

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND THIRTEEN

—
S.P. 73 - L.D. 237

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

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

PART A

Sec. A-1. 10 MRSA §8010 is enacted to read:

§8010. Quorum; chair

Notwithstanding any provision of law to the contrary, a majority of the members serving on a board or commission under section 8001, subsection 38 constitutes a quorum. The board or commission shall elect its chair.

PART B

Sec. B-1. 10 MRSA §9003, sub-§7, as amended by PL 2007, c. 402, Pt. D, §1, is further amended to read:

7. Meetings; chair. The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Five members of the board constitute a quorum.~~

Sec. B-2. 32 MRSA §63-A, sub-§3, as amended by PL 2007, c. 402, Pt. E, §1, is further amended to read:

3. Meetings; chair. The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Four members of the board constitute a quorum for all purposes.~~

Sec. B-3. 32 MRSA §213, as amended by PL 2007, c. 402, Pt. F, §4, is further amended to read:

§213. Meetings; chair

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Five members of the board constitute a quorum.~~

Sec. B-4. 32 MRSA §288, sub-§4, as amended by PL 2007, c. 402, Pt. G, §2, is further amended to read:

4. Meetings. The board shall meet at least once a year and at such other times as the board determines necessary. ~~Three members of the board constitute a quorum for the transaction of business under this chapter.~~

Sec. B-5. 32 MRSA §502, as repealed and replaced by PL 2007, c. 402, Pt. H, §4, is amended to read:

§502. Meetings; chair; powers and duties

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Four members of the board constitute a quorum for the transaction of business.~~ The board ~~has the power to~~ may make and adopt rules and a code of ethics consistent with law necessary for the enforcement of its authority, the performance of its duties and the governing of the practice of chiropractic, but a rule or code of ethics may not be made that is unreasonable or contravenes this chapter.

Sec. B-6. 32 MRSA §1153, as amended by PL 2007, c. 402, Pt. I, §7, is further amended to read:

§1153. Meetings; chair; rules

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Four members of the board constitute a quorum.~~ The board may adopt, pursuant to ~~the Maine Administrative Procedure Act~~, Title 5, chapter 375, subchapter 2, rules it determines necessary for the holding of examinations and for carrying out this chapter; and shall provide for reciprocity of licensing as required to implement section 1206.

Sec. B-7. 32 MRSA §1451, 3rd ¶, as amended by PL 2007, c. 402, Pt. J, §2, is further amended to read:

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Five members of the board constitute a quorum.~~

Sec. B-8. 32 MRSA §2273, sub-§3, as amended by PL 2007, c. 402, Pt. L, §1, is further amended to read:

3. Meetings; chair. The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary and may be convened at the call of the chair or a majority of the members of the board. ~~Three members of the board constitute a quorum.~~

Sec. B-9. 32 MRSA §3112, sub-§2, as amended by PL 2007, c. 402, Pt. N, §3, is further amended to read:

2. Meetings; chair. The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Three members of the board constitute a quorum.~~

Sec. B-10. 32 MRSA §3403, as amended by PL 2007, c. 402, Pt. O, §3, is further amended to read:

§3403. Meeting; chair

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Three members of the board constitute a quorum.~~

Sec. B-11. 32 MRSA §3602, as amended by PL 2007, c. 402, Pt. P, §3, is further amended to read:

§3602. Meetings; chair

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Three members of the board constitute a quorum, but a A license to practice podiatry may not be granted except upon the affirmative vote of a majority of the members of the board.~~

Sec. B-12. 32 MRSA §3822, as amended by PL 2007, c. 402, Pt. Q, §7, is further amended to read:

§3822. Meetings; chair

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Five members of the board constitute a quorum.~~

Sec. B-13. 32 MRSA §4856, as amended by PL 2007, c. 402, Pt. R, §3, is further amended to read:

§4856. Meetings; chair

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Four members of the board constitute a quorum.~~

Sec. B-14. 32 MRSA §4907, sub-§4, as amended by PL 2007, c. 402, Pt. S, §5, is further amended to read:

4. Meetings; chair. The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Four members of the board constitute a quorum.~~

Sec. B-15. 32 MRSA §5505, sub-§4, as amended by PL 2007, c. 402, Pt. T, §2, is further amended to read:

4. Meetings; chair. The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Four members of the board constitute a quorum.~~

Sec. B-16. 32 MRSA §6210, as amended by PL 2011, c. 691, Pt. D, §10, is further amended to read:

§6210. Meetings; chair

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~A majority of the board constitutes a quorum.~~

Sec. B-17. 32 MRSA §7029, as amended by PL 2007, c. 402, Pt. V, §5, is further amended to read:

§7029. Meetings; chair

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Four members of the board constitute a quorum.~~

Sec. B-18. 32 MRSA §9703, sub-§3, as amended by PL 2007, c. 402, Pt. W, §1, is further amended to read:

3. Meetings; chair. The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Three members of the board constitute a quorum.~~

Sec. B-19. 32 MRSA §9853, sub-§5, as amended by PL 2007, c. 402, Pt. X, §1, is repealed.

Sec. B-20. 32 MRSA §9903, sub-§3, as amended by PL 2007, c. 402, Pt. Y, §1, is further amended to read:

3. Meetings; chair. The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Three members of the board constitute a quorum.~~

Sec. B-21. 32 MRSA §12214, sub-§1, as repealed and replaced by PL 2007, c. 402, Pt. Z, §6, is amended to read:

1. Meetings; chair. The board shall meet at least once a year to conduct its business and to elect a chair, who must be a certified public accountant. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Three members of the board constitute a quorum.~~

Sec. B-22. 32 MRSA §12502, sub-§6, as amended by PL 2007, c. 402, Pt. AA, §1, is further amended to read:

6. Meetings; chair. The board shall meet at least once a year to conduct its business and elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Four members of the board constitute a quorum.~~

Sec. B-23. 32 MRSA §13062, sub-§5, as amended by PL 2007, c. 402, Pt. BB, §4, is repealed.

Sec. B-24. 32 MRSA §13718, sub-§4, as amended by PL 2007, c. 402, Pt. DD, §6, is repealed.

Sec. B-25. 32 MRSA §13852, sub-§7, as amended by PL 2009, c. 112, Pt. A, §19, is further amended to read:

7. Meetings; chair. The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Five members of the board constitute a quorum.~~

Sec. B-26. 32 MRSA §13902, sub-§4, as amended by PL 2007, c. 402, Pt. FF, §1, is further amended to read:

4. Meetings; chair. The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Four members of the board constitute a quorum.~~

Sec. B-27. 32 MRSA §14011, sub-§5, as amended by PL 2007, c. 402, Pt. GG, §3, is further amended to read:

5. Meetings; chair. The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Four members of the board constitute a quorum.~~

Sec. B-28. 32 MRSA §17202, as enacted by PL 2007, c. 369, Pt. C, §3 and affected by §5, is amended to read:

§17202. Meetings; chair

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings are held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Four members of the board constitute a quorum for all purposes.~~

Sec. B-29. 32 MRSA §18122, as enacted by PL 2009, c. 344, Pt. C, §3 and affected by Pt. E, §2, is amended to read:

§18122. Meetings; chair

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings are held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. ~~Five members of the board constitute a quorum.~~