

public utility district's "service area" means those areas located outside of the annexing public utility district's boundaries that are generally served with electrical energy by the annexing public utility district. Such service area may, or may not, be recognized in an agreement made under chapter 54.48 RCW, but such service area shall not be provided with electrical energy by another public utility as defined in RCW 54.48.010. An area proposed to be annexed may be located in the same or a different county as the annexing public utility district.

Passed the House March 22, 1983.

Passed the Senate April 13, 1983.

Approved by the Governor April 22, 1983.

Filed in Office of Secretary of State April 22, 1983.

## CHAPTER 102

[Engrossed House Bill No. 357]

### ANIMAL TECHNICIANS—BOARD OF VETERINARY GOVERNORS—DUTIES

AN ACT Relating to the board of veterinary governors and animal technicians; amending section 21, chapter 71, Laws of 1941 as last amended by section 71, chapter 158, Laws of 1979 and RCW 18.92.015; amending section 4, chapter 71, Laws of 1941 as last amended by section 2, chapter 134, Laws of 1982 and RCW 18.92.030; amending section 13, chapter 124, Laws of 1907 as last amended by section 53, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.92.040; amending section 6, chapter 44, Laws of 1974 ex. sess. and RCW 18.92.125; amending section 16, chapter 71, Laws of 1941 and RCW 18.92.140; amending section 19, chapter 71, Laws of 1941 as last amended by section 84, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.92.145; amending section 13, chapter 71, Laws of 1941 as last amended by section 7, chapter 44, Laws of 1974 ex. sess. and RCW 18.92.160; amending section 14, chapter 71, Laws of 1941 as last amended by section 24, chapter 67, Laws of 1981 and RCW 18.92.180; adding a new section to chapter 18.92 RCW; repealing section 17, chapter 71, Laws of 1941, section 83, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.92.142; and repealing section 2, chapter 31, Laws of 1979 ex. sess. (uncodified).

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 21, chapter 71, Laws of 1941 as last amended by section 71, chapter 158, Laws of 1979 and RCW 18.92.015 are each amended to read as follows:

The term "board" used in this chapter shall mean the Washington state veterinary board of governors; and the term "director" shall mean the director of licensing of the state of Washington. "Animal technician" shall mean a person who has successfully completed an examination administered by the board and who has either successfully completed a post high school course approved by the board (~~(; in consultation with the coordinating council for occupational education;)~~) in the care and treatment of animals, or a person who has had five years practical experience acceptable to the board with a licensed veterinarian (~~(and who has successfully completed an examination administered by the board)~~).

Sec. 2. Section 4, chapter 71, Laws of 1941 as last amended by section 2, chapter 134, Laws of 1982 and RCW 18.92.030 are each amended to read as follows:

It shall be the duty of the board to prepare examination questions, conduct examinations, and grade the answers of applicants. The board shall supervise the conduct of those practicing veterinary medicine, surgery, and dentistry and shall make such recommendations as it deems necessary to the director in regard to the granting, suspension, or revocation of licenses. It shall be the duty of the board to adopt a code of professional conduct for the practice of the veterinary profession in this state. The board, pursuant to chapter 34.04 RCW, shall have the power to adopt such rules and regulations as may be necessary to effectuate the purposes of this chapter including the performance of the duties and responsibilities of animal technicians: PROVIDED, HOWEVER, That such rules are adopted in the interest of good veterinary health care delivery to the consuming public, and do not prevent animal technicians from inoculating an animal. The board shall further have the power to adopt, by reasonable rules and regulations, standards prescribing requirements for veterinary medical facilities and to fix minimum standards of continuing veterinary medical education.

~~((The board may employ a secretary who shall be exempt from the provisions of chapter 41.06 RCW and whose duties shall include carrying on correspondence of the board, maintaining records of board proceedings, and such other duties as may be assigned from time to time to him or her by the board:))~~ The department shall be the official office of record.

The board shall have the power to conduct all hearings ~~((for the revocation or suspension of licenses. Such))~~ pertaining to violations of this chapter and may impose appropriate sanctions on licensees or registrants following a hearing. The hearings may be conducted by an administrative law judge appointed under chapter 34.12 RCW.

~~((This section shall take effect July 1, 1982, or on June 10, 1982, whichever is later:))~~

NEW SECTION. Sec. 3. There is added to chapter 18.92 RCW a new section to read as follows:

The director shall provide the board with adequate administrative and investigative staff to carry out its duties. The board has the power to investigate alleged violations of this chapter and to issue subpoenas to compel the attendance of any witnesses, or the production of any books, papers, charts, records, or other documents necessary for its investigations.

Sec. 4. Section 13, chapter 124, Laws of 1907 as last amended by section 53, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 18.92.040 are each amended to read as follows:

Each member of the board ~~((and secretary))~~ shall receive twenty-five dollars per day as compensation for each day spent upon official business of

the board, and travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended. No expense may be incurred by members of the board (~~(or secretary)~~) except in connection with board meetings without prior approval of the director.

Sec. 5. Section 6, chapter 44, Laws of 1974 ex. sess. and RCW 18.92.125 are each amended to read as follows:

~~((Any veterinarian licensed pursuant to this chapter shall make application to the board to permit him to use the services of an animal technician. Such application shall be accompanied by an annual fee in an amount to be determined by the board, with the approval of the director, and shall set forth such information as the board may require. No veterinarian practicing in this state shall utilize the services of an animal technician without prior approval of the board. Whenever it appears to the board that an animal technician is being utilized in a manner inconsistent with the approval granted, the board may withdraw such approval. In the event a hearing is requested upon the rejection of an application, or upon the withdrawal of an approval, a hearing shall be conducted in accordance with the procedures established under RCW 18.92.180.))~~

No veterinarian who uses the services of an animal technician ~~((in accordance with and within the terms of any permission granted by the board))~~ shall be considered as aiding and abetting any unlicensed person to practice veterinary medicine within the meaning of RCW 18.92.160 ~~((: PROVIDED, HOWEVER, That any such))~~. A veterinarian shall retain professional and personal responsibility for any act which constitutes the practice of veterinary medicine as defined in this chapter when performed by an animal technician in his employ.

Sec. 6. Section 16, chapter 71, Laws of 1941 and RCW 18.92.140 are each amended to read as follows:

Each person now qualified to practice veterinary medicine, surgery and dentistry or registered as an animal technician in this state or who shall hereafter be licensed or registered to engage in such practice, shall register with the director of licensing annually or on the date prescribed by the director and pay the ((annual)) renewal registration fee set by the director as provided ((hereinafter on or before the first day of July of each year, and thereafter the license of such person shall be renewed for such calendar year)) in RCW 43.24.085. A person who fails to renew a license or certificate prior to its expiration shall be subject to a late renewal fee equal to one-third of the regular renewal fee set by the director.

Sec. 7. Section 19, chapter 71, Laws of 1941 as last amended by section 84, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.92.145 are each amended to read as follows:

The director shall determine the fees, as provided in RCW 43.24.085 as now or hereafter amended, for the issuance, renewal, or administration of

the following licenses, certificates of registration, permits, duplicate licenses, renewals, or examination:

(1) For a license to practice veterinary medicine, surgery, and dentistry issued upon an examination given by the examining board;

(2) For a license to practice veterinary medicine, surgery, and dentistry issued upon the basis of a license issued in another state;

(3) For ~~((the annual renewal of a license to practice veterinary medicine, surgery, and dentistry))~~ a certificate of registration as an animal technician;

(4) For a temporary permit to practice veterinary medicine, surgery, and dentistry. The temporary permit fee shall be accompanied by the full amount of the examination fee.

Sec. 8. Section 13, chapter 71, Laws of 1941 as last amended by section 7, chapter 44, Laws of 1974 ex. sess. and RCW 18.92.160 are each amended to read as follows:

~~((The license of any))~~ A person ((heretofore or hereafter granted to practice veterinary medicine, surgery and dentistry in this state may be suspended for a certain period of time or revoked)) licensed or registered under this chapter may be subject to disciplinary action by the board for any of the following causes((, which shall be deemed to be unprofessional conduct within the meaning of this chapter)):

(1) ~~((The employment of))~~ Fraud, misrepresentation or deception in obtaining such license, including animal technician application.

(2) Being found guilty of a crime involving moral turpitude.

(3) Chronic inebriety or habitual use of drugs.

(4) Fraud in representation as to skill or ability.

(5) Use of untruthful or improbable statements in advertisements, publicity material or interviews.

(6) Distribution of alcohol or drugs for any other than legitimate purposes.

(7) Personation of another licensed practitioner.

(8) Violation or attempting to violate, directly or indirectly, any of the provisions of this chapter and any rules or regulation promulgated by the board pursuant to ((RCW 18.92.160 as amended by this 1974 amendatory act)) this chapter.

(9) ~~((Gross incompetency in the practice of his profession))~~ Actions in the practice of his or her profession which result in, or have a significant likelihood of resulting in, significant harm to the patient or public.

(10) Violation of the ethics of the profession. The code of ethics adopted by the board of governors shall be the standard of ethics for the licensed veterinarians and registered animal technicians of this state.

(11) Revocation of a license to practice veterinary medicine, an animal technician certificate, or its equivalent, for cause by another state, territory,

or district of the United States on grounds other than nonpayment of registration or license fees.

Sec. 9. Section 14, chapter 71, Laws of 1941 as last amended by section 24, chapter 67, Laws of 1981 and RCW 18.92.180 are each amended to read as follows:

In all disciplinary proceedings (~~((having for their purpose the revocation or suspension of a license to practice veterinary medicine, surgery, and dentistry))~~), the holder of (~~((such))~~) the license or certificate of registration shall be given twenty days notice in writing which shall specify the offense or offenses against this chapter with which said accused person is charged, and said notice shall also give the day and place where the hearing is to be held. The board or an administrative law judge appointed under chapter 34.12 RCW shall have the power to issue subpoenas to compel the attendance of witnesses, or the production of books or documents. The accused person shall have opportunity to make his defense, and may have issued such subpoenas as he may desire. Witnesses shall testify under oath. The board or the administrative law judge shall hear and determine the charges and shall make findings of facts and conclusions of law upon the evidence produced, and (~~((shall))~~) may thereafter prepare and file (~~((the same))~~) in the director's office, together with a transcript of all the evidence, a certificate or order, a duplicate copy of which shall be served upon the accused. The (~~((revocation or suspension of a license to practice))~~) order shall be (~~((in writing))~~) signed by the director(~~((, stating the grounds upon which such order is based))~~) and may provide for:

- (1) Revocation of the license;
- (2) Suspension of the license for a fixed or indefinite term;
- (3) Restriction or limitation upon the licensee's practice;
- (4) The establishment of a requirement that the licensee complete a specific program of continuing veterinary medical education;
- (5) Monitoring of the licensee's practice by a preceptor approved by the board;
- (6) Censure or reprimand;
- (7) Compliance with conditions of probation for a designated period of time;
- (8) A fine not to exceed five hundred dollars for each violation of this chapter; and
- (9) Any combination of the foregoing, which may be partly or totally stayed.

NEW SECTION. Sec. 10. The following acts or parts of acts are each repealed:

- (1) Section 17, chapter 71, Laws of 1941, section 83, chapter 30, Laws of 1975 1st ex. sess. and RCW 18.92.142; and

(2) Section 2, chapter 31, Laws of 1979 ex. sess. (uncodified).

Passed the House February 28, 1983.

Passed the Senate April 15, 1983.

Approved by the Governor April 22, 1983.

Filed in Office of Secretary of State April 22, 1983.

CHAPTER 103

[Substitute House Bill No. 393]

STREET IMPROVEMENTS—ABUTTERS—CITY OR COUNTY ASSISTANCE

AN ACT Relating to street improvements; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 36.75 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. There is added to chapter 35.21 RCW a new section to read as follows:

Any city or town may assist a street abutter in improving the street serving the abutter's premises by providing asphalt, concrete, or other supplies or materials. The furnishing of supplies or materials or paying to the abutter the cost thereof and the providing of municipal inspectors and other incidental personnel shall not render the street improvements a public work or improvement subject to competitive bidding. The legislative authority of such city or town shall approve any such assistance at a public meeting and shall maintain a public register of any such assistance setting forth the value, nature, purpose, date and location of the assistance and the name of the beneficiary.

NEW SECTION. Sec. 2. There is added to chapter 36.75 RCW a new section to read as follows:

Any county may assist a street abutter in improving the street serving the abutter's premises by providing asphalt, concrete, or other supplies or materials. The furnishing of supplies or materials or paying to the abutter the cost thereof and the providing of inspectors and other incidental personnel shall not render the street improvements a public work or improvement subject to competitive bidding. The legislative authority of such county shall approve any such assistance at a public meeting and shall maintain a public register of any such assistance setting forth the value, nature, purpose, date and location of the assistance and the name of the beneficiary.

Passed the House April 15, 1983.

Passed the Senate April 11, 1983.

Approved by the Governor April 22, 1983.

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