

1975 Assembly Bill 354

Date published: **October 16, 1975**

CHAPTER 86, Laws of 1975

AN ACT to amend 15.08 (2), 15.403 (1) (a) (intro.), 15.405 (1), (2) (intro.) and (a), (5) to (13) and 15.407 (1) (a) and (b); and to create 15.08 (1m) of the statutes, providing for public members on certain examining boards and examining councils.

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

SECTION 1. 15.08 (1m) of the statutes is created to read:

15.08 (1m) PUBLIC MEMBERS. (a) Public members appointed under s. 15.403, 15.405 or 15.407 shall have all the powers and duties of other members except they shall not prepare questions for or grade any licensing examinations. They shall not be licensed, certified, registered or engaged in any profession or occupation licensed or otherwise regulated by the examining board or examining council to which they are appointed, shall not be married to any person so licensed, certified, registered or engaged, and shall not employ, be employed by or be professionally associated with any person so licensed, certified, registered or engaged.

(b) The public members of the chiropractic examining board, the dentistry examining board, the hearing aid dealers and fitters examining board, the medical examining board and its physical therapists examining board and podiatry examining council, the optometry examining board, the pharmacy examining board and the psychology examining board shall not be engaged in any profession or occupation concerned with the delivery of physical or mental health care.

(c) The membership of each examining board and examining council created in the department of regulation and licensing after June 1, 1975, shall be increased by one member who shall be a public member appointed to serve for the same term served by the other members of such examining board or examining council, unless the act relating to the creation of such examining board or examining council provides that 2 or more public members shall be appointed to such examining board or examining council.

SECTION 2. 15.08 (2) of the statutes is amended to read:

15.08 (2) SELECTION OF OFFICERS. At its first meeting in each year, every examining board shall elect from among its members a chairman, vice chairman and, unless otherwise provided by law, a secretary, ~~but the dean of the college of engineering and the dean of the college of architecture of the university of Wisconsin or, if there is no such dean, the highest ranking professor in the field of architecture in the university, designated by the president of the university, shall alternate annually as chairman of the examining board of architects, professional engineers, designers and land surveyors and the chairman of the pharmacy examining board shall serve as the chairman of the pharmacy internship board.~~ Any officer may be re-elected reelected to succeed himself.

SECTION 3. 15.403 (1) (a) (intro.) of the statutes is amended to read:

15.403 (1) (a) *Board of nursing.* (intro.) The board of nursing is created to consist of ~~the state health officer or his designee; the administrator of the division; and 2 6 registered nurses from, of whom 2 shall be members of the Wisconsin nurses association, and 2 registered nurses from shall be members of the Wisconsin league for nursing; and one licensed public health nurse from the division of health in the department of health and social services, one person from the state hospital association, one person from the Wisconsin conference of the Catholic hospital association and, one person from the state medical society and 2 public members not engaged in any occupation or profession concerned with the delivery of physical or mental health care, appointed for staggered 4-year terms. Section 15.08 (1m) (a) applies to the public members.~~ Each nurse member of the board shall have:

SECTION 4. 15.405 (1), (2) (intro.) and (a) and (5) to (13) of the statutes are amended to read:

15.405 (1) ACCOUNTING EXAMINING BOARD. There is created an accounting examining board in the department of regulation and licensing. The examining board shall consist of ~~5~~ 6 members, appointed for staggered 5-year terms, ~~who.~~ Five members shall hold certificates as certified public accountants authorized to practice in this state. Members, and may be selected from nominees of the Wisconsin society of certified public accountants. Any list of nominees submitted by the society shall bear the names of at least 7 nominees for each vacancy to be filled. One member shall be a public member who is not professionally engaged in accounting related services.

(2) EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS. (intro.) There is created an examining board of architects, professional engineers, designers and land surveyors in the department of regulation and licensing. Any professional member appointed to the examining board shall have engaged in the practice of the profession of architecture, professional engineering, the design of engineering systems or land surveying, for at least 10 years and shall have been in responsible charge of architectural, professional engineering, designing of engineering systems or land surveying work for at least 5 years. The examining board shall consist of ~~14~~ 16 members: ~~the dean of the college of engineering of the university of Wisconsin; the dean of the college of architecture of the university of Wisconsin or, if there is no such dean, the highest ranking professor in the field of architecture in the university, designated by the president of the university;~~ 3 architects; 3 professional engineers, 3 designers and 3 land surveyors, and 4 public members. The 3 architects, the 3 professional engineers, 3 designers and the 3 land surveyors shall be appointed by the industry, labor and human relations commission for staggered 3-year terms ~~from lists, consisting of 2 or more names for each position to be filled, submitted by the architectural, engineering, construction and land surveying societies or associations of the state.~~ Public members shall be appointed by the governor for staggered 3-year terms. No appointed member may serve more than 2 consecutive terms.

(a) In operation, the examining board shall be divided into 4 sections which shall ~~each elect their own officers and meet at least twice annually.~~ The architect section shall consist of ~~the dean of the college of architecture of the university of Wisconsin or, if there is no such dean, the highest ranking professor in the field of architecture in the university, designated by the president of the university, and the architect members.~~ The engineer section shall consist of ~~the dean of the college of engineering of the university of Wisconsin, and the engineering members.~~ The designer section shall consist of ~~3 licensed designers, and the land surveyor section shall consist of 3 surveyor members.~~ an architect section, an engineer section, a designer section and a land surveyor section. Each section shall consist of the 3 members of the named profession appointed to the examining board by the industry, labor and human relations commission and 1 public member appointed to the section by the governor. The board shall elect its own officers, and shall meet at least twice annually.

(5) CHIROPRACTIC EXAMINING BOARD. There is created a chiropractic examining board in the department of regulation and licensing. The chiropractic examining board shall consist of ~~3~~ 5 members, appointed for staggered 6-year terms. ~~Each member~~ Four members shall be graduates from a school of chiropractic, be licensed to practice chiropractic in this state and shall have been a practitioner practitioners of chiropractic in this state for the 3 years immediately preceding his appointment. One member shall be a public member. Persons appointed to the examining board shall not be officers or employes of, or be financially interested in, any school or college of chiropractic, ~~but each member appointed to the examining board shall be a graduate of a school of chiropractic.~~

(6) DENTISTRY EXAMINING BOARD. There is created a dentistry examining board in the department of regulation and licensing. The dentistry examining board shall consist of 5 ~~6~~ members appointed for staggered 5-year terms. ~~Each member~~ Five of the members shall be a licensed ~~dentist~~ dentists in this state. One member shall be a public member. No person shall be appointed to the examining board who is in any way connected with or has a financial interest in any dental school or department. The examining board shall determine the qualifications of and appoint an executive secretary outside the classified service, but if one of the members serves as executive secretary then ~~his~~ that member's salary shall be in lieu of the per diem.

(6m) HEARING AID DEALERS AND FITTERS EXAMINING BOARD. There is created a hearing aid dealers and fitters examining board in the department of regulation and licensing. The hearing aid dealers and fitters examining board shall consist of 6 members appointed for staggered 6-year terms. Members of the examining board shall be residents of this state. Three members shall be hearing aid dealers or fitters, each of whom shall have had at least 5 years' experience and hold a valid license as a hearing aid dealer or fitter under ch. 459, one member shall be a physician, one member shall be an audiologist certified by the American speech and hearing association and one member shall be a public member who is a hearing aid user.

(7) MEDICAL EXAMINING BOARD. There is created a medical examining board in the department of regulation and licensing. The medical examining board shall consist of 8 ~~9~~ members appointed for staggered 4-year terms which shall commence on May 1. The terms of 2 members shall expire annually on April 30. Seven of the members shall be licensed doctors of medicine; one member shall be a licensed doctor of osteopathy; one member shall be a public member. No person may be appointed to the examining board who is an instructor, stockholder or member of, or financially interested in, any school, college or university having a medical department, or of any school of osteopathy. In lieu of a per diem, the secretary shall receive such additional compensation as the examining board directs, but not less than \$1,900 annually.

(7m) NURSING HOME ADMINISTRATOR EXAMINING BOARD. There is created a nursing home administrator examining board in the department of regulation and licensing consisting of 9 members appointed for staggered 3-year terms and the secretary of health and social services or his designee, who shall serve as a nonvoting member. Any organization which is to submit a list of names from which the governor may appoint members of the examining board shall, upon request of the governor, submit additional names. One member shall be a nursing home administrator of a voluntary nonprofit home who may be appointed from a list of names submitted by the Wisconsin council of homes for the aging. One member shall be a nursing home administrator of a proprietary home who may be appointed from a list of names submitted by the Wisconsin association of nursing homes, inc. One member shall be an administrator of a general acute care hospital who may be appointed from a list of names submitted by the Wisconsin hospital association. One member shall be an administrator of a public medical care facility who may be appointed from a list of names submitted by the association of Wisconsin county homes. One member shall be a member of the Wisconsin chapter of the American college of nursing home administrators, who may be selected from a list of names submitted by the college. One member shall be a physician who may be selected from a list of names submitted by the state medical society of Wisconsin. One member shall be a nurse who may be selected from a list of names submitted by the Wisconsin nurses association, inc. Two members shall ~~represent the public at large~~ be public members. No more than 2 members may be officials or full-time employes of the state and less than a majority of the examining board shall be representatives of a single profession or institutional

category. The secretary may receive such additional compensation as the examining board directs.

(8) OPTOMETRY EXAMINING BOARD. There is created an optometry examining board in the department of regulation and licensing. The optometry examining board shall consist of ~~5~~ 6 members appointed for staggered 5-year terms. ~~Each member~~ Five of the members shall have been actively engaged in the practice of optometry for the 5 years immediately preceding ~~his~~ appointment. One member shall be a public member. The secretary may receive such additional compensation as the examining board directs.

(9) PHARMACY EXAMINING BOARD. There is created a pharmacy examining board in the department of regulation and licensing. The pharmacy examining board shall consist of ~~5~~ 6 members appointed for staggered 5-year terms. ~~Each member~~ Five of the members shall be, at the time of the appointment, actively engaged in the full-time practice of pharmacy and shall have been licensed to practice pharmacy for at least 5 years preceding ~~his~~ appointment. One member shall be a public member. No member may serve more than 2 terms. Appointments may be made from a list of 5 names submitted by a resolution of the board of directors of the Wisconsin pharmaceutical association for each professional vacancy. The examining board shall determine the qualifications of and appoint an executive secretary outside the classified service, but if one of the members serves as executive secretary then ~~his~~ that member's salary shall be in lieu of the per diem.

(10) PHARMACY INTERNSHIP BOARD. There is created a pharmacy internship board in the department of regulation and licensing. Section 15.08 applies to the pharmacy internship board. The pharmacy internship board shall consist of ~~4~~ 7 members: ~~the 5~~ 2 members of the pharmacy examining board appointed by the pharmacy examining board, ~~4~~ 2 members of the faculty of the university of Wisconsin school of pharmacy appointed by the dean of the school, ~~and 4~~ 2 members appointed by the Wisconsin pharmaceutical association, and one public member. The appointive members of the pharmacy internship board who are not appointed by the pharmacy examining board shall serve staggered ~~4-year~~ 5-year terms. The internship board shall determine the qualifications of and appoint outside the classified service a full-time executive secretary of internship.

(10m) PSYCHOLOGY EXAMINING BOARD. There is created in the department of regulation and licensing a psychology examining board consisting of ~~3~~ 5 members appointed for staggered 3-year terms. ~~All~~ Four of the members shall have the qualifications required of a licensed psychologist in this state, and of these one member shall be a member of the faculty of an accredited college or university in this state who actively engages in teaching psychology, one member shall have a Ph. D. in psychology and be practicing in the field of mental health and one member shall be chosen from any field of psychology. One member shall be a public member. No member may serve more than 2 full terms in succession. Appointments for professional members may be made from a list of 3 names submitted by the Wisconsin psychological association for each vacancy.

(11) REAL ESTATE EXAMINING BOARD. There is created a real estate examining board in the department of regulation and licensing. The real estate examining board shall consist of ~~3~~ 5 members appointed to staggered 6-year terms. ~~At least 2~~ Four of the members shall be real estate brokers licensed in this state. One member shall be a public member. The examining board shall determine the qualifications of and appoint an executive secretary outside the classified service, but if one of the members serves as executive secretary then ~~his~~ that member's salary shall be in lieu of the per diem.

(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 ~~5~~ 6 members appointed for staggered 5-year terms. ~~Each member~~ Five of the members shall be licensed and actually engaged in the practice of veterinary medicine in this state. One member shall be a public member. No member of the board shall in any way be financially interested in any school having a veterinary department. The examining board shall determine the qualifications of and appoint an executive secretary outside the classified service, but if one of the members serves as executive secretary then ~~his~~ that member's salary shall be in lieu of the per diem.

(13) WATCHMAKING EXAMINING BOARD. There is created a watchmaking examining board in the department of regulation and licensing. The watchmaking examining board shall consist of 5 members appointed for staggered 5-year terms. ~~Each member~~ Four of the members shall have actually engaged in the practice of watchmaking for 5 years immediately preceding ~~his~~ appointment. One member shall be a public member. The secretary may receive such additional compensation as the board directs.

SECTION 5. 15.407 (1) (a) and (b) of the statutes are amended to read:

15.407 (1) (a) *Physical therapists.* There is created a physical therapists examining council consisting of 3 registered physical therapists, each of whom shall have engaged in the practice of physical therapy for at least 3 years immediately preceding his appointment, and one public member. ~~Members~~ The physical therapist members shall be appointed by the medical examining board ~~for staggered 3-year terms.~~ The members of the examining council shall serve staggered 4-year terms.

(b) *Podiatrists.* There is created a podiatrists examining council consisting of 3 podiatrists appointed by the medical examining board and one public member. The members of the examining council shall serve staggered 4-year terms.

SECTION 6. **Implementation.** (1) Upon enactment hereof, the governor shall make the appropriate number of nominations or appointments, as required under this act, to the several bodies to which members are added by this act for terms expiring on the date set by law for each body and for a number of years, consistent with the maximum number set by law, which will complement so far as possible the existing staggering of terms for that body.

(2) In the case of a body for which public members are specified by this act without increasing or decreasing the total number of members, upon the expiration of the term of a member, a successor shall be appointed in accordance with the requirements of this act.

(3) The terms of all members of the pharmacy internship board now serving as a result of appointment by the dean of the university of Wisconsin school of pharmacy or the Wisconsin pharmaceutical association shall expire on July 1 next after the effective date of this act. On that date the dean shall appoint under section 15.405 (10) of the statutes 2 persons whose terms shall run for 2 years and 3 years. The dean then may appoint any person now serving on the internship board. On that date the association shall appoint under section 15.405 (10) of the statutes 2 persons whose terms shall run for 1 year and 4 years. The association then may appoint any person now serving on

CHAPTER 86

400

the internship board. On that date the member to be appointed by the governor shall be appointed to a 5-year term.
