

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 448

6
7 H.P. 333

House of Representatives, February 6, 1985

8 On motion of Representative Gwadosky of Fairfield, referred to the
9 Committee on State Government. Sent up for concurrence and ordered
10 printed.

EDWIN H. PERT, Clerk

Presented by Representative Gwadosky of Fairfield.

11 Cosponsored by Representative Erwin of Rumford.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT Relating to the Membership of and the
18 Payment of Per Diem to Boards.
19

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

22 Sec. 1. 5 MRSA §12004, sub-§1, ¶A, as amended by
23 PL 1983, c. 862, §§17 to 19, is further amended to
24 read:

25 A. This classification includes the following
26 boards:

27	NAME OF	RATE OF	STATUTORY
28	ORGANIZATION	COMPENSATION	REFERENCE
29	(1) Board of Accountancy	\$35/Day	32 MRSA §3971
30		<u>\$50/Day</u>	
31	(2) Arborist Examining	\$25/Day	32 MRSA §2001
32	Board		

1	(3)	Maine State Board	\$35/Day	32 MRSA §211
2		for Registration of		
3		Architects and Land-		
4		scape Architects		
5	(4)	Board of Examiners	Legislative	4 MRSA §801
6		of Applicants for	Per Diem	
7		Admission to the Bar		
8	(5)	State Board of	\$35/Day	32 MRSA §351
9		Barbers		
10	(6)	Board of Boiler	Expenses	26 MRSA §171
11		Rules	Only	
12	(7)	Board of Chiro-	\$25/Day	32 MRSA §501
13		practic Exami-		
14		nation and		
15		Registration		
16	(8)	State Board of	\$35/Day	32 MRSA §1601
17		Cosmetology		
18	(9)	Board of Dental	\$35/Day	32 MRSA §1071
19		Examiners		
20	(10)	Board of Commer-	\$35/Day	32 MRSA §9552
21		cial Driver	Public	
22		Education	Member	
23	(11)	Electricians'	\$30/Day	32 MRSA §1151
24		Examining Board		
25	(12)	Board of Elevator	Expenses	26 MRSA §475
26		and Tramway Safety	Only	
27	(13)	State Board of	Expenses	32 MRSA §1301
28		Registration for	Only	
29		Professional Engi-		
30		neers		
31	(14)	State Board of	Expenses	32 MRSA §5004
32		Registration for	Only	
33		Professional Foresters		
34	(15)	State Board of	\$20/Day	32 MRSA §1451
35		Funeral Service		

1	(16)	State Board of	Expenses	32 MRSA §4907
2		Certification for	Only	
3		Geologists and Soil		
4		Scientists		
5	(17)	Board of Examiners	Expenses	12 MRSA §7301
6		for the Licensing of	Only	
7		Guides		
8	(18)	Junior Maine Guides	Expenses	12 MRSA §7302
9		and Trip Leaders'	Only	
10		Curriculum Board		
11	(19)	Board of Hearing Aid	\$35/Day	32 MRSA §1658
12		Dealers and Fitters		
13	(20)	State Board of	Expenses	32 MRSA §1671
14		Registration for	Only	
15		Land Surveyors		
16	(21)	Manufactured	\$35/Day	10 MRSA §9003
17		Housing Board		
18	(22)	State Board of	\$30/Day	32 MRSA §63
19		Licensure of		
20		Administrators of		
21		Medical Care		
22		Facilities other		
23		than Hospitals		
24	(23)	Board of Registration	\$1,250/Year-	32 MRSA §3261
25		in Medicine	Member	
26			\$1,500/Year-	
27			Chairman	
28			\$7,500/Year-	
29			Secretary	
30	(24)	State Board of	Legislative	32 MRSA §2151
31		Nursing	Per Diem	
32	(24-A)	Board of Occupa-	Expenses	32 MRSA §2273
33		tional Therapy	Only	
34		Practice		
35	(25)	Oil and Solid Fuel	\$30/Day	32 MRSA §2351
36		Board		

1	(26)	State Board of	\$25/Day	32 MRSA §2415
2		Optometry		
3	(27)	Board of Osteopathic	Legislative	32 MRSA §2561
4		Examination and	Per Diem	
5		Registration		
6	(28)	Board of Commis-	\$25/Day	32 MRSA §2851
7		sioners of the Pro-		
8		fession of Pharmacy		
9	(29)	Board of Examiners	\$25/Day	32 MRSA §3112
10		in Physical Therapy		
11	(30)	Plumbers' Examining	\$35/Day	32 MRSA §3401
12		Board		
13	(31)	Board of Examiners	\$25/Day	32 MRSA §3601
14		of Podiatrists		
15	(32)	State Board	\$35/Day	32 MRSA §3821
16		of Examiners of		
17		Psychologists		
18	(33)	Real Estate	\$35/Day	32 MRSA §4051-A
19		Commission		
20	(34)	State Board of	Expenses	32 MRSA §7026
21		Social Worker	Only	
22		Registration		
23	(35)	Board of Examiners	\$25/Day	32 MRSA §6010
24		on Speech Pathology		
25		and Audiology		
26	(36)	Board of Registration	Not	32 MRSA §6201
27		of Substance Abuse	Authorized	
28		Counselors		
29	(37)	State Board of	Legislative	32 MRSA §4854
30		Veterinary Medicine	Per Diem	
31	(38)	Penobscot Bay and	Not	38 MRSA §89
32		River Pilotage	Authorized	
33		Commission		
34	(39)	Maine Athletic		8 MRSA §141

1 Commission

2 (a) The total per diem compensation
3 for each member shall not exceed \$1,000
4 per year.

5 Sec. 2. 32 MRSA §3971, as amended by PL 1983, c.
6 812, §235, is further amended to read:

7 §3971. Appointment

8 The Board of Accountancy, as established by Title
9 5, section 12004, subsection 1, shall consist of 7 5
10 members appointed by the Governor. Each member of
11 the board shall be a citizen of the United States and
12 a resident of this State. Three members shall be per-
13 sons registered in accordance with subchapter III and
14 whose principal occupation has been in active prac-
15 tice as a certified public accountant for at least
16 the 5 preceding years. ~~Three members~~ One member shall
17 be ~~persons~~ a person registered in accordance with
18 subchapter IV and whose principal occupation has been
19 in active practice as a noncertified public account-
20 ant for at least the 5 preceding years. One member
21 of the board shall be a representative of the public.
22 Appointments shall be for 3-year terms, except that
23 the terms of 2 members other than the public member
24 shall expire each calendar year and appointments of
25 less than 3 years may be made in order to comply with
26 this limitation. Any vacancy occurring during a term
27 shall be filled by appointment for the unexpired
28 term. Upon the expiration of his term of office, a
29 member shall continue to serve until his successor
30 shall have been appointed and shall have qualified,
31 and the successor's term shall be 3 years from the
32 date of the expiration, regardless of the date of his
33 appointment. No person may be eligible to serve more
34 than 3 full consecutive terms, provided that for this
35 purpose only a period actually served which exceeds
36 1/2 of the 3-year term shall be deemed a full term.
37 The Governor shall remove from the board any member
38 whose permit to practice has become void, revoked or
39 suspended, and may, after hearing, remove any member
40 of the board for cause.

1 STATEMENT OF FACT

2 This bill changes the composition of the Board of
3 Accountancy and the per diem rate paid to board mem-
4 bers. Currently, the 7-member board is composed of 3
5 certified public accountants, 3 noncertified public
6 accountants and one public member. This bill reduces
7 the board to 5 members, 3 of whom are certified pub-
8 lic accountants, one of whom is a noncertified public
9 member and one of whom represents the public.

10 The number of noncertified public accountants is
11 rapidly diminishing as more and more accountants seek
12 certification in order to obtain the better account-
13 ing positions that are available.

14 This bill also increases the rate of per diem
15 from \$35 a day to \$50 a day, which is paid from cer-
16 tification fee revenues.

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