

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 204

In Senate, Feb. 5, 1913.

Presented by Senator Conant of Waldo, and on motion by Senator Hersey of Aroostook laid on the table for printing pending reference to a committee.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

AN ACT to amend Sections two, three, four, five, six, and nine of Chapter seventeen of the Public Laws of nineteen hundred and five, regulating the practices of Veterinary Surgery, Medicine and Dentistry.

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

Section 1. Section two of chapter seventeen of the public laws of one thousand nine hundred and five is hereby amended by striking out after the word "secretary" in the sixth line, the words, "No member of the board shall receive any fee, compensation, or remuneration for the performance of

6 any duty required of him by the provisions of this act, ex-
7 cept for actual disbursements and expenses incurred by
8 reason of the performance of the duties herein required,
9 which disbursements and expenses shall be paid out of fees
10 received by the treasurer of said board under the provisions
11 of section five of this act," and by inserting in place thereof
12 the following: "The compensation of said veterinary exam-
13 iners shall be five dollars a day, for time actually employed
14 in the performance of their official duties, and they shall
15 be paid all necessary expenses incurred therein," so that
16 said section, when amended, shall read as follows:

17 'Sect. 2. Said board shall organized annually in the month
18 of May by the election of one of its members as president,
19 one as secretary, and another as treasurer, and may adopt
20 such rules, not in conflict with the laws of the state, as they
21 may deem proper to carry into effect the provision of this
22 act. They shall also adopt a seal which shall be affixed to
23 all certificates issued by them in accordance with the pro-
24 visions of this act, which certificate shall be signed by the
25 president and secretary. The compensation of said veter-
26 inary examiners shall be five dollars a day, for time actually
27 employed in the performance of their official duties, and
28 they shall be paid all necessary expenses incurred therein.
29 The treasurer shall annually, on the first day of April, make
30 written report to the governor and council of all receipts
31 and expenditures of said board. If any balance should then
32 appear in his hands in excess of one hundred dollars, after

33 paying all disbursements and expenses then incurred by the
34 members of the board, he shall pay such balance to the treas-
35 urer of state, who shall apply the same to the permanent
36 school fund.'

Sect. 2. Section three of said chapter, as amended by sec-
2 tion one of chapter eighty-nine of the public laws of one
3 thousand nine hundred and seven, is hereby amended by
4 striking out from the beginning of said section the words,
5 "It shall be unlawful for any person to advertise by sign,
6 card or otherwise, or attach to his name the title of V. S.
7 or veterinary surgeon, or any veterinary title ordinarily
8 used," and by inserting in place thereof the following: 'It
9 shall be unlawful for any person to practice veterinary sur-
10 gery, medicine, or dentistry, or any branch thereof, within
11 the state,' so that said section, when amended, shall read as
12 follows:

'Sect. 3. It shall be unlawful for any person to practice
14 veterinary surgery, medicine, or dentistry, or any branch
15 thereof, within the state, without having previously obtained
16 a certificate from the state board of veterinary examiners
17 and being registered as herein provided.'

Sect. 3. Section four of said chapter, as amended by sec-
2 tion two of chapter eighty-nine of the public laws of one
3 thousand nine hundred and seven, and by section one of
4 chapter eighteen of the public laws of one thousand nine
5 hundred eleven, is hereby amended by striking off from the
6 end of said section the words, "nothing in this act shall be

7 construed as prohibiting any person residing in the state of
8 Maine not registered from practicing veterinary surgery,
9 medicine or dentistry or any branch thereof, and collecting
10 reasonable compensation for such service provided such
11 person does not attach to his name V. S. or veterinary sur-
12 geon, or any veterinary title ordinarily used or advertised
13 by card, sign or otherwise," and by adding in place thereof
14 the following: 'Nothing in this act shall be construed as
15 prohibiting the performance of gratuitous services rendered
16 by anyone in case of the emergency, not prohibiting any per-
17 son from practicing veterinary medicine, surgery, or den-
18 tistry, on any animal belonging to himself, nor shall this
19 act be construed as prohibiting castration of animals by
20 any resident of this state,' so that said section, when amend-
21 ed, shall read as follows:

'Sect. 4. Any person who was engaged in the practice of
23 veterinary surgery, medicine, or dentistry, or any branch
24 thereof in this state, on the twenty-second day of February,
25 one thousand nine hundred and five, may, on or before the
26 fifteenth day of September, one thousand nine hundred and
27 eleven, register his name and address with the state board
28 of veterinary examiners and give proof to said board that
29 he was so in practice on said twenty-second day of Feb-
30 ruary, one thousand nine hundred and five, and be entitled
31 to all the rights and privileges granted by said act as he
32 would or might have been if he had appeared before said
33 board at the time stated in section four of the aforesaid

34 act. Any person shall be regarded as practicing veterinary
35 surgery, medicine, or dentistry, or any branch thereof, with-
36 in the meaning of this act, who has publicly professed to
37 be a veterinary surgeon, or has prescribed for sick or in-
38 jured animals and accepted fees for such services, or has
39 attached to his name the title "V. S." or "Veterinary Sur-
40 geon," or any veterinary title ordinarily used. Nothing in
41 this act shall be construed as prohibiting the performance
42 of gratuitous services rendered by any one in case of emer-
43 gency, nor prohibiting any person from practicing veterinary
44 medicine, surgery, or dentistry, on any animal belonging to
45 himself; nor shall this act be construed as prohibiting cas-
46 tration of animals by any resident of this state.'

Sect. 4. Section five of said chapter, as amended by sec-
2 tion three of chapter eighty-nine of the public laws of one
3 thousand nine hundred and seven, is hereby amended by
4 striking out after the word "five" in the third line, the words,
5 "by using any veterinary title or advertising by card, sign
6 or otherwise, shall be graduates of a legally chartered vet-
7 erinary school, college or university having the power to
8 confer degrees in veterinary surgery, and," so that said
9 section, when amended, shall read as follows:

'Sect. 5. All persons who shall commence the practice of
11 veterinary surgery, medicine, or any branch thereof, within
12 the state, after May first, nineteen hundred and five, shall
13 pass an examination to the satisfaction of said board of
14 examiners. Applicants for examination as herein provided,

15 shall file with the secretary of the board their written re-
16 quest for such examination, and shall pay to the treasurer
17 of said board a fee of five dollars before being permitted
18 to take such examination.'

Sect. 5. Section six of said chapter is hereby amended
2 by adding to said section the following: 'Every person reg-
3 istered by the board shall, while continuing to practice, an-
4 nually pay to the secretary of the board a renewal fee of
5 one dollar. All certificates now in force, or which shall here-
6 after be issued, shall be subject to renewal on or before the
7 first day of September in each year. On hearing, the board
8 may revoke any certificate or renewal which is obtained by
9 fraud, or, when the holder is guilty of gross moral or pro-
10 fessional misconduct, the board may deny a renewal of his
11 certificate, subject to review by the courts,' so that said
12 section, when amended, shall read as follows:

'Sect. 6. The board of examiners, shall issue certificates
14 to all persons qualified to receive them under the provisions
15 of section four and to all persons passing the examination
16 required under section five, authorizing the holder to prac-
17 tice veterinary surgery, medicine, or dentistry, or any branch
18 thereof, within the state. Said certificate shall be recorded
19 in the office of the clerk of the supreme judicial court in the
20 county wherein the holder resides at the time of passing
21 said examination. Said clerk shall be entitled to a fee of
22 fifty cents for making such record and in the absence of
23 the original certificate an attested copy of such record shall

24 be received as evidence in all courts within the state of the
25 right of the person therein named to practice veterinary
26 surgery, medicine, or dentistry, or any branch thereof, with-
27 in the state. Every person registered by the board shall,
28 while continuing to practice, annually pay to the secretary
29 of the board a renewal fee of one dollar. All certificates
30 now in force, or which shall hereafter be issued, shall be
31 subject to renewal on or before the first day of September
32 in each year. On hearing, the board may revoke any cer-
33 tificate or renewal which is obtained by fraud, or, when
34 the holder is guilty of gross moral or professional miscon-
35 duct, the board may deny a renewal of his certificate, sub-
36 ject to review by the courts.'

Sect. 6. Section nine of said chapter, as amended by sec-
2 tion four of chapter eighty-nine of the public laws of one
3 thousand nine hundred and seven, is hereby amended by
4 striking off from the end of said section the words, "fine
5 not exceeding twenty dollars," and by adding in place there-
6 of the following: 'a fine not exceeding one hundred dollars,
7 or by imprisonment in the county jail for not more than
8 thirty days,' so that said section, when amended, shall read
9 as follows:

'Sect. 9. Any person who shall practice veterinary sur-
11 gery, medicine, or dentistry, or any branch thereof, in the
12 state of Maine without complying with the provisions of
13 this act shall be deemed guilty of misdemeanor, and upon
14 conviction thereof shall be punished by a fine not exceeding
15 one hundred dollars, or by imprisonment in the county jail
16 for not more than thirty days.'