

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 472

House of Representatives, March 10, 1913.

*Reported by Mr. Waterhouse from Committee on Judiciary,
and ordered printed under joint rules.*

W. R. ROIX, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTEEN.

AN ACT to regulate the Practice of Professional Public
Accounting.

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

Section 1. That there be and hereby is created and estab-
2 lished a board which shall be known as the Maine Board
3 of Accountancy, vested with power to have and use a com-
4 mon seal and to make such rules, by-laws and regulations,
5 not inconsistent with law, as they shall deem necessary to
6 improve and promote the science and art of accounting, and
7 to carry out the purposes and enforce the provisions of this
8 act. Said board shall promote the standard of general edu-

9 cation; the standard of special education in the science and
10 art of accounting; the standard of moral character and gen-
11 eral public experience as prescribed in this act in all exam-
12 inations conducted hereunder:

Sect. 2. Within thirty days after this act takes effect the
2 governor, with the advice and consent of the council, shall
3 appoint three persons, who are citizens and residents of the
4 state of Maine, to constitute and serve as the Maine Board
5 of Accountancy. Two of such persons shall be skilled in
6 the art of accounting who have previously been actively en-
7 gaged in the professional of a public accountant, and the
8 other shall be a practicing attorney in good standing in the
9 courts of the state of Maine.

Sect. 3. The first three members appointed to the board
2 shall serve for one, two and three years terms respectively,
3 each to be designated by the governor, and thereafter all
4 mbers shall be appointed for a term of three years or to
5 fill out an unexpired term of a previous member, and ex-
6 cepting the attorney member, shall be holders of certificates
7 issued under the provisions of this act. They shall take
8 and subscribe to the oath required by law to qualify them
9 to discharge their duties.

Sect. 4. A majority of the board shall constitute a quo-
2 rum for the transaction of its business. They shall elect
3 a chairman and secretary who shall hold their offices for the
4 term of one year or until their successors are elected. The
5 secretary shall give bond to the treasurer of the state of

6 Maine is such sum as the board may determine for the faith-
7 ful accounting of all moneys or property coming into his
8 possession, and he shall keep proper records of the doings
9 of the board, and of his receipts and expenditures, and all
10 certificates issued and applications received by the board.
11 He shall pay over to the treasurer of state quarterly on the
12 last secular days of March, June, September and December
13 all fees collected by him during the preceding three months,
14 and make such report thereof as the state auditor may re-
15 quire.

Sect. 5. The moneys paid into the state treasury under
2 the provisions of this act shall be applied to the payment of
3 the compensation and expenses of the members and of the
4 expenses of the board, and so much thereof as may be nec-
5 essary is hereby appropriated for that purpose. All bills
6 for services and expenses of the board shall be submitted
7 to the state auditor and upon approval be certified as re-
8 quired by law, and be paid from the moneys held in the state
9 treasury as aforesaid; provided, however, that at no time
10 shall any bills for services and expenses be paid out of the
11 state treasury in excess of the amount paid into the same
12 under the provisions of this act.

Sect. 6. The members of the board shall receive as com-
2 pensation for their services five dollars per day for the time
3 actually spent and such expenses as are incidental and nec-
4 essary to carry out the provisions of this act.

Sect. 7. Any person who shall have received from the
2 Maine Board of Accountancy a certificate of his qualifica-

3 tions to practice as a public accountant, as hereinafter pro-
4 vided, shall be styled and known as a certified public ac-
5 countant, and no other persons shall assume such title or
6 use the abbreviation C. P. A. or any other words, letters or
7 figures to indicate that the person using the same is such
8 certified public accountant.

Sect. 8. At such times as the board may fix upon, it shall
2 hold meetings for the examination of applicants for certifi-
3 cates and shall give notice thereof by application in a daily
4 newspaper in each of the cities of Portland, Lewiston, Ban-
5 gor and Augusta, stating the time and place of such meet-
6 ings, not less than twenty days prior to the date thereof.
7 At such meetings the board shall conduct examinations of
8 applicants who have been residents of the state of Maine
9 at least one year prior thereto, and of certified public ac-
10 countants of any other state or foreign government which
11 extends similar privileges to certified public accountants of
12 this state, and who have paid the required fee, and to those
13 who have shown the required proficiency in the theory of
14 accounts, practical accounting, auditing, business systems
15 and commercial law, and such other subjects as it deems
16 necessary, and whom they believe to be of such character
17 and fitness as to qualify them to act as public accountants,
18 they shall issue a certificate over the signatures of the board
19 and under its seal that the applicant is entitled to practice
20 as a certified public accountant in accordance with the pro-
21 visions of this act.

Sect. 9. The board may, in its discretion, waive the examination and the payment of fees and may issue a certificate for certified public accountant to any person possessing the qualifications mentioned in the preceding section who is the holder of a certified public accountant's certificate issued under the laws of another state or foreign government which extends similar privileges to certified public accountants of this state, provided the requirements in the state or foreign government which has granted it to the applicant are, in the opinion of the Maine Board of Accountancy, equivalent to those herein provided.

Sect. 10. Each applicant for examination shall pay to the secretary of the board a fee of twenty-five dollars at the time of filing his application and no other fees or costs shall be required to be paid by him. If the applicant fails to pass the examination the fee shall not be returned to him, but he shall be entitled to take another examination after one year at any advertised meeting at which there are to be other applicants for examination. The fee shall be required to be paid by every person to whom a certificate for a certified public accountant is issued by the Maine Board of Accountancy, except that where reciprocal certificates are issued the fees required shall be not less than, nor more than the fees charged to certified public accountants of this state for similar privileges.

Sect. 11. The Maine Board of Accountancy may revoke any certificate issued under the provisions of this act upon

3 proof of bad moral character, dishonesty, conviction of
4 crime, incompetency or unprofessional conduct; provided,
5 however, a written notice shall have been mailed to the
6 holder of such certificate at least twenty days before any
7 hearing thereon stating the cause for such contemplated ac-
8 tion and appointing a time and place for a hearing thereon
9 by the Maine Board of Accountancy. Upon the revocation
10 of any certificate it shall be surrendered to the board by the
11 holder.

Sect. 12. Upon the granting of any certificate for a cer-
2 tified public accountant by the board its secretary shall im-
3 mediately file in the office of the secretary of state a cer-
4 tificate showing the name, residence and post office address,
5 of the person to whom it was issued together with the date
6 of the certificate and such other information as the board
7 may deem advisable, such certificate to be open to all per-
8 sons at all reasonable times for all proper purposes.

Sect. 13. Any person who shall advertise or issue any sign,
2 card or other indication designating himself as a certified
3 public accountant, or who shall assume the title of a certified
4 public accountant, or use the abbreviation C. P. A., or any
5 other words, letters or figures to represent that he is a cer-
6 tified public accountant, or shall practice as such without
7 having received a certificate in accordance with the pro-
8 visions of this act, or who shall issue any such sign, card
9 or other indication or assume such title or abbreviation after
10 any certificate authorizing such use by him has been re-

11 voked or continue to practice as a certified public account-
12 ant shall upon conviction be punished by a fine not exceeding
13 five hundred dollars.

Sect. 14. The board shall annually make a report to the
2 governor and council showing its receipts and disbursements
3 in detail, the names of persons to whom certificates have
4 been issued, and the names of persons whose certificate have
5 been revoked with the reasons therefor, during the fiscal
6 year ending June 30.