

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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PUBLIC LAWS
OF THE
STATE OF MAINE
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FIRST REGULAR SESSION
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ONE HUNDRED AND EIGHTH LEGISLATURE
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CHAPTER 457

AN ACT to Repeal and Correct Certain Laws Relating to Health and Institutions.

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

- Sec. 1. 22 MRSA § 458 is repealed.
- Sec. 2. 22 MRSA c. 257 is repealed.
- Sec. 3. 22 MRSA §§ 1563, 1564, and 1565 are repealed.
- Sec. 4. 22 MRSA c. 403 is repealed.
- Sec. 5. 22 MRSA § 2363, sub-§ 3 is repealed.
- Sec. 6. 22 MRSA § 3796, as amended by P & SL 1973, c. 53, is repealed.
- Sec. 7. 34 MRSA §§ 1002 and 1003 are repealed.
- Sec. 8. 34 MRSA § 1004, as amended by PL 1971, c. 593, § 22, is repealed.

Effective October 24, 1977

CHAPTER 458

AN ACT Concerning Professional Conduct of Chiropractors, Optometrists, Podiatrists and Dentists.

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

- Sec. 1. 32 MRSA § 502, sub-§ 3, as enacted by PL 1973, c. 405, § 3, is repealed.
- Sec. 2. 32 MRSA § 502, sub-§ 4, as enacted by PL 1973, c. 405, § 3, is repealed and the following enacted in its place:
 - 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;
- 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.

Sec. 4. 32 MRSA § 1091, sub-§ 1, ¶ H, sub-¶ (1), as enacted by PL 1967, c. 544, § 80, is repealed and the following enacted in its place:

(1) Making use of any advertising statements of a character tending to deceive or mislead the public; advertising to use drugs, patents, nostrums or proprietary medicines; or advertising to perform any dental operation or act painlessly;

Sec. 4-A. 32 MRSA § 1091, sub-§ 1, ¶ H, sub-¶ (2), as enacted by PL 1967, c. 544, § 80, is repealed.

Sec. 4-B. 32 MRSA § 2417, sub-§ 5, last ¶, as enacted by PL 1973, c. 788, § 156, is repealed and the following enacted in its place:

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.

Sec. 5. 32 MRSA § 2433, sub-§ 3, as enacted by PL 1973, c. 788, § 156, is repealed.

Sec. 5-A. 32 MRSA § 2433, sub-§ 4, as enacted by PL 1973, c. 788, § 156 is repealed and the following enacted in its place:

4. Advertising. Advertising in a false, misleading or deceptive manner;

Sec. 6. 32 MRSA § 2445, as enacted by PL 1973, c. 788, § 156, is repealed.

Sec. 6-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.

Sec. 7. 32 MRSA § 3655, 1st ¶, as last amended by PL 1973, c. 303, § 3, is repealed and the following enacted in its place:

Any license to practice podiatry may be suspended or revoked by the Administrative Court Judge under Title 5, chapters 301 to 307 when, after hearing, it shall be found that the licensee used fraud in procuring his license or has used untruthful or improbable statements to patients or in advertisements; or that the licensee is incompetent to practice podiatry.

Sec. 8. 32 MRSA § 3655, sub-§§ 2, 6 and 7, are repealed.

Sec. 9. 32 MRSA § 3655, sub-§ 8, is repealed and the following enacted in its place:

8. Advertising. A podiatrist shall not engage in false, misleading or deceptive advertising.

Sec. 10. 32 MRSA § 3655, sub-§§ 9 and 11 are repealed.

Effective October 24, 1977

CHAPTER 459

AN ACT Concerning Licenses for Camping Areas and Eating Establishments.

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

22 MRSA § 2495, 1st sentence, as enacted by PL 1975, c. 496, § 3, is repealed and the following enacted in its place:

The department shall, within 30 days following receipt of application, issue a license to operate any eating establishment, eating and lodging place, lodging place, recreational camp, camping area or mobile home park which is found to comply with this chapter and any rules and regulations adopted by the department, and has submitted documented proof of compliance with all local ordinances relating to the operation of the facility for which the license application has been made.

Effective October 24, 1977

CHAPTER 460

AN ACT to Amend Certain Provisions of the Employment Security Law.

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

Sec. 1. 26 MRSA § 1051, sub-§ 4, as amended by PL 1975, c. 462, § 2, is amended to read: