Sixty-third Legislative Assembly of North Dakota

## FIRST ENGROSSMENT with House Amendments ENGROSSED SENATE BILL NO. 2116

Introduced by

Agriculture Committee

(At the request of the State Board of Veterinary Medical Examiners)

- 1 A BILL for an Act to amend and reenact section 43-29-02 of the North Dakota Century Code,
- 2 relating to membership of the state board of veterinary medical examiners.

## 3 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

4 SECTION 1. AMENDMENT. Section 43-29-02 of the North Dakota Century Code is

5 amended and reenacted as follows:

## 6 43-29-02. State board of veterinary medical examiners - Appointments - Qualifications 7 - Terms - Vacancies.

- 8 <u>1.</u> The state board of veterinary medical examiners consists of three five gubernatorially
   9 appointed members appointed by the governor for terms of three years each, with
- 10 their terms of office so arranged that one term, and only one, expires each year.
- 11 Members of the board shall hold their respective offices until their successors are-
- 12 appointed and qualified. Each member must be a reputable, practicing, and licensed-
- 13 veterinarian in North Dakota for five years immediately prior to the appointment, and
- 14 must be the holder of a diploma or degree granted by a veterinary school, or by a
- 15 college or university recognized by the board.
- 16 If any vacancy occurs on the board due to resignation, death, removal from the state, or-
- 17 suspension as herein provided, or for any other reason, the governor shall fill such vacancy. In
- 18 appointing the board members, the governor shall appoint three veterinarians, one veterinarian
- 19 technician, and one individual representing the public. In appointing the veterinarian members
- 20 of the board, the governor shall make an effort to appoint:
- 21 <u>a.</u> <u>One veterinarian whose practice has a predominant focus on large animals;</u>
- 22 b. One veterinarian whose practice has a predominant focus on small animals; and
- 23 <u>c.</u> <u>One veterinarian whose practice focuses on both large and small animals.</u>

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1	<u>2.</u>	<u>a.</u>	Each veterinarian on the board must be licensed in this state and must have
2			practiced in this state for at least five years immediately preceding the
3			appointment.
4		<u>b.</u>	The veterinary technician on the board must be licensed in this state and must
5			have practiced in this state for at least five years immediately preceding the
6			appointment.
7		<u>C.</u>	The individual representing the public:
8			(1) Must be a resident of this state:
9			(2) Must have resided in this state for at least five years immediately preceding
10			the appointment:
11			(3) May not be a veterinarian, a veterinary technician, or the spouse of a
12			veterinarian or a veterinary technician;
13			(4) May not ever have been a veterinarian, a veterinary technician, or the
14			spouse of a veterinarian or a veterinary technician; and
15			(5) May not have any direct financial interest in the provision of veterinary
16			services and may not be engaged in any activity directly related to the
17			veterinary profession.
18	<u>3.</u>	<u>a.</u>	The term of office for each member is three years. Terms must be staggered by
19			lot so that no more than two terms expire each year. Each term of office begins
20			on July first.
21		<u>b.</u>	Each member of the board shall hold office until a successor is appointed and
22			<u>qualified.</u>
23	<u>4.</u>	<u>lf a</u>	t any time during a member's term, the member ceases to possess any of the
24		qua	alifications provided in this section or if the member resigns, the member's office is
25		dee	emed vacant and the governor shall appoint another qualified individual for the
26		ren	nainder of the term.
27	<u>5.</u>	The	e governor may, after due notice and hearing, remove any member of the board of
28		vet	erinary examiners for misconduct, incapacity, or neglect of dutycause.