

1 TO THE HONORABLE SENATE:

2 The Committee on Judiciary to which was referred House Bill No. 512  
3 entitled “An act relating to adequate shelter of dogs and cats” respectfully  
4 reports that it has considered the same and recommends that the Senate  
5 propose to the House that the bill be amended by striking out Sec. 3 in its  
6 entirety and inserting in lieu thereof the following:

7 Sec. 3. 24 V.S.A. § 1943 is added to read:

8 § 1943. ANIMAL WELFARE ADVISORY BOARD

9 (a) An Animal Welfare Advisory Board is created within the Department  
10 of Public Safety to advise the Commissioner of Public Safety, the Governor,  
11 and the General Assembly on issues involving the cooperation and  
12 coordination of all agencies that exercise animal welfare responsibilities. The  
13 Board shall comprise the following members:

14 (1) a representative from the Department of Public Safety;

15 (2) a State’s Attorney appointed by the Executive Director of State’s  
16 Attorneys and Sheriffs;

17 (3) a representative of the Vermont Animal Control Association;

18 (4) a member of the Vermont Association of Chiefs of Police, appointed  
19 by the President of the Association;

20 (5) a humane officer from a Vermont humane society focusing on  
21 companion animals;

1           (6) a humane officer from a Vermont humane society focusing on large  
2           animals (livestock);

3           (7) a representative of the Vermont Humane Federation;

4           (8) a representative of the Vermont Federation of Dog Clubs;

5           (9) a representative of the Vermont Veterinary Medical Association;

6           (10) a representative of the Vermont Agency of Agriculture, Food and  
7           Markets;

8           (11) a representative of the Vermont Department of Fish and Wildlife,  
9           Enforcement Division;

10          (12) a representative of the Vermont Federation of Sportsmen’s Clubs;

11          (13) one Vermont town health officer appointed by the Vermont  
12          Department of Public Health;

13          (14) a member of the Vermont Constables Association, appointed by the  
14          President of the Association; and

15          (15) a member of the Vermont Sheriffs’ Association, appointed by the  
16          President of the Association.

17          (b) The Board shall elect a chair and a vice chair which shall rotate among  
18          the various member representatives. Each member shall serve a term of two  
19          years. The Board shall meet at the call of the Chair. A quorum shall consist of  
20          eight members, and decisions of the Board shall require the approval of a  
21          majority of those members present and voting.

1        (c) The Board shall have the following duties:

2            (1) Undertake an ongoing formal review process of animal cruelty  
3 investigations and practices with a goal of developing a systematic,  
4 collaborative approach to providing the best services to Vermont’s animals,  
5 given monies available.

6            (2) Work with the Department of Public Safety to study the feasibility of  
7 designating one law enforcement agency to receive, dispatch, and document  
8 the outcome of animal cruelty complaints, and with the assistance of the  
9 Vermont Sheriffs’ Departments, develop a uniform response protocol for  
10 assigning complaints to the appropriate local law enforcement agencies.

11           (3) To ensure that investigations of serious animal cruelty complaints  
12 are systematic and documented, develop written standard operating procedures  
13 and checklists to support the objective investigation of cruelty complaints that  
14 include objective measures of both environmental and clinical evidence of  
15 cruelty.

16           (4) Ensure that requests for voluntary compliance are made in writing,  
17 with clear requests and timelines, and include a timeline for the investigator to  
18 perform a follow-up visit to confirm actions taken.

19           (5) Develop a guide for animal cruelty prosecution, including a review  
20 of current sentencing recommendations for State’s Attorneys.

1           (6) Research the feasibility of developing and implementing an animal  
2           cruelty prevention and education program for offenders to be used as a part of  
3           offenders' sentencing.

4           (7) Explore potential private and public sources of funding for animal  
5           cruelty investigations, including animal care expenses.

6           (8) Develop trainings, protocols, procedures, and guidance documents  
7           for agencies engaging in animal welfare responsibilities.

8           (9) Develop recommendations for providing liability protection and  
9           reducing uncompensated costs to animal shelters and animal welfare groups  
10           that assist law enforcement authorities in animal cruelty investigations.

11           (d) The Board shall meet no fewer than six times a year to undertake its  
12           duties as outlined in subsection (a) of this section. The Board shall present its  
13           findings and recommendations in brief summary to the House and Senate  
14           Committees on Judiciary annually on or before January 15.

15           Sec. 4. 20 V.S.A. § 2365b is added to read:

16           § 2365b. ANIMAL CRUELTY RESPONSE TRAINING

17           As part of basic training in order to become certified as a law enforcement  
18           officer, a person shall receive a two-hour training module on animal cruelty  
19           investigations as approved by the Vermont Criminal Justice Training Council  
20           and the Animal Welfare Advisory Board.

1 Sec. 5. 13 V.S.A. § 356 is added to read:

2 § 356. HUMANE OFFICER REQUIRED TRAINING

3 All humane officers, as defined in subdivision 351(4) of this title shall  
4 complete a certification program on animal cruelty investigation training as  
5 developed and approved by the Animal Welfare Advisory Board.

6 Sec. 6. 13 V.S.A. § 354 is amended to read:

7 § 354. ENFORCEMENT; POSSESSION OF ABUSED ANIMAL;  
8 SEARCHES AND SEIZURES; FORFEITURE

9 (a) The Secretary of Agriculture, Food and Markets shall be consulted prior  
10 to any enforcement action brought pursuant to this chapter which involves  
11 livestock and poultry. Law enforcement may consult with the Secretary in  
12 person or by electronic means, and the Secretary shall assist law enforcement  
13 in determining whether the practice, animal condition, or both represent  
14 acceptable livestock or poultry husbandry practices.

15 \* \* \*

16 Sec. 7. DEPARTMENT OF CORRECTIONS; ANIMAL CARE PILOT  
17 PROGRAM

18 The Commissioner of Corrections shall implement a pilot program in at  
19 least one correctional facility that would permit qualified inmates to provide  
20 temporary care, on-site, for animals on a weekly or more frequent basis. The  
21 program shall be established on or before January 1, 2017, and the

1 Commissioner shall report on this program, with recommendations as to  
2 whether it could be expanded to care for animals that have been seized or  
3 relinquished in cruelty or neglect investigations, to the Joint Committee on  
4 Justice Oversight on or before November 1, 2017.

5 Sec. 8. EFFECTIVE DATE

6 This act shall take effect on July 1, 2016.

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9 (Committee vote: \_\_\_\_\_)

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\_\_\_\_\_

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Senator \_\_\_\_\_

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FOR THE COMMITTEE