

1 AN ACT relating to the Board of Veterinary Examiners.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 321.230 is amended to read as follows:

4 **(1)** There hereby is created a board to be known as the "Kentucky Board of Veterinary
5 Examiners." The board shall consist of **the state veterinarian, or the state**
6 **veterinarian's designee, and** nine (9) members appointed by the Governor~~], and the~~
7 ~~Commissioner of Agriculture or the Commissioner's designee].~~

8 **(a)** Seven (7) members **appointed by the Governor** shall be citizens of the
9 Commonwealth of Kentucky and shall each have been lawfully engaged in the
10 practice of veterinary medicine in this Commonwealth for at least two (2)
11 years next preceding the date of the member's appointment.

12 **(b)** One (1) member **appointed by the Governor** shall be a citizen at large who is
13 not associated with or financially interested in the practice or business
14 regulated.

15 **(c)** One (1) member **appointed by the Governor** shall be a citizen of the
16 Commonwealth and a licensed veterinary technician who has been employed
17 in the veterinary field in the Commonwealth for at least two (2) years
18 preceding the date of his or her appointment.~~[All appointed]~~

19 **(2)** Members **other than the state veterinarian or the state veterinarian's designee**
20 shall be appointed for a term of four (4) years and shall serve until the member is
21 reappointed or a successor is appointed. Any vacancy in the appointed membership
22 of the board shall be filled for the unexpired term by appointment by the Governor.

23 **(3)** Each member of the board, **except the state veterinarian or the state veterinarian's**
24 **designee,** shall receive one hundred dollars (\$100) per day for each day of service
25 actually given in carrying out his **or her** duties under this chapter, in addition to his
26 **or her** necessary traveling, hotel, and contingent expenses incurred in attending the
27 meetings of the board and in the performance of his **or her** duties.

1 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 321 IS CREATED TO
2 READ AS FOLLOWS:

3 (1) The Commissioner of Agriculture or the Commissioner's designee shall provide
4 active supervision over the activities of the board and perform the following
5 duties:

6 (a) Review and approve or disapprove any administrative regulation proposed
7 by the board prior to the regulation's promulgation;

8 (b) Review and approve or disapprove the board's budgets and expenditures;
9 and

10 (c) Consider, decide, and issue final orders on petitions for administrative
11 review filed pursuant to subsection (3) of Section 3 of this Act.

12 (2) The Department of Agriculture shall have the following responsibilities:

13 (a) Provide appropriate administrative support to the board;

14 (b) Provide adequate meeting space, office space, furniture, and equipment to
15 the board;

16 (c) Make available for public inspection all decisions, opinions, and
17 interpretations formulated or used by the board in discharging its duties;

18 (d) Provide legal counsel to the board, if requested;

19 (e) Enter into agreements with state agencies, political subdivisions of the
20 Commonwealth, postsecondary institutions, or other persons to assist with
21 the implementation of the board's responsibilities; and

22 (f) Charge the board a reasonable amount for the services of the Department
23 of Agriculture and its employees.

24 ➔Section 3. KRS 321.360 is amended to read as follows:

25 (1) Except as provided in KRS 321.353, the board, before suspending, revoking,
26 imposing probationary or supervisory conditions upon, imposing an administrative
27 fine, or any combination of actions regarding any license under the provisions of

1 this chapter, shall set the matter for hearing in accordance with KRS Chapter 13B.

2 **(2)** After denying an application under the provisions of this chapter, or issuing a
3 written reprimand, the board shall grant a hearing in accordance with KRS Chapter
4 13B to the denied applicant only upon written request~~[of the applicant]~~ made
5 within thirty (30) days of the date of the letter advising of the denial or the
6 reprimand.

7 **(3) Any person aggrieved by a final order, action, or decision of the board may file a**
8 **petition for administrative review with the Commissioner of Agriculture or the**
9 **Commissioner's designee in accordance with KRS Chapter 13B. A petition for**
10 **administrative review shall be submitted no later than thirty (30) days after the**
11 **date of the board's final order, action, or decision.**

12 **(4)**~~(2)~~ Any party aggrieved by a final order of the **Commissioner of Agriculture or**
13 **the Commissioner's designee may file a petition for judicial review in the**~~board~~
14 ~~may appeal to~~ Franklin Circuit Court in accordance with KRS Chapter 13B.