

1 TO THE HONORABLE SENATE:

2 The Committee on Appropriations to which was referred House Bill  
3 No. 130 entitled “An act relating to the Agency of Public Safety” respectfully  
4 reports that it has considered the same and recommends that the report of the  
5 Committee on Government Operations be amended by striking out in their  
6 entirety Secs. 7 (18 V.S.A. § 4247) and 8 (effective dates) and their related  
7 reader assistance headings and inserting in lieu thereof the following:

8 \* \* \* Animal Cruelty \* \* \*

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

10 § 1943. ANIMAL CRUELTY INVESTIGATION ADVISORY BOARD

11 (a) An Animal Cruelty Investigation Advisory Board is created within the  
12 Department of Public Safety to advise the Governor, the General Assembly,  
13 and the Commissioner of Public Safety on issues involving the cooperation  
14 and coordination of all agencies that exercise animal welfare responsibilities.

15 The Governor shall appoint the following to serve on the Board:

- 16 (1) the Commissioner of Public Safety or designee;  
17 (2) the Executive Director of State’s Attorneys and Sheriffs or designee;  
18 (3) the Secretary of Agriculture, Food and Markets or designee;  
19 (4) the Commissioner of Fish and Wildlife or designee;  
20 (5) two members to represent the interests of organizations dedicated to  
21 promoting the welfare of animals;

1           (6) three members to represent the interests of law enforcement;

2           (7) a member to represent the interests of humane officers working with  
3 companion animals;

4           (8) a member to represent the interests of humane officers working with  
5 large animals (livestock);

6           (9) a member to represent the interests of dog breeders and associated  
7 groups;

8           (10) a member to represent the interests of veterinarians;

9           (11) a member to represent the interests of the Criminal Justice Training  
10 Council;

11           (12) a member to represent the interests of sportsmen and women; and

12           (13) a member to represent the interests of town health officers.

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

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

19           (1) undertake an ongoing formal review process of animal cruelty  
20 investigations and practices with a goal of developing a systematic,

1 collaborative approach to providing the best services to Vermont's animals,  
2 given monies available;

3 (2) work with the Department of Public Safety to study the feasibility of  
4 designating one law enforcement agency to receive, dispatch, and document  
5 the outcome of animal cruelty complaints, and with the assistance of the  
6 Vermont Sheriffs' Association, develop a uniform response protocol for  
7 assigning complaints to the appropriate local law enforcement agencies;

8 (3) ensure that investigations of serious animal cruelty complaints are  
9 systematic and documented, develop written standard operating procedures and  
10 checklists to support the objective investigation of cruelty complaints that  
11 include objective measures of both environmental and clinical evidence of  
12 cruelty;

13 (4) ensure that requests for voluntary compliance are made in writing,  
14 with clear requests and timelines, and include a timeline for the investigator to  
15 perform a follow-up visit to confirm actions taken;

16 (5) develop a guide for animal cruelty prosecution, including a review of  
17 current sentencing recommendations for State's Attorneys;

18 (6) research the feasibility of developing and implementing an animal  
19 cruelty prevention and education program for offenders to be used as a part of  
20 offenders' sentencing;

1           (7) explore potential private and public sources of funding for animal  
2           cruelty investigations, including animal care expenses;

3           (8) develop trainings, protocols, procedures, and guidance documents  
4           for agencies engaging in animal welfare responsibilities;

5           (9) develop an animal cruelty investigation certification program for  
6           humane officers in accordance with 13 V.S.A. § 356, and provide a means by  
7           which a person who has been actively engaged in this State as a humane  
8           officer conducting animal cruelty investigations for at least five years  
9           preceding July 1, 2016 shall be eligible for certification without completion of  
10          the certification program requirements;

11          (10) develop recommendations for providing liability protection and  
12          reducing uncompensated costs to animal shelters and animal welfare groups  
13          that assist law enforcement authorities in animal cruelty investigations;

14          (11) explore changing the annual deadline for dog licensure under  
15          20 V.S.A. § 3582 to align better with the time of year dogs require annual  
16          veterinary care; and

17          (12) determine what should appropriately constitute an enforcement  
18          action triggering the obligation of the Agency of Agriculture, Food and  
19          Markets to assist law enforcement pursuant to 13 V.S.A. § 354(a).

20          (d) The Board shall meet no fewer than six times a year to undertake its  
21          duties as outlined in subsection (a) of this section. The Board shall present its

1 findings and recommendations in brief summary to the House and Senate  
2 Committees on Judiciary annually on or before January 15.

3 Sec. 8. 20 V.S.A. § 2365b is added to read:

4 § 2365b. ANIMAL CRUELTY RESPONSE TRAINING

5 As part of basic training in order to become certified as a Level Two and  
6 Level Three law enforcement officer, a person shall receive a two-hour  
7 training module on animal cruelty investigations as approved by the Vermont  
8 Criminal Justice Training Council and the Animal Cruelty Investigation  
9 Advisory Board.

10 Sec. 9. 13 V.S.A. § 356 is added to read:

11 § 356. HUMANE OFFICER REQUIRED TRAINING

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

15 Sec. 10. 13 V.S.A. § 354 is amended to read:

16 § 354. ENFORCEMENT; POSSESSION OF ABUSED ANIMAL;  
17 SEARCHES AND SEIZURES; FORFEITURE

18 (a) The Secretary of Agriculture, Food and Markets shall be consulted prior  
19 to any enforcement action brought pursuant to this chapter which involves  
20 livestock and poultry. Law enforcement may consult with the Secretary in  
21 person or by electronic means, and the Secretary shall assist law enforcement

1 in determining whether the practice or animal condition, or both represent  
2 acceptable livestock or poultry husbandry practices.

3 \* \* \*

4 Sec. 11. DEPARTMENT OF CORRECTIONS; ANIMAL CARE PILOT  
5 PROGRAM

6 The Commissioner of Corrections shall implement a pilot program in at  
7 least one correctional facility that would permit qualified inmates to provide  
8 temporary care, on-site, for animals on a weekly or more frequent basis. The  
9 program shall be established on or before January 1, 2017, and the  
10 Commissioner shall report on this program, with recommendations as to  
11 whether it could be expanded to care for animals that have been seized or  
12 relinquished in cruelty or neglect investigations, to the Joint Committee on  
13 Justice Oversight on or before November 1, 2017.

14 \* \* \* Training Safety Subcommittee \* \* \*

15 Sec. 12. 29 V.S.A. § 842 is added to read:

16 § 842. TRAINING SAFETY SUBCOMMITTEE; RECOMMENDATIONS;  
17 GOVERNANCE COMMITTEE REPORT

18 (a) Subcommittee creation. There is created as a subcommittee of the  
19 Training Center Governance Committee the Training Safety Subcommittee to  
20 make recommendations regarding training safety at the Robert H. Wood, Jr.

1 Criminal Justice and Fire Service Training Center of Vermont (Training  
2 Center).

3 (b) Subcommittee membership. The Subcommittee shall be composed of  
4 seven members.

5 (1) Four of these members shall be members of the Training Center  
6 Governance Committee, appointed by the Committee as follows:

7 (A) two shall represent the Vermont Police Academy; and

8 (B) two shall represent the Vermont Fire Academy.

9 (2) The remaining three members shall be as follows:

10 (A) the Commissioner of Labor or designee;

11 (B) the Risk Management Manager of the Office of Risk

12 Management within the Agency of Administration; and

13 (C) one employee of the Vermont League of Cities and Towns who  
14 specializes in risk management, appointed by the Executive Director of the  
15 League.

16 (c) Subcommittee recommendations. The Subcommittee shall annually:

17 (1) on or before February 1, review the safety records of the Training  
18 Center; and

19 (2) on or before July 1, submit to the Training Center Governance  
20 Committee its recommendations regarding how training safety at the Training  
21 Center could be improved.

1           (d) Governance Committee review and report.

2                   (1) The Training Center Governance Committee shall review and  
3           consider the recommendations made by the Subcommittee under subsection (c)  
4           of this section.

5                   (2) Annually, on or before January 15, the Governance Committee shall  
6           report to the General Assembly regarding:

7                           (A) any training safety issues it has discovered at the Training Center  
8           and any steps it has taken to remedy those issues; and

9                           (B) whether the Governance Committee has instituted any of the  
10          Subcommittee's recommendations for training safety and if not, the reasons  
11          therefor.

12                   (3) The provisions of 2 V.S.A. § 20(d) (expiration of required reports)  
13          shall not apply to the report required to be made under this subsection.

14          Sec. 13. INITIAL TRAINING SAFETY SUBCOMMITTEE MEETING AND  
15                    INITIAL TRAINING CENTER GOVERNANCE COMMITTEE  
16                    REPORT

17                   (a) The Chair of the Training Center Governance Committee shall call the  
18          initial meeting of the Training Safety Subcommittee set forth in  
19          29 V.S.A. § 842 in Sec. 12 of this act to be held on or before February 1, 2017.



1           (b) The Training Center Governance Committee shall make its initial report  
2           to the General Assembly described in 29 V.S.A. § 842(d) in Sec. 12 of this act  
3           on or before January 15, 2018.

4   \* \* \* Effective Dates \* \* \*

5           Sec. 14. EFFECTIVE DATES

6           This act shall take effect on passage, except Secs. 6 (13 V.S.A. § 352a)  
7           through 11 (Department of Corrections; animal care pilot program) shall take  
8           effect on July 1, 2016.

9           and that after passage the title of the bill be amended to read: “An act relating  
10          to law enforcement, 911 call taking, dispatch, animal cruelty, and training  
11          safety”

12

13

14           (Committee vote: \_\_\_\_\_)

15

\_\_\_\_\_

16

Senator \_\_\_\_\_

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FOR THE COMMITTEE