

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

COMMITTEE AMENDMENT "A" to S.P. 70, L.D. 235, Bill,
"AN ACT to Clarify the Laws Relating to Dentistry."

Amend said Bill by inserting after the enacting clause
the following:

'Sec. 1. 32 MRSA §1071, as enacted by PL 1967, c. 544,
§80, is repealed and the following enacted in place thereof:
§ 1071. Membership; appointment; vacancies; removal;
nominations; compensation

The Board of Dental Examiners, as heretofore established
and hereinafter in this chapter called the "board," shall
consist of 5 members of the dental profession, one licensed
dental hygienist and one member representing the consumer.
Members of the board shall be appointed by the Governor with
the advice and consent of the Council.

The board members of the dental profession shall be grad-
uates of a legally chartered college or university having the
authority to grant degrees in dentistry and shall have been
in the actual practice of dentistry in this State for a con-
tinuous period of at least 3 years immediately preceding the
appointment.

Three members of the dental profession shall be appointed
by the Governor with the advice and consent of the Council.
One of these members shall be a person who earns a substantial
portion of his income from the practice of dentistry and who is
not substantially involved in the private practice of dentistry.

D OF R.

Two members of the dental profession shall be appointed by the Governor with the advice and consent of the Council from a list of 6 names submitted by the Maine Dental Association. The Maine Dental Association shall prior to January 1st each year nominate and submit the names of 6 members of the association to the Governor. Any vacancies in these 2 appointments of members to the board shall be filled by the appointment by the Governor of a person whose name appears on the list.

The member who is a licensed dental hygienist shall be appointed by the Governor with the advice and consent of the Council for a term of 5 years beginning on the effective date of this Act to hold office until his successor is appointed.

The member representing the consumer shall be appointed for a 5-year term, beginning on the effective date of this Act to hold office until his successor is appointed. No person who earns, or has as a member of his household a person who earns, a substantial portion of his income from the practice of dentistry shall be eligible for appointment as the consumer representative on the board.

No person shall be eligible for appointment to the board who has been convicted of a violation of any of the provisions of this or any other prior dental practice act. No person shall be eligible to appointment on said board who shall have served 10 years or more on a Dental Examining Board in this State.

1. ~~OF 2.~~ If, prior to the expiration of the term of any member, a vacancy occurs on the board, a successor shall serve for the unexpired term.

The Governor with the advice and consent of the Council may remove any member of the board on proven charges of inefficiency, incompetency, immorality or unprofessional conduct.

All terms of members of the dental profession shall be 5 years except that the initial term of one member shall be one year, the initial term of a 2nd member shall be 2 years, the initial term of a 3rd member shall be 3 years, the initial term of a 4th member shall be 4 years.

The members of the board, except the secretary, shall each receive as compensation for their services \$50 a day for the time actually spent and their necessary expenses incurred in the discharge of their duties, to be certified by the secretary of the board.'

Further amend said Bill by striking out all of section 4 and inserting in place thereof the following:

'Sec. 4. 32 MRSA §1081, sub-§3, as amended by PL 1971, c. 159, §1, is repealed.'

Further amend said Bill in section 5 by striking out everything after the amending clause and inserting in place thereof the following:

'This subsection shall not prohibit a licensed dentist from practicing dentistry as an employee of another licensed dentist in this State, as an employee of a corporation or as an employee of any state hospital or state institution where his only remuneration is from the State.'

Further amend said Bill by renumbering sections 1 through 13 to be sections 2 through 14.

Further amend said Bill by adding at the end before the Statement of Fact the following:

'Sec. 15. Effective date. The effective date of this Act shall be January 1, 1976.'

Statement of Fact

The purpose of this amendment is to add a dental hygienist and consumer member to the Board of Dental Examiners, to specify the conditions of their membership, to alter the method of appointment to the board of 3 members of the dental profession and to remove the existing language prohibiting a dentist from practicing for a profit-making corporation. The effective date of the Act is established as January 1, 1976 in order to ensure the orderly appointment of members of the board.

Reported by the Majority of the Committee on Health & Institutions.

Reproduced and distributed pursuant to Senate Rule 11-A.
May 27, 1975 (Filing No. S-204)