



## Commission on the Humane Treatment of Animals

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### Minutes of April 16, 2009 Meeting

**Members Present:** Trish Morris (acting chair for Sheila Presby), Nancy Johnson, Carla Skinder, Joanne Bourbeau, Susan Morrell, George Cook, Mike Hughes, Steve Sprowl, Dick Wenztell, Joyce Arivella, Jeri Zezula, Joyce Matott and Andy Shaguory.

#### **Approval of November minutes**

The minutes could not be approved as there was no quorum for today's meeting.

#### **Cost Analysis report**

Report was submitted to the Governor's office in November after being unanimously approved by the members. We have not received any feedback from the Governor's office on this report to date. The members present today received their copy of the report.

#### **Work on annual report to the Governor**

##### **A. Discussion to re-write executive order**

We have asked twice now that this be re-written and both times the Governor's office has been reluctant to make this change.

One of the things we would like to change is that we should be able to get legislation filed and do more than advise the Governor on pending bills. We would also like to be able to endorse bills as a commission. Also we should be able to have those who potentially want to submit bills, come to these meetings to have a discussion on the pro's and con's of these bills before all the time, money and effort are put in to submit this bill (ie. For example, bills submitted to have State Vet's office do more investigations, only to Dr. Crawford's office state in the hearings that this would not be doable with his current budget - the money was spent to get this bill submitted when it was not realistic in the first place - this is something this commission should be able to do if the executive order was re-written.

Another thing the commission would like to have the ability to do is analyze the existing laws, look at the pro's and con's, look at the weaknesses in the laws and recommend changes to change those laws. To do a kind of continuous review of the laws. The way the current executive order is written, we cannot make recommendations, point out weaknesses, or submit bills to improve the laws.

Another is taking current animal cruelty cases in the courts mostly in NH but also from across the county and analyze them to improve upon the laws.

Many of the commission members would like to be allowed to have an alternate person come on their behalf - right now only the members where the executive order states (or designee) can do this - this option would certainly allow the members to meet the quorum requirement.

- B. Discussion to move forward as a permanent commission in legislative year 2010.

Again it was brought up to have the registry of deeds money to fund animal cruelty investigations. The state constitution does not allow this.

- C. Discussion to recommend the AG's office have a dedicated group to handle only animal cruelty cases

This does not seem to be financially viable at this time - as the state has recommended the AG's budget be cut by a million dollars.

#### Expanding the State Veterinarians Role

1. The State Veterinarian also has submitted a bill to correct an error in the law that states the state veterinarian is not the first line of defense in reporting or investigating cruelty cases. It is the Police Department.
2. The Maine State Veterinarian model was looked at. They have a branch that train and license investigators. Maine also has 5 veterinarians on staff. However this does not seem to be financially viable at this time.

Susan Morrell has offered to look into RSA 91A and whether we can use email to promote our discussions when we are not meeting and to bring the research (homework) to the next meeting for further discussion.

Susan will also look into what we need for a quorum. Today's meeting did not meet the quorum of 13 people therefore we can only hold discussions today. Also there was a discussion whether a blog could be used to post discussions or is this a problem for RSA 91A.

### **Update of current legislation**

Joanne Bourbeau handed out a list of the current animal bills in the legislation and where they stand to voting, inexpedient to legislation, killed etc.

The antifreeze bill looks like it will be brought back next year as the committee had a lot of interest in it but questions about liability issues and financial considerations with this economy took it out of contention.

The reimbursement to homeowners from wildlife - Bill # 545 - changing the percentage of payments and covers maintenance and construction costs - the bill would allow for special permits to be issued to hunters when the wildlife destroy property or product to commercial farmers.

The civil forfeiture bill for animals, HB220, was opposed by the Dog Owners of the Granite State for several reasons. If animals are taken in a civil forfeiture and the person is acquitted in a criminal trial it is too late to get the animals back if they were sold or euthanized. There is not enough time to get a defense for this case (within 14 days) and double jeopardy on \$2000 per animal if you wanted to appeal and the potential for double jeopardy on acquittal which could potentially bring the case back to a civil trial.

As a side discussion, had this been a bill the commission could have had a discussion on with, for example, the Dog Owners of the Granite state - some of the misconceptions about civil forfeiture could have been corrected - ie the association thought that the animals owners were still financial liable for the animals after civil forfeiture. If an animal is forfeited/ surrendered the financial responsibility is passed onto the agency and not continued for the owner. If an animal is seized and not surrendered the owner can be financial responsible for the animals until the judge decides what to do with the animal(s) or the case is completed in court. If the owner is found not guilty the owner is not financially responsible.

### **Update on CSR program**

The program is dead because the funding could not be found. Animal Tracs has expressed an interest in this program, whether they want to get the rights to the program and promote it nationally is something that is being discussed but nothing has been decided to date.

**Update on <http://www.nh.gov/humane> website** - Jeri Zezula will ask if we can have a counter put on the website to see how many people are accessing this commission's information.

Jerilee is still looking for input from the commission. Has recently done updates on articles about animals and some Public Relations things.

### **New Business**

Jerilee asked about Sullivan County Farm and where it stood on as a place for animal seizures, ie some place to put seized horses, or help care for animals that need to get out of domestic abuse situations until the owners can make other arrangements. Carla Skinder stated that Ross Cunningham (Superintendent of the jail) is very much interested in teaching inmates to help take care of the needs of the Farm (ie carpentry work etc.) Joyce Matott mentioned that the Hillsborough County Jail also has plenty of land that might be another location for such a program. Dick Wentzell and Carla Skinder will look into this. Jerilee would be willing to be a part of this subcommittee after May 09.

Jerilee also brought up looking into long term care of animals in domestic abuse - around the country they are doing it in some women's prisons. Carla thinks the jails are a better fit than the prisons. For one reason there are jails in every county thus allowing the potential for each county to hold its own animal's safe havens. Prisons hold hard corp criminals, (rapists, murderers etc.) and have more problems internally than the jails

### **Discussion on doubling up meetings during some months so we maintain 12 meetings.**

Do we need monthly meetings to keep the momentum going for this commission? The executive order does not state we need to meet every month. Meeting in the summer or over the winter present their own problems logistically for the members.

**Discussion on replacement for Roni as Secretary** - Note: Roni will remain on commission but in a public capacity. Trish mentioned that the secretary does not have to be a member of the commission - this will be discussed further at the next meeting. Dick brought up again the use of a tape recorder to handle the minutes of the meetings. This is doable but someone will still have to transcribe the tape so that the minutes could go up on the commission webpage and be given to the members.

### **Announcements**

Jerilee reported that they had the first 2 day animal cruelty course at the police academy where some 35 people including ACO's met. There were some technical glitches and the presentors ran out of time to cover everything, but overall the course was productive.

### **Next Meeting Date**

May 21<sup>st</sup> at 1:30pm location tentatively set for the AG's conference room.

Submitted by Roni McCall, Commission Secretary on May 18, 2009 and amended on July 30, 2009