

ASSEMBLY, No. 2371

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 26, 1996

By Assemblyman **ROBERTS** and Assemblywoman
CRUZ-PEREZ

1 AN ACT concerning the training of animal health and veterinary
2 technicians and amending 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 keeping
14 or harboring said dog which said official or his agent or agents have
15 reason to believe is a stray dog;

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

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

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

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

25 If any animal so seized wears a collar or harness having inscribed
26 thereon or attached thereto the name and address of any person or a
27 registration tag, or the owner or the person keeping or harboring said
28 animal is known, any person authorized by the governing body shall
29 forthwith serve on the person whose address is given on the collar, or
30 on the owner or the person keeping or harboring said animal, if
31 known, a notice in writing stating that the animal has been seized and
32 will be liable to be offered for adoption or destroyed if not claimed
33 within seven days after the service of the notice.

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

Matter underlined thus is new matter.

1 A notice under this section may be served either by delivering it to
2 the person on whom it is to be served, or by leaving it at the person's
3 usual or last known place of abode, or at the address given on the
4 collar, or by forwarding it by post in a prepaid letter addressed to that
5 person at his usual or last known place of abode, or to the address
6 given on the collar.

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

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

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

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

20 At the time of adoption, the right of ownership in the animal shall
21 transfer to the new owner. No dog or other animal so caught and
22 detained or procured, obtained, sent or brought to a pound or shelter
23 shall be sold or otherwise made available for the purpose of
24 experimentation. For the purposes of this section, "experimentation"
25 does not include the performance of clinical or surgical procedures by
26 a student studying and training to become an animal health technician
27 or a veterinary technician, or the instructor of such a student, if the
28 clinical or surgical procedures are performed under the supervision of
29 a licensed veterinarian or properly authorized animal health technician
30 or veterinary technician, and the clinical or surgical procedures have
31 been authorized by a licensed veterinarian as necessary for the good
32 health of the animal. Any person who sells or otherwise makes
33 available any such dog or other animal for the purpose of
34 experimentation shall be guilty of a disorderly persons offense.

35 Notwithstanding the provisions of any other law, or rule or
36 regulation adopted pursuant thereto, to the contrary, animals
37 impounded and held at a shelter or pound may be used for teaching
38 purposes provided that the treatment or clinical or surgical procedures
39 being performed that serve as a learning or training experience have
40 been authorized by a licensed veterinarian as necessary for the good
41 health of the animal.

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

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

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

3 5. a. Any licensed veterinarian of this State may participate in the
4 program upon filing with the commissioner an application therefor, on
5 forms prescribed by the commissioner, which application shall supply,
6 in addition to any other information requested by the commissioner, an
7 animal sterilization fee schedule listing the fees charged for animal
8 sterilization in the normal course of business. These fees may vary
9 with the animal's weight, sex and species. The commissioner may,
10 however, disqualify from participation in the program any veterinarian
11 whose fees are deemed unreasonable. Sterilizations performed at
12 animal shelters may be performed by a licensed veterinarian assisted
13 by a student studying and training to become an animal health
14 technician or a veterinary technician.

15 b. The commissioner shall, to the extent that moneys are available
16 therefor from the "Animal Population Control Fund," reimburse
17 participating veterinarians for 80% of the fee for each animal
18 sterilization procedure administered, upon the submission of an animal
19 sterilization certificate, prescribed by the commissioner, signed by the
20 veterinarian and the owner of the animal, for each sterilization
21 procedure.

22 c. The commissioner shall reimburse from the fund any licensed
23 veterinarian of this State participating in the program for the
24 presurgical immunization of dogs against distemper, hepatitis,
25 leptospirosis, and parvovirus, or the presurgical immunization of cats
26 against feline panleukopenia, calici, pneumonitis and rhinotracheitis,
27 as the case may be, which immunization shall be administered at least
28 10 days prior to reproductive surgery, on animals not previously
29 immunized. The reimbursement shall be for no more than \$10.00 upon
30 the written certification, signed by the veterinarian and the owner of
31 the animal, that the immunization has been administered.

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

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34 3. This act shall take effect immediately.

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STATEMENT

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39 This bill permits the use of animals at animal shelters for teaching
40 purposes if the treatment or clinical or surgical procedures being
41 performed have been authorized by a licensed veterinarian as necessary
42 for the good health of the animal. State law currently prohibits
43 "experimentation" on shelter animals and permits licensed veterinarians
44 to participate in the State spaying and neutering program. The bill
45 clarifies that the performance of clinical or surgical procedures by a
46 student studying and training to become an animal health technician or

1 a veterinary technician are not "experimentation" under State law and
2 that these students may assist a licensed veterinarian with sterilizations
3 at animal shelters.

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8 Permits the use of animals in shelters for teaching purposes.