

Introduced: 3/1/63
Referred: Commerce
and Judiciary

1 IN THE HOUSE

BY MESSRS. WHITEHEAD, BAGGEN,
AND HARRIS BY REQUEST

2 HOUSE BILL NO. 127

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act licensing veterinarians; and pro-
7 viding for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 08 is amended by adding a new chapter to read:

10 CHAPTER 98. VETERINARIANS.

11 ARTICLE 1. BOARD OF VETERINARIAN EXAMINERS.

12 Sec. 08.98.010. CREATION AND MEMBERSHIP OF BOARD.

13 There is created a Board of Veterinarian Examiners. It con-
14 sists of three licensed veterinarians.

15 Sec. 08.98.020. APPOINTMENT AND TERM OF OFFICE. The
16 governor shall appoint the members of the board, with the
17 confirmation of the legislature, for terms of four years, or
18 until their successors are appointed. A member serves at the
19 pleasure of the governor.

20 Sec. 08.98.030. EXECUTIVE SECRETARY OF BOARD. The com-
21 missioner of commerce is the executive secretary of the board.
22 He may vote only to break a tie.

23 Sec. 08.98.040. BOARD MEETINGS. The board shall hold
24 a regular annual meeting. The board may hold special meet-
25 ings at the call of the chairman with prior approval of the
26 governor.

27 Sec. 08.98.050. DUTIES OF THE BOARD. The board shall

28 (1) pass on qualifications of applicants for
29 licenses and issue licenses to those who qualify;

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(2) prepare and grade examinations;

(3) after hearing, suspend or revoke the license of a licensed veterinarian who

(A) obtained his license by fraud, misrepresentation, or deception;

(B) is chronically drunk or is a drug addict;

(C) makes untruthful statements about his professional ability, to solicit business;

(D) distributes alcohol or drugs except as required by the practice of veterinary medicine, surgery, or dentistry;

(E) in his professional capacity, conducts himself in a way that indicates that he is not a competent veterinarian.

Sec. 08.98.060. BOARD REGULATIONS. (a) The board shall adopt procedural regulations describing how a person applies for and takes an examination under this chapter.

(b) The board shall adopt substantive regulations

(1) defining conduct which if engaged in by a veterinarian is evidence of incompetence;

(2) specifying approved schools under sec. 170(1) of this chapter;

(3) specifying the subject to be covered on an examination for veterinarians.

Sec. 08.98.070. DUTIES OF THE DEPARTMENT. The department shall furnish the board with administrative services, including renting space for holding examinations, proctoring examinations; printing examinations; printing and mailing licenses; sending notices, before December 1 of each year,

1 that licenses must be renewed; collecting fees and issuing
2 receipts; keeping a current register of licensees; employing
3 secretarial assistants; replying to routine requests for
4 information; printing forms and informational bulletins; typ-
5 ing all matter to be reproduced; maintaining records and
6 completed examinations; and keeping records of receipts and
7 disbursements.

8 Sec. 08.98.080. DEPARTMENT REGULATIONS. The department
9 shall adopt procedural regulations necessary to carry out the
10 duties imposed on it by sec. 70 of this chapter.

11 Sec. 08.98.090. APPLICABILITY OF THE ADMINISTRATIVE
12 PROCEDURE ACT. The Administrative Procedure Act (AS 44.62)
13 applies to regulations and proceedings under this chapter.

14 Sec. 09.98.100. COMPENSATION. Members of the board are
15 entitled to per diem allowances and transportation expenses
16 allowed by law and paid members of other state examining
17 boards.

18 ARTICLE 2. LICENSING.

19 Sec. 08.98.120. LICENSE REQUIRED. No person may
20 practice veterinary medicine, surgery, or dentistry unless he
21 is licensed under this chapter.

22 Sec. 08.98.130. EXAMINATION. A person who passes the
23 examination given by the board is entitled to be licensed as
24 a veterinarian.

25 Sec. 08.98.140. CONTENT OF EXAMINATION. The examina-
26 tion shall be in veterinary anatomy, surgery, medicine,
27 obstetrics, pathology, chemistry, diagnosis, materia medica,
28 therapeutics, physiology, sanitary medicine, dentistry, and
29 other scientific subjects related to the practice of

1 veterinary medicine, surgery and dentistry.

2 Sec. 08.98.150. ADMINISTRATION OF EXAMINATION. The
3 board shall offer examinations at least once a year. Examina-
4 tions shall be so administered that one who grades a written
5 examination does not know whose paper he is grading. The
6 department shall maintain files of examination papers and
7 shall make them available for public inspection.

8 Sec. 08.98.160. RE-EXAMINATION. A person who fails an
9 examination may apply for a subsequent examination, but shall
10 pay the examination fee each time he applies.

11 Sec. 08.98.170. QUALIFICATION FOR EXAMINATION. A per-
12 son is entitled to take the examination who

13 (1) was graduated from a school of veterinary
14 medicine approved by the board;

15 (2) is at least 21 years of age;

16 (3) has completed application forms and returned
17 them to the board;

18 (4) has paid the examination fee specified in sec.
19 190 of this chapter.

20 Sec. 08.98.180. TEMPORARY LICENSE. A person who meets
21 the requirements of sec. 170(1) and (2) of this chapter, who
22 has completed application forms and returned them to the
23 board, and who has paid the temporary license fee, is en-
24 titled to be licensed. A license issued under this section
25 is valid until the results of the examination following the
26 issuance of the license are published. No person may receive
27 more than one license under this section.

28 Sec. 08.98.190. FEES. The fee to take the examination
29 is \$25. The annual renewal fee is \$10. The fee for an out-

1 of-state license is \$25. The fee for a temporary license is
2 \$10.

3 Sec. 08.98.200. ANNUAL RENEWAL. A person who passes the
4 examination is licensed without payment of further fee. To
5 remain licensed, a person must pay the renewal fee before
6 February 1 of each year. The board shall renew a lapsed
7 license when a veterinarian whose license has lapsed applies
8 for renewal and pays accrued renewal fees. A person whose
9 license has lapsed is entitled to have his license renewed
10 without taking an examination, unless his license has lapsed
11 more than five years.

12 Sec. 08.98.210. OUT-OF-STATE VETERINARIAN. A person
13 who is a certified or licensed veterinarian in another state
14 is entitled to be licensed as a veterinarian in Alaska without
15 examination if he meets the requirements of sec. 170(1) and
16 170(2) of this chapter, completes application forms and
17 returns them to the board, pays the out-of-state license fee,
18 and has passed an examination in the state in which he is
19 registered that covers substantially the same subjects the
20 board's examination covers.

21 ARTICLE 3. ENFORCEMENT.

22 Sec. 08.98.230. INJUNCTION. When it appears that a
23 person has engaged in or is about to engage in an act consti-
24 tuting a violation of sec. 120 of this chapter, the board,
25 through its executive secretary, shall bring an action in the
26 superior court to enjoin the act and to enforce compliance
27 with sec. 120 of this chapter.

28 ARTICLE 4. GENERAL PROVISIONS.

29 Sec. 08.98.250. DEFINITIONS. In this chapter

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(1) a person who practices veterinary medicine, surgery, or dentistry is one who does any of the following:

(A) appends to his name a title or abbreviation indicating to the public that he is a veterinarian;

(B) for compensation, diagnoses or treats diseases, injuries, or deformities of domesticated animals;

(C) holds himself out to the public as one who diagnoses or treats diseases, injuries, or deformities of domesticated animals;

(D) maintains premises for receiving, examining, and treating a domesticated animal for compensation;

(2) "board" means the Board of Veterinarian Examiners;

(3) "department" means the Department of Commerce.

* Sec. 2. A person is entitled to a license under AS 08.98 without examination who has been graduated from an approved school of veterinary medicine, surgery, or dentistry, who applies and pays a fee of \$10, and who was continuously engaged in the practice of veterinary medicine in the state for at least 12 months before the effective date of this Act.

* Sec. 3. The governor may appoint to the board unlicensed veterinarians who have practiced veterinary medicine, surgery, or dentistry in this state for at least the two years preceding the effective date of this act, until at least three veterinarians are licensed.

* Sec. 4. This Act takes effect on July 1, 1963.