

# 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**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 9, 2013**

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

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**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**Sec. 1. 25 MRSA §2453**, as repealed and replaced by PL 2007, c. 258, §1, is repealed.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 inspector 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 operate 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 practitioners 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 include 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 necessary to protect the health of students.

**3. Prohibition.** A school ~~physician~~ health advisor may not treat any student examined under this subchapter unless the ~~physician~~ school health advisor is also the student's personal ~~physician~~ health care provider. A school health advisor that advises a school board pursuant to subsection 1 or performs other functions 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: