

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

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FIRST REGULAR SESSION
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TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2013

**CHAPTER 76
H.P. 571 - L.D. 820**

**An Act Regarding Fire Escapes
for Certain Buildings**

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

Sec. 1. 25 MRSA §2453, as repealed and re-
placed by PL 2007, c. 258, §1, is repealed.

Sec. 2. 25 MRSA §2543, first ¶, as amended
by PL 1973, c. 788, §112, is further amended to read:

~~Such~~ The marshal ~~shall~~, within Aroostook
County, ~~have~~ has the same powers and duties given to
fire inspectors by virtue of section 2360, ~~shall have~~
and has the same powers and duties given the fire in-
spector by virtue of section 2392 ~~and shall have the~~
~~same powers and duties given to fire inspectors,~~
~~boards of engineers and chiefs of fire departments by~~
~~virtue of section 2453~~, except that in case of conflict in
authority between state, county and town fire officials,
the order of final determination or decision ~~shall be~~ is
first in the State, 2nd in the county and 3rd in the town
fire officials.

See title page for effective date.

**CHAPTER 77
H.P. 410 - L.D. 591**

**An Act To Amend the Laws
Governing Motorcycle and
Moped Permits**

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

Sec. 1. 29-A MRSA §1304, sub-§2, ¶G, as
amended by PL 2005, c. 577, §19, is further amended
to read:

G. An instruction permit ~~allows the holder to op-
erate a motorcycle or moped only during daylight
hours. That permit does not allow the holder to
carry a passenger.~~

See title page for effective date.

**CHAPTER 78
H.P. 158 - L.D. 197**

**An Act To Improve Health
Services to Schools**

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

Sec. 1. 20-A MRSA §6402-A, as enacted by
PL 1985, c. 258, §2, is amended to read:

§6402-A. School health advisor

Each school board shall appoint one or more
~~school~~ physicians or family or pediatric nurse practi-
tioners to act as school health advisor.

1. Duties. The school ~~physician~~ health advisor
shall advise the administrative unit on school health
issues, policies and practices and may also perform
any other health-related functions assigned by the
board.

2. Other functions. A school ~~physician~~ health
advisor may perform other medical and health-related
duties assigned by the school board, which may in-
clude all or some of the following:

- A. Examine and diagnose students referred by
teachers and other school employees to protect
against the outbreak of contagious diseases in the
schools;
- B. Examine students for participation in physical
education and athletic activities;
- C. Advise and serve as medical consultant to the
school nurse; or
- D. Examine school employees and property if the
~~physician~~ school health advisor believes it is nec-
essary to protect the health of students.

3. Prohibition. A school ~~physician~~ health advi-
sor may not treat any student examined under this sub-
chapter unless the ~~physician~~ school health advisor is
also the student's personal ~~physician~~ health care pro-
vider. A school health advisor that advises a school
board pursuant to subsection 1 or performs other func-
tions under subsection 2 may not act outside the scope
of practice of the physician or nurse practitioner who
functions as a school health advisor as established by
law or rule of the applicable licensing board.

4. Appointment. Appointment ~~shall be~~ is on a
yearly basis.

See title page for effective date.

**CHAPTER 79
H.P. 212 - L.D. 303**

**An Act To Authorize the
Public Advocate To Publish
and Distribute Consumer
Information**

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

Sec. 1. 35-A MRSA §1713 is enacted to read: