

MAINE STATE LEGISLATURE

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EIGHTY - THIRD LEGISLATURE

House Document

No. 72

H. P. 285

House of Representatives, Feb. 3, 1927.

Referred to Committee on Legal Affairs and 500 copies
ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Rounds of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-SEVEN

AN ACT to Establish the Maine Board of Music.

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

Section 1. The Maine Board of Music is hereby estab-
2 lished and shall be composed of ten competent musicians
3 who shall be citizens and residents of the state, to be
4 appointed by the governor with the advice and consent of
5 the council. The terms of the first appointees shall be as
6 follows, viz., four members appointed for one year; three
7 for two years; three for three years, and thereafter all
8 appointments shall be made for terms of three years, as the
9 terms of the several members expire. Vacancies occurring
10 during a term shall be filled for the unexpired term. Each
11 member of said board shall be skilled in one or more

12 branches of music, or shall have been actually engaged in the
13 profession of music teaching or as soloist. The first ap-
14 pointees shall be entitled to certificates hereinafter men-
15 tioned, without examination.

Sect. 2. A majority of the board shall constitute a quorum
2 for the transaction of its business. They shall annually
3 elect a chairman and secretary. They may have and use a
4 common seal and make such rules, by-laws and regulations,
5 not inconsistent with law as they deem necessary to improve
6 and promote music teaching, and to carry out the purposes
7 and enforce the provisions of this act. The board shall
8 promote the standard of general education; the standard of
9 special education in music and the standard of moral charac-
10 ter in all examinations conducted hereunder. The secretary
11 shall keep proper records of the doings of the board, and of
12 the receipts and expenditures, and of all certificates issued
13 and applications received by the board.

Sect. 3. At such times as the board may fix, it shall hold
2 meetings for the examination of applicants for certificates
3 and shall give notice thereof by publication in a daily news-
4 paper in each of the cities of Portland, Lewiston, Bangor
5 and Augusta, stating the time and place of such meetings,
6 not less than twenty days prior to the date thereof. At such
7 meetings the board shall conduct examinations of applicants
8 who have been residents of the state at least six months
9 prior thereto, and of certified music teachers of any other
10 state or foreign government which extends similar privileges

11 to certified music teachers of this state, and who have paid
12 the required fee. To such persons as have shown the re-
13 quired proficiency in the theory and performance of music,
14 and such other subjects as it deems necessary, and whom
15 they believe to be of such character and fitness as to qualify
16 them to act as certified music teachers, they shall issue a
17 certificate signed by the board or a majority thereof, setting
18 forth that the applicant is entitled to practice as a certified
19 music teacher in accordance with the provisions of this act.

Sect. 4. The board may waive the examination and the
2 payment of fees and may issue a certificate as a music
3 teacher to any person possessing the qualifications set forth
4 in the preceding section providing such person is the holder
5 of a certified music teacher's certificate issued under the
6 laws of another state or foreign government, which extends
7 similar privileges to certified music teachers of this state,
8 and provided the requirements of the state or foreign gov-
9 ernment which has granted the certificate to the applicant
10 are, in the opinion of the board, equivalent to those herein
11 provided.

Sect. 5. Each applicant for examination shall pay to the
2 secretary of the board a fee of five dollars at the time of
3 filing his application and no other fees or costs shall be
4 required of him. If the applicant fails to pass the exami-
5 nation, the fee shall not be returned to him, but he shall
6 be entitled to another examination after one year at any
7 advertised meeting at which there are other applicants for

8 examination. Where a reciprocal certificate is issued, the
9 fee required shall be similar to that charged to certified
10 music teachers of this state for similar privileges.

Sect. 6. The board may revoke any certificate issued by
2 it upon proof of bad moral character, dishonesty, criminal
3 conviction, incompetency or unprofessional conduct of the
4 holder; provided however, that a written notice shall have
5 been mailed to the holder of such a certificate at his last
6 registered address at least twenty days before any hearing
7 thereon. The cause for such contemplated action and the
8 time and place for a hearing thereon before the board shall
9 be stated in such notice. Upon the revocation of any cer-
10 tificate, it shall be surrendered to the board by the holder.

Sect. 7. Upon the granting of any certificate for a certified
2 music teacher by the board, the secretary shall immediately
3 file in the office of the secretary of state a certificate showing
4 the name, residence and post office address of the person
5 to whom the certificate is issued, together with the date
6 thereof and such other information as the board may deem
7 advisable. The certificate so filed shall be open to inspection
8 by all persons at all reasonable times. Every certified music
9 teacher shall annually, in the month of January, file with
10 the secretary of state a certificate setting forth the post
11 office address of such certified music teacher.

Sect. 8. A person who shall have received from the board
2 a certificate of his qualifications to practice as a certified
3 music teacher, as hereinbefore provided, shall be styled and

4 known as a "certified music teacher." No person shall
5 advertise or issue any sign, card or other indication desig-
6 nating himself as a certified music teacher or shall assume
7 the title of a certified music teacher or use the abbreviation
8 of C. M. T. or any other words, letters or figures to rep-
9 resent that he is a certified music teacher, or shall practice
10 as such without having received a certificate in accordance
11 with the provisions of this act, or, having received such a
12 certificate shall so advertise or represent himself or practice
13 after the revocation thereof. No partnership, unless each
14 of its partners is a holder of a certificate in accordance with
15 the provisions of this act, and no corporation, or association,
16 shall use the words "certified music teacher," in describing
17 the partnership, corporation association or the business
18 thereof; provided, however, that any partnership, corpora-
19 tion or association may represent that a special person hold-
20 ing a certificate in accordance with the provisions of this act
21 is a member of such partnership or is in the service or em-
22 ploy of such partnership, corporation or association. Any
23 violation of this act shall be punished by a fine not exceed-
24 ing one hundred dollars.

Sect. 9. 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 each
6 fiscal year ending the thirtieth day of June. Each member

7 of the board shall receive five dollars per day for his service
8 for the time actually spent, and also the amount of necessary
9 expenses incurred in the discharge of official duties required,
10 to be certified by the secretary of the board.