

MAINE STATE LEGISLATURE

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3 **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**

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5 **STATE OF MAINE**

6 **SENATE**

7 **126TH LEGISLATURE**

8 **FIRST REGULAR SESSION**

9 COMMITTEE AMENDMENT "A" to S.P. 73, L.D. 237, Bill, "An Act To
10 Establish Uniform Quorum, Meeting and Chair Requirements for Professional and
11 Occupational Licensing Boards"

12 Amend the bill by striking out all of Part B and inserting the following:

13 **'PART B**

14 **Sec. B-1. 10 MRSA §9003, sub-§7**, as amended by PL 2007, c. 402, Pt. D, §1, is
15 further amended to read:

16 **7. Meetings; chair.** The board shall meet at least once a year to conduct its business
17 and to elect a chair. Additional meetings must be held as necessary to conduct the
18 business of the board and may be convened at the call of the chair or a majority of the
19 board members. ~~Five members of the board constitute a quorum.~~

20 **Sec. B-2. 32 MRSA §63-A, sub-§3**, as amended by PL 2007, c. 402, Pt. E, §1, is
21 further amended to read:

22 **3. Meetings; chair.** The board shall meet at least once a year to conduct its business
23 and to elect a chair. Additional meetings must be held as necessary to conduct the
24 business of the board and may be convened at the call of the chair or a majority of the
25 board members. ~~Four members of the board constitute a quorum for all purposes.~~

26 **Sec. B-3. 32 MRSA §213**, as amended by PL 2007, c. 402, Pt. F, §4, is further
27 amended to read:

28 **§213. Meetings; chair**

29 The board shall meet at least once a year to conduct its business and to elect a chair.
30 Additional meetings must be held as necessary to conduct the business of the board and
31 may be convened at the call of the chair or a majority of the board members. ~~Five
32 members of the board constitute a quorum.~~

1 **Sec. B-4. 32 MRSA §288, sub-§4**, as amended by PL 2007, c. 402, Pt. G, §2, is
2 further amended to read:

3 **4. Meetings.** The board shall meet at least once a year and at such other times as the
4 board determines necessary. ~~Three members of the board constitute a quorum for the~~
5 ~~transaction of business under this chapter.~~

6 **Sec. B-5. 32 MRSA §502**, as repealed and replaced by PL 2007, c. 402, Pt. H, §4,
7 is amended to read:

8 **§502. Meetings; chair; powers and duties**

9 The board shall meet at least once a year to conduct its business and to elect a chair.
10 Additional meetings must be held as necessary to conduct the business of the board and
11 may be convened at the call of the chair or a majority of the board members. ~~Four~~
12 ~~members of the board constitute a quorum for the transaction of business.~~ The board ~~has~~
13 ~~the power to~~ may make and adopt rules and a code of ethics consistent with law necessary
14 for the enforcement of its authority, the performance of its duties and the governing of the
15 practice of chiropractic, but a rule or code of ethics may not be made that is unreasonable
16 or contravenes this chapter.

17 **Sec. B-6. 32 MRSA §1153**, as amended by PL 2007, c. 402, Pt. I, §7, is further
18 amended to read:

19 **§1153. Meetings; chair; rules**

20 The board shall meet at least once a year to conduct its business and to elect a chair.
21 Additional meetings must be held as necessary to conduct the business of the board and
22 may be convened at the call of the chair or a majority of the board members. ~~Four~~
23 ~~members of the board constitute a quorum.~~ The board may adopt, pursuant to ~~the Maine~~
24 ~~Administrative Procedure Act~~, Title 5, chapter 375, subchapter 2, rules it determines
25 necessary for the holding of examinations and for carrying out this chapter; and shall
26 provide for reciprocity of licensing as required to implement section 1206.

27 **Sec. B-7. 32 MRSA §1451, 3rd ¶**, as amended by PL 2007, c. 402, Pt. J, §2, is
28 further amended to read:

29 The board shall meet at least once a year to conduct its business and to elect a chair.
30 Additional meetings must be held as necessary to conduct the business of the board and
31 may be convened at the call of the chair or a majority of the board members. ~~Five~~
32 ~~members of the board constitute a quorum.~~

33 **Sec. B-8. 32 MRSA §2273, sub-§3**, as amended by PL 2007, c. 402, Pt. L, §1, is
34 further amended to read:

35 **3. Meetings; chair.** The board shall meet at least once a year to conduct its business
36 and to elect a chair. Additional meetings must be held as necessary and may be convened
37 at the call of the chair or a majority of the members of the board. ~~Three members of the~~
38 ~~board constitute a quorum.~~

39 **Sec. B-9. 32 MRSA §3112, sub-§2**, as amended by PL 2007, c. 402, Pt. N, §3, is
40 further amended to read:

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2. Meetings; chair. The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Three members of the board constitute a quorum.~~

Sec. B-10. 32 MRSA §3403, as amended by PL 2007, c. 402, Pt. O, §3, is further amended to read:

§3403. Meeting; chair

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Three members of the board constitute a quorum.~~

Sec. B-11. 32 MRSA §3602, as amended by PL 2007, c. 402, Pt. P, §3, is further amended to read:

§3602. Meetings; chair

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Three members of the board constitute a quorum, but a~~ A license to practice podiatry may not be granted except upon the affirmative vote of a majority of the members of the board.

Sec. B-12. 32 MRSA §3822, as amended by PL 2007, c. 402, Pt. Q, §7, is further amended to read:

§3822. Meetings; chair

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Five members of the board constitute a quorum.~~

Sec. B-13. 32 MRSA §4856, as amended by PL 2007, c. 402, Pt. R, §3, is further amended to read:

§4856. Meetings; chair

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Four members of the board constitute a quorum.~~

Sec. B-14. 32 MRSA §4907, sub-§4, as amended by PL 2007, c. 402, Pt. S, §5, is further amended to read:

4. Meetings; chair. The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Four members of the board constitute a quorum.~~

1 **Sec. B-15. 32 MRSA §5505, sub-§4**, as amended by PL 2007, c. 402, Pt. T, §2,
2 is further amended to read:

3 **4. Meetings; chair.** The board shall meet at least once a year to conduct its business
4 and to elect a chair. Additional meetings must be held as necessary to conduct the
5 business of the board and may be convened at the call of the chair or a majority of the
6 board members. ~~Four members of the board constitute a quorum.~~

7 **Sec. B-16. 32 MRSA §6210**, as amended by PL 2011, c. 691, Pt. D, §10, is
8 further amended to read:

9 **§6210. Meetings; chair**

10 The board shall meet at least once a year to conduct its business and to elect a chair.
11 Additional meetings must be held as necessary to conduct the business of the board and
12 may be convened at the call of the chair or a majority of the board members. ~~A majority~~
13 ~~of the board constitutes a quorum.~~

14 **Sec. B-17. 32 MRSA §7029**, as amended by PL 2007, c. 402, Pt. V, §5, is further
15 amended to read:

16 **§7029. Meetings; chair**

17 The board shall meet at least once a year to conduct its business and to elect a chair.
18 Additional meetings must be held as necessary to conduct the business of the board and
19 may be convened at the call of the chair or a majority of the board members. ~~Four~~
20 ~~members of the board constitute a quorum.~~

21 **Sec. B-18. 32 MRSA §9703, sub-§3**, as amended by PL 2007, c. 402, Pt. W, §1,
22 is further amended to read:

23 **3. Meetings; chair.** The board shall meet at least once a year to conduct its business
24 and to elect a chair. Additional meetings must be held as necessary to conduct the
25 business of the board and may be convened at the call of the chair or a majority of the
26 board members. ~~Three members of the board constitute a quorum.~~

27 **Sec. B-19. 32 MRSA §9853, sub-§5**, as amended by PL 2007, c. 402, Pt. X, §1,
28 is repealed.

29 **Sec. B-20. 32 MRSA §9903, sub-§3**, as amended by PL 2007, c. 402, Pt. Y, §1,
30 is further amended to read:

31 **3. Meetings; chair.** The board shall meet at least once a year to conduct its business
32 and to elect a chair. Additional meetings must be held as necessary to conduct the
33 business of the board and may be convened at the call of the chair or a majority of the
34 board members. ~~Three members of the board constitute a quorum.~~

35 **Sec. B-21. 32 MRSA §12214, sub-§1**, as repealed and replaced by PL 2007, c.
36 402, Pt. Z, §6, is amended to read:

37 **1. Meetings; chair.** The board shall meet at least once a year to conduct its business
38 and to elect a chair, who must be a certified public accountant. Additional meetings must
39 be held as necessary to conduct the business of the board and may be convened at the call

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1 of the chair or a majority of the board members. ~~Three members of the board constitute a~~
2 ~~quorum.~~

3 **Sec. B-22. 32 MRSA §12502, sub-§6**, as amended by PL 2007, c. 402, Pt. AA,
4 §1, is further amended to read:

5 **6. Meetings; chair.** The board shall meet at least once a year to conduct its business
6 and elect a chair. Additional meetings must be held as necessary to conduct the business
7 of the board and may be convened at the call of the chair or a majority of the board
8 members. ~~Four members of the board constitute a quorum.~~

9 **Sec. B-23. 32 MRSA §13062, sub-§5**, as amended by PL 2007, c. 402, Pt. BB,
10 §4, is repealed.

11 **Sec. B-25. 32 MRSA §13718, sub-§4**, as amended by PL 2007, c. 402, Pt. DD,
12 §6, is repealed.

13 **Sec. B-26. 32 MRSA §13852, sub-§7**, as amended by PL 2009, c. 112, Pt. A,
14 §19, is further amended to read:

15 **7. Meetings; chair.** The board shall meet at least once a year to conduct its business
16 and to elect a chair. Additional meetings must be held as necessary to conduct the
17 business of the board and may be convened at the call of the chair or a majority of the
18 board members. ~~Five members of the board constitute a quorum.~~

19 **Sec. B-27. 32 MRSA §13902, sub-§4**, as amended by PL 2007, c. 402, Pt. FF,
20 §1, is further amended to read:

21 **4. Meetings; chair.** The board shall meet at least once a year to conduct its business
22 and to elect a chair. Additional meetings must be held as necessary to conduct the
23 business of the board and may be convened at the call of the chair or a majority of the
24 board members. ~~Four members of the board constitute a quorum.~~

25 **Sec. B-28. 32 MRSA §14011, sub-§5**, as amended by PL 2007, c. 402, Pt. GG,
26 §3, is further amended to read:

27 **5. Meetings; chair.** The board shall meet at least once a year to conduct its business
28 and to elect a chair. Additional meetings must be held as necessary to conduct the
29 business of the board and may be convened at the call of the chair or a majority of the
30 board members. ~~Four members of the board constitute a quorum.~~

31 **Sec. B-29. 32 MRSA §17202**, as enacted by PL 2007, c. 369, Pt. C, §3 and
32 affected by §5, is amended to read:

33 **§17202. Meetings; chair**

34 The board shall meet at least once a year to conduct its business and to elect a chair.
35 Additional meetings are held as necessary to conduct the business of the board and may
36 be convened at the call of the chair or a majority of the board members. ~~Four members of~~
37 ~~the board constitute a quorum for all purposes.~~

38 **Sec. B-30. 32 MRSA §18122**, as enacted by PL 2009, c. 344, Pt. C, §3 and
39 affected by Pt. E, §2, is amended to read:

COMMITTEE AMENDMENT

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§18122. Meetings; chair

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings are held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Five members of the board constitute a quorum.~~

SUMMARY

The bill repeals provisions concerning meetings, election of board chairs and quorum requirements for 31 licensing boards under the auspices of the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation. The amendment instead removes only the language from the statutes that deals with the quorum requirements, since the bill establishes uniform quorum requirements for the boards.