

Governor's Commission on the Humane Treatment of Animals

Meeting Minutes – February 8, 2021

Call to Order: Roll Call

- Regular meeting of the Governor's Commission on the Humane Treatment of Animals was called to order at 1:02 pm via Zoom by Co-Chairs, Jeri Zezula and Jennifer Eber.
- William Wright is officially a member of the Commission, representing the NH Sheriff's Association.
- We welcomed our newest member, Elaina Enzien, who is representing the UNH Co-Op Extension.

Members Present

- Jane Barlow Roy – NH Veterinary Medical Association
- Jozi Best – NH Farm Bureau
- George Cook – Dog Owners of the Granite State/NH Musers
- Marga Coulp – General Public
- Stephen Crawford – State Veterinarian
- Tom DeRosa – General Public
- Jennifer Eber – Co-Chair, General Public
- Elaina Enzien – UNH Co-Op Extension
- Heather Faria – NH Federation of Humane Organizations
- Sheila Johannsen – Animal Control Officers Association of NH
- Gary Lambert – NH Sportsmen (phone)
- Wendy Munroe – NH Veterinary Technician Association
- Dean Rondeau – NH Police Chief's Association
- Julia Seeley – Secretary, National Humane Organization
- Tom Seymour – General Public
- Steven Sprowl – Humane Cruelty Investigator
- Jeri Zezula – Co-Chair, General Public

Members Absent

- Regina Birdsell (R-Hampstead) – NH Senator
- Cynthia Collins – General Public
- Patricia Morris – Equine Associations
- William Wright – NH Sheriff's Association

Public Present

- None

Review and Approval of January 25 Minutes

- Heather moved to approve the minutes. Marga seconded. All approved.
- **Next Steps:** Jeri to upload minutes to the Commission website.

Role of the Commission

- Jeri and Jennifer provided updates on their conversation with Jonathan Melanson and Elliot Galt.
- The Executive Order is being rewritten with some of our requests are being honored. We won't know the final wording until it is done. What we know:
 - Wildlife continues to be outside of the Commission's purview and there will not be a Fish & Game representative.
 - They are open to having a liaison from the Justice Department on the Commission.
 - For the Biennial report, we can discuss enacted legislation, not pending legislation.

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- If we have an opinion on legislation, we are to report it to the Governor first and wait for a response before reaching out to the legislature and making our position public.
- If by the end of the legislative session bills have changed to the point that our opinion changes, we are to contact the Governor's office.
- The Commission is to serve as an advisory body to the Governor. As such, all members are not to speak on behalf of the Commission, including positions on legislation, without the explicit approval by the Governor. However, we can report back to our respective organizations since our discussions are public. It's important that we do not frame the opinions of the Commission as being reflective of the Governor's opinions.
- Jonathan and Elliot meet with the Governor to discuss policy on Mondays, and they assured us that they will turnaround legislative inquiries from the Commission as quickly as possible.
- Heather suggested, and we agreed, that we need to refine our Commission documentation to characterize our support/oppose positions as "recommendations" to clarify our advisory role.
- Jennifer said our biggest issue now is to determine how we can be effective on legislation moving forward, and suggested we limit the number of bills we track.
- **Next Steps:** Jennifer and Jeri to send Commission the updated Executive Order.

2021 Legislation

- Per our discussion on the role of the Commission, we agreed to continue tracking the following bills:

HB 174	TEXT	Title:	relative to reporting a collision between a cat and a motor vehicle.
HB 246	TEXT	Title:	establishing a protective order for vulnerable adults.
HB 250	TEXT	Title:	relative to pet vendors.
HB 338	TEXT	Title:	relative to penalties for dog theft and tampering with a dog's radio collar.
HB 532	TEXT	Title:	creating an animal records database.

- We also decided to wait until next year to provide opinions of the following bills that have been retained for further study:

HB 366	TEXT	Title:	defining animal hoarding.
HB 438	TEXT	Title:	relative to the confidentiality of animal records databases.

- **Next Steps:** Jennifer and Jeri to send summary of our recommendations on the first five bills to the Governor.

DOJ Reporting of Animal Cruelty Cases

- Jennifer said that Jonathan is continuing to work with the Justice Department to streamline the process for gathering cruelty data.

Input on 14-day period for status hearing under RSA 644:8

- Heather Faria and Steve Sprowl identified the Pickering case in which there were issues with the 14 days period for a status hearing. Jennifer obtained one of the 14 complaints files and the first notice of

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hearing and it appears that the status hearing was scheduled within the 14 day period. Jennifer has reached out to Steve to confirm that there are no additional facts that need to be addressed.

- If there are any other cases in which the 14 day period is not being followed, please let Jennifer know.

Commission Manual Update

- The Law Enforcement Manual is complete. Just waiting for letters from AG and Trish as chair when it was being revised.

New cruelty cases/Discussion of Drelick case

- Jennifer obtained the Manchester police report on the Drelick case, the man charged with a misdemeanor for throwing a cat/kitten against a vehicle. She is happy to share it with anybody who would like to see it. There was questions at a prior meeting as to why the charge was a misdemeanor and not a felony.
- Chief Rondeau offered his thoughts on mens rea and that there was no need to interview the defendant. He also stated that the misdemeanor charge would be easier to prove and that perhaps it was a more junior officer. The police report is scarce on facts of intent and specific injury to the cat/kitten. Also, it is interesting that the charges were not filed until a few months after the incident.
- This case is illustrative of the broader issue of how police are handling animal cruelty cases – both the resources in investigation and the charges brought.

Cost of Care Rules & Funding Process

- Dr. Crawford emailed the draft rules to the Commission a few weeks ago. The Dept of Agriculture hearing is on March 10. Members of the public can provide comments at the hearing or send written comments to the Department by March 26. Once the comments are reviewed, the Department will send the proposed rules to the JLCAR for concurrence. Next, JLCAR will schedule a second hearing. Overall, the process can take several months depending on the number of rounds of edits made.
- Dr. Crawford confirmed the cost of care funding process has been established via the 2019 budget, which created the fund and put in \$200K seed money, and Rep. O'Connor's 2020 bill, which allows for animal feed fees to be diverted from the general fund to the cost of care fund.
- **Next Steps:** Members to review the rules and be prepared to discuss feedback. Jennifer and Jeri to confirm with the Governor's Office if this process will be the same as with legislation.

Member/guest comments/questions

- Wendy asked for advice to address a problematic breeder in Lisbon. The town doesn't want to intervene out of concern for costs, similar to the Fay case. Chief Rondeau offered to be a resource and suggested that they alert the Sheriff's department, animal control (which is part of the police department) and the county attorney general.

George moved to adjourn the meeting. Sheila seconded. All approved. Meeting adjourned at 2:57 pm.

The next meeting is on Monday, March 15 at 1:00 pm via Zoom.

Respectfully submitted by Julia Seeley, Secretary