

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.~~ for an Act to amend
3 and reenact section 43-29-02 of the North Dakota Century Code, relating to membership of the
4 state board of veterinary medical examiners.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 ~~— **SECTION 1. AMENDMENT.** Section 43-29-02 of the North Dakota Century Code is~~
7 ~~amended and reenacted as follows:~~

8 ~~— **43-29-02. State board of veterinary medical examiners -- Appointments -- Qualifications**~~
9 ~~**-- Terms -- Vacancies.**~~

10 ~~— The state board of veterinary medical examiners consists of three ~~five~~ members, including~~
11 ~~three veterinarians, one veterinary technician, and one public member, appointed by the~~
12 ~~governor for terms of three ~~five~~ years each, with their terms of office so arranged that one term,~~
13 ~~and only one, expires each year, except that the terms of the first appointees may be for shorter~~
14 ~~periods to permit a staggering of terms. Members of the board shall hold their respective offices~~
15 ~~until their successors are appointed and qualified. Each veterinarian member must be a~~
16 ~~reputable, practicing, and licensed veterinarian in North Dakota for five years immediately prior~~
17 ~~to the appointment, and must be the holder of a diploma or degree granted by a veterinary~~
18 ~~school, or by a college or university recognized by the board. The veterinary technician member~~
19 ~~must be a reputable, practicing, and licensed veterinary technician in North Dakota for five~~
20 ~~years immediately prior to the appointment. The public member must be a resident of North~~
21 ~~Dakota for five years immediately prior to the appointment, and may not be, nor ever have~~
22 ~~been, a veterinarian, veterinary technician, or the spouse of a veterinarian or veterinary~~
23 ~~technician, or a person who has ever had any material financial interest in the provision of~~

~~veterinary services or who has engaged in any activity directly related to the veterinary profession.~~

~~— If any vacancy occurs on the board due to resignation, death, removal from the state, or suspension as herein provided, or for any other reason, the governor shall fill such vacancy.~~

~~— The governor may, after due notice and hearing, remove any member of the board of veterinary examiners for misconduct, incapacity, or neglect of duty.~~

SECTION 1. AMENDMENT. Section 43-29-02 of the North Dakota Century Code is amended and reenacted as follows:

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

1. The state board of veterinary medical examiners consists of ~~three~~the following five gubernatorially appointed members ~~appointed by the governor for terms of three years each, with their terms of office so arranged that one term, and only one, expires each year. Members of the board shall hold their respective offices until their successors are appointed and qualified. Each member must be a reputable, practicing, and licensed veterinarian in North Dakota for five years immediately prior to the appointment, and must be the holder of a diploma or degree granted by a veterinary school, or by a college or university recognized by the board.~~

~~— If any vacancy occurs on the board due to resignation, death, removal from the state, or suspension as herein provided, or for any other reason, the governor shall fill such vacancy:~~

a. One veterinarian whose practice has a predominant focus on large animals;

b. One veterinarian whose practice has a predominant focus on small animals;

c. One veterinarian whose practice focuses on both large and small animals;

d. One veterinary technician; and

e. One individual representing the public.

2. a. Each veterinarian on the board must be licensed in this state and must have practiced in this state for at least five years immediately preceding the appointment.

b. The veterinary technician on the board must be licensed in this state and must have practiced in this state for at least five years immediately preceding the appointment.

c. The individual representing the public:

1 (1) Must be a resident of this state;

2 (2) Must have resided in this state for at least five years immediately preceding
3 the appointment;

4 (3) May not be a veterinarian, a veterinary technician, or the spouse of a
5 veterinarian or a veterinary technician;

6 (4) May not ever have been a veterinarian, a veterinary technician, or the
7 spouse of a veterinarian or a veterinary technician; and

8 (5) May not have any direct financial interest in the provision of veterinary
9 services and may not be engaged in any activity directly related to the
10 veterinary profession.

11 3. a. The term of office for each member appointed before July 1, 2013, is three years.
12 The term of office for each member appointed after June 30, 2013, is five years,
13 except that the initial terms must be staggered by lot so that no more than one
14 term expires each year. Each term of office begins on July first.

15 b. Each member of the board shall hold office until a successor is appointed and
16 qualified.

17 c. (1) A member of the board may not serve more than one term consecutively.

18 (2) If an individual is appointed to complete a vacancy, that service is not
19 counted as a term for purposes of this subdivision unless the duration of
20 that service exceeds three years.

21 4. If at any time during a member's term, the member ceases to possess any of the
22 qualifications provided in this section or if the member resigns, the member's office is
23 deemed vacant and the governor shall appoint another qualified individual for the
24 remainder of the term.

25 5. The governor may, after due notice and hearing, remove any member of the board of
26 veterinary examiners for ~~misconduct, incapacity, or neglect of duty~~ cause.