

The House Committee on Governmental Affairs offers the following substitute to HB 597:

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 1 of Chapter 6 of Title 12 of the Official Code of Georgia
2 Annotated, relating to the practice of professional forestry, so as to reduce the number
3 of members of the State Board of Registration for Foresters; to amend Article 2 of Chapter
4 4 of Title 26 of the Official Code of Georgia Annotated, relating to the State Board of
5 Pharmacy, so as to reduce the number of members of the State Board of Pharmacy; to amend
6 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
7 so as to reduce the number of members on certain professional licensing boards; to provide
8 for the manner in which such boards shall be reduced in size; to provide for related matters;
9 to provide an effective date; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Part 2 of Article 1 of Chapter 6 of Title 12 of the Official Code of Georgia Annotated,
13 relating to the practice of professional forestry, is amended by striking Code Section 12-6-42,
14 relating to the creation of the State Board of Registration for Foresters, and inserting in lieu
15 thereof a new Code Section 12-6-42 to read as follows:

16 "12-6-42.

17 (a) A State Board of Registration for Foresters is created whose duty it shall be to
18 administer this part.

19 (b)(1) Until the effective date of this Act, the The board shall consist of five foresters who
20 shall be selected and appointed by the Governor and who shall have the qualifications
21 required by Code Section 12-6-43. The position of the forester member of the board
22 whose term has expired and who has been holding over as a member of the board for the
23 longest period of time shall terminate on the effective date of this Act.

24 (2) On and after the effective date of this Act, the board shall consist of four foresters
25 who shall be selected and appointed by the Governor and who shall have the
26 qualifications required by Code Section 12-6-43.

1 (c) In addition to the ~~five~~ members provided for in subsection (b) of this Code section, the
 2 board shall consist of ~~a sixth~~ an additional member who shall be appointed by the Governor
 3 from the public at large and who shall have no connection whatsoever with the practice of
 4 professional forestry. The initial term of appointment for the additional member provided
 5 for by this subsection shall expire June 30, 1985; thereafter, the Governor shall appoint
 6 successors for terms of five years each.

7 (d) Every member of the board shall receive a certificate of his or her appointment from
 8 the Governor and before beginning his or her term of office shall file with the Secretary of
 9 State his or her written oath or affirmation for the faithful discharge of his or her official
 10 duty.

11 (e) The ~~five~~ forester members of the board shall be appointed for terms of five years. On
 12 the expiration of the term of any member of the board, except as provided in subsection (b)
 13 of this Code section, the Governor shall in the manner provided in this Code section
 14 appoint for a term of five years a registered forester having the qualifications required by
 15 Code Section 12-6-43 to take the place of the member whose term on the board is expiring.
 16 Each member shall hold office until the expiration of the term for which that member is
 17 appointed or until a successor shall have been duly appointed and shall have qualified."

18 SECTION 2.

19 Article 2 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to the
 20 State Board of Pharmacy, is amended by striking subsection (a) of Code Section 26-4-21,
 21 relating to eligibility requirements for members, and inserting in lieu thereof a new
 22 subsection (a) to read as follows:

23 "(a) Each of the ~~seven~~ pharmacist members of the board shall, at the time of appointment:

24 (1) Be a resident of this state for not less than six months;

25 (2) Be currently licensed and in good standing to engage in the practice of pharmacy in
 26 this state;

27 (3) Be actively engaged in the practice of pharmacy in this state;

28 (4) Have five years of experience in the practice of pharmacy in this state after licensure;

29 and

30 (5) Not be officially employed as a full-time faculty member by any school or college
 31 of pharmacy."

32 SECTION 3.

33 Said article is further amended by striking subsection (a) of Code Section 26-4-22, relating
 34 to the number and terms of members, and inserting in lieu thereof a new subsection (a) to
 35 read as follows:

1 this state nor any other state has ever issued a certificate, registration, license, or permit
 2 to engage in the practice of public accounting.

3 (c) Each member of the board in office on ~~July 1, 1982, the effective date of this Act~~ shall
 4 remain in office until the expiration of his or her term and the appointment and approval
 5 of his or her successor, except that the position held by the certified public accountant
 6 member of the board whose term has expired and who has been holding over as a member
 7 of the board for the longest period of time shall terminate on the effective date of this Act.

8 (d) Any appointment or reappointment of board members shall be for a period of four
 9 years. The remaining portion of any unexpired term shall be filled by appointment by the
 10 Governor with the approval of the Senate. ~~Upon~~ Except as provided in subsection (c) of
 11 this Code section, upon the expiration of his or her term of office, a member shall continue
 12 to serve until his or her successor shall have been appointed and shall have qualified.

13 (e) No member of the board shall serve as such for more than two terms, consecutive or
 14 otherwise; and, for purposes of calculating the number of terms served, the filling of an
 15 unexpired term or terms for a total of more than 30 calendar months shall be treated as the
 16 serving of a full term.

17 (f) Any member of the board may be removed by the Governor for misconduct,
 18 incompetence, or neglect of duty. The membership on the board of any member whose
 19 permit to practice has expired and has not been renewed, has become void, or has been
 20 revoked or suspended shall be automatically terminated simultaneously with any such
 21 expiration, voiding, revocation, or suspension.

22 (g) Each member of the board shall be reimbursed as provided for in subsection (f) of
 23 Code Section 43-1-2."

24 SECTION 5.

25 Said title is further amended by striking Code Section 43-4-2, relating to the creation of the
 26 Georgia State Board of Architects and Interior Designers, and inserting in lieu thereof a new
 27 Code Section 43-4-2 to read as follows:

28 "43-4-2.

29 (a) There is created the Georgia State Board of Architects and Interior Designers, ~~which,~~

30 (b)(1) Until the effective date of this Act, the board shall be composed of nine appointed
 31 members. Six of the members shall be registered architects who hold a current license in
 32 this state and who shall be residents of this state. Two members shall be registered
 33 interior designers who are residents of this state and who have been interior designers for
 34 at least ten years immediately preceding the appointment and who shall have passed an
 35 examination approved by the board. One member shall be a resident of this state and shall

1 have no connection whatsoever with the practice or profession of architecture or interior
2 design.

3 (2) On and after the effective date of this Act, the board shall be composed of eight
4 appointed members. Five of the members shall be registered architects who hold a current
5 license in this state and who shall be residents of this state. Two members shall be
6 registered interior designers who are residents of this state and who have been interior
7 designers for at least ten years immediately preceding the appointment and who shall
8 have passed an examination approved by the board. One member shall be a resident of
9 this state and shall have no connection whatsoever with the practice or profession of
10 architecture or interior design.

11 (c) The members of the predecessor State Board of Architects including the interior
12 designer members who were formerly only full voting members for purposes of Article 2
13 of this chapter in office on June 30, 2000, shall be members of the Georgia State Board of
14 Architects and Interior Designers and in office on the effective date of this Act shall serve
15 out the remainder of their respective terms and until their successors are appointed and
16 qualified, except that the position held by the architect member of the board whose term
17 has expired and who has been holding over as a member of the board for the longest period
18 of time shall terminate on the effective date of this Act.

19 (d) The citizen member who is not a practicing architect or interior designer may vote only
20 on matters relating to administration and policy which do not directly relate to practical and
21 scientific examination of architects or interior designers in this state.

22 (e) The Except as provided in subsection (c) of this Code section, the Governor shall
23 appoint successors to the present members of the board, as their respective terms of office
24 expire, for a term of office of five years each. The successor members so appointed shall
25 possess the qualifications specified in this Code section and shall be confirmed by the
26 Senate as provided in Code Section 43-1-16. In Except as provided in subsection (c) of this
27 Code section, in case a successor is not appointed at the expiration of the term of any
28 member, such member shall hold office until his or her successor has been duly appointed
29 and qualified. Any Except as provided in subsection (c) of this Code section, any vacancy
30 occurring in the membership of the board shall be filled by the Governor for the unexpired
31 term, and such member shall be confirmed by the Senate as provided in Code Section
32 43-1-16."

33 SECTION 6.

34 Said title is further amended by striking subsection (a) of Code Section 43-4A-3, relating to
35 the creation of the Georgia Athlete Agent Regulatory Commission, and inserting in lieu
36 thereof a new subsection (a) to read as follows:

1 fill a vacancy which shall be for the unexpired term only. ~~(e)~~ Five members of the
 2 commission shall be licensed auctioneers who shall have been residents of this state and
 3 actively engaged in the auctioneering business for at least five years. One member shall
 4 be a consumer advocate and a resident of this state and shall have no connection
 5 whatsoever with the practice or profession of auctioneering. The position of the
 6 auctioneer member of the board whose term has expired and who has been holding over
 7 as a member of the board for the longest period of time on the effective date of this Act
 8 shall terminate on the effective date of this Act.

9 (2) On and after the effective date of this Act, the commission shall be composed of five
 10 members, each of whom shall be appointed by the Governor, with the approval of the
 11 Secretary of State, and confirmed by the Senate. Appointments shall be for a term of five
 12 years, to end on the anniversary date of original appointments, except appointments to
 13 fill a vacancy which shall be for the unexpired term only. Four members of the
 14 commission shall be licensed auctioneers who shall have been residents of this state and
 15 actively engaged in the auctioneering business for at least five years. One member shall
 16 be a consumer advocate and a resident of this state and shall have no connection
 17 whatsoever with the practice or profession of auctioneering."

18 SECTION 8.

19 Said title is further amended by striking Code Section 43-7-4, relating to the creation of the
 20 State Board of Barbers, and inserting in lieu thereof a new Code Section 43-7-4 to read as
 21 follows:

22 "43-7-4.

23 (a)(1) There is created a State Board of Barbers.

24 (2) Until the effective date of this Act, the ~~The~~ board shall consist of six members, each
 25 of whom shall be appointed by the Governor, approved by the Secretary of State, and
 26 confirmed by the Senate. Five of the members shall be barbers. The sixth member shall
 27 be appointed from the public at large and shall have no connection whatsoever with the
 28 profession of barbering. All terms shall be for three years. Upon the expiration of the
 29 term of office, a member shall continue to serve until a successor is appointed and
 30 qualified. The position of the barber member of the board whose term has expired, who
 31 has been holding over as a member of the board for the longest period of time, and who
 32 has served for the longest period of time on the board shall terminate on the effective date
 33 of this Act.

34 (3) On and after the effective date of this Act, the board shall consist of five members,
 35 each of whom shall be appointed by the Governor, approved by the Secretary of State,
 36 and confirmed by the Senate. Four of the members shall be barbers. The fifth member

1 shall be appointed from the public at large and shall have no connection whatsoever with
 2 the profession of barbering. All terms shall be for three years. Upon the expiration of the
 3 term of office, a member shall continue to serve until a successor is appointed and
 4 qualified.

5 (b) With the exception of hearings in contested cases, the board may conduct business by
 6 conference telephone.

7 (c) The Governor may remove any member of the board for failure to attend meetings,
 8 neglect of duty, incompetence, revocation or suspension of his or her license, or other
 9 dishonorable conduct. After such removal or vacancy due to death or resignation, the
 10 Governor shall appoint a successor as provided in this Code section to serve the unexpired
 11 term."

12 SECTION 9.

13 Said title is further amended by striking Code Section 43-9-2, relating to the creation of the
 14 Georgia Board of Chiropractic Examiners, and inserting a new Code Section 43-9-2 to read
 15 as follows:

16 "43-9-2.

17 (a) There is created and established a board to be known as the Georgia Board of
 18 Chiropractic Examiners. The board shall be composed of five practicing chiropractors who
 19 shall be appointed by the Governor with the approval of the Secretary of State and
 20 confirmation by the Senate; provided, however, that the position of the practicing
 21 chiropractor member who, on the effective date of this Act, has served the longest on the
 22 board and whose term will end the earliest of the practicing chiropractors serving as
 23 members of the board shall terminate upon the end of such member's term of office or
 24 upon such member ceasing to be a member of the board prior to the end of such term of
 25 office. Upon the occurrence of such event, no appointment shall be made and the board
 26 shall thereafter consist of four practicing chiropractors appointed as provided in this Code
 27 section. Such members shall be of good moral character, residents of the state, and
 28 graduates of chartered chiropractic schools or colleges requiring actual attendance in same
 29 and shall have practiced chiropractic continuously and resided in the state for a period of
 30 at least five years.

31 (b) The board shall, in addition to the ~~five~~ members provided for in subsection (a) of this
 32 Code section, consist of ~~a sixth~~ an additional member who shall be appointed by the
 33 Governor from the public at large and who shall not be in any way connected to practicing
 34 chiropractic. The initial term for such member shall expire June 30, 1983; successors
 35 appointed on or after July 1, 1995, shall be appointed for a term of five years.

1 (c) On or after July 1, 1995, not more than one member of the board shall be appointed
 2 who resides in any one congressional district, with the exception of the member appointed
 3 from the public at large. Board members appointed on or after July 1, 1995, shall be
 4 appointed for terms of five years and may be appointed to serve for no more than two
 5 consecutive five-year terms in addition to any unexpired term of office that member may
 6 have filled."

7 SECTION 10.

8 Said title is further amended by striking subsection (a) of Code Section 43-10-2, relating to
 9 the creation of the State Board of Cosmetology, and inserting a new subsection (a) to read
 10 as follows:

11 "(a) There is created the State Board of Cosmetology. ~~The~~ Until the effective date of this
 12 Act, the board shall consist of nine members who shall be residents of this state. The
 13 position of the cosmetologist member of the board who has served for the longest period
 14 of time on the board shall terminate on the effective date of this Act. On and after the
 15 effective date of this Act, the board shall consist of eight members who shall be residents
 16 of this state. The board shall have the duty of carrying out and enforcing this chapter."

17 SECTION 11.

18 Said title is further amended by striking subsections (a) and (b) of Code Section 43-11-2,
 19 relating to the creation and composition of the Georgia Board of Dentistry, and inserting in
 20 lieu thereof new subsections (a) and (b) to read as follows:

21 "(a) A board to be known as the Georgia Board of Dentistry is created. ~~The~~ Until the
 22 effective date of this Act, the board shall consist of 11 members to be appointed and
 23 commissioned by the Governor as provided in subsection (b) of this Code section. The
 24 position of the dentist member of the board whose term has expired, who has been holding
 25 over as a member of the board for the longest period of time, who has served for the
 26 longest period of time on the board, and whose last name occurs first alphabetically shall
 27 terminate on the effective date of this Act. On and after the effective date of this Act, the
 28 board shall consist of 10 members to be appointed and commissioned by the Governor as
 29 provided in subsection (b) of this Code section.

30 (b)(1) ~~Nine~~ Until the effective date of this Act, nine members of the board shall be
 31 dentists and shall be appointed as follows: ~~The members of the board who are dentists~~
 32 ~~-serving on July 1, 1981, shall continue to serve out their respective terms of office. As~~
 33 ~~each such member's term of office subsequently expires, the Governor shall appoint a~~
 34 ~~new member who shall be a practicing dentist licensed by this state~~ provided in this
 35 subsection. On and after the effective date of this Act, eight members of the board shall

1 be dentists and shall be appointed as provided in this subsection. The Georgia Dental
 2 Association may, at each annual meeting, nominate four reputable practicing dentists for
 3 each expired or next expiring board member's term; and, from each group of four dentists
 4 so nominated, the Governor may appoint one as the new member of said board.

5 (2) One member of the board shall be a dental hygienist who is not a dentist, who is a
 6 resident of this state, and who is a practicing dental hygienist in this state and shall be
 7 appointed by the Governor. No one shall be eligible as a dental hygienist member of the
 8 board unless he or she is a citizen of this state and has lawfully practiced as a dental
 9 hygienist for five or more years at the time of his or her appointment and is not
 10 financially interested in, nor connected with, any dental college or dental hygiene school.
 11 If such a member ceases to be a resident of this state or ceases practicing in this state, that
 12 position on the board shall be deemed vacated. The Georgia Dental Hygienists
 13 Association may nominate four reputable dental hygienists who are not dentists for each
 14 expired or expiring term; and, from each group of four dental hygienists so nominated,
 15 the Governor may appoint one as the new member of the board.

16 (3) One member of the board shall be a citizen of this state who is not a dentist or a
 17 dental hygienist and shall be appointed by the Governor.

18 (4) ~~Except as otherwise provided in paragraphs (6) and (7) of this subsection, the~~ The
 19 term of office of each member of the board shall be for five years and until the
 20 appointment and qualification of a successor.

21 (5) Each vacancy on the board shall be filled by the Governor for the unexpired term in
 22 the same manner as the original appointment.

23 (6) ~~The term of the initial member appointed pursuant to paragraph (2) of this subsection~~
 24 ~~shall be for a term of two years beginning July 1, 1978, and ending June 30, 1980.~~

25 (7) ~~The term of the initial member appointed pursuant to paragraph (3) of this subsection~~
 26 ~~shall be for a term of four years beginning July 1, 1978, and ending June 30, 1982."~~

27 SECTION 12.

28 Said title is further amended by striking subsections (a) and (b) of Code Section 43-11A-4,
 29 relating to the creation of the Georgia Board of Examiners of Licensed Dietitians, and
 30 inserting in lieu thereof new subsections (a) and (b) to read as follows:

31 "(a)(1) There is created the Georgia Board of Examiners of Licensed Dietitians.

32 (2) ~~The~~ Until the effective date of this Act, the board shall consist of seven members as
 33 follows:

34 (1)(A) Six members shall be dietitians with at least one member from each of the
 35 following areas of dietetic practice: clinical dietetics; community or public health

1 dietetics; an educator on the faculty of a college or university specializing in the field
2 of dietetics; and the private practice of dietetics; and

3 ~~(2)(B)~~ One member shall represent the public at large.

4 (3) On and after the effective date of this Act, the board shall consist of six members as
5 follows:

6 (A) Five members shall be dietitians with at least one member from each of the
7 following areas of dietetic practice: clinical dietetics; community or public health
8 dietetics; an educator on the faculty of a college or university specializing in the field
9 of dietetics; and the private practice of dietetics; and

10 (B) One member shall represent the public at large.

11 (4) The position of the dietitian member of the board whose term has expired, who has
12 been holding over as a member of the board for the longest period of time, who has
13 served for the longest period of time on the board, and whose last name occurs first
14 alphabetically shall terminate on the effective date of this Act.

15 ~~(b) The Georgia Board of Examiners of Licensed Dietitians existing immediately prior to~~
16 ~~July 1, 1994, is continued in existence and shall continue to consist of seven members to~~
17 ~~be appointed by the Governor with the confirmation of the Senate. Members of the board~~
18 ~~shall take office on the first day of July immediately following the expired terms of that~~
19 ~~office and shall serve for a term of four years and until their successors are appointed and~~
20 ~~qualified. Those persons serving as members of the board immediately prior to July 1,~~
21 ~~1994, shall continue to serve out their respective terms of office and until their respective~~
22 ~~successors are appointed and qualified. Any person appointed to the board when the~~
23 ~~Senate is not in session may serve on the board without Senate confirmation until the~~
24 ~~Senate acts on that appointment. No member shall serve on the board for more than two~~
25 ~~consecutive terms. Any vacancy shall be filled by the Governor subject to confirmation~~
26 ~~of the Senate."~~

27 SECTION 13.

28 Said title is further amended by striking subsection (b) of Code Section 43-15-3, relating to
29 the creation of the State Board of Registration for Professional Engineers and Land
30 Surveyors, and inserting in lieu thereof a new subsection (b) to read as follows:

31 "(b)(1) The Until the effective date of this Act, the board shall consist of six professional
32 engineers, two land surveyors, and a member appointed from the public at large who has
33 no connection with the professions of engineering and land surveying, all of whom shall
34 be appointed by the Governor for a term of five years. Of the professional engineers
35 appointed to the board, one shall be a structural engineer, one shall be a mechanical
36 engineer, one shall be an electrical engineer, two shall be civil or sanitary engineers, and

1 one shall be from any discipline of engineering. Each member of the board shall be a
 2 citizen of the United States and a resident of this state. The position of the professional
 3 engineer member of the board whose term has expired and who has been holding over
 4 as a member of the board for the longest period of time shall terminate on the effective
 5 date of this Act.

6 (2) On and after the effective date of this Act, the board shall consist of five professional
 7 engineers, two land surveyors, and a member appointed from the public at large who has
 8 no connection with the professions of engineering and land surveying, all of whom shall
 9 be appointed by the Governor for a term of five years. Of the professional engineers
 10 appointed to the board, one shall be a structural engineer, one shall be a mechanical
 11 engineer, one shall be an electrical engineer, one shall be a civil or sanitary engineer, and
 12 one shall be from any discipline of engineering. Each member of the board shall be a
 13 citizen of the United States and a resident of this state."

14 SECTION 14.

15 Said title is further amended by striking Code Section 43-18-21, relating to the composition
 16 of the State Board of Funeral Service, and inserting in lieu thereof a new Code Section
 17 43-18-21 to read as follows:

18 "43-18-21.

19 (a)(1) The Until the effective date of this Act, the board shall consist of six members who
 20 shall be licensed and practicing funeral directors and embalmers with a minimum of five
 21 years as such in this state immediately preceding their appointment and one member who
 22 shall have no connection whatsoever with the funeral service industry but who shall have
 23 a recognized interest in consumer affairs and in consumer protection concerns. The
 24 position of the practicing funeral director and embalmer member of the board whose term
 25 has expired and who has been holding over as a member of the board for the longest
 26 period of time shall terminate on the effective date of this Act.

27 (2) On and after the effective date of this Act, the board shall consist of five members
 28 who shall be licensed and practicing funeral directors and embalmers with a minimum
 29 of five years as such in this state immediately preceding their appointment and one
 30 member who shall have no connection whatsoever with the funeral service industry but
 31 who shall have a recognized interest in consumer affairs and in consumer protection
 32 concerns.

33 (b) The members of the board shall be appointed by the Governor for terms of office of
 34 six years and all vacancies occurring on the board shall be filled by the Governor. When
 35 an appointment is made to fill a vacancy caused by death or resignation of a member, such

1 appointment shall be for the remainder of the unexpired term of the member whose death
2 or resignation caused the vacancy so filled.

3 (c) A majority of the members of the board may remove any member who misses three or
4 more consecutive regular meetings of the board without a medical reason and may declare
5 that position on the board to be vacant. A member so removed shall not be eligible for
6 reappointment until the expiration of the term of office for which such person was serving.
7 The Governor shall have the power to remove from office any member of the board for
8 willful neglect of duty or for conviction of a crime involving moral turpitude.

9 ~~(d) Those persons serving as members of the board immediately prior to April 11, 1990,
10 shall continue to serve out the respective terms of office for which they were appointed and
11 until their respective successors are appointed and qualified."~~

12 SECTION 15.

13 Said title is further amended by striking subsections (a) and (d) of Code Section 43-19-4,
14 relating to the creation of the State Board of Registration for Professional Geologists, and
15 inserting in lieu thereof new subsections (a) and (d) to read as follows:

16 "(a)(1) A State Board of Registration for Professional Geologists is created, whose duty
17 it shall be to administer this chapter.

18 (2) The Until the effective date of this Act, the board shall be comprised of:

19 ~~(1)(A)~~ (A) Five members who shall be geologists registered under this chapter, one of
20 whom shall be an academic geologist, one a governmental geologist, one a salaried
21 company geologist, one an independent or consultant geologist, and one a geologist at
22 large;

23 ~~(2)(B)~~ (B) A sixth member who shall be appointed from the public at large and who shall
24 have no connection whatsoever with the practice of professional geology; and

25 ~~(3)(C)~~ (C) The commissioner of natural resources, or his or her designated agent, as a
26 permanent ex officio member.

27 The position of the independent or consultant geologist member of the board shall
28 terminate on the effective date of this Act.

29 (3) On and after the effective date of this Act, the board shall be comprised of:

30 (A) Four members who shall be geologists registered under this chapter, one of whom
31 shall be an academic geologist, one a governmental geologist, one a salaried company
32 geologist, and one a geologist at large;

33 (B) A fifth member who shall be appointed from the public at large and who shall have
34 no connection whatsoever with the practice of professional geology; and

35 (C) The commissioner of natural resources, or his or her designated agent, as a
36 permanent ex officio member."

1 "(d) The members of the board provided for in ~~paragraphs (1)~~ subparagraphs (2)(A),
 2 (2)(B), and (3)(A) and (2) (3)(B) of subsection (a) of this Code section shall be appointed
 3 by the Governor for terms of five years and until their successors are appointed and
 4 qualified. ~~The members of the board holding office on June 30, 1987, shall serve until the~~
 5 ~~expiration of the term for which they were appointed and until their successors have been~~
 6 ~~appointed and qualified. On~~ Except for the position of the independent or consultant
 7 geologist, on the expiration of the term of any member, the member's successor shall be
 8 appointed in like manner by the Governor for a term of five years."

9 SECTION 16.

10 Said title is further amended by striking subsection (b) of Code Section 43-20-4, relating to
 11 the creation of the State Board of Hearing Aid Dealers and Dispensers, and inserting in lieu
 12 thereof a new subsection (b) to read as follows:

13 "(b)(1) Members of the board shall be residents of the state.

14 (2) Until the effective date of this Act, the ~~The~~ board shall consist of seven members;
 15 four of whom shall hold licenses issued by the board and shall have no less than three
 16 years' experience as a hearing aid dispenser; one of whom shall be a diplomate or eligible
 17 for certification by the American Board of Otolaryngology and licensed to practice
 18 medicine in this state; one of whom shall be an audiologist licensed under Chapter 44 of
 19 this title; and one of whom shall be appointed from the public at large. The position of
 20 the hearing aid dispenser member of the board whose term has expired and who has been
 21 holding over as a member of the board for the longest period of time shall terminate on
 22 the effective date of this Act.

23 (3) On and after the effective date of this Act, the board shall consist of six members;
 24 three of whom shall hold licenses issued by the board and shall have no less than three
 25 years' experience as a hearing aid dispenser; one of whom shall be a diplomate or eligible
 26 for certification by the American Board of Otolaryngology and licensed to practice
 27 medicine in this state; one of whom shall be an audiologist licensed under Chapter 44 of
 28 this title; and one of whom shall be appointed from the public at large."

29 SECTION 17.

30 Said title is further amended by striking Code Section 43-24-2, relating to the creation of the
 31 State Board for Certification of Librarians, and inserting in lieu thereof a new Code Section
 32 43-24-2 to read as follows:

33 "43-24-2.

34 (a) The State Board for the Certification of Librarians is created, to consist of six persons
 35 as follows:

1 (1) Three librarians certified under this chapter, including one public librarian, one
 2 special librarian, and one other currently practicing librarian, and one person who shall
 3 be a trustee of a public library;

4 (2) A member to be appointed from the public at large who shall have no connection
 5 whatsoever with the library profession; and

6 (3) The director of public library services of the Board of Regents of the University
 7 System of Georgia;

8 provided, however, that the position of the public library trustee member shall terminate
 9 upon the end of such member's term of office or upon such member ceasing to be a
 10 member of the board prior to the end of such term of office and there shall no longer be a
 11 requirement that the board have a member who is a trustee of a public library. Upon the
 12 occurrence of such event, no appointment shall be made and the board shall thereafter
 13 consist of five members appointed as provided in this Code section.

14 (b) The members referred to in paragraphs (1) and (2) of subsection (a) of this Code
 15 section shall be appointed by the Governor and shall be confirmed by the Senate.

16 (c) ~~The~~ With the exception of the public library trustee member, the terms of the five
 17 members appointed pursuant to paragraphs (1) and (2) of subsection (a) of this Code
 18 section shall be five years. The term of the director of public library services of the Board
 19 of Regents of the University System of Georgia shall be coextensive with the term of office
 20 of this position.

21 (d) Members of the board shall be reimbursed as provided for in subsection (f) of Code
 22 Section 43-1-2.

23 (e) ~~If~~ With the exception of the public library trustee member of the board, if there is a
 24 vacancy on the board, the Governor shall appoint a member to serve the unexpired term."

25 SECTION 18.

26 Said title is further amended by striking Code Section 43-26-4, relating to the Georgia Board
 27 of Nursing, and inserting in lieu thereof a new Code Section 43-26-4 to read as follows:

28 "43-26-4.

29 (a)(1) ~~The~~ There shall be the Georgia Board of Nursing ~~existing immediately prior to~~
 30 ~~April 4, 1990, is continued in existence and~~

31 (2) Until the effective date of this Act, the board shall ~~continue to~~ consist of eight
 32 members to be appointed by the Governor with the confirmation of the Senate. Members
 33 shall serve three-year terms and until their successors are duly appointed and qualified.
 34 ~~Those persons serving as members of the board immediately prior to April 4, 1990, shall~~
 35 ~~continue to serve out their respective terms of office and until their respective successors~~
 36 ~~are appointed and qualified.~~ The position of the registered nurse member of the board

1 whose term has expired and who has been holding over as a member of the board for the
 2 longest period of time shall terminate on the effective date of this Act.

3 (3) On and after the effective date of this Act, the board shall consist of seven members
 4 to be appointed by the Governor with the confirmation of the Senate. Members shall
 5 serve three-year terms and until their successors are duly appointed and qualified.

6 (4) No member shall be appointed to more than two consecutive full terms, and for
 7 purposes of this limitation, an appointment to fill a vacancy for an unexpired term of two
 8 or more years shall constitute an appointment for a full term.

9 (b) A vacancy on the board for any reason other than expiration of the term shall be filled
 10 for the remainder of the unexpired term by appointment of the Governor with the
 11 confirmation of the Senate.

12 (c) ~~Each of seven~~ With the exception of the consumer member of the board, each ~~members~~
 13 member appointed to the board shall be a registered professional nurse; shall have practiced
 14 nursing as a registered professional nurse for at least five years since graduation and
 15 immediately prior to appointment; shall be engaged in paid employment in clinical,
 16 educational, or administrative positions, or any combination thereof; shall be a citizen of
 17 the United States; and a resident of Georgia. ~~The eighth~~ One member shall be a consumer
 18 member appointed by the Governor.

19 (d) No fewer than two members of the board shall hold master's or doctoral degrees or
 20 both. No fewer than two members of the board shall be currently employed in nursing
 21 service administration. No fewer than two members of the board shall be currently
 22 employed in professional nursing education. No two members of the board shall be
 23 employed by the same private school, school within the University System of Georgia,
 24 private employer, agency of state government, or another public employer. In the event a
 25 board member changes employment which causes a conflict with this subsection, the
 26 position of the member making such change shall be immediately vacant and a new
 27 member appointed to fill the vacancy.

28 (e) The board shall meet annually and shall elect from its members a president, vice
 29 president, and other officers as deemed necessary. All officers shall serve for terms of one
 30 year and until their successors have been elected. The board may hold such other meetings
 31 during the year as necessary to transact its business."

32 **SECTION 19.**

33 Said title is further amended by striking Code Section 43-26-34, relating to the creation of
 34 the Georgia Board of Examiners of Licensed Practical Nurses, and inserting in lieu thereof
 35 a new Code Section 43-26-34 to read as follows:

36 "43-26-34.

- 1 (a)(1) ~~The~~ There shall be the Georgia Board of Examiners of Licensed Practical Nurses,
2 (2) Until the effective date of this Act, the board shall consist of seven members
3 appointed by the Governor. ~~The members in office on July 1, 1992, shall serve out the~~
4 ~~remainder of their respective terms and until their successors are appointed and qualified.~~
5 The position of the licensed practical nurse member of the board whose term has expired
6 and who has been holding over as a member of the board for the longest period of time
7 shall terminate on the effective date of this Act.
- 8 (3) On and after the effective date of this Act, the board shall consist of six members
9 appointed by the Governor.
- 10 (4) Members shall serve a three-year term and until their successors are duly appointed
11 and qualified. No member shall be appointed to more than two consecutive full terms
12 and, for the purpose of this limitation, an appointment to fill a vacancy for an unexpired
13 term which exceeds two full years shall constitute an appointment for a full term.
- 14 (b) A vacancy on the board for any reason other than expiration of the term shall be filled
15 for the remainder of the unexpired term by appointment of the Governor. Vacancies shall
16 be filled in a timely manner.
- 17 (c) Each of the ~~seven~~ members appointed to the board shall be a citizen of the United
18 States and a resident of Georgia. One member shall be a registered professional nurse who
19 is currently engaged in practical nurse education and has been a graduate of an accredited
20 or approved school of nursing for a minimum of five years. One member shall be a nurse
21 currently serving in an administrative position in a hospital or nursing home and who is a
22 graduate of an accredited or approved nursing program. One member shall be a consumer.
23 The remaining ~~four~~ members shall be licensed practical nurses and graduates of an
24 accredited or approved school of practical nursing. All members except the consumer shall
25 have a current license in good standing, at least three years' experience in nursing, and
26 shall be currently employed in the health care delivery system. In order to have equal
27 representation of the board members, consideration in selection should be given for
28 geographical location and areas of specialty.
- 29 (d) No two members of the current board shall be employed by the same private school,
30 school within the Georgia Department of Technical and Adult Education, private employer,
31 agency of state government, or other public employer. In the event a board member
32 changes employment which causes a conflict defined by this subsection, the position of the
33 member making the change shall be immediately vacant and a new member appointed to
34 fill the vacancy.
- 35 (e) The board shall meet a minimum of six times a year and may have called meetings
36 upon notice issued by its ~~chairman~~ chairperson.

1 (f) The members of the board shall be reimbursed as provided for in subsection (f) of Code
2 Section 43-1-2."

3 **SECTION 20.**

4 Said title is further amended by striking Code Section 43-27-2, relating to the creation of the
5 State Board of Nursing Home Administrators, and inserting in lieu thereof a new Code
6 Section 43-27-2 to read as follows:

7 "43-27-2.

8 (a) There is created the State Board of Nursing Home Administrators, which, until the
9 effective date of this Act, shall consist of 13 members, none of whom may be employees
10 of the United States government or of this state, and the commissioner of human resources
11 or his or her designee, who shall serve as ex officio member of the board, and the
12 commissioner of community health or his or her designee, who shall serve as ex officio
13 member of the board. The members of the board shall be appointed by the Governor and
14 confirmed by the Senate, as follows:

15 (1) One member who is a licensed medical doctor in this state and who is not a nursing
16 home administrator or pecuniarily interested in any nursing home;

17 (2) One member who is a registered nurse in this state and who is not a nursing home
18 administrator or pecuniarily interested in any nursing home;

19 (3) One member who is an educator with a graduate degree and specializing in the field
20 of gerontology and who is not a nursing home administrator or pecuniarily interested in
21 any nursing home;

22 (4) Three members of the public at large who are not nursing home administrators or
23 pecuniarily interested in any nursing home or have any connection with the nursing home
24 industry whatsoever. Two of these three public-at-large positions shall be appointed from
25 a list of three persons for each of these two positions submitted by the Board of Human
26 Resources. The Governor is vested with complete discretion in appointing the third
27 member for one of these three public-at-large positions;

28 (5) One member who is a hospital administrator in this state, who is the holder of a
29 master's degree in hospital administration, and who is not a nursing home administrator
30 or pecuniarily interested in any nursing home; and

31 (6) Six members, at least one of whom shall represent nonproprietary nursing homes,
32 who are licensed nursing home administrators in this state;

33 provided, however, that the position of the licensed nursing home administrator member
34 who, on the effective date of this Act, has served the longest on the board and whose term
35 will end the earliest of the licensed nursing home administrators serving as members of the
36 board shall terminate upon the end of such member's term of office or upon such member
37 ceasing to be a member of the board prior to the end of such term of office. Upon the

1 occurrence of such event, no appointment shall be made and the board shall thereafter
 2 consist of 12 members appointed as provided in this Code section with five members who
 3 shall be licensed nursing home administrators.

4 (b) The term for all members shall be three years from the date of appointment. A member
 5 may be removed as provided in Code Section 43-1-17. All vacancies shall be filled by the
 6 Governor for the unexpired terms in accordance with the requirements for appointment to
 7 the vacant position."

8 **SECTION 21.**

9 Said title is further amended by striking subsection (b) of Code Section 43-28-4, relating to
 10 the creation of the State Board of Occupational Therapy, and inserting in lieu thereof a new
 11 subsection (b) to read as follows:

12 "(b) The board shall consist of six members who shall be appointed by the Governor and
 13 confirmed by the Senate; provided, however, that the position of the licensed occupational
 14 therapist member, on the effective date of this Act, whose term will end the earliest of the
 15 licensed occupational therapists serving as members of the board and whose last name
 16 occurs first alphabetically shall terminate upon the end of such member's term of office or
 17 upon such member ceasing to be a member of the board prior to the end of such term of
 18 office. Upon the occurrence of such event, no appointment shall be made and the board
 19 shall thereafter consist of five members appointed as provided in this Code section with
 20 four members who shall be licensed occupational therapists. The members of the board
 21 shall be citizens of the United States and residents of this state for at least one year prior
 22 to their appointment. ~~Five~~ With the exception of the public at-large member, the members
 23 of the board shall have been engaged in rendering services to the public, teaching, or
 24 research in occupational therapy for at least three years immediately preceding their
 25 appointment and may be occupational therapists or occupational therapy assistants and
 26 shall at all times be holders of valid licenses for the practice of occupational therapy in this
 27 state. All of such members shall fulfill the requirements for licensure of this chapter. ~~The~~
 28 ~~sixth~~ One member of the board shall be appointed from the public at large and shall have
 29 no connection whatsoever with the profession or practice of occupational therapy."

30 **SECTION 22.**

31 Said title is further amended by striking subsection (a) of Code Section 43-29-3, relating to
 32 the creation of the State Board of Dispensing Opticians, and inserting in lieu thereof a new
 33 subsection (a) to read as follows:

34 "(a)(1) There is created the State Board of Dispensing Opticians, which board shall
 35 supervise the practice of dispensing opticians and enforce this chapter, ~~which~~.

1 (2) Until the effective date of this Act, the board shall be composed of five licensed
 2 dispensing opticians, each of whom shall be a resident of the state who has been engaged
 3 in the occupation of dispensing optician in the state for not less than five years preceding
 4 the time of his or her appointment, and one additional member who shall have no
 5 connection whatsoever with the trade or occupation of dispensing optician. The position
 6 of the dispensing optician member of the board whose term has expired and who has been
 7 holding over as a member of the board for the longest period of time shall terminate on
 8 the effective date of this Act.

9 (3) On and after the effective date of this Act, the board shall be composed of four
 10 licensed dispensing opticians, each of whom shall be a resident of the state who has been
 11 engaged in the occupation of dispensing optician in the state for not less than five years
 12 preceding the time of his or her appointment, and one additional member who shall have
 13 no connection whatsoever with the trade or occupation of dispensing optician."

14 SECTION 23.

15 Said title is further amended by striking Code Section 43-30-2, relating to the creation of the
 16 State Board of Optometry, and inserting a new Code Section 43-20-2 to read as follows:

17 "43-30-2.

18 (a)(1) It shall be the duty of the Governor to appoint a State Board of Optometry to
 19 ~~consist of six members. This board shall be appointed by the Governor and styled the~~
 20 ~~"State Board of Optometry."~~

21 (2) Until the effective date of this Act, the board shall consist of six members appointed
 22 as provided in this Code section. The position of the optometrist member of the board
 23 whose term has expired and who has been holding over as a member of the board for the
 24 longest period of time shall terminate on the effective date of this Act.

25 (3) On and after the effective date of this Act, the board shall consist of five members
 26 appointed as provided in this Code section.

27 (4) All appointments to the board shall be subject to the confirmation of the Senate. One
 28 of the members shall be appointed from the public at large and shall have no connection
 29 whatsoever with the profession or practice of optometry. The remaining ~~five~~ members
 30 shall be persons who have been actively engaged in the practice of optometry in the state
 31 for five years immediately preceding such appointment, shall be registered as
 32 optometrists under this chapter, and shall be qualified to use pharmaceutical agents for
 33 diagnostic and treatment purposes as authorized under this chapter.

34 (b) No person shall be eligible for appointment to the board who is connected in any way
 35 with a school teaching optometry or who sells optical goods at wholesale."

- 1 "43-39-2.
- 2 (a) There is created a State Board of Examiners of Psychologists, ~~to~~.
- 3 (b) Until the effective date of this Act, the board shall consist of six members who shall
- 4 be appointed by the Governor under conditions set forth in this chapter. The position of
- 5 the psychologist member of the board whose term has expired and who has been holding
- 6 over as a member of the board for the longest period of time shall terminate on the effective
- 7 date of this Act.
- 8 (c) On and after the effective date of this Act, the board shall consist of five members who
- 9 shall be appointed by the Governor under conditions set forth in this chapter.
- 10 (d) No member of the board shall be liable to civil action for any act performed in good
- 11 faith in the performance of that member's duties as prescribed by law."

12 SECTION 28.

13 Said title is further amended by striking Code Section 43-39-3, relating to the appointment

14 of members of the State Board of Examiners of Psychologists, and inserting in lieu thereof

15 a new Code Section 43-39-4 to read as follows:

16 "43-39-3.

- 17 (a)(1) The Governor shall appoint members to serve on the board ~~so that the~~.
- 18 (2) Until the effective date of this Act, the board shall at all times be composed of five
- 19 members who are persons licensed as psychologists under this chapter and one consumer
- 20 member who is not licensed as a psychologist under this chapter and who has no
- 21 connection whatsoever with the practice or profession of psychology.
- 22 (3) On and after the effective date of this Act, the board shall be composed of four
- 23 members who are persons licensed as psychologists under this chapter and one consumer
- 24 member who is not licensed as a psychologist under this chapter and who has no
- 25 connection whatsoever with the practice or profession of psychology.
- 26 (b) All ~~six~~ members of the board shall serve for terms of five years and until their
- 27 successors are appointed and qualified. Vacancies on the board shall be filled by the
- 28 Governor for the unexpired term in the same manner as the original appointment, and
- 29 members shall serve until their successors are appointed and qualified. Any board member
- 30 may be removed after notice and hearing for incompetence, neglect of duty, malfeasance
- 31 in office, or commission of a crime involving moral turpitude."

32 SECTION 29.

33 Said title is further amended by striking subsection (a) of Code Section 43-44-4, relating to

34 the creation of the State Board of Examiners for Speech-Language Pathology and Audiology,

35 and inserting in lieu thereof a new subsection (a) to read as follows:

1 ~~"(a)(1) The State Board of Examiners for Speech Pathology and Audiology existing on~~
 2 ~~June 30, 1987, is abolished and there There is created beginning July 1, 1987, and~~
 3 ~~continuing thereafter the State Board of Examiners for Speech-Language Pathology and~~
 4 ~~Audiology which shall succeed to all of that abolished board's powers, duties, and~~
 5 ~~responsibilities which are not inconsistent with this chapter and which new board shall~~
 6 ~~be composed of those members of the abolished board serving as such on June 30, 1987,~~
 7 ~~which members shall serve out their respective terms of office and until their respective~~
 8 ~~successors are appointed and qualified pursuant to this Code section. The board created~~
 9 ~~by this Code section shall administer this chapter.~~

10 (2) Until the effective date of this Act, the The board shall consist of seven members who
 11 shall be appointed by the Governor and shall be confirmed by the Senate. At least two of
 12 the members shall be licensed speech-language pathologists and at least two shall be
 13 licensed audiologists, all of whom shall have been engaged in rendering services to the
 14 public, teaching, or research in speech-language pathology or audiology for a period of
 15 at least three years immediately preceding their appointments. At least one member shall
 16 be a board certified otolaryngologist of this state. At least one member shall be a lay
 17 person representing the public. The position of the speech-language pathologist member
 18 of the board who has served as a member of the board for the longest period of time shall
 19 terminate on the effective date of this Act.

20 (3) On and after the effective date of this Act, the board shall consist of six members
 21 who shall be appointed by the Governor and shall be confirmed by the Senate. At least
 22 two of the members shall be licensed speech-language pathologists and at least two shall
 23 be licensed audiologists, all of whom shall have been engaged in rendering services to
 24 the public, teaching, or research in speech-language pathology or audiology for a period
 25 of at least three years immediately preceding their appointments. At least one member
 26 shall be a board certified otolaryngologist of this state. At least one member shall be a lay
 27 person representing the public.

28 (4) All members shall be residents of this state and shall have been residents of this state
 29 for at least one year prior to their appointments."

30 SECTION 30.

31 Said title is further amended by striking Code Section 43-47-3, relating to the creation of the
 32 State Board of Registration of Used Motor Vehicle Dealers and Used Motor Vehicle Parts
 33 Dealers, and inserting in lieu thereof a new Code Section 43-47-3 to read as follows:

34 "43-47-3.

35 (a)(1) There is created a State Board of Registration of Used Motor Vehicle Dealers and
 36 Used Motor Vehicle Parts Dealers.

1 (2) Until the effective date of this Act, the The board shall be comprised of 15 members:

2 ~~(1)~~(A) Three members shall be independent used car dealers;

3 ~~(2)~~(B) Three members shall be appointed from the public at large and shall have no
4 connection whatsoever with the sale of used cars or parts;

5 ~~(3)~~(C) The commissioner of motor vehicle safety, or a designated agent, shall be a
6 permanent ex officio member and shall be authorized to vote on all matters before the
7 board;

8 ~~(4)~~(D) The administrator of Part 2 of Article 15 of Chapter 1 of Title 10, the "Fair
9 Business Practices Act of 1975," or a designated agent, shall be a permanent ex officio
10 member and shall be authorized to vote on all matters before the board;

11 ~~(5)~~(E) One member shall be a representative of the automobile auction industry;

12 ~~(6)~~(F) One member shall be an auto salvage pool operator;

13 ~~(7)~~(G) Two members shall be used motor vehicle parts dealers who are not rebuilders;

14 ~~(8)~~(H) One member shall be a rebuilder;

15 ~~(9)~~(I) One member shall be a pawnbroker as defined in Code Section 44-12-130 who
16 is in the business of pawning automobile titles and is licensed as a used car dealer; and

17 ~~(10)~~(J) One member shall be a representative of the automobile insurance industry.

18 The position of the independent used car dealer member of the board whose term has
19 expired and who has been holding over as a member of the board for the longest period
20 of time shall terminate on the effective date of this Act.

21 (3) On and after the effective date of this Act, the board shall be comprised of 14
22 members:

23 (A) Two members shall be independent used car dealers;

24 (B) Three members shall be appointed from the public at large and shall have no
25 connection whatsoever with the sale of used cars or parts;

26 (C) The commissioner of motor vehicle safety, or a designated agent, shall be a
27 permanent ex officio member and shall be authorized to vote on all matters before the
28 board;

29 (D) The administrator of Part 2 of Article 15 of Chapter 1 of Title 10, the "Fair
30 Business Practices Act of 1975," or a designated agent, shall be a permanent ex officio
31 member and shall be authorized to vote on all matters before the board;

32 (E) One member shall be a representative of the automobile auction industry;

33 (F) One member shall be an auto salvage pool operator;

34 (G) Two members shall be used motor vehicle parts dealers who are not rebuilders;

35 (H) One member shall be a rebuilder;

36 (I) One member shall be a pawnbroker as defined in Code Section 44-12-130 who is
37 in the business of pawning automobile titles and is licensed as a used car dealer; and

1 (J) One member shall be a representative of the automobile insurance industry.

2 (b) The appointed members of the board referred to in ~~paragraphs (1), (2), (5), (6), (7), (8),~~
 3 ~~(9), and (10)~~ subparagraphs (A), (B), (E), (F), (G), (H), (I), and (J) of paragraph (2) of
 4 subsection (a) of this Code section shall be appointed by the Governor and shall ~~take office~~
 5 ~~on July 1, 1995, or as soon thereafter as appointed. The initial terms of those 13 appointed~~
 6 ~~members shall expire as follows: three on June 30, 1996; three on June 30, 1997; three on~~
 7 ~~June 30, 1998; and four on June 30, 1999. Thereafter, the appointed members of the board~~
 8 shall serve terms of four years. All members shall be residents of this state. No more than
 9 two of the appointed members shall be from the same congressional district. The terms of
 10 the two ex officio members shall be coextensive with their terms of office.

11 (c) Any vacancies on the board shall be filled by the Governor for the remainder of the
 12 unexpired term. The members of the board shall annually elect one of their number to serve
 13 as chairperson for a term of two years. The board chairperson shall not also serve
 14 contemporaneously as the chairperson of either division under this chapter. The first term
 15 as chairperson of the board shall be served by a member or members elected from either
 16 division under this chapter; thereafter, the chairperson for each succeeding term shall not
 17 be elected from the same division as that of the chairperson from the immediately
 18 preceding term. In the event a chairperson of the board is unable to complete his or her
 19 term, his or her successor for the remainder of the term shall be elected from the same
 20 division as was the chairperson who is unable to complete the term. The chairperson of the
 21 board shall be an ex officio member of both divisions under this chapter; however, the
 22 chairperson of the board shall not be counted for purposes of determining whether a
 23 quorum is present in the division meeting for the division in which he or she is not a
 24 regular member.

25 (d)(1) The board shall be composed of two divisions, a used car division and a used parts
 26 division.

27 (2) The members of the used car division shall be the ~~three~~ independent used car dealers,
 28 two of the members from the public at large, the commissioner of motor vehicle safety
 29 or a designated agent, the administrator of Part 2 of Article 15 of Chapter 1 of Title 10,
 30 the "Fair Business Practices Act of 1975," or a designated agent, the representative of the
 31 automobile auction industry, and the pawnbroker. All powers and duties relating to used
 32 car dealers which are not specifically reserved to the board shall be assigned to the used
 33 car division. The used car division shall elect one of its members to serve as chairperson
 34 of the division for a period of one year.

35 (3) The members of the used parts division shall be the third member from the public at
 36 large, the commissioner of motor vehicle safety or a designated agent, the auto salvage
 37 pool operator, the two used motor vehicle parts dealers who are not rebuilders, the

1 Treatment Plant Operators and Laboratory Analysts, and inserting in lieu thereof a new
2 subsection (a) to read as follows:

3 "(a)(1) There is created the State Board of Examiners for Certification of Water and
4 Wastewater Treatment Plant Operators and Laboratory Analysts.

5 (2) The board shall be composed of six members to be appointed by the Governor;
6 provided, however, that the position of the member, on the effective date of this Act, who
7 is a consultant in the field of water supply and water pollution control or who is engaged
8 in teaching or administering courses in water supply and water pollution control in an
9 educational institution in this state shall terminate upon the end of such member's term
10 of office or upon such member ceasing to be a member of the board prior to the end of
11 such term of office. Upon the occurrence of such event, no appointment shall be made
12 and the board shall thereafter consist of five members appointed as provided in this Code
13 section.

14 (3) The appointments shall be made as follows: one member from the technical staff of
15 the Environmental Protection Division of the Department of Natural Resources; one
16 member who is a currently employed public water supply system operator holding a valid
17 certificate of the highest classification issued by the board; one member who is a
18 currently employed wastewater treatment plant operator holding a valid certificate of the
19 highest classification issued by the board; one member who is an employee of a
20 municipality or county required to employ a certified operator and who holds the position
21 of municipal or county manager, engineer, director of public works, or director of water
22 supply and water pollution control; and one member who is a consultant in the field of
23 water supply and water pollution control or who is engaged in teaching or administering
24 courses in water supply and water pollution control in an educational institution in this
25 state; provided, however, that upon the termination of the position of the member who,
26 on the effective date of this Act, is a consultant in the field of water supply and water
27 pollution control or who is engaged in teaching or administering courses in water supply
28 and water pollution control in an educational institution in this state no further
29 appointment shall be made for such position as provided in this Code section. ~~The sixth~~
30 One additional member shall be appointed from the public at large and shall have no
31 connection whatsoever with the water and wastewater treatment industry. ~~The initial term~~
32 ~~for the member appointed from the public at large shall expire June 30, 1984; thereafter,~~
33 ~~the~~ The Governor shall appoint successors to the public at-large position for a term of
34 four years. The other ~~five~~ members of the board shall serve four-year terms, which terms
35 shall be staggered so that the ~~terms of two members shall expire one year and the term~~
36 of one member shall expire in each of the following ~~three~~ four years. No member of the
37 board may serve more than two consecutive full terms."

1 **SECTION 33.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval.

4 **SECTION 34.**

5 All laws and parts of laws in conflict with this Act are repealed.