

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 each,~~
10 ~~with their terms of office so arranged that one term, and only one, expires each year. Members~~
11 ~~of the board shall hold their respective offices until their successors are appointed and qualified.~~
12 Each member must be a reputable, practicing, and licensed veterinarian in North Dakota for five
13 years immediately prior to the appointment, and must be the holder of a diploma or degree
14 granted by a veterinary school, or by a college or university recognized by the board.

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

- 17 a. One veterinarian whose practice has a predominant focus on large animals;
- 18 b. One veterinarian whose practice has a predominant focus on small animals;
- 19 c. One veterinarian whose practice focuses on both large and small animals;
- 20 d. One veterinary technician; and
- 21 e. One individual representing the public.

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

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