

NH Governor's Commission on the Humane Treatment of Animals
Meeting Minutes
June 21, 2021

Call to Order: Roll Call

- Regular meeting of the Governor's Commission on the Humane Treatment of Animals was called to order at 1:07 pm via Zoom by Co-Chairs, Dr. Jeri Zezula and Jennifer Eber.

Members Present

- Barbara Comtois – (R-Center Barnstead) NH State Representative
- George Cook – Dog Owners of the Granite State & NH Musers
- Marga Coulp – General Public
- Tom DeRosa – General Public
- Jennifer Eber – Co-Chair, General Public
- Kurt Ehrenberg – National Humane Organization
- Elaina Enzien – UNH Co-Op Extension
- Sheila Johannsen – Animal Control Officers Association of NH
- Gary Lambert – NH Sportsmen (phone)
- Dean Rondeau – NH Police Chief's Association
- Tom Seymour – General Public
- Steven Sprowl – Humane Cruelty Investigator
- William Wright – NH Sheriff's Association (late)
- Dr. Jeri Zezula – Co-Chair, General Public

Members Absent

- Wendy Munroe – NH Veterinary Technician Association
- Heather Faria – NH Federation of Humane Organizations
- Jane Barlow Roy – NH Veterinary Medical Association
- Cynthia Collins – General Public
- Dr. Stephen Crawford – State Veterinarian
- Jozi Best – NH Farm Bureau
- Jeb Bradley – (R-Wolfeboro) NH State Senator
- Patricia Morris – Equine Associations

Public Present

- Jack Hurley – District Leader, Humane Society of The United States

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Review and Approval of May 17, 2021 Minutes

- Marga Coulp made motion to approve the minutes. Jennifer Eber seconded the motion. The vote was 13 for, 0 against, and 1 abstention. NH Representative Comtois and Elaina Enzein abstained due to not being at the previous meeting.
- **Next Steps:** Dr. Jeri Zezula to upload approved minutes to the Commission website.

Legislation

- Per our discussion on the role of the Commission, we agreed to continue tracking the following bills. Brief discussion summaries are included in the following table. (The final column on the LSR chart (attached) will include more specifics regarding passage.)

HB 174	TEXT	Title: Relative to Reporting Cat / Car Collisions	The Governor has authorized the Commission to develop an opinion for this proposed legislation relative to reporting a collision between a cat and a motor vehicle. However, hearing dates have past and only written testimony will now be considered. <u>To Date:</u> Bill Passed with Amendment 2021-1133s.
HB 246	TEXT	Title: Establishing Protective Order for Vulnerable Adults	The Governor has requested the Commission refrain from developing an opinion for this proposed legislation establishing a protective order for vulnerable adults. <u>To Date:</u> House Committee Report – Inexpedient to Legislate. House Floor Decision – Indefinitely Postpone.
HB 250	TEXT	Title: Relative to Pet Vendors	The Governor has requested the Commission refrain from developing an opinion for this proposed legislation relative to pet vendors. Animal volume has been amended again and now stands at 30 dogs and/or cats. <u>To Date:</u> Bill Passed with Amendment 2021-1290s & Included in HB 2.
HB 338	TEXT	Title: Relative to Penalties for	The Governor has authorized the Commission to develop an opinion for this proposed legislation relative to penalties for dog

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		<p>Dog Theft & Tampering with a Dog’s Radio Collar</p>	<p>theft and tampering with a dog's radio collar. However, hearing dates have past and only written testimony will be considered.</p> <p>Rep. Comtois advised this bill has had the original penalties reduced. Dr. Jeri Zezula noted there seems to be a disconnect between this bill and current civil and criminal codes. It was further noted that this bill added references specific to tracking collars and microchips.</p> <p><u>To Date:</u> Bill Passed with Amendment 2021-1296s.</p> <p>Jennifer Eber and Dr. Jeri Zezula spoke with the bill’s sponsor. The prime focus of the bill was the dog collars, not so much the poisoning of dogs. It was greed to work with the sponsor going into the fall of 2021 to further address clarification of the degree of intent, the inclusion of incidental costs, and the manner of animal value determination.</p> <p>Motion made by Heather Faria and seconded by Sheila Johannsen to define broader definitions, move poisoning from HB 338, and combine with RSA 644:8. Vote was unanimous.</p>
<p>HB 532</p>	<p>TEXT</p>	<p>Title: Creating an Animal Records Database</p>	<p>This proposed legislation creating an animal records database has been amended and passed on to Ways & Means. The bill will return to the floor before heading to the Senate.</p> <p><u>To Date:</u> House Environment & Agriculture Committee – Retained in Ways & Means Committee but will be part of HB 2</p>

- **Next Steps:** The time has passed for any further actions regarding the above bills. There are no “Next Steps” to take.

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Report to Governor – Draft

- The Governor's Office clarified the Commission's actions regarding formal votes. No such vote may now be taken outside of in-person public meetings due to the expiration of Emergency Order #12. This will be the Commission's last remote meeting session.
- It was suggested that Lines 5 & 6 to be changed from "cancelled" to "Tabled with a suspension of all rules and deadlines moved."
- The survey taken with Commission members regarding the top two (2) topics for formal Commission actions revealed the following results:
 - #1 – 9 Votes (50%) for Adding Starvation to The List of Felony Offenses in 644.:8 III-A.
 - #2 – 7 Votes (38.9%) for Providing Statutory Guidance to Address How and When Animals Can Be Taken into Custody During an Animal Cruelty Investigation.
 - #3 – Tied by 2 with 5 Votes each (27.8% Each)
 - Clarify and/or Merge RSA 644:8 and RSA 435 as They Pertain to Horses.
 - Establish an Animal Crimes Task Force That Would Investigate and Prosecute Animal Crimes in New Hampshire.
 - #5 – 4 Votes (22.2%) for Amending RSA 644:8(III) and RSA 644:8-a to Clearly State That the Second Offense for Violation of These Statutes is Still a Class B Felony Regardless of Whether the First Penalty is Charged as a Misdemeanor or Plead Down.
 - #6 – Tied by 3 with 2 Votes each (11.1%Each)
 - Reintroduce CASA for Animals in Abuse Cases.
 - Create a New law Chapter in The Criminal Code – "644-B Offenses Involving Animals".
 - Identify Laws Involving Animal Laws Not in Criminal Code That Have or Should Have Criminal Penalties to The Current, or Proposed New Chapter RSA 644-B.
 - #7 – 0 Votes (0%) for Include Veterinary Immunity for RSA 644:8-a "Animal Fighting" and RSA 644:8-g "Bestiality".
- George Cook and Steve Sprowl expressed concerns over improper application of Body Condition Scoring when evaluating possible starvation cases by NH licensed veterinarians and others. NH Representative Comtois reminded that "purposeful starvation" would be the felony charge.

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- George Cook, Kurt Ehrenberg, and Jeri Zezula are going to look into additional information pertaining to starvation and its definition in preparation of our next meeting.
- Commission members are to email Jeri Zezula with any spelling or grammatical corrections.
- It was agreed that the Commission should meet in July rather than August to give the Governor's office adequate turn-around time for a response before the fall legislative session.
- The window for new legislation introductions is currently schedule for the 13th through the 17th of September 2021.
- **Next Steps:** Review proposed draft report within the next week and get corrections to Jeri. Jeri Zezula is inquiring about meeting space availability at the Legislative Office Building (LOB) in Concord. Jennifer Eber also told the Commission members to see if they had meeting space that could be used if the LOB is booked. It was agreed that we should plan to meet on the third **(3rd) Monday in July (19th) at 1:00pm. Location TBD.**

New Cruelty Cases

- Steve Sprowl stated he is aware of several ongoing cases, but cannot speak to them as the investigation is ongoing.
- Steve Sprowl did speak about a case where a dog died due to heat stroke / exposure. The dog was left in a car while the owners were in the Santa's Village attraction in Jefferson, NH. Steve was told by an eyewitness that the police officer handling traffic control did not act on the report about the dog.

Shade for Horses

- Steve Sprowl reported in information given to him that there is an increase in reports of horses kept outside without available spaces to escape the sun and heat. Though water has been available, the horses are still found with a heavy sweat.
- However, RSA 435 eliminates the need to shelter outdoors after April 15th each year.
- George Cook offered to "load his plate" and look into additional information and resources pertaining to summer time sheltering of horses outdoors.

Fall Meetings

- Jeri Zezula is asking about conference room schedules at the Legislative Office Building (LOB).
- It was suggested to see if we could keep the current meeting schedule when we return in the fall.

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- NH Representative Comtois said that much will depend upon the volume of work facing legislators. Typically, legislative meetings are held on Mondays or Fridays. However, coming out of the COVID-19 restrictions, nothing is set in stone.

Member/guest comments/questions

- Jeri Zezula informed the Commission that the Governor has requested all government websites work from the same platform. This means this Commission's website will be moving soon to a different website address (www.humane.nh.gov) and will have a different look.
- Jennifer Eber will be approaching Attorney Geoff Ward to find out what needs to be done to initiate prosecutor training on animal cruelty laws.
- Jack Hurley, guest, commented on the "impressive work" this Commission accomplishes and thanked the Commission for all that it does. Jack also asked if he could have access to the LSR chart referenced in this meeting as well as the final Commission's Report to The Governor. Jeri Zezula assured Jack that he would have access once both have been approved. Tom Seymour also offered to include the LSR chart as an Exhibit to the meeting minutes.

Adjournment

- Sheila Johannsen moved to adjourn the meeting. Steve Sprowl seconded. Vote was unanimous.
- With no further business to conduct, Jeri Zezula adjourned the meeting at 2:11pm.

Next Meeting

- Scheduled for Monday, 19 June 2021 at 1:00pm. Location has yet to be determined.

Respectfully submitted,
Tom Seymour
Secretary