

ASSEMBLY SUBSTITUTE FOR  
ASSEMBLY COMMITTEE SUBSTITUTE FOR  
ASSEMBLY, Nos. 2365 and 2371

STATE OF NEW JERSEY

ADOPTED FEBRUARY 27, 1997

Sponsored by Assemblymen GEIST, ROCCO, ROBERTS and  
Assemblywoman CRUZ-PEREZ

1 AN ACT concerning veterinary technology education and amending  
2 P.L.1941, c.151 and P.L.1983, c.172.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. Section 16 of P.L.1941, c.151 (C.4:19-15.16) is amended to  
8 read as follows:

9 16. Any person appointed for the purpose by the governing body  
10 of the municipality shall take into custody and impound or cause to be  
11 taken into custody and impounded, and thereafter destroyed or offered  
12 for adoption as provided in this section:

13 (a) Any dog off the premises of the owner or of the person  
14 keeping or harboring said dog which said official or his agent or agents  
15 have reason to believe is a stray dog;

16 (b) Any dog off the premises of the owner or of the person  
17 keeping or harboring said dog without a current registration tag on his  
18 collar;

19 (c) Any female dog in season off the premises of the owner or of  
20 the person keeping or harboring said dog;

21 (d) Any dog or other animal which is suspected to be rabid;

22 (e) Any dog or other animal off the premises of the owner  
23 reported to, or observed by, a certified animal control officer to be ill,  
24 injured or creating a threat to public health, safety or welfare, or  
25 otherwise interfering with the enjoyment of property.

26 If any animal so seized wears a collar or harness having inscribed  
27 thereon or attached thereto the name and address of any person or a

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 registration tag, or the owner or the person keeping or harboring said  
2 animal is known, any person authorized by the governing body shall  
3 forthwith serve on the person whose address is given on the collar, or  
4 on the owner or the person keeping or harboring said animal, if  
5 known, a notice in writing stating that the animal has been seized and  
6 will be liable to be offered for adoption or destroyed if not claimed  
7 within seven days after the service of the notice.

8 A notice under this section may be served either by delivering it to  
9 the person on whom it is to be served, or by leaving it at the person's  
10 usual or last known place of abode, or at the address given on the  
11 collar, or by forwarding it by post in a prepaid letter addressed to that  
12 person at his usual or last known place of abode, or to the address  
13 given on the collar.

14 Any person authorized by the governing body may cause an animal  
15 to be destroyed in a manner causing as little pain as possible and  
16 consistent with the provisions of R.S. 4:22-19 or offered for adoption  
17 seven days after seizure; provided that:

18 (1) Notice is given as set forth above and the animal remains  
19 unclaimed; or,

20 (2) The owner or person keeping or harboring the animal has not  
21 claimed the animal and paid all expenses incurred by reason of its  
22 detention, including maintenance costs not exceeding \$4.00 per day;  
23 or,

24 (3) The owner or person keeping or harboring a dog which was  
25 unlicensed at the time of seizure does not produce a license and  
26 registration tag for the dog.

27 At the time of adoption, the right of ownership in the animal shall  
28 transfer to the new owner. No dog or other animal so caught and  
29 detained or procured, obtained, sent or brought to a pound or shelter  
30 shall be sold or otherwise made available for the purpose of  
31 experimentation. Any person who sells or otherwise makes available  
32 any such dog or other animal for the purpose of experimentation shall  
33 be guilty of a disorderly persons offense.

34 Notwithstanding the provisions of any other law, or rule or  
35 regulation adopted pursuant thereto to the contrary, veterinary  
36 technology education programs accredited by the American Veterinary  
37 Medical Association at an institution of higher education may obtain  
38 or utilize animals seized and impounded pursuant to (a), (b), (c), (d),  
39 or (e) of this section and held at a shelter or pound located in the same  
40 county as the institution. The animals may be used for the purposes  
41 of teaching students enrolled in the veterinary technology education  
42 program provided that:

43 (1) the treatment is authorized by a licensed veterinarian as  
44 necessary for the good health of the animal and the licensed  
45 veterinarian has responsible supervision of the student;

1       (2) the animal is not transferred to the institution of higher  
2 education or does not undergo an elective surgical procedure prior to  
3 the end of its holding period; and,

4       (3) an animal transferred to the institution of higher education and  
5 utilized in the veterinary technology education program is returned to  
6 the shelter and offered for adoption.

7       After observation, any animal seized under this section suspected  
8 of being rabid shall be immediately reported to the executive officer of  
9 the local board of health and to the Department of Health.

10 (cf: P.L.1987, c.376, s.1)

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12       2. Section 5 of P.L.1983, c.172 (C.4:19A-4) is amended to read  
13 as follows:

14       5. a. Any licensed veterinarian of this State may participate in the  
15 program upon filing with the commissioner an application therefor, on  
16 forms prescribed by the commissioner, which application shall supply,  
17 in addition to any other information requested by the commissioner, an  
18 animal sterilization fee schedule listing the fees charged for animal  
19 sterilization in the normal course of business. These fees may vary  
20 with the animal's weight, sex and species. The commissioner may,  
21 however, disqualify from participation in the program any veterinarian  
22 whose fees are deemed unreasonable. A student enrolled in a  
23 veterinary technology education program accredited by the American  
24 Veterinary Medical Association at an institution of higher education  
25 may assist in the sterilization of animals performed by a licensed  
26 veterinarian authorized to participate in the Animal Population Control  
27 Program.

28       b. The commissioner shall, to the extent that moneys are available  
29 therefor from the "Animal Population Control Fund," reimburse  
30 participating veterinarians for 80% of the fee for each animal  
31 sterilization procedure administered, upon the submission of an animal  
32 sterilization certificate, prescribed by the commissioner, signed by the  
33 veterinarian and the owner of the animal, for each sterilization  
34 procedure.

35       c. The commissioner shall reimburse from the fund any licensed  
36 veterinarian of this State participating in the program for the  
37 presurgical immunization of dogs against distemper, hepatitis,  
38 leptospirosis, and parvovirus, or the presurgical immunization of cats  
39 against feline panleukopenia, calici, pneumonitis and rhinotracheitis,  
40 as the case may be, which immunization shall be administered at least  
41 10 days prior to reproductive surgery, on animals not previously  
42 immunized. The reimbursement shall be for no more than \$10.00 upon  
43 the written certification, signed by the veterinarian and the owner of  
44 the animal, that the immunization has been administered.

45 (cf: P.L.1983, c.172, s.5)

1           3. This act shall take effect immediately .

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STATEMENT

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6           This substitute provides that veterinary technology education  
7 programs accredited by the American Veterinary Medical Association  
8 at institutions of higher education may obtain and utilize animals  
9 impounded at a shelter or pound located in the same county as the  
10 institution. The animals may be used for teaching purposes for  
11 students enrolled within the veterinary technology education program  
12 provided that: the treatment is authorized by a licensed veterinarian  
13 as necessary for the good health of the animal and the veterinarian has  
14 responsible supervision of the student; the animal is not transferred to  
15 the institution of higher education or does not undergo any elective  
16 surgical procedure prior to the end of its holding period; and any  
17 animal transferred to the institution of higher education is returned to  
18 the shelter or pound to be offered for adoption.

19           The substitute also authorizes a student enrolled in an accredited  
20 veterinary technology education program to assist in the sterilization  
21 of animals performed by a licensed veterinarian authorized to  
22 participate in the Animal Population Control Program.

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28 Authorizes accredited veterinary technology education programs to  
utilize shelter animals for teaching purposes under certain conditions.