

# FISCAL NOTE TO

[First Reprint]  
**ASSEMBLY, No. 287**

# **STATE OF NEW JERSEY**

DATED: JUNE 19, 1997

Assembly Bill No. 287 (1R) of 1996 would require local health officials, designated by local health officers, to receive training on animal control, animal welfare and animal cruelty laws with respect to the operation of kennels, pet shops, shelters and pounds. The bill also provides that the training required of certain animal control officers include material on animal cruelty laws, especially as they pertain to kennels, pet shops, shelters and pounds.

The bill further requires designated local health officials to inspect annually, and in response to received complaints, every kennel, pet shop, shelter and pound located within the jurisdiction of the local health official for compliance with all laws, rules, regulations and ordinances concerned with animal control, animal welfare and animal cruelty. Any animal cruelty violation discovered in the course or as a result of any such inspection would be required to be immediately reported to the New Jersey Society for the Prevention of Cruelty to Animals and the district (county) society for the prevention of cruelty to animals if one exists for the area within which the violation occurred.

In addition, the bill provides that any civil penalty or criminal fine collected for a violation of any law, rule, regulation or ordinance pertaining to animal control, animal welfare or animal cruelty that (1) occurred within a kennel, pet shop, shelter or pound, and (2) was discovered in the course or as a result of an inspection conducted pursuant to the bill, would be required to be paid to the municipality employing, or contracting for, the local health official who conducted the inspection and discovered the violation. Additionally, any such monies paid to a municipality would be allocated by the municipality to defray the cost of the training required for certified animal control officers and local health officials pursuant to the bill and the cost of any enforcement action brought in response to a violation discovered in the course or as a result of an inspection conducted pursuant thereto. The provision concerning payment of collected penalties and fines to a municipality would not apply to civil actions brought pursuant to R.S.4:22-26 in the name of the New Jersey Society for the Prevention of Animals.

The Department of Health and Senior Services (DHSS) has estimated that this bill, in its original version, would increase its costs by \$48,000, \$49,000 and \$52,000, respectively, in each of the next

three fiscal years. These costs are based on the salary and fringe benefits costs of hiring a part-time principal clerk typist and a part-time senior public health veterinarian, as well as approximately \$10,000 for materials and supplies and other costs. The DHSS believes these positions are necessary as workload would increase due to the increased number of individuals taking the animal control course and for receiving, investigating and filing reports of violations of the sanitary code for animal facilities. The DHSS estimates that two persons from each of the approximately 115 local and county health departments would take the training resulting in four training courses in the first two years with 200 participants and three courses in the third year with 150 participants. The DHSS also estimates handling 200, 400 and 550 records, respectively, in the first three years and 400 telephone/correspondences in each of the first three years. The DHSS further notes that local health departments would be fiscally impacted by an increase in the frequency of animal facility inspections and for the training of local health officers.

The Office of Legislative Services (OLS) does not concur with these estimates as they apply to the first reprint of this bill. As amended, the bill no longer requires animal cruelty violations to be reported to DHSS, thus the costs associated with this provision in the original version of the legislation no longer appear necessary. The majority of these costs were estimated for the salary and wages for a part-time public health veterinarian, whose responsibility would have been to receive, investigate and file reports of violations. These costs were estimated at \$20,000, \$22,000 and \$23,000 in each of the next three fiscal years.

In addition, the OLS notes that personnel costs for a principal clerk typist may decrease after the first couple of years, or after the original influx of local health officials to be trained and animal control officers to receive additional training occurs, thus reducing the number of new individuals to be trained each year, depending on the degree of turnover among local health officials and animal control officers. This would reduce the costs to DHSS related to the additional training required for both local health officials and animal control officers, which largely involves providing coordination and information.

Based on these estimates, the costs associated with the bill would approximate \$28,000 and \$27,000 in the first two years. After this time, costs may be reduced to approximately \$10,000 annually for materials and supplies and data processing services as all personnel needs could be absorbed into the department's current staff.

The OLS further concurs with DHSS that local health departments would be fiscally impacted by the increased frequency of inspections of animal facilities and by the additional training required. However, the OLS notes that all civil penalties and criminal fines collected for violations pertaining to animal control, animal welfare or animal cruelty that were discovered due to an inspection as required by this

bill, would be paid to that municipality to defray training and enforcement costs.

The OLS also notes that as the bill amends the definitions of "pound" and "shelter" to include all animals and not only dogs, these additional facilities would now require licensing and inspection. These expanded definitions will place added costs on municipalities with respect to the licensing and inspection of the additional facilities.

This fiscal note has been prepared pursuant to P.L.1980, c.67.