

Sixty-third
Legislative Assembly
of North Dakota

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 1. The state board of veterinary medical examiners consists of ~~three~~the following five
9 gubernatorially appointed members ~~appointed by the governor for terms of three years~~
10 ~~each, with their terms of office so arranged that one term, and only one, expires each~~
11 ~~year. 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 a. One veterinarian whose practice has a predominant focus on large animals;
22 b. One veterinarian whose practice has a predominant focus on small animals; and
23 c. One veterinarian whose practice focuses on both large and small animals;
24 ~~— d. One veterinary technician; and~~

- 1 ~~e. One individual representing the public.~~
- 2 2. a. Each veterinarian on the board must be licensed in this state and must have
- 3 practiced in this state for at least five years immediately preceding the
- 4 appointment.
- 5 b. The veterinary technician on the board must be licensed in this state and must
- 6 have practiced in this state for at least five years immediately preceding the
- 7 appointment.
- 8 c. The individual representing the public:
- 9 (1) Must be a resident of this state;
- 10 (2) Must have resided in this state for at least five years immediately preceding
- 11 the appointment;
- 12 (3) May not be a veterinarian, a veterinary technician, or the spouse of a
- 13 veterinarian or a veterinary technician;
- 14 (4) May not ever have been a veterinarian, a veterinary technician, or the
- 15 spouse of a veterinarian or a veterinary technician; and
- 16 (5) May not have any direct financial interest in the provision of veterinary
- 17 services and may not be engaged in any activity directly related to the
- 18 veterinary profession.
- 19 3. a. The term of office for each member ~~appointed before July 1, 2013,~~ is three years.
- 20 ~~The term of office for each member appointed after June 30, 2013, is five years,~~
- 21 ~~except that the initial terms~~ Terms must be staggered by lot so that no more than
- 22 ~~one term expires~~ two terms expire each year. Each term of office begins on July
- 23 first.
- 24 b. Each member of the board shall hold office until a successor is appointed and
- 25 qualified.
- 26 ~~c. (1) A member of the board may not serve more than one term consecutively.~~
- 27 ~~(2) If an individual is appointed to complete a vacancy, that service is not~~
- 28 ~~counted as a term for purposes of this subdivision unless the duration of~~
- 29 ~~that service exceeds three years.~~
- 30 4. If at any time during a member's term, the member ceases to possess any of the
- 31 qualifications provided in this section or if the member resigns, the member's office is

1 deemed vacant and the governor shall appoint another qualified individual for the
2 remainder of the term.

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