

Original sponsor: Health, Education and
Social Services Committee

Offered: 4/5/79
Referred: Finance

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2

HOUSE CS FOR SENATE BILL NO. 247

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act terminating the existence of the Board of
7 Veterinary Examiners on January 1, 1981 and reassigning
8 its responsibilities to the Department of Commerce and
9 Economic Development; and providing for an effective
10 date."

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

12

* Section 1. TERMINATION OF BOARD OF VETERINARIAN EXAMINERS. Notwith-
13 standing the provisions of AS 08.03.010, the Board of Veterinary Examiners
14 will continue in existence until January 1, 1981, and after that date the
15 Department of Commerce and Economic Development will have jurisdiction over
16 the licensing of veterinarians and the practice of veterinary medicine,
17 surgery, or dentistry under the provisions of AS 08.98.005 - 08.98.250.
18 During the period until January 1, 1981, the members of the board will
19 facilitate the orderly transfer of functions and responsibilities of the
20 board to the department. Nothing in this Act or AS 08.03.010 reduces or
21 limits the authority of the board under AS 08.98.010 - 08.98.250 before
22 January 1, 1981.

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* Sec. 2. AS 08.01.010 is amended by adding a new subsection to read:

24

(b) This chapter applies to the responsibilities of the department
25 over licensing and regulations of veterinarians (AS 08.98.010).

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* Sec. 3. AS 08.01.050(b) is amended to read:

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(b) The form and content of the license [,] authorized under AS 08
28 [BY A BOARD LISTED IN AS 08.01.010], including any document evidencing
29 renewal of a license, shall be determined by the department after con-

1 sultation with and consideration of the views of any [THE] board con-
2 cerned.

3 * Sec. 4. AS 08.98 is amended by adding a new section to read:

4 Sec. 08.98.005. AUTHORITY OF DEPARTMENT. The department has
5 jurisdiction over the licensing of veterinarians and the practice of
6 veterinary medicine, surgery, and dentistry under this chapter.

7 * Sec. 5. AS 08.98.050 is amended to read:

8 Sec. 08.98.050. DUTIES OF THE DEPARTMENT [BOARD]. The department
9 [BOARD] shall

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

12 (2) prepare and grade examinations, provided that the depart-
13 ment [BOARD] may use examinations prepared by the National Board of
14 Veterinary Examiners;

15 (3) after hearing, have the authority to suspend or revoke
16 the license of a licensed veterinarian who

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

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

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

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

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

26 (F) is convicted of a felony or any crime involving
27 moral turpitude;

28 (G) falsifies an official state or federal certificate
29 relating to veterinary medicine.

1 * Sec. 6. AS 08.98.060 is amended to read:

2 Sec. 08.98.060. DEPARTMENT [BOARD] REGULATIONS. (a) The depart-
3 ment [BOARD] shall adopt procedural regulations describing how a person
4 applies for and takes an examination under this chapter.

5 (b) The department [BOARD] shall adopt substantive regulations

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

8 (2) specifying approved schools under AS 08.98.170(1);

9 (3) specifying the subject matter to be covered in an exam-
10 ination for veterinarians.

11 * Sec. 7. AS 08.98.130 is amended to read:

12 Sec. 08.98.130. EXAMINATION. A person who passes the examination
13 given by the department [BOARD] is entitled to be licensed as a veteri-
14 narian.

15 * Sec. 8. AS 08.98.150 is amended to read:

16 Sec. 08.98.150. ADMINISTRATION OF EXAMINATION. The department
17 [BOARD] shall offer examinations at least once a year. Examinations
18 shall be so administered that, whenever possible, one who grades a
19 written examination does not know whose paper he is grading.

20 * Sec. 9. AS 08.98.170(1) and (3) are amended to read:

21 (1) was graduated from a school of veterinary medicine
22 approved by the department [BOARD];

23 (3) has completed application forms and returned them to the
24 department [BOARD];

25 * Sec. 10. AS 08.98.210 is amended to read:

26 Sec. 08.98.210. OUT-OF-STATE VETERINARIAN. A veterinarian in good
27 standing in a veterinary association of another state or territory or
28 the District of Columbia which licenses veterinarians to practice
29 veterinary medicine may be licensed without examination and otherwise

1 upon substantially the same terms and conditions as are fixed in the
2 jurisdiction from which he has come for the licensure of a veterinarian
3 from this state. As a prerequisite to licensure the department [BOARD]
4 shall require a veterinarian to take and pass an examination, unless the
5 applicant has

6 (1) passed a state veterinarian examination;

7 (2) engaged in the active practice of veterinary medicine for
8 at least five out of the previous seven years before filing the applica-
9 tion excluding time spent in the military service of the United States;

10 (3) graduated from an accredited school of veterinary
11 medicine;

12 (4) met the character requirements established by the depart-
13 ment [BOARD].

14 * Sec. 11. AS 08.98.230 is amended to read:

15 Sec. 08.98.230. INJUNCTION. When it appears that a person has
16 engaged in or is about to engage in an act constituting a violation of
17 AS 08.98.120, the department [BOARD, THROUGH ITS EXECUTIVE SECRETARY,]
18 shall bring an action in the superior court to enjoin the act and to
19 enforce compliance with AS 08.98.120.

20 * Sec. 12. REPEALER. AS 08.01.010(14), AS 08.03.010(a)(8), AS 08.98.-
21 010 - 08.98.040, 08.98.070 - 08.98.080, 08.98.100, and 08.98.250(2) are
22 repealed.

23 * Sec. 13. EFFECTIVE DATE. Section 1 of this Act takes effect immedi-
24 ately in accordance with AS 01.10.070(c). Sections 2 - 12 of this Act take
25 effect January 1, 1981.