

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

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

Twin City Printery
Lewiston, Maine
1987

PUBLIC LAWS

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B. Whoever knowingly receives by purchase, barter, exchange, pledge, loan or gift any such clothes, arms, military outfits or accoutrements commits a civil violation for which a forfeiture of not more than \$500 may be adjudged.

Effective September 29, 1987.

CHAPTER 209

H.P. 1095 — L.D. 1486

AN ACT to Repeal the Removal of Ice Jams Provisions from the State Civil Emergency Preparedness Law.

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

37-B MRSA c. 23, as enacted by PL 1983, c. 460, §3, is repealed.

Effective September 29, 1987.

CHAPTER 210

H.P. 542 — L.D. 726

AN ACT to Exempt Prisoners from the Provisions of the Workers' Compensation Act.

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

39 MRSA §2, sub-§5, ¶E is enacted to read:

E. The term "employee" does not include any prisoner performing services, with or without remuneration, either within or outside a state correctional facility or county jail, excluding:

(1) County prisoners under final sentence of 72 hours or less who are assigned to work outside of the county jail; and

(2) Prisoners who are performing services under a work release program.

Effective September 29, 1987.

CHAPTER 211

S.P. 191 — L.D. 518

AN ACT to Revise the Maine Medical Laboratory Act.

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

Sec. 1. 22 MRSA §2013, sub-§3, as amended by PL 1981, c. 470, Pt. A, §79, is further amended to read:

3. Physicians. Physicians, physician assistants, family nurse practitioners, Medicare-certified rural health clinics, professional associations or group practices, excluding laboratories incorporated for the mutual use of physician or group practice owners, registered in the State who operate a medical laboratory exclusively for the examination of their own patients and only perform tests acceptable to the department and the commission, otherwise only sections 2024, 2025 and 2039 apply, provided if that, referred work is received in the laboratory, all provisions of this Act shall apply;

Sec. 2. 22 MRSA §2013, sub-§4, as repealed and replaced by PL 1975, c. 218, is amended to read:

4. Schools and industrial plants. Medical laboratories in a school, college, university or industrial plant which are under the direct supervision of and which services are used exclusively by a duly licensed physician and only perform tests acceptable to the department and the commission, otherwise only sections 2024, 2025 and 2039 apply;

Sec. 3. 22 MRSA §2014, sub-§4, as repealed and replaced by PL 1975, c. 218, is amended to read:

4. Medical laboratory. "Medical laboratory" or "laboratory" means any institution, building or place which provides through its ownership or operation an organization which employs methods and instruments for the examination of blood, tissues, secretions and excretions of the human body or any function of the human body in order to diagnose disease, follow the course of disease, aid in the treatment of such disease or detect drugs or toxic substances or which produces information used as a basis for health advice or which purports to offer such examinations unless otherwise provided by law.

Sec. 4. 22 MRSA §2016, first paragraph, as repealed and replaced by PL 1975, c. 218, is amended to read:

Application shall be made on a form prescribed by the department. Licenses shall be issued to perform testing in one or more of the following categories or specialties: Histocompatibility; microbiology including subcategories bacteriology, mycology, parasitology, virology; immunology or serology including subcategories syphilis and nonsyphilis; chemistry including subcategories routine, clinical microscopy or urinalysis and other including toxicology; hematology, including coagulation; immunohematology including subcategories blood group and Rh typing, Rh titers, cross matching, antibody detection and identification; pathology including subcategories tissue, oral, diagnostic cytology; and radiobioassay. All applications shall be accompanied by a license application fee of \$100 \$200 for the first category and \$60 for each additional category. The fee for adding categories after initial licensure shall be \$20 each