

**Sixty-third Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 8, 2013**

SENATE BILL NO. 2116
(Agriculture Committee)
(At the request of the State Board of Veterinary Medical Examiners)

AN ACT to amend and reenact section 43-29-02 of the North Dakota Century Code, relating to membership of the state board of veterinary medical examiners.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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~~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. In appointing the board members, the governor shall appoint three veterinarians, one veterinarian technician, and one individual representing the public. In appointing the veterinarian members of the board, the governor shall make an effort to appoint:~~

- a. One veterinarian whose practice has a predominant focus on large animals;
 - b. One veterinarian whose practice has a predominant focus on small animals; and
 - c. One veterinarian whose practice focuses on both large and small animals.
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) Must be a resident of this state;
 - (2) Must have resided in this state for at least five years immediately preceding the appointment;
 - (3) May not be a veterinarian, a veterinary technician, or the spouse of a veterinarian or a veterinary technician;
 - (4) May not ever have been a veterinarian, a veterinary technician, or the spouse of a veterinarian or a veterinary technician; and

- (5) May not have any direct financial interest in the provision of veterinary services and may not be engaged in any activity directly related to the veterinary profession.
- 3. a. The term of office for each member is three years. Terms must be staggered by lot so that no more than two terms expire each year. Each term of office begins on July first.

b. Each member of the board shall hold office until a successor is appointed and qualified.
- 4. If at any time during a member's term, the member ceases to possess any of the qualifications provided in this section or if the member resigns, the member's office is deemed vacant and the governor shall appoint another qualified individual for the remainder of the term.
- 5. The governor may, after due notice and hearing, remove any member of the board of veterinary examiners for misconduct, incapacity, or neglect of dutycause.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2116.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 78 Nays 15 Absent 1

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2013.

Approved at _____ M. on _____, 2013.

Governor

Filed in this office this _____ day of _____, 2013,

at _____ o'clock _____ M.

Secretary of State