REGULAR CALENDAR

February 15, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on Municipal and County Government to which was referred HB 485,

AN ACT establishing deputy animal control officers. Having considered the same, report the same with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Josh Yokela

FOR THE MAJORITY OF THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

MAJORITY
COMMITTEE REPORT

Committee:	**Municipal and County Government**
Bill Number:	**HB 485**
Title:	**establishing deputy animal control officers.**
Date:	**February 15, 2023**
Consent Calendar:	**REGULAR**
Recommendation:	**INEXPEDIENT TO LEGISLATE**

STATEMENT OF INTENT

The bill requires a deputy sheriff to be appointed to be the county animal cruelty investigator and requires investigations and prosecutions to be handled by that deputy. The majority of the committee believes this to be an unfunded mandate to the county, shifts responsibility from local municipalities to the county for investigations, and shifts the prosecutions from the County Attorney to a deputy sheriff. Additionally, there was no evidence given to the committee that any training has been approved by the police standards and training council relative to animal cruelty. The majority of the committee is not convinced that compliance within the 60-day effective date is possible and is in agreement with the NH Sheriff's Association opposition to the legislation.

Vote 11-9.

Rep. Josh Yokela
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Municipal and County Government

HB 485, establishing deputy animal control officers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Josh Yokela for the **Majority** of Municipal and County Government. The bill requires a deputy sheriff to be appointed to be the county animal cruelty investigator and requires investigations and prosecutions to be handled by that deputy. The majority of the committee believes this to be an unfunded mandate to the county, shifts responsibility from local municipalities to the county for investigations, and shifts the prosecutions from the County Attorney to a deputy sheriff. Additionally, there was no evidence given to the committee that any training has been approved by the police standards and training council relative to animal cruelty. The majority of the committee is not convinced that compliance within the 60-day effective date is possible and is in agreement with the NH Sheriff's Association opposition to the legislation. **Vote 11-9.**

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

February 15, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on Municipal and County Government to which was referred HB 485,

AN ACT establishing deputy animal control officers. Having considered the same, and being unable to agree with the Majority, report with the recommendation that the bill OUGHT TO PASS.

Rep. Latha Mangipudi

FOR THE MINORITY OF THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

MINORITY
COMMITTEE REPORT

Committee:	**Municipal and County Government**
Bill Number:	**HB 485**
Title:	**establishing deputy animal control officers.**
Date:	**February 15, 2023**
Consent Calendar:	**REGULAR**
Recommendation:	**OUGHT TO PASS**

STATEMENT OF INTENT

This bill establishes the position of deputy animal cruelty investigator within the office of the County Sheriff. It amends RSA 104 by adding a descriptor of the investigator, which includes a requirement for training relative to animal cruelty and a mandate for all municipalities to notify the animal cruelty investigator of such cases when they arise. Discussion centered around how this position might fit within the existing chain of command in Sheriffs' offices and the need for more reporting and follow-up on incidents of animal cruelty.

Rep. Latha Mangipudi
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Municipal and County Government
HB 485, establishing deputy animal control officers. **OUGHT TO PASS.**
Rep. Latha Mangipudi for the **Minority** of Municipal and County Government. This bill establishes the position of deputy animal cruelty investigator within the office of the County Sheriff. It amends RSA 104 by adding a descriptor of the investigator, which includes a requirement for training relative to animal cruelty and a mandate for all municipalities to notify the animal cruelty investigator of such cases when they arise. Discussion centered around how this position might fit within the existing chain of command in Sheriffs' offices and the need for more reporting and follow-up on incidents of animal cruelty.

Original: House Clerk
Cc: Committee Bill File

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 485

BILL TITLE: establishing deputy animal control officers.

DATE: February 15, 2023

LOB ROOM: 301-303

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Yokela Seconded by Rep. R. Brown Vote: 11-9

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John MacDonald, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/9/2023 12:06:25 PM
Roll Call Committee Registers Report

2023 SESSION

Municipal and County Government

Bill #: 485 Motion: ITL AM #: _____ Exec Session Date: 2/15/23

Members	YEAS	Nays	NV
Turcotte, Len P. Chairman	11		
Pauer, Diane Vice Chairman	1		
Guthrie, Joseph A.	2		
MacDonald, John T. Clerk	3		
Lascelles, Richard W.	4		
Yokela, Josh S.	5		
Kelley, Diane E.		1	
Aylward, Deborah	6		
Brown, Richard R	7		
Cahill, Tim P	8		
Stavis, Laurel		2	
Tatro, Bruce L.		3	
Treleaven, Susan GS		4	
Gilman, Julie D.		5	
Maggiore, Jim V.		6	
Mangipudi, Latha D.		7	
Gallager, Eric B.		8	
Hicks, Matthew S	9		
~~Howland, Allan~~ RUNG	10		
Preece, David John		9	
TOTAL VOTE:	11	9	

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 485

BILL TITLE: **establishing deputy animal control officers.**

DATE: **February 8, 2023**

LOB ROOM: **301-303** **Time Public Hearing Called to Order:** **10:02 a.m.**

Time Adjourned: **10:50 a.m.**

Committee Members: Reps. Aylward, T. Cahill, Stavis, Tatro, Treleaven, Gilman, Maggiore, Mangipudi, Gallager, Hicks, Howland, Preece, L. Turcotte, Pauer, J. MacDonald, Guthrie, Lascelles and Yokela

Bill Sponsors:
Rep. Comtois **Rep. Aron** **Rep. Bixby**
Sen. Pearl

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

- Rep. Comtois - one sherif appointed as the county animal cruelty. 83 animal control officers in the state. Horses hut temperature couldn't get to water. Moved horses to another area. Issue was resolved. They moved the horses back. They don't understand the laws. They are talking cruelty cases, not chasing dogs. Can't fix a problem we can't qualify.
- Rep. Preece - how long for training?
- Rep. Comtois - PSTC working on a course.
- Yokela - no training available. Is this the right time they go to that training?
- Comtois - Friday, two courses. Not mandatory.
- Maggiore - 644:8 - one phrase, arresting officer. What is the relationship?
- Comtois - the local officer can ask the sheriff to get involved.
- Rep. Gallagher - confusion of duties between officers
- Comtois - animal control officer would be deputized
- Mangipudi - amend/replace original bill. Does the training exist?
- Comtois - amend/replace original bill. Yes there is training at Police Standard.
- Rep. Treleaven - this person who is trained, will they be there on duty?
- Comtois - no just trained.
- Stavis - reporting requirements - enforceable
- Comtois - no reporting requirements. Not reporting mental health issues.
- Yokela - enforcement
- Comtois - no enforcement
- Rep. Bixby - the enforcement is all in local law enforcement. County level understands important to have an officer. Governor's council on treatment of animals. Cases matter of neglect. Mental, hoarders, don't realize what the animals need. Great advantage for officers to have some.
- Preece - number of cases
- Bixby - no I don't, no base of experience
- Stavis - was the sheriffs association?
- Turcotte - we have a speaker from the sheriffs association.
- Elizabeth Sargent - NH Sheriff - NH Association of Chiefs of Police -will need to get back to committee with positions, costs could be a concern
- *Nancy Holmes - written testimony submitted
- Natch Greyes - NH Municipal Association - no position on original bill. Binder on municipalities wants role on county. Last live - isn't clear when the changes are brought.

- Kurt Ehrenberg - State Director of Human Society - supports. More attention to be paid to this issue. Offers law enforcement training.
- Rep. Lascelles - local point is on the municipality. No local law enforced.
- Rep. Preece - seen a number of cases.

Respectfully submitted,
Representative MacDonald, Clerk

House Remote Testify

Municipal and County Government Committee Testify List for Bill HB485 on 2023-02-08

Support: 1 Oppose: 0 Neutral: 1 Total to Testify: 0

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Hurley, Jack	Claremont, NH jrhurjd@aol.com	A Member of the Public	Myself	Support	No	No	2/3/2023 1:52 PM
Buttrick, Bruce	Goffstown, NH bbuttrick8468@comcast.net	A Member of the Public	Myself	Neutral	No	No	2/3/2023 1:53 PM

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 485 Date 2/8/23

Committee Municipal & County Government

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
Robert Johnson, II		224-1934	NH Farm Bureau	✓	
Rep Ellen Read			Rock 10	X	
Elizabeth Sargent, NH Sheriffs Association					X

HB485

2/7/2023

Mr Chairman and Members of the House Municipal and County Government Committee,

I am here today to speak in opposition to HB485 as written. I *am* of course in favor of law enforcement adding to their knowledge by continuing education.

My objection is to the concept that only one Deputy per county will be handling animal cruelty cases as investigator, and only one Deputy will complete the training for that role.

I feel this is not workable from two different sides.

Having only one person assigned to this role is likely to make it more difficult to obtain aide or action from that person, as no one person works 24 x7 and is always available. Just think of the time you may have spent seeking through any organization for the one person who has the knowledge and skills to help you, only to find they were on vacation, working a different shift, on maternity leave etc. When you put a role on the shoulders of only one person there are bound to be blips in the system of varied seriousness and consequences.

Then too, animal cruelty is a stressful subject to investigate. People interested in taking on such a role tend to like animals. While seeing the worst of people is a part of law enforcement roles, adding on the circumstances that may be seen in animal cruelty cases piles on just that much more stress. Putting all that stress on one person alone seems both overly burdensome for the person and overly optimistic that the person in question will stay in the role.

I would much rather see more than one and perhaps all of the Deputies get the additional training to enable them to participate as an animal cruelty investigator as needed. This training could of course be spread out over time. That would spread the burden of such cases across a broader base and also give the Deputy doing the investigation the potential for peer support as they work.

I don't think this bill as written is ready for inclusion in our laws and requires more thought before it leaves committee.

Sincerely,

Nancy Holmes

New Boston, NH

As long as "animal cruelty" is well defined.

HB 485 - AS INTRODUCED

2023 SESSION

23-0357
08/05

HOUSE BILL ***485***

AN ACT establishing deputy animal control officers.

SPONSORS: Rep. Comtois, Belk. 7; Rep. Aron, Sull. 4; Rep. Bixby, Straf. 13; Sen. Pearl, Dist 17

COMMITTEE: Municipal and County Government

ANALYSIS

This bill authorizes counties to establish the position of deputy animal cruelty investigator.

- -

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 485 - AS INTRODUCED

23-0357
08/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT establishing deputy animal control officers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Section; Deputy Animal Cruelty Officers. Amend RSA 104 by inserting after section 3-f the following new section:

104:3-g Deputy Animal Cruelty Investigators. In any county in which the county convention establishes the office of deputy animal cruelty investigator, the sheriff may appoint one deputy sheriff to be the county animal cruelty investigator. Such deputy shall be required to complete in-person or digital training approved by the police standards and training council relative to animal cruelty. The deputy animal cruelty investigator shall report, investigate, and prosecute animal cruelty cases within the county, especially supporting those municipalities that do not have animal cruelty officers.

2 Effective Date. This act shall take effect 60 days after its passage.