

# MAINE STATE LEGISLATURE

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N I N E T Y - T H I R D   L E G I S L A T U R E

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Legislative Document

No. 818

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S. P. 291

In Senate, February 13, 1947.

On motion by Senator Barnes of Aroostook referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Barnes of Aroostook.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-SEVEN

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**AN ACT Relating to Registration in Optometry.**

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

**Sec. 1. R. S., c. 69, § 1, amended.** Section 1 of chapter 69 of the revised statutes is hereby amended to read as follows:

**‘Sec. 1. Board of registration in optometry; appointment; tenure; vacancies; removals.** The state board of registration and examination in optometry, as heretofore established, and hereinafter in this chapter called the “board”, shall consist of 5 persons appointed by the governor, with the advice and consent of the council. They shall have been resident optometrists, engaged in the actual practice of optometry in this state for a period of **at least** 5 years prior to their appointment. ~~and not more than 3 members of the board shall belong to the same political party.~~ They shall be appointed for terms ~~of 3 years each~~, as the terms of the present members expire, **so that eventually the term of one member shall expire each year**, and each shall hold office until his successor is appointed and qualified. Any vacancy in said board shall be filled by the appointment of a person, qualified as aforesaid, to hold office during the unexpired term of the member whose place he fills. Any member of said board may be removed from office, for cause, by the governor, with the advice and consent of the council. The board shall have a common seal.

**Sec. 2. R. S., c. 69, § 2, amended.** The 2nd paragraph of section 2 of chapter 69 of the revised statutes is hereby amended as follows:

'The members of the board shall each receive ~~\$5~~ \$10 for each day actually engaged in the duties of his office, and actual expenses incurred in attending the meetings of the board; **except that the secretary of said board shall receive an annual salary of \$200. Any year in which the income of the board, from examination fees and annual license fees collected under this chapter, plus any unexpended balances on hand, is not sufficient to pay members of the board, as aforesaid, available funds shall be pro-rated, except that the secretary's compensation shall have prior claim to available funds.'**

**Sec. 3. R. S., c. 69, § 3, amended.** The 2nd sentence of section 3 of chapter 69 of the revised statutes is hereby amended to read as follows:

'Such examinations shall ~~be confined to such knowledge as is essential to the practice of optometry~~ consist of tests in basic sciences; in anatomy and physiology of the eye; pathology; practical, theoretical and physiological optics; and practical and theoretical optometry.'

**Sec. 4. R. S., c. 69, § 14, amended.** The last sentence of section 14 of chapter 69 of the revised statutes is hereby amended to read as follows:

'No certificate shall be suspended or revoked for any of the foregoing causes unless the person accused has been given at least ~~30~~ 10 days' notice in writing of the charge against him and afforded a public hearing before the board.'

**Sec. 5. R. S., c. 69, § 15, amended.** The last paragraph of section 15 of chapter 69 of the revised statutes is hereby amended to read as follows:

'No person who shall receive a certificate of registration or license to practice optometry in this state shall assign, lease, sublet, give or grant unto any person, copartnership, firm or corporation the right or privilege to practice optometry directly or indirectly under said registration, and no registered optometrist, **under this chapter**, shall associate himself in any way with any person, not a registered optometrist **nor any** copartnership, firm or corporation for the promotion of any commercial practice for profit or division of profit, which enables any such person, copartnership, firm or corporation to **engage, either** directly or indirectly, ~~engage~~ in the practice of optometry in this state, and any ~~registered~~ optometrist, **registered under the provisions of this chapter**, guilty of such conduct or of violation of the provisions of this section, **or of wilfully violating any of the rules and regulations of the board, promulgated as provided in this chapter,**

shall be punished by having his certificate and registration to practice optometry in this state suspended or revoked; provided that no certificate or registration shall be suspended or revoked for any of the foregoing causes unless the person accused has been given at least 10 days' notice, in writing, of the charge against him, and afforded a public hearing before the board.'