

MAINE STATE LEGISLATURE

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REVISED STATUTES
OF THE
STATE OF MAINE
1954

1963 CUMULATIVE SUPPLEMENT

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THE MICHIE COMPANY
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Sec. 12-A. Public aid ocular services.—All agencies, commissions, clinics and bureaus administering relief, public assistance, public welfare assistance, social security, health insurance or health services under the laws of this state may accept the service of licensed optometrists for any service covered by their licenses relating to any persons receiving benefits from said agencies or commissions and shall pay for such services in the same way as practitioners of other professions may be paid for similar services. None of said governmental agencies, or their agents, officials or employees thereof, including the public schools, in the performance of their duties shall in any way show discrimination among licensed ocular practitioners.

Whoever violates or fails to comply with this section shall be punished by a fine of not more than \$100 or by imprisonment for not more than 90 days, or by both. (1963, c. 197.)

Sec. 13. Repealed by Public Laws 1961, c. 394, § 40.

Chapter 77.

Registration of Veterinary Surgeons.

Secs. 1-6. Repealed by Public Laws 1961, c. 254, § 2.

Cross reference.—See c. 77-A for present provisions re registration of veterinarians.

Sec. 7. Repealed by Public Laws 1961, c. 254, § 2; c. 417, § 165.

Editor's note.—Section 7 of c. 77, now repealed, was also amended by P. L. 1961, c. 417, § 165, which referred to cc. 254 and 394, again repealed § 7.

Chapter 77-A.

Registration of Veterinarians.

Sec. 1. Board of veterinary examiners; appointment; vacancies; compensation; expenses; removals.—The board of veterinary examiners, as heretofore established and hereinafter in this chapter called the "board," shall consist of 3 members who shall be veterinarians, appointed by the governor with the advice and consent of the council. Said persons shall be residents in the state, graduates of a legally chartered veterinary college or university having authority to confer degrees in veterinary medicine and shall have been actively engaged in the practice of their profession for a period of at least 5 years. One member shall be appointed annually, as the terms of the present members expire, and hold office for 3 years. Any vacancy in said board shall be filled by the appointment, within 30 days after such vacancy occurs, of a person qualified as aforesaid to hold office during the unexpired term of the member whose place he fills. Any member of said board may be removed from office for cause, by the governor with the advice and consent of the council.

The members of the board shall each receive as compensation for their services \$20 a day or any part thereof spent and their necessary expenses incurred in the discharge of their duties, to be certified by the secretary of the board. (1961, c. 254, § 1.)

Sec. 2. Organization and officers; treasurer; expenses; annual report.—The board shall organize annually in the month of July by the election

from its members of a president, and a secretary who shall be treasurer, and may adopt such rules, not in conflict with the laws of the state, as they may deem proper to carry into effect this chapter. They shall adopt a seal which shall be affixed to all certificates issued by them in accordance with section 5. The treasurer shall receive all fees, charges and assessments payable to the board and account for and over the same according to law and shall annually, on the first day of July, make written report to the governor and council for all receipts and expenditures of said board. (1961, c. 254, § 1.)

Sec. 3. Meetings; examination; fees; temporary permit.—The board shall meet as a board of examiners in the city of Augusta on the 2nd Monday and the Tuesday following said 2nd Monday of July when there are applicants for examination, and at such other times and places as they may find necessary for the performance of their duties. All persons not previously registered, who desire to practice veterinary surgery, medicine or any branch thereof within the state, shall pass an examination to the satisfaction of the board. Applicants for examination shall file with the secretary of the board their written request for such examination at least 15 days previous to the time of said examination, with satisfactory proof of graduation from colleges having power to grant degrees in veterinary medicine, which said colleges shall be approved by the board, and shall pay to the treasurer of said board a fee of \$20 before taking such examination.

If and when the state board of veterinary examiners adopt the national board examinations, there may be an additional fee of \$12.50 from each applicant, payable before taking said examination. The additional fee of \$12.50 is the fee the state board has to pay the national examining services for each applicant.

If any applicant qualifying for the examination desires to practice veterinary medicine, he may be issued a temporary permit to practice until the examination can be given by the state board to determine his status. (1961, c. 254, § 1.)

Sec. 4. No unlicensed persons to practice; exceptions.—It shall be unlawful for any person not previously licensed to practice veterinary surgery, medicine or dentistry or any branch thereof within the state without having obtained a certificate from the board and being registered as provided in section 5. Any person shall be regarded as practicing veterinary surgery, medicine or dentistry or any branch thereof, within the meaning of this section, who has publicly professed to be a veterinarian or who has attached to his name the title "D.V.M.," "V.M.D.," or "V.S." and as such has prescribed for or treated sick or injured animals and accepted fees for such services. Exceptions to this section shall include veterinarians employed by the federal government, state government or educational and research institutions, provided the veterinary services do not extend into private practice. (1961, c. 254, § 1.)

Sec. 5. Certificate issued; annual registration card and fee; failure to renew.—The board shall issue certificates, signed by the 3 members of the board, to all persons passing the examination required under section 3, authorizing the holder to practice veterinary surgery, medicine or dentistry or any branch thereof within the state. It shall be unlawful for any person to practice veterinary surgery, medicine or dentistry in this state in any year after the year in which said certificate is issued to him unless he or she shall pay to the treasurer of the board on or before January 1st of said year a fee of \$2, for which he or she shall receive a registration card, signed by the secretary of the board, which card shall be placed beside or attached to the certificate above mentioned.

When a veterinarian fails to renew his annual registration for 2 consecutive years and subsequently applies for registration or renewal of his previous registration, the board is authorized to issue new annual registration upon the pay-

ment of a sum equal to all the annual registration fees since the expiration of his last registration, or in lieu thereof the board may require an oral examination and a fee in the amount of \$20 payable to the board before taking such examination. (1961, c. 254, § 1.)

Sec. 6. Records kept by board.—The board shall keep a record of all veterinarians who shall qualify under section 5, and register the name, age, the name of the college granting the degree and the date of license in the state of Maine. Such record shall be open to public inspection at all times, within reasonable hours, at the office of the secretary of the board. (1961, c. 254, § 1.)

Sec. 7. Certificates to veterinarians licensed in other states; fee.—The board is authorized, with an oral examination, to issue a certificate to any applicant therefor, who shall furnish proof, satisfactory to the board, that he has been licensed to practice veterinary medicine in any state after full compliance with the requirements of its veterinary laws and that the applicant shall have been at least 5 years in actual practice in the state in which the license was granted. No license shall be issued under this section, unless the state from which the applicant comes shall accord equal rights to the duly licensed veterinarians of Maine. The fee for such certificate shall be \$50. The applicant must be a graduate of a veterinary school or college approved by the board. (1961, c. 254, § 1.)

Sec. 8. Penalty for failure to comply with chapter; revocation of license or registration.—Any person who shall practice veterinary surgery, medicine or dentistry or any branch thereof in the state without complying with this chapter shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not more than \$500 or by imprisonment for not more than 6 months, or by both.

The license of a practitioner of veterinary medicine may be revoked or suspended or his registration annulled, or both, for any of the following causes:

- I. Ignorance or incompetence in connection with the practice of veterinary medicine;
- II. Fraud or deceit in procuring admission to such practice;
- III. Fraud or deceit in the practice of veterinary medicine;
- IV. Willful violation of any of the provisions of this chapter;
- V. Malpractice;
- VI. Conviction of a felony;
- VII. Being addicted to the use of drugs.

Proceedings for the revocation or suspension of a license or the annulment of registration may be brought by filing written verified charges against the accused with the hearing officer under chapter 20-A. Such charges may be preferred by the board or one of its members.

If the hearing officer shall find that all or any of the charges are sustained, he shall cause the license of the accused to be revoked or suspended.

Any person who shall practice veterinary medicine, or dentistry, or any branch thereof after his registration has been revoked or suspended shall be deemed to have practiced veterinary medicine without registration.

After the sentence of the hearing officer has been fulfilled, the board may entertain an application for a new license and may exempt the applicant from the necessity of taking an examination. (1961, c. 254, § 1; c. 417, § 166.)

Effect of amendment.—The 1961 amendment added "with the hearing officer under chapter 20-A" at the end of the first sentence of the third paragraph; deleted the third sentence of such paragraph and the former fourth and fifth paragraphs, re-

lating to filing charges, hearings thereon and service of copies of the charges; substituted "hearing officer" for "court" and "he" for "the court" in the present fourth paragraph; and substituted "hearing officer" for "court" in the last paragraph.