



Commission on the Humane Treatment of Animals

Minutes of July 30, 2009 Meeting

Members in Attendance: Mark Ellingwood, Roni McCall, Jim Kennedy, Steven Sprowl, Patricia Morris, Joyce Arivella, Christopher Conley, Andrew Shagoury, Debora Simson, Jerilee Zezula, Michael Hughes

Introduction: Our newest member of the Commission is Mr. Christopher Conley, of the Carroll County Sheriff's Department.

Approval of April Minutes:

-Discussion: The April minutes had a discrepancy noted by Joyce Arivella where in on page three, third paragraph under "Update of Current Legislation" the discussion of HB545, having to deal with Wildlife damage and reimbursement also included elements of HB 220 having to do with Civil Forfeiture.

-Chief Shagoury suggested the amendment as follows: At the end of paragraph 4 ad: "The NH Dog Breeders Association opposes HB 220."

-The Minutes were approved as amended.

Legal: *Into policies/operations*

-Tricia Morris presented research done by Sue Morrell concerning NH RSA 91-A and what is a quorum. The concept of a quorum has been a sticking point amongst us for a while now. Bottom-line, a public body such as ours performs before the public by definition. As a public body, to be well represented by its members, we convene, "a quorum of the membership..." not majority of appointed positions. We have about 22 members now, but appointed positions according to the Order is 20.

Cost Analysis Report: Posted on Web site.

Update on current legislation: Reported by Nancy Johnson

-HB630: RETAINED IN COMMITTEE-"This bill prohibits live greyhound racing in New Hampshire in 2010, and allows for the retention of simulcast privileges."

Ref: <http://www.gencourt.state.nh.us/legislation/2009/HB0630.html>

- HB2: PASSED: "AN ACT relative to state fees, funds, revenues and expenditures."
 - " Allows simulcasting without conducting live horse or dog racing."
 - Ref: <http://www.gencourt.state.nh.us/legislation/2009/HB0002.html>
- NH does not now support this sport financially
 - annual costs to the State to regulate this industry is around \$500,000.
 - a rep. from Belmont suggested that racing may start again next year.
 - further work is being done so this will not happen

-HB 431-FN: Bill to alter taste of antifreeze so as to make it less palatable to animals and people was RETAINED IN COMMITTEE-no one is sure why. Many other States have a similar law.

- HB 493: UNIFORM EMERGENCY VOLUNTEER HEALTH PRACTITIONERS ACT
 - RETAINED IN COMMITTEE, probably because it is a complicated bill, needed more time.
 - Includes dealing with animals in an emergency
 - Also deals with allowing volunteers from out of state that offer assistance.

-SB 13. AN ACT declaring the Chinook the state dog of New Hampshire.. SPONSORS: Sen. Roberge PASSED

-HB247: Suggested State Veterinarian was first in line to handle cruelty cases was reworded to say Complaints " *shall initially be filed with the local law enforcement agency, animal control officer, state police, or sheriff which has jurisdiction over where the animal is located or kept. At the request of the local law enforcement agency, animal control officer, state police, or sheriff, the state veterinarian shall assist in a secondary capacity in enforcing the provisions of and investigating said complaints*"

- SB137: Pertaining to animal population control i.e., the spay/neuter program
 - Plan A, is gone now
 - Plan B is alive and well
 - people on state assistance can get a voucher to get their pet neutered.
 - more cost effective plan now since most state shelters spay/neuter before adopting.

- HB278: **Title:** relative to the penalty for mistreating service animals
 - Want to make it a felony instead of a misdemeanor.
 - INEXPEDIENT TO LEGISLATE

- Possibly excludes horses
- Probably another problem with passing this bill is the definition of a service animal?

- As Chief Shagoury mentioned, you cannot declare your pet as a service animal just to get it into a hotel with you, for instance.
- Has been introduced year after year.

Dick Wentzell's report to the Committee on Permanent Commission

- Dick was not in attendance so report delayed.

Report on CT's handling of cruelty cases involving large animals

-Reported by Jeri Zezula

- CT has an animal control division run by Dept. of Ag.
 - operate own large animal rehab center called, "Second Chance Large Animal Rehab Center". (See handout)
 - erected with prisoner aid, and materials donated by other State Departments.
- Possible Issues:
 - since a lot of the work was done by prisoners, a corrections officer had to be assigned to the construction site-added cost.
 - the workers at "Second Chance" are prisoners about to be released. So, security issues remain. You can't just go for a tour unannounced for instance.

Added report on the visit to NH Sullivan County Farm:

- Steve Sprowl reporting
 - Three old dairy barns
 - one stores old records
 - other two that could be used for our purpose are old milking barns, so all the apparatus, and some concrete walls need to be removed
 - Acreage-large grazing area
 - Good supply of hay
 - Just need to be cleaned-up
 - Farm is outside secure area of adjacent county jail
 - If prisoners wanted to work handling large animals, would be on a volunteer basis as opposed to CT where there was pay involved.
 - Steve said, "it is an ideal situation".
- Possible issues:
 - Cost: Who assumes the cost of the care of the animals once they are there.

- Chief has nothing to do with the jails-not responsible for security at the jails (Chief Shagoury).
- County Commission provides the security
- May be a minimal security issue since the jail is right next door and the guards are outside most of the time.
- Restitutions can help defray costs of running the barns.
- Dr Zezula mentioned that other State Dept's can donate materials much as the CT scenario.

- (Chief Shagoury) Suggested that program could be better sold as a Prisoner Rehabilitation Program

- Emphasis could be on lowering the rate of recidivism by creating, or gaining some empathy by caring for the animals that.

- Steve agreed and mentioned this was brought up during his tour of the Sullivan county complex.

- Dr Zezula mentioned it may be a program for the juvenile offenders, but Chief Shagoury mentioned mixing adult offenders and juvies was not done. However, creative scheduling may be an answer.

- Steve mentioned that probably Dr. Crawford's office should take it from here and develop a plan to:

- raising the funds to get a program rolling,

- some new fencing may be needed,

- plus the clean-up of the barns themselves,

- plus what it takes for the care and feeding of the animals that do come.

- Chief Shagoury suggested:

- Plan A: Have Dept. of Ag. take the program

- Plan B: Would be to have Sullivan County take the program and plan to receive a portion of the restitutions, and proceeds from auctions of the livestock which are not returned to owners.

- Dr. Zezula mentioned that a comprehensive cost estimate should be made.

- Once an estimate/budget, and a plan is formed it may help get grants, or benefactors to help.

- Nancy Johnson suggested she take a tour with Steve S. to get a handle on things, and see what kind of grants the program may qualify for.

- The Chair (Tricia) suggested a sub-committee to flesh-out a possible program cost/budget analysis. The motion was made by Roni, seconded by Steve S. and voted all in favor. The members will be:

- Nancy Johnson
- Dr. Zezula
- Steve Sprowl

Update on <http://www.nh.gov/humane> website

-Dr Zezula reporting:

-The report from the web hosting service on who checks us out and why is on our site. There was some interest among us for this type of info.

-The site is in continuous update mode. Dr "Z" works steadily to keep it updated the best she can.

NEW BUSINESS

Annual Report/Review of Executive Order-where we have been; where do we want to go

-Tricia:

- Mr. Wentzell mentioned last time that he heard the Governor was going to re-evaluate the need for the various Gov. Commissions over the next 6-months.

-Do we have the determination to make something of this commission or not? What do we want to do? How can we help? The Annual Reports, the concept of using state farms for large scale rescues, closing any loopholes in the existing laws are a good start. ...ETC.

- Mark Ellingwood sees no restriction on our mandate to advise the governor. We have been given mandates in the Order that we have never followed up on. We have not given the mandates in the Exec Order a chance yet, and We haven't really taken advantage of the opportunities that were given us.

-Much of Jeri's response could not be heard... "we had speakers in the past tell us that we could not do a lot of things that we thought we could....."

-Roni: There is a new contact with the Governor's office by the name of Jennifer Kuzma. She is the one who will take our report, and ideas of how our Commission will proceed in the future.

Open Positions:

-Roni reporting:

-Animal Shelter Position- needs to be a board member of an existing shelter. May be able to use NH Fed to advertise this position to the various "boards".

-NH Municipal Animal Shelters: (The Sec is not sure why this opening came up for discussion-but it is listed on the Executive Order)

-MAUREEN PRENDRGAST REPRESENTS THIS GROUP, MAY WANT TO GET HER INPUT

-Chief Shagoury made an excellent suggestion here: To paraphrase: If there is little interest in this position, and it would represent very few NH shelters, why keep it. How about replacing with NH Municipal Government Center Association. Nancy Johnson agreed. Can take this position off if membership is "redrawn".

-Animal Control- Steve S. mentioned he could get this position filled pretty quickly. Jeri will also advertise it more.

-NH Vet Tech- Roni McCall is debating whether to take this position once she can be divested of her Secretary duties.

-NH Senate- Last one was Senator Roberge

-Nancy Johnson suggested contacting Senator Carson-"very into animal issues".

-UNH Cooperative Extension- This is the position Dr. Zezula had. So far no interest.

-Public position- opens up if and when Roni takes the NH Vet Tech position. Nancy Johnson is in line for it.

-Nancy does not think it would be appropriate for her to do so - her being a lobbyist might open her up to conflicts of interest.

-Chairmanship Position has been filled by Tricia Morris.

-Secretary Position (once Roni leaves it): Mike Hughes said he will try it.

-Status of non-voting members: The only member in question was Mike Hughes. He took the place of a voting member, but updated letter got lost in the system. He should get letter shortly.

-Roni will lead the effort to fill the spots that are available

Operating Guidelines (bylaws)

-Bylaws:

-E-mails: A motion was made and seconded that official representation/communications, whether it be via e-mail, or in person for the Commission will be from the Chair or the Sec. only. No one else should be contacting anyone on the Commission's behalf - this includes correspondence between the Commission Members as well.

-Legislative

-Jeri: As of now we advise the Governor on legislation, not propose any.

- Question from Mark Ellingwood: Are there any other commissions/groups agencies tasked with legislative actions? May be helpful to see what their approach is.

-Point presented: May not be able to make position statements on proposed legislation if we are appointed by the Governor.

-Nancy brought up the fact that NH has some of the best animal related laws in the country but they are not "clarified".

-Steve S. agreed that this is one of the biggest problems.

- What conditions have to be met before what you are witnessing is actually illegal. For example, dog locked in a car with windows shut on a hot day. Do you wait for the dog to start seizing before acting? Up to the officer's assessment of the situation whether any action is taken.

-Animal Cruelty Case Updates

-Fundraising ideas

-grants

-Education/training ideas

Additional Points:

1. It was asked whether the Executive Order lists too many positions. Everyone agreed. Tricia suggested the list is long to assure good representation from all possible interested parties, with the knowledge that all may not be filled.
2. A motion was made and favorably voted on, to create a short form for the purpose of getting info from the people we represent whether improvements can be made to our existing cruelty laws, etc. The Secretary was designated to develop the form.

Next Meeting Date

August 20th at 1:00 pm location tentatively set for Senate Room 100.

Submitted by Michael Hughes, Commission Secretary on August 10, 2009