WEST VIRGINIA LEGISLATURE

REGULAR SESSION. 1986

ENROLLED

HOUSE BILL No. 1130

(By Mr. Dal. Underwood & Dal. Shiflet)

Passed February 10, 1986

In Effect From Passage
ENROLLED

H. B. 1130

(By Delegate Underwood and Delegate Shiflet)

[Passed February 10, 1986; in effect from passage.]

AN ACT to amend and reenact sections three and seven, article ten, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the West Virginia board of veterinary medicine; raising the per diem limit for board members; removing the sixty-day registration requirement for applicants and allowing applicants to register to take the examination up to time of the examination.

Be it enacted by the Legislature of West Virginia:

That sections three and seven, article ten, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 10. VETERINARIANS.

§30-10-3. West Virginia board of veterinary medicine; composition; qualifications, appointment and terms of members; vacancies; removal of member; compensation; organization and meetings; quorum; secretary-treasurer; records, etc., open to public; annual report; funds.

1 The “West Virginia veterinary board,” heretofore created, shall continue in existence but on and after the effective date of this article shall be known and designated as “The West Virginia board of veterinary medicine,” and shall consist of five members, not more
than three of whom shall belong to the same political party to be appointed by the governor with the advice and consent of the Senate. The three members of the board in office on the effective date of this article shall, unless sooner removed, continue to serve until their terms expire and until their successors have been appointed and have qualified. On or before July one, one thousand nine hundred sixty-seven, the governor shall appoint one member to serve until June thirty, one thousand nine hundred sixty-eight, and one member to serve until June thirty, one thousand nine hundred seventy, or until their successors have been appointed and have qualified. As the terms of the three members of the board in office on the effective date of this article expire and as the terms of the two members to be appointed by the governor on or before July one, one thousand nine hundred sixty-seven, expire, members shall be appointed for overlapping terms of five years, so that one term expires each year, or until their successors have been appointed and have qualified. Any vacancy in the office of a member of the board shall be filled by appointment by the governor for the unexpired term of the member whose office shall be vacant. No person shall be appointed to two consecutive full terms, but a person appointed for a term of less than five years may be appointed to succeed himself. The governor may remove any member of the board for neglect of duty or other sufficient cause.

No person shall be appointed to the board unless he be a graduate of a veterinary school and a resident of this state, and unless he shall have been licensed to practice veterinary medicine in this state for at least three years immediately preceding his appointment.

As compensation for his services on the board, each member shall receive, out of the moneys collected hereunder, a sum not to exceed one hundred dollars for each day or substantial portion thereof that he is engaged in the work of the board. Each member shall also be entitled to be reimbursed, out of the moneys collected hereunder, for any reasonable and necessary expenses actually incurred in the discharge of his duties.
as a member of the board.

The board shall meet at least once each year, the time and place of such meeting to be fixed by the board, and at such annual meeting shall elect from its membership a president, a secretary-treasurer and such other officers as may be desired. Other meetings of the board may be called by the president on such notice to the other members as may be prescribed by the board. A majority of the board shall constitute a quorum for the transaction of the business of the board. All meetings of the board shall be open and public, except that the board may meet in close session to prepare, approve, administer, or grade examinations, to deliberate decisions to be reached on disciplinary proceedings, or to review the qualifications of an applicant for a license.

It shall be the duty of the secretary-treasurer to carry on the correspondence of the board, keep permanent accounts and records of all receipts and disbursements by the board and of all board proceedings, including the disposition of all applications for license, and keep a register of all persons currently licensed by the board. All board records, except as otherwise provided by law, shall be open to public inspection during regular office hours. The secretary-treasurer shall furnish to the board a fidelity surety bond in such sum and conditioned as the board may require, the cost of such bond to be paid by the board out of the moneys collected hereunder.

As soon as possible after the close of each fiscal year, the president and secretary-treasurer shall submit to the governor a report on the transactions of the board, including an accounting of all moneys received and disbursed.

All moneys received by the board shall be accepted by the secretary-treasurer and deposited by him with the treasurer of the state and credited by the treasurer to an account to be known as the “board of veterinary medicine fund.” All expenses of the board shall be paid from such fund by voucher signed by the secretary-treasurer of the board, and no part of the state’s general revenue fund shall be expended for this purpose.
§30-10-7. Examinations; issuance or denial of license authorization of veterinary medical corporations; assistants; fee.

The board shall hold at least one examination during each year and may hold such additional examinations as are necessary. The secretary-treasurer shall give public notice of the time and place of each examination at least one hundred twenty days in advance of the date set for such examination. A person desiring to take an examination shall make application for a license to the board.

Procedures concerning the preparation, administration and grading of examinations shall be prescribed by the board. Examinations shall be designed to test the examinee's knowledge of and proficiency in the subjects and techniques commonly taught in veterinary schools. To pass the examination, the examinee must demonstrate scientific and practical knowledge sufficient to prove himself a competent person to practice veterinary medicine in the judgment of the board. All examinees shall be tested by a written examination, supplemented by such oral interviews and practical demonstrations as the board may deem necessary. The board may adopt and use the examination prepared by the national board of veterinary examiners.

The secretary-treasurer shall notify each examinee of the result of his examination within forty-five days thereafter, and the board shall issue a license to each person who passes the examination. The application for a license by any person failing an examination shall be denied, but such person shall be admitted to any subsequent examination upon payment of another application fee.

The board shall also examine the application of any one or more veterinarians for the formation of a veterinary medical corporation, filed pursuant to the provisions of section eighteen of this article, and issue a certificate of authorization therefor to any applicant or applicants legally entitled to receive the same. The board shall also have authority to authorize veterinary
medical corporations, in accordance with the provisions of sections eighteen and nineteen of this article to practice veterinary medicine and surgery through duly licensed veterinarians.

The board shall have the power to certify and establish standards for employment of assistants to veterinarians.

No license shall be issued under the provisions of this section until the person applying therefor shall have paid to the board a fee of five dollars.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within Approved this the 18th day of February, 1986.

Governor
PRESENTED TO THE
GOVERNOR
Date 3/17/66
Time 11:03 P.M.