

MAINE STATE LEGISLATURE

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SEVENTY-SIXTH LEGISLATURE

SENATE

NO. 139

In Senate, Jan. 30, 1913.

Came from the House referred to the Committee on Judiciary, and on motion by Senator Bailey of Penobscot, laid on the table for printing, pending reference in concurrence.

W. E. LAWRY, Secretary.

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 established a board which shall be known as the Maine Board of Accountancy, vested with power to have and use a common seal and to make such rules, by-laws and regulations, not inconsistent with law, as they shall deem necessary to improve and promote the science and art of accounting, and to carry out the purposes and enforce the provisions of this 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
7 engaged in the profession of a public accountant, and the
8 other shall be a practicing attorney in good standing in the
9 courts in 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 members 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 a
3 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 in such sum as the board may determine for the

7 faithful accounting of all moneys or property coming into
8 his possession, and he shall keep proper records of the do-
9 ings of the board, and of his receipts and expenditures, and
10 all 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
3 of the compensation and expenses of the members and of
4 the expenses of the board, and so much thereof as may be
5 necessary 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
9 state treasury as aforesaid; provided, however, that at no
10 time shall any bills for services and expenses be paid out
11 of the state treasury in excess of the amount paid into the
12 same 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 qualifi-

3 cations to practice as a public accountant, as hereinafter
4 provided, shall be styled and known as a certified public
5 accountant, and no other persons shall assume such title
6 or use the abbreviation C. P. A. or any other words, letters
7 or 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 publication 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. The board may, in its discretion, waive the examination of, and issue a certificate for certified public accountant to any person possessing the qualifications mentioned in section 8, who, for more than three consecutive years next preceding the passage of this act, shall have been practicing in this state on his own account as a public accountant and who shall apply in writing to the board for such certificate within six months after this act takes effect.

Sect. 11. 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

9 required to be paid by every person to whom a certificate
10 for a certified public accountant is issued by the Maine
11 Board of Accountancy, except that where reciprocal cer-
12 tificates are issued the fees required shall be not less than,
13 nor more than the fees charged to certified public account-
14 ants of this state for similar privileges.

Sect. 12. The Maine Board of Accountancy may revoke
2 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
8 action and appointing a time and place for a hearing there-
9 on by the Maine Board of Accountancy. Upon the revo-
10 cation of any certificate it shall be surrendered to the board
11 by the holder.

Sect. 13. 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 is 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 persons
8 at all reasonable times for all proper purposes.

Sect. 14. Any person who shall advertise or issue any
2 sign, card or other indication designating himself as a cer-

3 tified public accountant, or who shall assume the title of a
4 certified public accountant, or use the abbreviation C. P. A.,
5 or any other words, letters or figures to represent that he
6 is a certified public accountant, without having received a
7 certificate in accordance with the provisions of this act, or
8 who shall issue any such sign, card or other indication or
9 assume such title or abbreviation after any certificate au-
10 thorizing such use by him has been revoked, shall upon
11 conviction be punished by a fine not exceeding five hundred
12 dollars.

Sect. 15. 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 certificates
5 have been revoked with the reasons therefor, during the
6 fiscal year ending June 30.