

CHAPTER 221—S. F. No. 332.

An Act to amend sections 2313 to 2319 inclusive of the Revised Laws of Minnesota 1905, as amended by chapter 117 General Laws of Minnesota for 1907, relating to the practice of dentistry.

Be it enacted by the Legislature of the State of Minnesota:

One member to be appointed for term of three years.—Section 1. That section 2313, Revised Laws of Minnesota 1905 as amended by chapter 117 of the General Laws of Minnesota for 1907 be and the same is hereby amended to read as follows:

Section 2313.—Board of dental examiners. Appointment. The board of dental examiners shall consist of six practicing dentists of the state appointed by the governor, each for the term of three years and until his successor qualifies and no member shall serve more than two successive terms. The board shall at all times include four members who shall have been appointed on the recommendation of the Minnesota State Dental Association, if such recommendation be made at least ninety days before the term of the member of that class expires; otherwise the governor may appoint without such recommendation. Every vacancy caused otherwise than by the expiration of a term shall be filled in the same manner and from the class to which the retiring member belongs. If the association is entitled to and fails to recommend a candidate for such unexpired term within thirty days after the vacancy occurs the governor may appoint without such recommendation. If a member shall be absent from two consecutive regular meetings, the board shall declare a vacancy to exist. The association shall recommend not less than two candidates for each appointment, *provided* the governor shall immediately after the passage and approval of this act appoint one member of said board of dental examiners for the term of three years.

Compensation of members.—Sec. 2. That section 2314, Revised Laws of Minnesota, 1905, as amended by chapter 117 of the General Laws of Minnesota for 1907, be and the same is hereby amended to read as follows:

Section 2314.—Officers. Meetings. Compensation. Report. The board shall elect from its members a president and secretary, and shall have a common seal. It shall hold regular meetings on the second Tuesday after the first Monday in March and November in each year, and special meetings at its pleasure. All meetings shall be held at the college of dentistry of the state university. Out of the funds coming into the possession of said board, the members thereof shall receive as compensation the sum of ten (\$10.00) dollars per day and necessary traveling expenses for each day actually engaged in the duties of their of-

fices as examiners; the secretary shall in addition be paid a salary to be fixed by resolution by the board not to exceed five hundred (\$500.00) dollars per year. All moneys received by said board in excess of the expenditures for per diem allowance, traveling expenses, and salary of the secretary as above provided for, shall be held by the secretary of said board as a special fund for printing, postage, and other necessary expenses of the board for carrying out the provisions of this act. The secretary of the board shall give a bond in an amount to be fixed by resolution of the board and in form to be approved by the attorney general conditioned for the faithful discharge of his official duties.

Before December 15th in each year the board shall report its proceedings and the items of its receipts and disbursements to the governor of the State of Minnesota.

Not to apply to students enrolled in dental colleges.—Sec. 3. That section 2315 Revised Laws of Minnesota, 1905, as amended by chapter 117 of the General Laws of Minnesota for 1907 be and the same is hereby amended to read as follows:

Section 2315.—Dentistry defined. Inhibition. Exception. All persons, firms, corporations, or associations shall be said to be practicing dentistry, within the meaning of this section, who shall use the word or letters "Dentist," or "D. D. S." or any other letters in connection with his or their names which in any manner represents him or them as engaged in the practice of dentistry, or who shall advertise or permit it to be done by sign, circular, handbill, newspaper or otherwise, that he or they will attempt to perform dental operations of any kind, treat diseases or lesions of the human jaws or replace teeth by artificial ones or attempt to correct mal-positions thereof, or who shall for a fee, salary, or other reward, paid or to be paid either to himself or to another person, perform dental operations of any kind, treat diseases or lesions of the human jaws or teeth, or replace lost teeth by artificial ones, or attempt to correct mal-positions thereof.

Provided however that the foregoing provisions of this section shall not apply to students enrolled in and regularly attending any dental college and to their acts done under the direct supervision of a licensed dentist.

Fee for first and second examination.—Sec. 4. That section 2316 Revised Laws of Minnesota, 1905, as amended by chapter 117 of the General Laws of Minnesota for 1907, be and the same is hereby amended to read as follows:

Section 2316.—Examinations. License. Revocation. Assumed name. A person not already a registered dentist of the state desiring to practice dentistry therein, shall apply to the secretary of the board for examination and pay a fee of twenty

(\$20.00) dollars for the first examination and twenty (\$20.00) dollars for each subsequent examination which in no case shall be refunded. At the next regular meeting he shall present himself for examination and produce his diploma from some dental college of good standing, of which standing the board shall be the judges, also satisfactory evidence showing that the applicant is of good moral character. The board shall give the applicant such an elementary, practical examination as to thoroughly test his fitness for the practice and include therein the subjects of anatomy, physiology, chemistry, materia-medica, therapeutics, metallurgy, histology, pathology and operative, surgical and mechanical dentistry; and the applicant shall be required to demonstrate his skill in operative and mechanical dentistry. If the applicant successfully passes the examination, he shall be registered by the board as a licensed dentist, and supplied with the certificate of registration signed by all members of the board of dental examiners.

Provided that any dentist who has been in legal practice in another state having and maintaining an equal standard of laws regulating the practice of dentistry with this state, for five years or more and is a reputable dentist of good moral character, and is desirous of removing to this state and deposits in person with the board of dental examiners a certificate from the examining board of the state in which he is registered, certifying to the fact of his registration and that he is of good moral character and professional attainments, and upon payment of a fee of fifty (\$50.00) dollars may, at the discretion of the board, be granted a license to practice in this state without further theoretical examination.

The board upon hearing, after twenty days notice thereof may revoke the license of any one who with intent to deceive the public, shall practice dentistry under an assumed name or where it shall be shown that the holder of such license is not of good moral and upright character. It shall be no defense for a person prosecuted for practicing dentistry under one name, without a license, that he shall have been licensed under a different name, unless it shall be shown that such practice was without intent to defraud or deceive.

Record of certificate—Fees.—Sec. 5. That section 2317, Revised Laws of Minnesota, 1905, as amended by chapter 117 of the General Laws of Minnesota for 1907 be and the same is hereby amended to read as follows:

Section 2317.—Record of certificate. Fees. Within six months after its issuance, the certificate of registration shall be filed for record with the clerk of the district court in the county where the holder resides. If he changes his residence to another

county, he shall file his certificate, or a certified copy of the record thereof in such county before practicing therein. Such clerk's fee for recording a certificate or copy shall be fifty (\$0.50) cents and for a certified copy one (\$1.00) dollar. The fee of the board for a duplicate certificate shall be one (\$1.00) dollar.

Annual fees.—Sec. 6. That section 2318 Revised Laws of Minnesota, 1905, as amended by chapter 117, of the General Laws of Minnesota for 1907, be and the same is hereby amended to read as follows:

Section 2318.—Annual fee. Before the first of May in each year every registered dentist shall pay to the board a license fee of one (\$1.00) dollar, and in default of such payment the board may, upon hearing and upon twenty (20) days' notice, revoke the license of the dentist in default; but the payment of such fee on or before the time of hearing, with such additional sum not exceeding five (\$5.00) dollars, as may be fixed by the board, shall excuse the default. The board may collect such fee by suit.

License to be kept in open view—Violation a misdemeanor.—Sec. 7. That section 2319 Revised Laws of Minnesota, 1905, as amended by chapter 117 of the General Laws of Minnesota for 1907 be and the same is hereby amended to read as follows:

Section 2319.—Prohibition. Penalties. Disposition of fines. No person shall practice dentistry in the state without having complied with the provisions of this subdivision. Any person who shall practice, or who shall attempt to practice dentistry, either as a proprietor, employe or assistant, shall keep his annual renewal license in open view in his operating room, failing to do so he shall be deemed guilty of a misdemeanor. Any licensed dentist, proprietor, partnership, association, or corporation owning, running, operating or controlling any room or rooms, office or dental parlors where dental work of any kind is done, or provided for, or contracted for, who shall employ, keep, or retain, contrary to the provisions of this law any unlicensed dentist shall be guilty of a misdemeanor. Any person who shall falsely pretend that he holds a certificate of registration from the board, or shall violate any of the provisions of this section shall be guilty of a misdemeanor. The board may when it deems best for the enforcement of the law, employ such attorney as the attorney general shall appoint. All fines collected under the provisions hereof shall be paid into the school fund of the county in which the conviction occurred.

Sec. 8. This act shall take effect and be in force from and after its passage.

Approved April 18, 1911.