

# 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)

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

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 164, SUBSECTION 6.

---

PORTLAND LITHOGRAPH COMPANY  
PORTLAND, MAINE  
1977

---

---

PUBLIC LAWS  
OF THE  
**STATE OF MAINE**  
AS PASSED AT THE  
**FIRST REGULAR SESSION**  
of the  
ONE HUNDRED AND EIGHTH LEGISLATURE  
1977

---

---

## CHAPTER 472

### AN ACT Revising the Disqualification Periods for Persons who Voluntarily Quit Work or are Discharged for Misconduct.

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

Sec. 1. 26 MRSA § 1193, sub-§ 1, ¶ A, first sentence, as last amended by PL 1971, c. 538, § 28, is repealed and the following enacted in its place:

For the week in which he left his regular employment voluntarily without good cause attributable to such employment, or to a claimant who has voluntarily removed himself from the labor market where presently employed to an area where employment opportunity is less frequent, if so found by the commission, and disqualification shall continue until claimant has earned 4 times his weekly benefit amount; provided no disqualification shall be imposed if the individual establishes that he left employment in good faith and accepted new employment on a permanent full-time basis and he became separated from the new employment for good cause attributable to employment with the new employing unit.

Sec. 1-A. 26 MRSA § 1193, sub-§ 1, ¶ A, last sentence, as enacted by PL 1965, c. 381, § 13, is repealed and the following enacted in its place:

Leaving work shall not be considered voluntary without good cause when it is caused by the illness or disability of the claimant or of his immediate family and the claimant took all reasonable precautions to protect his employment status by having promptly notified his employer as to the reasons for his absence and by promptly requesting reemployment when he is again able to resume employment; nor shall leaving work be considered voluntary without good cause if the leaving was necessary for the claimant to accompany, follow or join his spouse in a new place of residence and he can clearly show upon arrival at the new place of residence an attachment to the new labor market and is in all respects able, available and actively seeking suitable work;

Sec. 2. 26 MRSA § 1193, sub-§ 2, as last amended by PL 1965, c. 381, § 14, is repealed and the following enacted in its place:

2. Discharge for misconduct. For the week in which he has been discharged for misconduct connected with his work, if so found by the commission, and disqualification shall continue until claimant has earned 4 times his weekly benefit amount.

Effective October 24, 1977

---

## CHAPTER 473

AN ACT to Add a Dental Hygienist to the Board of Dental Examiners.

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

Sec. 1. 32 MRSA § 1071, 1st sentence, as last amended by PL 1975, c. 575, § 11, is further amended to read:

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 dental hygienist and one representative of the public appointed by the Governor.

Sec. 2. 32 MRSA § 1071, as last amended by PL 1975, c. 771, sections 337 and 338, is further amended by adding after the 8th sentence the following new sentences:

The dental hygienist shall be qualified pursuant to subchapter IV. He shall be a legal resident of the State and shall have been in practice in the State for at least 3 years immediately preceding appointment. The dental hygienist member of the board shall be a full voting member of the board. The term of the dental hygienist shall be for 4 years, except that the member shall serve until a successor is appointed, and the Governor shall make the initial appointment in January, 1978. The Governor shall consult with the Maine Dental Hygienists Association prior to the appointment of any dental hygienist to the board. The Governor shall fill any vacancy of the dental hygienist member of the board by appointing a person, qualified under the terms of this chapter, to hold office during the unexpired term of the member whose place is filled. No person shall serve more than 2 consecutive terms. No person shall be eligible to serve who has been convicted of a violation of this chapter or any prior Dental Practice Act or who has been convicted of a felony. No dental hygienist shall be eligible to serve as a member of the board while employed by a dentist who is a member of the board. No dentist shall be eligible to serve as a member of the board while a dental hygienist whom he employs is serving as a member of the board.

Sec. 3. 32 MRSA § 1071, as last amended by PL 1975, c. 771, sections 337 and 338, is further amended by adding after the first paragraph a new paragraph to read:

The Governor may remove any member of the board on proven charges of inefficiency, incompetence, immorality or unprofessional conduct.

Sec. 4. 32 MRSA § 1072, 2nd sentence, as last amended by PL 1975, c. 575, § 12, is further amended to read:

~~Four~~ Five members shall constitute a quorum.

Effective October 24, 1977

---

---

## CHAPTER 474

AN ACT Concerning the Blue Sky Law.