

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
NON-EMERGENCY LAWS IS
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IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
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Sec. 1. 25 MRSA §2453, as repealed and replaced by PL 2007, c. 258, §1, is repealed.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: