

# 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

---

---

Whereas, in late 1976 the U. S. Internal Revenue Code was amended to exempt certain individuals engaged in fishing from the requirement to withhold federal income taxes; and

Whereas, such exemption is automatically adopted by the Maine personal income tax law; and

Whereas, such exemption is not automatically adopted by the Maine Employment Security and Workmen's Compensation Law, both of which will retain the exemption for the much narrower class of fishermen exempted by the Maine Tax Law prior to the recent federal amendments; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

26 MRSA § 1043, sub-§ 11, ¶ F, sub-¶ (32), as enacted by PL 1975, c. 691, § 1, is repealed and the following enacted in its place:

(32) Services performed by an individual on a boat of 10 net tons or less engaged in catching fish or other forms of aquatic animal life under an arrangement with the owner or operator of such boat pursuant to which:

(a) Such individual does not receive any cash remuneration, other than as provided in division (b);

(b) Such individual receives a share of the boat's, or the boats' in the case of a fishing operation involving more than one boat, catch of fish or other forms of aquatic animal life or a share of the proceeds from the sale of such catch; and

(c) The amount of such individual's share depends on the amount of the boat's, or the boats' in the case of a fishing operation involving more than one boat, catch of fish or other forms of aquatic animal life, but only if the operating crew of such boat, or each boat from which the individual receives a share in the case of a fishing operation involving more than one boat, is normally made up of fewer than 7 individuals.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective July 11, 1977

---

---

## CHAPTER 484

AN ACT to Provide for the Licensing of Denturists.

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

Sec. 1. 32 MRSA § 1100-A, last sentence, as enacted by PL 1971, c. 159, § 4, is amended to read:

Dental auxiliaries shall include, but not be limited to, dental hygienists, dental assistants ~~and~~, dental laboratory technicians and denturists.

Sec. 2. 32 MRSA c. 16, sub-c. VI, is enacted to read:

## SUBCHAPTER VI

### DENTURISTS

#### § 1100-B. Definitions

As used in this subchapter, unless the context otherwise indicates, the following words and phrases shall have the following meanings.

1. Board. "Board" means the Board of Dental Examiners.
2. Denturist. "Denturist" means a person licensed under this subchapter to engage in the practice of denture technology under the supervision of a dentist.
3. Practice of denture technology. "Practice of denture technology" means only:

A. The taking of denture impressions and bite registration for the purpose of or with a view to the making, producing, reproducing, construction, finishing, supplying, altering or repairing of any complete upper or complete lower prosthetic denture, or both, to be fitted to an edentulous arch or arches;

B. The fitting of any complete upper or lower prosthetic denture, or both, to an edentulous arch or arches, including the making, producing, reproducing, constructing, finishing, supplying, altering and repairing of such dentures; and

C. Other procedures incidental to the procedures specified in paragraphs A and B, as defined by the board.

#### § 1100-C. Rules and regulations

1. Rules and regulations required. Not later than 90 days after the effective date of this subchapter, the board shall adopt rules and regulations relating to the licensing of denturists.
2. Contents. These rules and regulations shall pertain, but need not be limited, to the following:

- A. The administrative procedures relating to the issuance, refusal to issue, suspension and revocation of licenses;
- B. The procedures and requirements relating to the issuance of temporary denturist licenses;
- C. The methods by which and the conditions under which denturists are required to practice denture technology;
- D. The establishment of educational requirements for the purpose of eligibility for licensing;
- E. The establishment of equivalency training and experience standards for the purpose of eligibility for licensing; and
- F. The specification of other procedures incidental to the practice of denture technology, which may be delegated to a denturist.

3. Public hearing on rules and regulations. Prior to adopting any rule pursuant to this subchapter, the board shall hold a public hearing. Notice of the public hearing shall be published once within 14 to 30 days before the hearing in the state paper and in other newspapers or journals of general circulation adequate to provide reasonable notice to the public affected thereby.

4. Rules and regulations repealed or amended. Rules adopted pursuant to this section may be repealed or amended at any time by the board, after like notice and hearing of the portion amended.

#### § 1100-D. Examinations

1. Authority. The board is authorized to prepare and give examinations in the area of denture technology for the purpose of licensing denturists. All examinations prepared and given under this subchapter may be prepared and given by the full board or by a subcommittee of the board appointed by the board.

2. Eligibility for examination. A person shall be eligible to take the examination pursuant to subsection 1 who:

- A. Is 18 years of age or older;
- B. Is a high school graduate; and

C. Has successfully completed a minimum of 2 years of training in denture technology and related areas, as approved by the board, or has demonstrated equivalent training and experience, as determined by the board.

3. Application for examination; fee. Any eligible person desiring to take the examination in order to become licensed as a denturist shall make a written application to the board to take the examination. This application shall be accompanied by an examination fee of \$25.

4. Additional examinations; fee. Any applicant failing to pass the examination shall be entitled to one additional examination, for which the fee shall be \$10. The fee for each additional examination after the first additional examination shall be \$25.

5. Timing of examination. The applicant for an examination in denture technology shall present himself for examination at the first regular meeting of the board after the application is filed.

§ 1100-E. Licenses; registration; reciprocity

1. Authority. The board shall have the authority to issue licenses to qualified persons to practice denture technology pursuant to this subchapter.

2. License issued. The board shall issue a license for the practice in this State to each person who has passed the examination under section 1100-D, or who has met the equivalency training and experience standards established by the board. This license shall authorize the licensee to practice as a denturist in the State for the year in which it is issued.

3. Registration. After a license has been issued under subsection 2, and on or before January 1st of each year, any denturist shall pay to the secretary of the board an annual registration fee of \$5 in order to renew the license and to continue to be authorized to practice as a denturist in the State.

A registration card for that year shall then be issued, which card shall be placed beside or attached to the license. Failure to be properly registered on January 1st of each year shall result in automatic suspension of the license to practice as a denturist. Reinstatement of the license may be made by payment of \$10 to the secretary of the board.

4. Reciprocity. The board may at its discretion, without examination, issue a license to any applicant to practice as a denturist who shall furnish proof satisfactory to the board that the denturist has been duly licensed to practice in another state or Canadian province after full compliance with the requirements of its dental laws, provided that the licensure requirements are, in all essentials, at least equivalent to those of this State. The board may require letters of reference about the denturist. Every license so given shall state upon its face that it was granted on the basis of reciprocity. The fee for such certificate shall be \$25.

§ 1100-F. Persons and practices not affected

Nothing in this subchapter shall be construed to prohibit a duly qualified dental surgeon, dental laboratory technician or dental hygienist from performing work or services performed by a denturist licensed under this subchapter to the extent those persons are authorized to perform the same services under existing Maine law.

Nothing in this subchapter shall be construed to prevent students of a dental college, university or school of dental hygiene from practicing dental hygiene under the supervision of their instructors.

§ 1100-G. Liability of dentist for denturist's actions

A dentist, who supervises the activities of a denturist pursuant to this sub-

chapter, shall be deemed legally liable for these activities and in such a relationship, the denturist shall be construed as the dentist's agent.

§ 1100-H. Legislative review

The board shall make a report to the Joint Standing Committee on Health and Institutional Services of the Legislature on or before April 1, 1978. This report shall consist of a description of the board's progress in the implementation of this subchapter, including whatever information may be requested by the committee.

Effective October 24, 1977

---

---

## CHAPTER 485

### AN ACT Concerning the Expiration of Motor Vehicle Inspection Stickers.

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

29 MRSA § 2123, as last amended by PL 1975, c. 731, § 61, is repealed and the following enacted in its place:

§ 2123. Penalties

1. Penalties. Notwithstanding the provisions of Title 17-A, section 4, whoever violates or fails to comply with any provision of sections 1369 and 2122 to 2126, or any rules or regulations established thereunder, shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment for not more than 90 days, or both, except as provided in subsection 2.

2. Warnings. The owner or operator of a vehicle operated with an expired inspection sticker in violation of section 2122-A during the first month immediately after the expiration of the inspection sticker shall not be issued a summons to court but shall be issued a warning in a form to be designated by the Chief of the State Police. This warning shall state that the owner or operator shall within 2 business days therefrom cause the vehicle to be inspected in accordance with this chapter and that the person inspecting the vehicle shall sign the warning notice and forward it to the Chief of the State Police. Failure to comply with the provisions of a warning issued pursuant to this subsection shall constitute a violation of this section punishable in accordance with subsection 1.

Effective October 24, 1977

---

---

## CHAPTER 486

### AN ACT to Authorize the Establishment of County Charters.