

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
107TH LEGISLATURE

COMMITTEE AMENDMENT/ ^{"A"} to S.P. 106, L.D. 361, Bill, "AN ACT
Concerning Appointments to all Regulatory Boards and Commissions."

Amend said Bill by striking out all of the Title and inserting
in place thereof the following:

'AN ACT to Require Appointment of a Public Member to all Professional
and Occupational Licensing Boards.'

Further amend said Bill by striking out everything after the
enacting clause and inserting in place thereof the following:

'Sec. 1. 4 MRSA §801, first ^{and 3rd} sentences, as repealed and
replaced by PL 1971, c. 286, §1, are amended to read:

The Board of Examiners for the Examination of Applicants for
Admission to the Bar, as heretofore established and hereinafter
in this chapter called the "board," shall be composed of 5
competent lawyers of the State and one representative of the
public; one lawyer member of said board shall be appointed
annually by the Governor on the recommendation of the Chief
Justice of the Supreme Judicial Court and shall hold office for
the term of 5 years beginning on the first day of September of
each year. The public member shall be appointed by the Governor
for a term of 5 years, to begin on the first day of September
of the year in which he is appointed. In addition to the 5 6
members of the board, 2 additional members of the board shall be
appointed, in the first instance one for a term ending August
31, 1973 and one for a term ending August 31, 1975, by the
Governor on the recommendation of the Chief Justice of the
Supreme Judicial Court, and that after the initial terms, each
subsequently appointed additional member shall hold office for
the term of 5 years beginning on the first day of September of

Sec. 2. 4 MRSA, §801 first ¶, last sentence, as repealed and replaced by PL 1971, c. 286, §1, is amended to read:

~~Three~~ Four members of said board shall constitute a quorum for the transaction of business.

Sec. 3. 12 MRSA §2053, 5th ¶, as repealed and replaced by PL 1969, c. 241, §2, is amended to read:

A board of examiners for the licensing of guides shall consist of the commissioner or such subordinate officer of the department as the commissioner may designate, and 2 wardens of the Department of Inland Fisheries and Game and a representative of the public to be appointed by the Governor for a term of 3 years. The public member shall receive no compensation, but shall be reimbursed by the department for actual expenses incurred in carrying out his duties, at the same rate as provided for state employees. Hearings will be held in areas designated by the commissioner and all area applicants shall be notified of time and place at least 2 weeks prior to the hearing.

Sec. 4. 32 MRSA §151, 2nd ¶, first sentence, is amended to read:

The board shall be composed of 5 practicing architects, or 4 practicing architects and one professor of architecture, and one representative of the public, who shall be appointed by the Governor with the advice and consent of the Council, to serve for 3 years and until their successors are duly appointed and qualified.

Sec. 5. 32 MRSA §152 is amended to read:

§152. Qualifications for members

Each member of the board shall be a citizen of the United States, a resident of this State, and in the case of architect members, an architect of recognized standing who shall have been engaged in the independent practice of architecture for at least 10 years previous to his appointment, with the exception of one architect member who may be the head of a department of architecture in any college or university of this State and whose combined experience in practice and teaching shall not be less than 10 years, at least 2 of which shall have been in the active practice of architecture as a profession.

Sec. 6. 32 MRSA §153, 2nd ¶, first sentence, is amended to read:

~~Three~~ Four members of the board shall constitute a quorum but no certificate of registration shall be issued or revoked except on an affirmative vote of at least 3 4 members of the board.

Sec. 7. 32 MRSA §155, 2nd ¶, is amended to read:

If the Governor fails to name a successor for an unexpired term of an architect member or to fill a vacancy within 2 months after the term of a an architect member has expired or a vacancy occurred, then the remaining members of the board shall be empowered to, and may, fill the vacancy of the architect member by giving the Governor 10 days' written notice that they are about to take such action, and at the expiration of the 10 days' notice, unless the Governor shall within that period

D O E R.

COMMITTEE AMENDMENT "A" to S. P. 106, L.D. 361

-4-

make an appointment, may elect an architect having the necessary qualifications to serve out the vacant term.

Sec.8. 32 MRSA §351, first ¶ is amended to read:

The State Board of Barbers, as heretofore established and in this chapter designated as the "board," shall consist of 4 5 members who shall be citizens of this State, 3 of whom shall have been engaged in the practice of barbering for at least 5 years immediately prior to their appointment and one of whom shall be a representative of the public. The ~~4th~~ 5th member of the board shall be the Director of Health who shall have no board vote. The tenure of each barber member of the board shall be for 3 years, initially appointed as follows: The present senior barber board member, as appointed under section 1601 prior to September 16, 1961, shall serve for a term of 3 years, the junior barber board member, similarly elected, shall serve for a term of 2 years and its 3rd barber member, created by this section, shall serve for a term of one year, and shall be appointed by the Governor with the advice and consent of the Council. Thereafter, each of the barber members of the board shall be appointed by the Governor, with the advice and consent of the Council, for a term of 3 years and until his successor is appointed and qualified. The public member of the board shall be appointed by the Governor, with the advice and consent of the Council, for a term of 3 years, and until his successor is appointed and qualified. Barber members of the board shall be actively engaged in the practice of barbering during membership on said board. The senior barber member of the board shall serve as chairman.

Sec. 9. 32 MRSA §501, first 2 sentences, are amended to read:

The Board of Chiropractic Examination and Registration, as heretofore established and in this chapter called the "board," shall consist of 5 6 persons, who shall be appointed by the Governor with the advice and consent of the Council. Said persons shall be residents of this State, 5 shall be graduates of a legally chartered chiropractic school, college or university having the power to confer degrees in chiropractic and shall have been at the time of their appointment actively engaged in the practice of their profession for a period of at least 3 years in this State and one shall be a representative of the public.

Sec. 10. 32 MRSA §502, ^{first ¶,} ~~last sentence,~~ is amended to read:

~~Three~~ Four members of the board shall constitute a quorum for the transaction of business, but no certificate to practice chiropractic shall be granted except on an affirmative vote of at least ~~3~~ 4 members of the board.

Sec. 11. 32 MRSA §1071, first ¶, as enacted by PL 1967, c. 544, §80, is 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 and one representative of the public appointed by the Governor with the advice and consent of the Council. ~~They~~ Members of the dental profession shall be graduates of a reputable dental college and shall have been in

the actual practice of dentistry in this State for at least 10 years immediately preceding the appointment. One dentist member shall be appointed annually, as the terms of the present members expire, to hold office for 5 years from the ^{first} ~~1st~~/day of January and until his successor is appointed. The public member shall be appointed to a 5-year term and shall serve until his successor is appointed

No person shall be eligible for appointment to the board who has been convicted of a violation of any of the provisions of this or any other prior Dental Practice Act or who has been convicted of a felony. No person shall be eligible to appointment on said board who shall have served 10 years or more on a dental examining board in this State. All appointments of dentist members to said board shall be made in the following manner: The Maine Dental Association may at its annual meeting each year nominate 6 members of said association who fulfill all the foregoing requirements, whose names shall be forthwith certified to the Governor by the president and secretary of said association, and if said list is so submitted in any year, the Governor shall, until the date of the next annual meeting of said association, appoint as ~~dental-examiner~~ a dentist member of said board one of those men whose names appear on said list. Any vacancy in said board shall be filled by the appointment of a person qualified as aforesaid, if the vacancy is that of a dentist member, or in the case of a public member by appointment of another public member, to hold office during the unexpired term of the member whose place he fills. The Governor with the advice and consent of the Council may remove any member of said board on proven charges of inefficiency, incompetence, immorality or unprofessional conduct.

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COMMITTEE AMENDMENT "A" to S.P. 106, L.D. 361

-7-

Sec. 12. 32 MRSA §1072, first ¶, 2nd sentence, as enacted by PL 1967, c. 544, §80, is amended to read:

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

Sec. 13. 32 MRSA §1151, 2nd ¶, as repealed and replaced by PL 1973, c. 363, is amended to read:

Two of said appointive members from the electrical field shall be appointed from a slate, at the time of each such appointment, of 3 persons nominated by the State Electrical Associates. Said appointive members shall consist of one master electrician, one electrician who is a bona fide member from organized labor classified as an inside electrician, one electrical inspector and 2 other persons experienced in the electrical field, all with at least 10 years' experience in the electrical field and the latter 3 need not be active electricians at the time of appointment, and one representative of the public.

Sec. 14. 32 MRSA §1151, last ¶, as repealed and replaced by PL 1973, c. 363, is amended to read:

Annually, in the month of January, the 5 6 appointive members of the board shall choose one of their members to act as chairman.

Sec. 15. 32 MRSA §1155, last ¶, as repealed and replaced by PL 1973, c. 363, is amended to read:

The board, for reasons it may deem sufficient, may reissue a license to any person whose license has been revoked, providing 3 4 or more members of the board vote in favor of such reissuance.

Sec. 16. 32 MRSA § 1301 is amended to read:

§1301. Appointment; term

The State Board of Registration for Professional Engineers, as heretofore established, shall administer this chapter. The board shall consist of 5 professional engineers, who shall be appointed by the Governor with the advice and consent of the Council, from among nominees recommended by the representative engineering societies in the State and who shall have the qualifications required by section 1302, and one representative of the public, who shall be appointed by the Governor with the advice and consent of the Council.

On the expiration of the term of any member, the Governor shall, in the manner provided, appoint for a term of 5 years a registered professional engineer having the qualifications required by section 1302, or a representative of the public, to take the place of the member whose term on said board is about to expire. Each member shall hold office until the expiration of the term for which such member is appointed or until a successor shall have been duly appointed and shall have qualified.

Sec. 17. 32 MRSA §1302 is amended to read:

§1302. Qualifications

Each member of the board shall be a citizen of the United States and a resident of this State, and each engineer member shall have been engaged in the practice of the profession of engineering for at least 12 years and shall have been in responsible charge of important engineering work for at least 5 years.

Responsible charge of engineering teaching may be construed as responsible charge of important engineering work.

Sec. 18. 32 MRSA §1305, 2nd ¶, last sentence, is amended to read:

A quorum of the board shall consist of not less than 3 4 members.

Sec. 19. 32 MRSA §1356, last ¶, first sentence, is amended to read:

The board, for reasons it may deem sufficient, may reissue a certificate of registration as a professional engineer or as an engineer-in-training to any person whose certificate has been revoked, provided 3 4 or more members of the board vote in favor of such reissuance.

Sec. 20. 32 MRSA §1451, first sentence, as last repealed and replaced by PL 1967, c. 253, §2, is amended to read:

There is created a State Board of Funeral Service, and in this chapter called the "board," which shall consist of 7 8 members, one of whom shall be the Director of Health, who shall be the secretary of the board, ~~and each of the other members~~ 6 of whom shall be ~~a person~~ persons licensed for the practice of funeral service for 10 consecutive years or who ~~has~~ have had 10 consecutive years' experience as an embalmer or funeral director

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in this State immediately preceding his their appointment, and
one of whom shall be a representative of the public.

Sec. 21. 32 MRSA §1601, first 2 ¶'s, as last amended by
PL 1973, c. 101, §1, and c. 137, are amended to read:

The State Board of Cosmetology, as heretofore established
and in this chapter designated as the "board," shall consist of
6 7 members who shall be citizens of this State, 5 of whom shall
have been engaged in the practice of hairdressing for at least
5 years immediately prior to their appointment, and one
representative of the public. The tenure of each board member
shall be for 3 years.

The 5 members of the board who are hairdressers and the public
member shall be appointed by the Governor with the advice and
consent of the Council. The Director of the Bureau of Health
shall be a member of the board but shall have no vote. The
board members who are hairdressers shall be actively engaged in
the practice of hairdressing during their membership on said
board, and The board shall annually, in January, elect a chairman.

Sec. 22. 32 MRSA §1659-A, sub-§2, 2nd sentence, as enacted
by PL 1969, c. 320, is amended to read:

The board shall consist of 3 hearing aid dealers and fitters,
one physician, and one osteopath and one representative of
the public.

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Sec. 23. 32 MRSA §1671, as enacted by PL 1967, c. 423, §1, is amended to read:

§1671. Appointment; terms

The State Board of Registration for Land Surveyors, in this chapter called the "board," is established and shall administer this chapter. The board shall consist of 5 land surveyors, ~~who shall be appointed by the Governor, with the advice and consent of the Council, from persons~~ who shall have the qualifications required by section 1672 and a representative of the public, all to be appointed by the Governor with the advice and consent of the Council for a term of 5 years.

On the expiration of the term of any member, the Governor shall, in the manner provided, appoint for a term of 5 years a person registered land surveyor having the qualifications ~~required by section 1672 to take the place~~ of the member whose term on ~~said~~ board is about to expire. Each member shall hold office until the expiration of the term for which he is appointed or until his successor shall have been duly appointed and shall have qualified. Initial appointments shall be for terms of 1, 2, 3, 4 and 5 years respectively.

Sec. 24. 32 MRSA §1672, first sentence, is amended to read:

Each member of the board shall be a citizen of the United States and a resident of this State, and all ~~appointed~~ land surveyor members shall be registered land surveyors and shall have been

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engaged in the practice of the profession of land surveying for at least 10 years and shall have been in responsible charge of land surveying work.

Sec. 25. 32 MRSA §1675, last sentence, as enacted by PL 1967, c. 423, §1, is amended to read:

A quorum of the board shall consist of not less than 3 4 members.

Sec. 26. 32 MRSA §1688, last ¶, first sentence, as enacted by PL 1967, c. 423, §1, is amended to read:

The board, for reasons it may deem sufficient, may reissue a certificate of registration as a land surveyor or a certificate of registration as a land surveyor-in-training to any person whose certificate has been revoked, provided 3 4 or more members of the board vote in favor of such reissuance.

Sec. 27. 32 MRSA §2001, first ¶, as amended by PL 1973, c.460, §18, is further amended to read:

Only those duties and functions of the bureau and director as indicated under this subchapter shall be exercised without written authorization of the Arborist Examining Board. All decisions of policy not otherwise specified shall be at the discretion of the board. Such board shall be composed of 5 6 individuals. Two of these shall be the Director of the Bureau of Forestry and

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the State Entomologist. The other 3 4 members shall be appointed by the Governor, one of whom shall be a plant pathologist who is either on the State or University of Maine staff and part of whose work is concerned with trees, and 2 of whom shall be licensed commercial arborists, each of whom shall have been so engaged continuously for a period of 10 years prior to his appointment and one of whom shall be a representative of the public.

Sec. 28. 32 MRSA §2151, first paragraph, as repealed and replaced by PL 1975, c. 258, §1, is amended to read:

A State Board of Nursing, as heretofore created, shall consist of 6 7 members who shall be appointed by the Governor with the advice and consent of the Council. Five members of the board shall be professional nurses, one of whom shall be active in practical nurse education or in a school of practical nursing at the time of appointment. One member shall be a licensed practical nurse. One member shall be a representative of the public. Except to fill vacancies in unexpired terms, all appointments shall be for a term of 5 years after such appointment or until their successors have been duly appointed and qualified. No person shall be eligible for more than one appointment. Any public member vacancy on the board shall be filled for the unexpired term by the appointment of another

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public member by the Governor with the advice and consent of the Council.

Sec. 29. 32 MRSA §2153, first ¶, last sentence, is amended to read:

Three ~~Four~~ members of the board shall constitute a quorum at any meeting.

Sec. 30. 32 MRSA §2351, first 2 ¶'s, as repealed and replaced by PL 1973, c. 384, are amended to read:

An Oil Burner Men's Licensing Board, as heretofore established and in this chapter called the "board," shall consist of an executive secretary, who shall be the Commissioner of Public Safety or a representative appointed by said commissioner, with the approval of a majority of the board, and ~~4~~ 5 other members hereinafter called the "appointive members," who shall be appointed by the Governor with the advice and consent of the Council.

Four of said appointive members shall be oil burner men who are active in the trade, 2 of whom shall have had at least 5 years' and the other 2 of whom at least 10 years' experience as such. Two of ~~said-appointive~~ the oil burner men members shall be appointed from a slate, at the time of each such appointment of 3 persons nominated by the Maine Oil Dealers Association. ~~All~~ One of said appointive members shall be ~~oil burner men who are~~

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~~active-in-the-trade a representative of the public. Two shall have had at least 5 years¹ and the other 2 at least 10 years¹ experience as such.~~

Sec. 31. 32 MRSA §2351, 7th ¶, as repealed and replaced by PL 1973, c. 384, is amended to read:

Annually, in the month of January, the ~~4~~ 5 appointive members of the board shall choose one of their members as chairman.

Sec. 32. 32 MRSA §2561, first 4 sentences, as enacted by PL 1973, c. 374, §1, are amended to read:

The Board of Osteopathic Examination and Registration, as heretofore established and in this chapter called the "board," shall consist of ~~5~~ 6 persons appointed by the Governor, with the advice and consent of the Council. Said persons shall be residents of this state. Five of said persons shall be graduates of a legally chartered college of osteopathic medicine or university having the power to confer degrees in osteopathic medicine and shall have been at the time of their appointment actively engaged in the practice of their profession in Maine for a period of ^{at least} 5 years, and one of said persons shall be a representative of the public.

Each appointment shall be for a period of 5 years as the terms of the present members expire. Any vacancy in said board caused by death, resignation or for any other cause, except completion of a full term of service, shall be filled by the ~~like~~ appointment

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of a person qualified as ~~aforsaid~~ was the member whose place he fills to hold office during the unexpired term of ~~the~~ such member ~~whose place he fills~~.

Sec. 33. 32 MRSA §2562, 11th and 12th sentences, as enacted by PL 1973, c. 374, §1, are amended to read:

~~Three~~ Four members of the board shall constitute a quorum for the transaction of business. No certificate to practice osteopathic medicine shall be granted, except on an affirmative vote of at least ~~3~~ 4 members of the board.

Sec. 34. 32 MRSA, §2851, first ¶, as amended by PL 1971, c. 282, §7, ^{further} is/amended to read:

A Board of Commissioners of the Profession of Pharmacy, as heretofore established and in this chapter called the "board," shall consist of 5 pharmacists all of whom shall be residents of this State and actually engaged in the practice of their profession, and one representative of the public, who shall be appointed and may be removed for cause by the Governor with the advice and consent of the Council. The public representative commissioner shall hold office for 5 years from the first day of December of the year in which he is appointed or until his successor is appointed and qualified. The terms of office of ~~said~~ the pharmacist commissioners shall be so arranged that on pharmacist member of said board shall be appointed annually

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as the terms of the present members expire, to hold office/^{for 4 years}from the first day of December in each year or until his successor is appointed and qualified. Vacancies shall be filled by appointment for the unexpired term. No ~~person~~ pharmacist shall be appointed to serve as a commissioner unless he has had at least 10 years' experience in the practice of pharmacy as a registered pharmacist, prior to his appointment. At no time shall there be less than 3 commissioners serving on the board who do not possess a degree in pharmacy from an accredited college of pharmacy. The board shall have power:

Sec. 35. 32 MRSA §2851, 6th ¶, is amended to read:

The Maine Pharmaceutical Association may, at its annual meeting each year, nominate 6 members of said association, whose names shall be forthwith certified by the president and secretary of said association to the Governor, and pharmacist members of said board, appointed during any year, shall be selected from the persons whose names are so certified for said year, unless in the opinion of the Governor said persons are manifestly unsuitable or incompetent.

Sec. 36. 32 MRSA §3051, last sentence, is amended to read:

~~Four~~ Five members of the board shall constitute a quorum for the transaction of business but no license to practice physical therapy shall be granted except on an affirmative vote of at least ~~4~~ 5 members of the board.

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Sec. 37. 32 MRSA §3263, first ¶, as enacted by PL 1971, c. 591, §1, is amended to read:

The Board of Registration in Medicine, as heretofore established, and in this chapter called the "board" shall consist of 6 7 persons who are residents of this State, appointed by the Governor with the advice and consent of the Council. One person shall be a representative of the public who shall hold office for 6 years from the first day of July following his appointment. ~~They shall be residents of this State;~~ Six persons shall be graduates of a legally chartered medical college or university having authority to confer degrees in medicine and shall have been actively engaged in the practice of their profession in the State of Maine for a continuous period of 5 years preceding their appointment to the Board of Registration in Medicine. Two persons, qualified as aforesaid, shall be appointed members of said board on or before the first day of July of every ^{uneven-numbered} / year, to hold office for 6 years from the first day of July following said appointment. Any vacancy in said board shall be filled by the appointment of a person, qualified as ~~aforesaid~~ was the member whose place he fills, to hold office during the unexpired term of ~~the~~ such 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.

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Sec. 38. 32 MRSA §3401, first 3 sentences are amended to read:

A Plumbers' Examining Board, as heretofore established, shall consist of an executive officer who shall be the Director of the Division of Sanitary Engineering of the Bureau of Health and ~~2~~ 3 other members, hereinafter called the appointive members, who shall be appointed by the Governor with the advice and consent of the Council. One of said appointive members shall be a representative of the public, one shall be a master plumber as defined in section 3301, and ~~the other one shall be~~ a journeyman plumber as defined in section 3301, and who has been engaged in the business of plumbing for at least 2 years, ~~As the terms of said appointive members expire, new appointive members~~ all of whom shall be appointed for terms of 2 years.

Sec. 39. 32 MRSA §3403, first sentence is amended to read:

The ~~board~~ shall hold regular meetings semiannually and shall hold ~~additional~~ additional meetings at such other times as they shall determine by their rules, or upon request of the ~~2~~ 3 appointive members of their board, or upon request of the Director of the Division of Sanitary Engineering.

Sec. 40. 32 MRSA § 3601, first sentence is amended to read:

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The Examiners of Podiatrists, as heretofore appointed and in this chapter called the "examiners," shall be 2 members of the Board of Registration in Medicine together with 2 podiatrists and a representative of the public appointed by the Governor with the advice and consent of the Council.

Sec. 41. 32 MRSA §3601 is amended by adding at the end a new sentence to read:

The representative of the public shall be appointed for a term of 4 years.

Sec. 42. 32 MRSA §3603, 2nd sentence, as amended by PL 1969 c. 27, is further amended to read:

Members of the Board of Registration in Medicine, the secretary of said board, and the ~~podiatrist~~ podiatrists and the public member appointed by the Governor as provided in section 3601, shall ^{each} receive \$25 for every day actually spent in the performance of the duties imposed upon them by this chapter, and in addition thereto necessary traveling and hotel expenses actually incurred, to be certified by the chairman and secretary.

Sec. 43. 32 MRSA §3821, as enacted by PL 1967, c. 544, §82, is repealed and replaced to read:

§3821. Membership; terms; vacancies

The State Board of Examiners of Psychologists, as heretofore

D OF R.

established and hereinafter called the "board," shall consist of 6 members who shall be appointed by the Governor to serve a term of 5 years. One member of the board shall be a representative of the public. Five members of the board shall be licensed psychologists or psychological examiners. Selection of the psychologist or psychological examiner members of the board shall be made from a list submitted annually, previous to the time when the term of such a member expires, by the Maine Psychological Association. Any vacancy occurring on the board shall be filled by the Governor for the unexpired term by a person qualified and selected as was the member he is replacing.

Sec. 44. 32 MRSA §3822, 7th sentence, as enacted by PL 1967, c. 544, §82, is amended to read:

~~Three~~ Four members of the board shall at all times constitute a quorum.

Sec. 45. 32 MRSA §3837, 2nd and 3rd sentences, as amended by PL 1973. c. 303, §3, is further amended to read:

Said board may, upon satisfactory proof that any applicant or licentiate has been guilty of any of the above offenses, refuse to grant a license to said applicant upon a vote of at least 3 4 members of the board or the Administrative Court Judge, ~~←~~ as designated in Title 5, chapters 301 to 307, may suspend or revoke a license of said licentiate. An application

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for reinstatement may be made to the board, and it may, upon favorable action by 3 4 of its members, reinstate the applicant.

Sec. 45. 32 MRSA §3971, first sentence, as enacted by PL 1967, c. 344, §1, is amended to read:

The Board of Accountancy shall consist of 6 7 members appointed by the Governor with the advice and consent of the Council.

as enacted by PL 1967, c. 344, §1,

Sec. 46. 32 MRSA §3971,/is amended by adding a new sentence to follow the 4th sentence, to read:

One member of the board shall be a representative of the public.

Sec. 47. 32 MRSA §4186, second sentence, as enacted by PL 1969, c. 590, §65, is amended to read:

The board shall consist of 7 8 members who shall be appointed by the Governor.

Sec. 48. 32 MRSA §4187, as enacted by PL 1969, c. 590, §65, is amended to read:

§4187. Qualifications

Members of the board shall be residents of this State ~~and~~ ^{and-} and of good moral character./ Six members shall have been engaged in the active practice of social work as registered or associate social workers for not less than 5 years prior to appointment.

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~~Appointees to the initial board shall have been engaged in the active practice of social work for not less than 5 years prior to appointment and shall be qualified for certification as registered or associate social workers.~~ One member shall be a representative of the public. No members of the board shall serve more than 2 terms as a board member. The Governor may remove any member for cause.

Sec. 49. 32 MRSA §4751, first ¶ is amended to read:

The Board of Veterinary Examiners, as heretofore established and in this chapter called the "board," shall consist of 3 4 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. One of the members shall be a representative of the public. Three of the members shall be 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 veterinarian member shall be appointed annually, as the terms of the present veterinarian members expire . and All members shall hold office for 3 years. Any vacancy in said board shall be filled by the appointment, within 30 days after such vacancy occurs, of

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a person qualified ~~as-aforsaid~~ as was the member whose place he fills, to hold office during the unexpired term of ~~the~~ such 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.

Sec. 50. Effective Date. The effective date of Section 28 of this Act shall be 91 days following adjournment of the Legislature.

Statement of Fact

The purpose of this amendment is to provide for a representative of the public on every licensing board which does not presently have such a representative. A public member is added to every board so that no present board member is displaced. The amendment also adjusts quorum sizes to reflect the increase in number of board members, and makes similar needed adjustments. In a few sections unnecessary provisions relating to initial appointments have been removed.

Reported by the Majority of Committee on State Government.

Reproduced and distributed pursuant to Senate Rule 11-A.

June 18, 1975. (Filing No. S-338).