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No. 237

S.P. 73

In Senate, February 5, 2013

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

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10 repealed.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12 repealed.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 F, §4, is repealed.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15 repealed.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 B-5. 32 MRSA §502**, as repealed and replaced by PL 2007, c. 402, Pt.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.

