

State of Wisconsin



1995 Assembly Bill 406

Date of enactment: **May 2, 1996**
Date of publication*: **May 16, 1996**

1995 WISCONSIN ACT 321

AN ACT *to renumber and amend* 94.67 (3e), 440.08 (2) (a) 10. and 453.02 (2); and *to amend* 15.405 (12), 94.67 (5) (b), 94.67 (6) (c), 94.67 (7), 94.67 (15m) (b), 94.67 (26m), 453.03 (1), 453.03 (2), 453.05 (2) (d), 453.06 (3) and 453.06 (4) of the statutes; **relating to:** the membership of the veterinary examining board and changing the term "animal technician" to "veterinary technician".

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 15.405 (12) of the statutes is amended to read:

15.405 (12) VETERINARY EXAMINING BOARD. There is created a veterinary examining board in the department of regulation and licensing. The veterinary examining board shall consist of ~~7~~ **8** members appointed for staggered 4-year terms. Five of the members shall be licensed veterinarians in this state. One member shall be a veterinary technician certified in this state. Two members shall be public members. No member of the examining board may in any way be financially interested in any school having a veterinary department or a course of study in veterinary or animal technology.

SECTION 1m. 94.67 (3e) of the statutes is renumbered 94.67 (33t) and amended to read:

94.67 (33t) "~~Animal~~ Veterinary technician" means an individual who is certified as ~~an animal~~ a veterinary technician under ch. 453.

SECTION 2. 94.67 (5) (b) of the statutes is amended to read:

94.67 (5) (b) "Commercial application business" does not include a veterinary clinic that uses or directs the use of a pesticide if the pesticide is used or directed to be

used only by a veterinarian or ~~animal~~ veterinary technician while lawfully practicing within the scope of his or her license or certificate.

SECTION 3. 94.67 (6) (c) of the statutes is amended to read:

94.67 (6) (c) A veterinarian or ~~animal~~ veterinary technician who uses or directs the use of a pesticide only while lawfully practicing within the scope of his or her license or certificate.

SECTION 4. 94.67 (7) of the statutes is amended to read:

94.67 (7) "Commercial applicator for hire" means a commercial applicator who uses or directs the use of a pesticide as an independent contractor for hire, either directly or through an employee. "Commercial applicator for hire" does not include a provider of janitorial, cleaning or sanitizing services if the provider of the services uses no pesticides other than sanitizers, disinfectants and germicides, or a veterinarian or ~~animal~~ veterinary technician who uses a pesticide only while lawfully practicing within the scope of his or her license or certificate.

SECTION 5. 94.67 (15m) (b) of the statutes is amended to read:

94.67 (15m) (b) "Individual commercial applicator" does not include a veterinarian or ~~animal~~ veterinary technician who uses or directs the use of a pesticide only

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

while lawfully practicing within the scope of his or her license or certificate.

SECTION 6. 94.67 (26m) of the statutes is amended to read:

94.67 (26m) “Private applicator” means a person who uses or directs the use of any pesticide for the purpose of producing any agricultural commodity on property owned or rented by the person or the person’s employer, or on property of another person if the pesticide is used without compensation other than the trading of goods or services between producers of agricultural commodities on an exchange basis. “Private applicator” does not include a veterinarian or ~~animal~~ veterinary technician who uses a pesticide only while lawfully practicing within the scope of his or her license or certificate.

SECTION 7. 440.08 (2) (a) 10. of the statutes is renumbered 440.08 (2) (a) 71. and amended to read:

440.08 (2) (a) 71. ~~Animal~~ Veterinary technician: January 1 of each even-numbered year; \$42.

SECTION 8. 453.02 (2) of the statutes is renumbered 453.02 (12) and amended to read:

453.02 (12) “~~Animal~~ “Veterinary technician” means a person duly certified by the examining board to work under the direct supervision of a licensed veterinarian.

SECTION 9. 453.03 (1) of the statutes is amended to read:

453.03 (1) The examining board shall promulgate rules, within the limits of the definition under s. 453.02 (6), establishing the scope of practice permitted for veterinarians and ~~animal~~ veterinary technicians and shall review the rules at least once every 5 years to determine whether they are consistent with current practice. The examining board may promulgate rules relating to licensure qualifications, denial of a license, certificate or temporary permit, unprofessional conduct and disciplinary proceedings.

SECTION 10. 453.03 (2) of the statutes is amended to read:

453.03 (2) The examining board shall promulgate rules requiring training and continuing education sufficient to assure competency of veterinarians and ~~animal~~ veterinary technicians in the use, handling, distribution and disposal of pesticides.

SECTION 11. 453.05 (2) (d) of the statutes is amended to read:

453.05 (2) (d) Certified ~~animal~~ veterinary technicians while working under the direct supervision of a veterinarian.

SECTION 12. 453.06 (3) of the statutes is amended to read:

453.06 (3) ~~An animal~~ A veterinary technician certification may be issued only to a person who is at least 18 years of age and has either:

(a) Successfully completed a 4-semester course of study in animal technology or its equivalent, at a technical school or college approved by the examining board, and has passed an examination, administered by the examining board, which establishes that the applicant’s knowledge of animals and their treatment is sufficient to qualify the applicant as ~~an animal~~ a veterinary technician; or

(b) Been an employe of a veterinarian for a total of 2 years and has passed an examination, administered by the examining board, which establishes that the applicant’s knowledge of animals and their treatment is sufficient to qualify the applicant as ~~an animal~~ a veterinary technician. The 2-year employment requirement of this paragraph shall include at least 50% of the applicant’s time spent in practical field experience and the remainder of the applicant’s time spent in laboratory work, office procedure, and technical veterinary training with a veterinarian.

SECTION 13. 453.06 (4) of the statutes is amended to read:

453.06 (4) The renewal date and renewal fee for ~~animal~~ veterinary technician certifications are specified under s. 440.08 (2) (a).

SECTION 14. Nonstatutory provisions.

(1) Notwithstanding the length of the term specified in section 15.405 (12) of the statutes, as affected by this act, the initial veterinary technician member of the veterinary examining board shall be appointed by the first day of the 4th month beginning after the effective date of this subsection for a term expiring on July 1, 1998.