

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations and Military Affairs to which
3 was referred House Bill No. 626 entitled “An act relating to animal welfare”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 Sec. 1. 20 V.S.A. chapter 190 is added to read:

8 CHAPTER 190. DIVISION OF ANIMAL WELFARE

9 § 3201. DEFINITIONS

10 As used in this subchapter:

11 (1) “Animal” has the same meaning as in 13 V.S.A. § 351, provided that
12 the animals or activities regulated under this chapter shall not apply to:

13 (A) activities regulated by the Department of Fish and Wildlife
14 pursuant to 10 V.S.A. Part 4;

15 (B) scientific research governed by accepted procedural standards
16 subject to review by an institutional animal care and use committee;

17 (C) livestock and poultry husbandry practices for the raising,
18 management, and use of domestic animals;

19 (D) veterinary medical or surgical procedures; and

20 (E) the killing of an animal as authorized pursuant to sections 3809
21 and 3545 of this title.

1 (2) “Director” means the Director of Animal Welfare and includes the
2 Director’s designee.

3 (3) “Division” means the Division of Animal Welfare.

4 (4) “Domestic animal” has the same meaning as in 6 V.S.A. § 1151(2).

5 § 3202. ESTABLISHMENT OF DIVISION OF ANIMAL WELFARE;

6 POWERS AND DUTIES

7 (a)(1) The Division of Animal Welfare is established within the
8 Department of Public Safety. The Commissioner of Public Safety shall
9 appoint a Director of Animal Welfare who shall be in immediate charge of the
10 Division. The Director shall be qualified by education and professional
11 experience to perform the duties of the position. The Director shall have at
12 least the following minimum qualifications:

13 (A) experience in interpreting or knowledge of animal welfare laws
14 and rules;

15 (B) knowledge of animal welfare stakeholders in the State and
16 regionally; and

17 (C) knowledge of the causes and characteristics of animal welfare
18 and animal cruelty issues.

19 (2) The Director position shall be a classified service position in the
20 Department of Public Safety.

1 (b)(1) The Director shall develop a comprehensive plan for the
2 development, implementation, and enforcement of the animal welfare laws of
3 the State. In developing the comprehensive plan, the Director shall first review
4 the 2023 Report on Unification of Animal Welfare and Related Public Safety
5 Function and similar reports and proposed legislation. The plan shall include:

6 (A) how the Director shall oversee investigation and response to
7 animal cruelty complaints in the State in order to provide the best services to
8 Vermont’s animals statewide;

9 (B) how the Director shall coordinate administration and enforcement
10 of animal welfare laws in the State in a collaborative manner with those law
11 enforcement officers and municipalities that retain authority to enforce animal
12 cruelty requirements in the State;

13 (C) how the State should address the extent and scope of any
14 deficiencies in Vermont’s system of investigating and responding to animal
15 cruelty complaints;

16 (D) how the State should ensure that investigations of animal cruelty
17 complaints are conducted according to systematic and documented written
18 standard operating procedures and checklists;

19 (E) a proposal to house and care for animals seized in response to
20 complaints of animal cruelty, including how to pay for the care of seized
21 animals;

1 (F) a proposal for funding animal welfare administration and
2 enforcement in the State, including potential sources of public and private
3 funding; and

4 (G) recommended amendments to animal welfare statutes or rules,
5 including standards of care for animals housed by animal shelters or rescue
6 organizations.

7 (2) The Director of Animal Welfare shall submit the comprehensive
8 plan required by this subsection and any revisions thereto to the House
9 Committee on Government Operations and Military Affairs and the Senate
10 Committee on Government Operations not later than eight months after the
11 date of hiring of the Director.

12 (c) The Director of Animal Welfare shall consult with other State agencies
13 that respond to animal welfare complaints or with animal welfare
14 responsibilities to quantify the amount of time State agency staff expend in
15 fulfilling animal welfare responsibilities, including the costs to agencies of
16 fulfilling the responsibilities.

17 (d) The Director of Animal Welfare shall be the sole employee of the
18 Division of Animal Welfare until the comprehensive plan required under
19 subdivision (b)(2) of this section is completed and the General Assembly
20 enacts legislation, as needed, to implement the comprehensive plan.

1 § 3203. ANIMAL WELFARE FUND

2 (a) The Animal Welfare Fund is established within the Department of
3 Public Safety to fund the expenses incurred by the Division of Animal Welfare
4 in implementing the requirements of this chapter. The Director of Animal
5 Welfare shall administer the Fund.

6 (b) The Fund shall consist of:

7 (1) 50 percent of the revenue collected from the surcharge assessed
8 under subsection 3581(f) of this title; and

9 (2) appropriations made by the General Assembly.

10 (c) All balances in the Fund at the end of the fiscal year shall be carried
11 forward. Interest earned by the Fund shall remain in the Fund.

12 Sec. 2. 20 V.S.A. § 3581 is amended to read:

13 § 3581. GENERAL REQUIREMENTS

14 (a) A person who is the owner of a dog or wolf-hybrid more than six
15 months old shall annually on or before April 1 cause it to be registered,
16 numbered, described, and licensed on a form approved by the Secretary for one
17 year from that day in the office of the clerk of the municipality in which the
18 dog or wolf-hybrid is kept. A person who owns a working farm dog and who
19 intends to use that dog on a farm pursuant to the exemptions in section 3549 of
20 this title shall cause the working farm dog to be registered as a working farm
21 dog and shall, in addition to all other fees required by this section, pay \$5.00

1 for a working farm dog license. The owner of a dog or wolf-hybrid shall cause
2 it to wear a collar and attach a license tag issued by the municipal clerk to the
3 collar. Dog or wolf-hybrid owners shall pay for the license \$4.00 for each
4 neutered dog or wolf-hybrid, and \$8.00 for each unneutered dog or wolf-
5 hybrid. If the license fee for any dog or wolf-hybrid is not paid on or before
6 April 1, its owner or keeper may thereafter procure a license for that license
7 year by paying a fee of 50 percent in excess of that otherwise required.

8 (b) Before a person shall be entitled to obtain a license for a neutered dog
9 or wolf-hybrid, he or she shall exhibit to the clerk a certificate signed by a duly
10 licensed veterinarian showing that the dog or wolf-hybrid has been sterilized.

11 (c)(1) A mandatory license fee surcharge of \$4.00 per license shall be
12 collected by each city, town, or village for the purpose of funding the dog, cat,
13 and wolf-hybrid spaying and neutering program established in chapter 193,
14 subchapter 6 of this title.

15 (2) An optional license fee surcharge of up to \$10.00 per license is to be
16 implemented by the legislative body of a city, town, or village that has
17 established an animal and rabies control program for the sole purpose of
18 funding the rabies control program.

19 (3) The license fee surcharges in this subsection shall not be considered
20 part of the license fee for purposes of calculating a penalty for late payment.

1 (d) Before obtaining a license for a dog or wolf-hybrid six months of age or
2 older, a person shall deliver to the municipal clerk a certificate or a certified
3 copy thereof issued by a duly licensed veterinarian, stating that the dog or
4 wolf-hybrid has received a current preexposure rabies vaccination with a
5 vaccine approved by the Secretary, and the person shall certify that the dog or
6 wolf-hybrid described in the certificate or copy is the dog or wolf-hybrid to be
7 licensed. The municipal clerk shall keep the certificates or copies thereof on
8 file. The Secretary shall prescribe the size and format of rabies certificates.
9 The owner of any such dog or wolf-hybrid shall maintain a copy of the rabies
10 vaccination form and provide it to State or municipal officials upon request.

11 * * *

12 (f) In addition to the license fees assessed in subsections (a) and (c) of this
13 section and section 3583 of this title, municipal clerks shall assess a ~~\$1.00~~
14 \$2.00 fee for each license sold. The clerks shall forward the fees collected
15 under this subsection to the State Treasurer on or before the 15th day of May,
16 September, and January of each year, together with an accounting of the
17 licenses sold. The funds collected under this subsection are to be used for
18 rabies control programs and for administration of animal welfare laws in the
19 State. For this purpose, on or before the 30th days of May, September, and
20 January, the State Treasurer shall disburse the funds collected under this
21 subsection as follows:

- 1 (1) ~~Forty five~~ 22.5 percent to the Fish and Wildlife Fund;
- 2 (2) ~~Forty five~~ 22.5 percent to the Commissioner of Health;
- 3 (3) ~~Ten~~ five percent to the Secretary of Agriculture, Food and Markets;
- 4 and
- 5 (4) 50 percent to the Animal Welfare Fund created by section 3203 of
- 6 this title.

7 Sec. 3. 13 V.S.A. § 351(4) is amended to read:

- 8 (4) “Humane officer” or “officer” means:
- 9 (A) any enforcement officer as defined in 23 V.S.A. § 4(11)(A) or
- 10 investigator employed by the Office of the Attorney General or State’s
- 11 Attorney; or
- 12 (B) an individual who has received the animal cruelty response
- 13 training ~~required by section 356 of this title~~ who is:
- 14 (i) ~~a designated humane society employee; or~~
- 15 ~~(ii) an animal control officer appointed by the legislative body of a~~
- 16 ~~municipality who is authorized by the legislative body~~ employed by a
- 17 municipal or State law enforcement agency to perform the duties and functions
- 18 of a humane officer; or
- 19 (ii) a Division of Animal Welfare employee authorized to conduct
- 20 investigations under this chapter.

1 Sec. 4. EFFECTIVE DATE

2 This act shall take effect on July 1, 2024.

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8 (Committee vote: _____)

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Representative _____
FOR THE COMMITTEE