

MAINE STATE LEGISLATURE

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D. J. R.

STATE OF VERMONT (Filing No. S-303)
SENATE
108TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 167, L.D. 572, Bill, "AN ACT Concerning Professional Conduct of Chiropractors, Optometrists, Podiatrists and Dentists."

Amend the bill in section 2 by striking out everything after the amending clause and inserting in its place the following:

'4. Advertising. Advertising in a false, misleading or deceptive manner. Any regulations promulgated pursuant to this section on advertising shall not be inconsistent with any regulations promulgated pursuant to Title 5, section 207, subsection 2;'

Further amend the bill by inserting before section 3 the following:

'Sec. 3. 32 MRSA §1073, sub-§3, as enacted by PL 1967, c. 544, §80, is amended by adding at the end the following new paragraph: The board is authorized to establish rules and regulations relating to false, deceptive and misleading advertising, except that no rules or regulations shall be inconsistent with any rule or regulations promulgated pursuant to Title 5, section 207, subsection 2.'

Further amend the bill by inserting before section 4 the following:

'Sec. 3-B. 32 MRSA §2417, sub-§5, last ¶, as enacted by PL 1973, c. 788, §156, is repealed and the following enacted in its place:

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The board may make such other reasonable rules and regulations as shall/^{be}otherwise necessary for the proper performance of its duties under this section, including rules and regulations relating to false, deceptive and misleading advertising. Any rules or regulations promulgated relating to such advertising shall not be inconsistent with any rules or regulations promulgated pursuant to Title 5, section 207, subsection 2.

Further amend the bill by inserting before section 6 the following:

'Sec. 5-A. 32 MRSA §3605 is enacted to read:

§3605. Rules and regulations

The board is authorized to promulgate rules and regulations relating to false, deceptive and misleading advertising, except that no such rules or regulations shall be inconsistent with any rules or regulations promulgated pursuant/^{to}Title 5, section 207, subsection 2.'

Further amend the bill in section 6 by striking out in the first paragraph after the amending clause, in the 3rd and 4th lines (2nd, 3rd and 4th in LD) after the underlined number and punctuation "307 " the following: "when the licensee has been convicted of an act involving moral turpitude; and may be suspended or revoked"

Further amend the bill by renumbering the sections to read consecutively.

D. OF R.

Statement of Fact

The purposes of this amendment are to:

1. Authorize the respective boards of chiropractic, dentistry, optometry and podiatry to establish rules and regulations relating to false, deceptive and misleading advertising and require that no rule or regulation shall be inconsistent with rules or regulations established by the Attorney General; and
2. Delete archaic language relative to moral turpitude.

Reported by the Committee on Health and Institutional Services.

Reproduced and distributed pursuant to Senate Rule 11-A.

June 21, 1977

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