volunteer placement by school administrative unit, school union, academy.** A member of a school board or member's spouse may not serve as a volunteer when that volunteer has primary responsibility for a curricular, cocurricular or extracurricular program or activity and reports directly to the superintendent, principal, athletic director or other school administrator in a public school within the jurisdiction of the school board to which the member is elected or in a contract high school or academy located within a supervisory union in which the member is a representative on the school committee. Volunteer activities of a member of a school board or member's spouse, other than in roles that are prohibited by this subsection, may be prescribed by policies

developed and approved by the school board of the school administrative unit.

See title page for effective date.

**CHAPTER 129****S.P. 382 - L.D. 1083****An Act to Amend the Real Estate  
Brokerage Law****Be it enacted by the People of the State of  
Maine as follows:**

**Sec. 1. 32 MRSA §13002, sub-§2**, as amended by PL 1991, c. 53, §1, is further amended to read:

**2. Transactions by attorneys-at-law.** Transactions conducted by an attorney-at-law in the performance of duties as an attorney-at-law. This exception does not apply to attorneys who are regularly engaged in real estate brokerage; ~~and~~

**Sec. 2. 32 MRSA §13002, sub-§3**, as enacted by PL 1987, c. 395, Pt. A, §212, is amended to read:

**3. Exception.** Any person licensed as an auctioneer under chapter 5, hired to call bids at an auction, if the person employed does not prepare contracts or otherwise control the actual sale or take custody of any part of the purchase price; and

**Sec. 3. 32 MRSA §13002, sub-§4** is enacted to read:

**4. Time share.** Real estate transaction services subject to the provisions of Title 33, chapter 10-A.

**Sec. 4. 32 MRSA §13066, sub-§1, ¶B**, as enacted by PL 1987, c. 395, Pt. A, §212, is repealed.

**Sec. 5. 32 MRSA §13067, sub-§1, ¶L**, as amended by PL 1991, c. 53, §4, is further amended to read:

L. Failure to produce to the director any requested documents in the licensee's possession or under the licensee's control concerning any ~~transaction matter~~ under investigation; and

**Sec. 6. 32 MRSA §13069, sub-§6, ¶A**, as enacted by PL 1987, c. 395, Pt. A, §212, is amended to read:

A. ~~Dismiss~~ With the commission's approval, dismiss the complaint;