

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 237

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S.P. 73

In Senate, February 5, 2013

### **An Act To Establish Uniform Quorum, Meeting and Chair Requirements for Professional and Occupational Licensing Boards**

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Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator CUSHING of Penobscot.

Cosponsored by Representative CAMPBELL of Newfield and

Senator: PATRICK of Oxford, Representatives: HAMANN of South Portland, LOCKMAN of Amherst, WINCHENBACH of Waldoboro.

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

2 **PART A**

3 **Sec. A-1. 10 MRSA §8010** is enacted to read:

4 **§8010. Quorum; chair**

5 Notwithstanding any provision of law to the contrary, a majority of the members  
6 serving on a board or commission under section 8001, subsection 38 constitutes a  
7 quorum. The board or commission shall elect its chair.

8 **PART B**

9 **Sec. B-1. 10 MRSA §9003, sub-§7**, as amended by PL 2007, c. 402, Pt. D, §1, is  
10 repealed.

11 **Sec. B-2. 32 MRSA §63-A, sub-§3**, as amended by PL 2007, c. 402, Pt. E, §1, is  
12 repealed.

13 **Sec. B-3. 32 MRSA §213**, as amended by PL 2007, c. 402, Pt. F, §4, is repealed.

14 **Sec. B-4. 32 MRSA §288, sub-§4**, as amended by PL 2007, c. 402, Pt. G, §2, is  
15 repealed.

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 B-5. 32 MRSA §502**, as repealed and replaced by PL 2007, c. 402, Pt.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

18 **§502. Powers and duties**

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

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

29 **§1153. Rules**

30 ~~The board shall meet at least once a year to conduct its business and to elect a chair.~~  
31 ~~Additional meetings must be held as necessary to conduct the business of the board and~~  
32 ~~may be convened at the call of the chair or a majority of the board members. Four~~  
33 ~~members of the board constitute a quorum. The board may adopt, pursuant to the Maine~~  
34 ~~Administrative Procedure Act, Title 5, chapter 375, subchapter 2, rules it determines~~

1 necessary for the holding of examinations and for carrying out this chapter; and shall  
2 provide for reciprocity of licensing as required to implement section 1206.

3 **Sec. B-7. 32 MRSA §1451, 3rd ¶**, as amended by PL 2007, c. 402, Pt. J, §2, is  
4 repealed.

5 **Sec. B-8. 32 MRSA §2273, sub-§3**, as amended by PL 2007, c. 402, Pt. L, §1, is  
6 repealed.

7 **Sec. B-9. 32 MRSA §3112, sub-§2**, as amended by PL 2007, c. 402, Pt. N, §3, is  
8 repealed.

9 **Sec. B-10. 32 MRSA §3403**, as amended by PL 2007, c. 402, Pt. O, §3, is  
10 repealed.

11 **Sec. B-11. 32 MRSA §3602**, as amended by PL 2007, c. 402, Pt. P, §3, is  
12 repealed.

13 **Sec. B-12. 32 MRSA §3822**, as amended by PL 2007, c. 402, Pt. Q, §7, is  
14 repealed.

15 **Sec. B-13. 32 MRSA §4856**, as amended by PL 2007, c. 402, Pt. R, §3, is  
16 repealed.

17 **Sec. B-14. 32 MRSA §4907, sub-§4**, as amended by PL 2007, c. 402, Pt. S, §5,  
18 is repealed.

19 **Sec. B-15. 32 MRSA §5505, sub-§4**, as amended by PL 2007, c. 402, Pt. T, §2,  
20 is repealed.

21 **Sec. B-16. 32 MRSA §6210**, as amended by PL 2011, c. 691, Pt. D, §10, is  
22 repealed.

23 **Sec. B-17. 32 MRSA §7029**, as amended by PL 2007, c. 402, Pt. V, §5, is  
24 repealed.

25 **Sec. B-18. 32 MRSA §9703, sub-§3**, as amended by PL 2007, c. 402, Pt. W, §1,  
26 is repealed.

27 **Sec. B-19. 32 MRSA §9853, sub-§§3 and 5**, as amended by PL 2007, c. 402, Pt.  
28 X, §1, are repealed.

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

31 **Sec. B-21. 32 MRSA §12214, sub-§1**, as repealed and replaced by PL 2007, c.  
32 402, Pt. Z, §6, is repealed.

