

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-first Legislature First Regular Session - 2011

IN THE SENATE

SENATE BILL NO. 1137

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO OPTOMETRISTS; AMENDING SECTION 54-1503, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE APPOINTMENT OF MEMBERS OF THE STATE BOARD OF OPTOMETRY, TO REMOVE LANGUAGE RELATING TO THE REMOVAL OF MEMBERS FROM SUCH BOARD AND TO PROVIDE THAT THE MEMBERS OF SUCH BOARD SHALL SERVE AT THE PLEASURE OF THE GOVERNOR; REPEALING SECTION 54-1504, IDAHO CODE, RELATING TO NOTICE OF VACANCY ON THE STATE BOARD OF OPTOMETRY AND NOMINEES; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-1503, Idaho Code, be, and the same is hereby amended to read as follows:

54-1503. STATE BOARD OF OPTOMETRY ESTABLISHED -- QUALIFICATIONS. (1) There is hereby established in the department of self-governing agencies a state board of optometry composed of five (5) members who shall be appointed by the governor. The governor may consider recommendations for appointment to the board from any optometric association or any individual residing in this state. Members will serve for staggered terms of five (5) years each after the effective date of this act unless otherwise provided in this chapter. A vacancy in membership on the board shall occur when the regular term of a member expires or when a member dies, resigns or is removed from office by the governor. Appointments to fill a vacancy because of the expiration of a regular term provided in this chapter shall be filled by the governor by appointment of a member for a five (5) year term as provided in this chapter. Appointments to fill a vacancy occurring for some reason other than expiration of a term of office shall be made for the unexpired term which is being filled. The governor may remove any member of the board from membership on the board who is found by the governor to be mentally or physically incapable of acting, or to be neglecting or refusing to act, or who ceases to have the qualifications of a member as provided in this chapter The members of the board shall serve at the pleasure of the governor.

(2) Each member of the state board of optometry shall be a licensed optometrist in the state of Idaho and shall have been a resident of and lawfully practicing optometry within the state of Idaho for a period of not less than five (5) years immediately preceding his appointment.

SECTION 2. That Section 54-1504, Idaho Code, be, and the same is hereby repealed.

SECTION 3. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.