

Original Sponsors: Messrs.
Whitehead, Baggen, and Harris
By Request

Offered: 4/5/63
Referred: Rules

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 CS FOR 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 provid-
7 ing 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. The first members shall initially
20 be appointed for two, three and four year terms.

21 Sec. 08.98.030. EXECUTIVE SECRETARY OF BOARD. The com-
22 missioner of commerce is the executive secretary of the board.

23 Sec. 08.98.040. BOARD MEETINGS. The board shall hold a
24 regular annual meeting. The board may hold special meetings
25 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, have the authority to 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;

(F) is convicted of a felony or any crime involving moral turpitude.

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 matter 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

1 examinations; printing examinations; printing and mailing
2 licenses; sending notices, before December 1 of each year,
3 that licenses must be renewed; collecting fees and issuing
4 receipts; keeping a current register of licensees; employing
5 secretarial assistants; replying to routine requests for
6 information; printing forms and informational bulletins;
7 typing all matter to be reproduced; maintaining records and
8 completed examinations; and keeping records of receipts and
9 disbursements.

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

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

16 Sec. 08.98.100. COMPENSATION. Members of the board are
17 entitled to per diem allowances and transportation expenses
18 allowed by law and paid members of other state examining
19 boards.

20 ARTICLE 2. LICENSING.

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

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

27 Sec. 08.98.140. CONTENT OF EXAMINATION. The examina-
28 tion shall be in veterinary anatomy, surgery, medicine,
29 obstetrics, pathology, chemistry, diagnosis, materia medica,

1 therapeutics, physiology, sanitary medicine, dentistry, and
2 other scientific subjects related to the practice of
3 veterinary medicine, surgery and dentistry.

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

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

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

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

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

18 (3) has completed application forms and returned
19 them to the board;

20 (4) has paid the examination fee specified in sec.
21 190 of this chapter;

22 (5) has not had a veterinarian license revoked for
23 cause in another jurisdiction.

24 Sec. 08.98.180. TEMPORARY LICENSE. A person who meets
25 the requirements of sec. 170(1) and (2) of this chapter, who
26 has completed application forms and returned them to the
27 board, and who has paid the temporary license fee, is en-
28 titled to be licensed. The board may waive the requirements
29 of sec. 170(3) and (4) of this chapter if in its discretion

1 such action is warranted. A license issued under this sec-
2 tion is valid until the results of the examination following
3 the issuance of the license are published. No person may
4 receive more than one license under this section.

5 Sec. 08.98.190. FEES. The fee to take the examination
6 is \$25. The annual renewal fee is \$10. The fee for an out-
7 of-state license is \$25. The fee for a temporary license is
8 \$10.

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

18 Sec. 08.98.210. OUT-OF-STATE VETERINARIAN. A person
19 who is a certified or licensed veterinarian in another state
20 is entitled to be licensed as a veterinarian in Alaska with-
21 out examination if he meets the requirements of sec. 170(1)
22 and 170(2) of this chapter, completes application forms and
23 returns them to the board, pays the out-of-state license fee,
24 and has passed an examination in the state in which he is
25 registered that covers substantially the same subjects the
26 board's examination covers.

27 ARTICLE 3. ENFORCEMENT.

28 Sec. 08.98.230. INJUNCTION. When it appears that a
29 person has engaged in or is about to engage in an act

1 constituting a violation of sec. 120 of this chapter, the
2 board, through its executive secretary, shall bring an action
3 in the superior court to enjoin the act and to enforce com-
4 pliance with sec. 120 of this chapter.

5 ARTICLE 4. GENERAL PROVISIONS.

6 Sec. 08.98.250. DEFINITIONS. In this chapter

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

9 (A) appends to his name a title or abbrevia-
10 tion indicating to the public that he is a veterinarian;

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

14 (C) holds himself out to the public as one
15 who diagnoses or treats diseases, injuries, or deformi-
16 ties of domesticated animals;

17 (D) maintains premises for receiving, examin-
18 ing, and treating a domesticated animal for compensation;

19 (2) "board" means the Board of Veterinarian Ex-
20 aminers;

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

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

28 * Sec. 3. The governor may appoint to the board unlicensed
29 veterinarians who have practiced veterinary medicine, surgery, or

1 dentistry in this state for at least the two years preceding the
2 effective date of this Act, until at least three veterinarians are
3 licensed.

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

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