



1995 ASSEMBLY BILL 406

May 30, 1995 - Introduced by Representatives OTT, WARD, AINSWORTH, ZUKOWSKI, OLSEN, TURNER, GARD, ALBERS, BRANDEMUEHL, SCHNEIDERS, SILBAUGH, SERATTI and VRAKAS, by request of Wisconsin Veterinary Examining Board and Department of Regulation and Licensing. Referred to Committee on Agriculture.

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

Analysis by the Legislative Reference Bureau

Under current law, the veterinary examining board (board) sets standards of professional competence and conduct for the practice of veterinary medicine, prepares, conducts and grades the examinations of prospective new veterinarians and animal technicians, and licenses veterinarians and certifies animal technicians. The board is made up of 7 members, 5 of whom must be licensed veterinarians in this state and 2 of whom must be public members who are not engaged in veterinary medicine, do not employ any person engaged in veterinary medicine and are not married to, professionally associated with or employed by any person engaged in veterinary medicine.

This bill changes the term “animal technician” to “veterinary technician”. The bill also expands the number of members on the board from 7 to 8 and requires that one member of the board be a veterinary technician certified in this state.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

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

1 15.405 (12) VETERINARY EXAMINING BOARD. There is created a veterinary
2 examining board in the department of regulation and licensing. The veterinary
3 examining board shall consist of ~~7~~ 8 members appointed for staggered 4-year terms.
4 Five of the members shall be licensed veterinarians in this state. One member shall
5 be a veterinary technician certified in this state. Two members shall be public
6 members. No member of the examining board may in any way be financially
7 interested in any school having a veterinary department or a course of study in
8 veterinary or animal technology.

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

11 94.67 (33t) ~~“Animal~~ “Veterinary technician” means an individual who is
12 certified as ~~an animal~~ a veterinary technician under ch. 453.

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

14 94.67 (5) (b) “Commercial application business” does not include a veterinary
15 clinic that uses or directs the use of a pesticide if the pesticide is used or directed to
16 be used only by a veterinarian or ~~animal~~ veterinary technician while lawfully
17 practicing within the scope of his or her license or certificate.

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

19 94.67 (6) (c) A veterinarian or ~~animal~~ veterinary technician who uses or directs
20 the use of a pesticide only while lawfully practicing within the scope of his or her
21 license or certificate.

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

23 94.67 (7) “Commercial applicator for hire” means a commercial applicator who
24 uses or directs the use of a pesticide as an independent contractor for hire, either
25 directly or through an employe. “Commercial applicator for hire” does not include

1 a provider of janitorial, cleaning or sanitizing services if the provider of the services
2 uses no pesticides other than sanitizers, disinfectants and germicides, or a
3 veterinarian or ~~animal~~ veterinary technician who uses a pesticide only while
4 lawfully practicing within the scope of his or her license or certificate.

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

6 94.67 (15m) (b) "Individual commercial applicator" does not include a
7 veterinarian or ~~animal~~ veterinary technician who uses or directs the use of a
8 pesticide only while lawfully practicing within the scope of his or her license or
9 certificate.

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

11 94.67 (26m) "Private applicator" means a person who uses or directs the use
12 of any pesticide for the purpose of producing any agricultural commodity on property
13 owned or rented by the person or the person's employer, or on property of another
14 person if the pesticide is used without compensation other than the trading of goods
15 or services between producers of agricultural commodities on an exchange basis.
16 "Private applicator" does not include a veterinarian or ~~animal~~ veterinary technician
17 who uses a pesticide only while lawfully practicing within the scope of his or her
18 license or certificate.

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

21 440.08 (2) (a) 71. ~~Animal~~ Veterinary technician: January 1 of each
22 even-numbered year; \$42.

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

1 453.02 (12) ~~Animal~~ Veterinary technician means a person duly certified by
2 the examining board to work under the direct supervision of a licensed veterinarian.

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

4 453.03 (1) The examining board shall promulgate rules, within the limits of the
5 definition under s. 453.02 (6), establishing the scope of practice permitted for
6 veterinarians and ~~animal~~ veterinary technicians and shall review the rules at least
7 once every 5 years to determine whether they are consistent with current practice.
8 The examining board may promulgate rules relating to licensure qualifications,
9 denial of a license, certificate or temporary permit, unprofessional conduct and
10 disciplinary proceedings.

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

12 453.03 (2) The examining board shall promulgate rules requiring training and
13 continuing education sufficient to assure competency of veterinarians and ~~animal~~
14 veterinary technicians in the use, handling, distribution and disposal of pesticides.

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

16 453.05 (2) (d) Certified ~~animal~~ veterinary technicians while working under the
17 direct supervision of a veterinarian.

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

19 453.06 (3) ~~An animal~~ A veterinary technician certification may be issued only
20 to a person who is at least 18 years of age and has either:

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

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

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

10 453.06 (4) The renewal date and renewal fee for ~~animal~~ veterinary technician
11 certifications are specified under s. 440.08 (2) (a).

12 **SECTION 2. Nonstatutory provisions.**

13 (1) Notwithstanding the length of the term specified in section 15.405 (12) of
14 the statutes, as affected by this act, the initial veterinary technician member of the
15 veterinary examining board shall be appointed by the first day of the 4th month
16 beginning after the effective date of this subsection for a term expiring on July 1,
17 1998.

18 (END)