

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. The plan shall include:

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

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

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

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

17               (E) a proposal to house and care for animals seized in response to  
18       complaints of animal cruelty, including how to pay for the care of seized  
19       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) 66 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 \$3.00 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~~ 16 percent to the Fish and Wildlife Fund;
- 2 (2) ~~Forty five~~ 16 percent to the Commissioner of Health;
- 3 (3) ~~Ten~~ two percent to the Secretary of Agriculture, Food and Markets;
- 4 and
- 5 (4) 66 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 \_\_\_\_\_

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FOR THE COMMITTEE