

4:19A-10 to 4:19A-15

LEGISLATIVE HISTORY CHECKLIST

NJSA: 4:19A-10 to 4:19A-15 (Cats and dogs - spaying and neutering
- pilot clinic)

LAWS OF: 1983 CHAPTER: 180

Bill No: S1101

Sponsor(s): Gagliano and others

Date Introduced: March 1, 1982

Committee: Assembly: Agriculture and Environment

Senate: Natural Resources and Agriculture

Amended during passage: Yes // Substituted for A1471 (not
attached since identical to S1101)
Senate committee substitute (OCR)
enacted. Amendments during passage
denoted by asterisks.

Date of Passage: Assembly: Feb. 14, 1983

Senate: July 22, 1982

Date of Approval: May 10, 1983

Following statements are attached if available:

Sponsor statement: Yes //

Committee statement: Assembly Yes //

Senate /// No

Fiscal Note: /// No

Veto Message: /// No

Message on Signing: /// No

Following were printed:

Reports: /// No

Hearings: /// No

See newspaper clippings re: L.1983, c.172.

CHAPTER 180 LAWS OF N. J. 1982
APPROVED 5-10-82

[OFFICIAL COPY REPRINT]
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 1101

STATE OF NEW JERSEY

ADOPTED JUNE 24, 1982

AN ACT establishing a pilot clinic for the spaying and neutering of dogs and cats***[,]*** *and** supplementing Title 4 of the Revised Statutes***[,]** repealing P. L. 1978, c. 120 and making an appropriation***[]**.*

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. As used in this act:

2 a. "Commissioner" means the Commissioner of Health;

3 b. "Department" means the Department of Health.

1 2. a. There is established in the department a pilot clinic for the
2 spaying and neutering of dogs and cats to determine the practi-
3 cability and feasibility of establishing a Statewide clinic program.

4 b. The commissioner shall establish a pilot clinic at a location
5 whereby the public may have dogs and cats spayed or neutered,
6 as the case may be, in a humane manner by a licensed veterinarian
7 upon payment of the following fees:

8	For spaying female dogs weighing	
9	Not more than 40 pounds	\$25.00
10	41 to 60 pounds	30.00
11	Over 60 pounds	35.00
12	For neutering male dogs weighing	
13	Not more than 40 pounds	20.00
14	41 to 65 pounds	25.00
15	Over 65 pounds	30.00
16	For spaying female cats of any weight	20.00
17	For spaying female cats which are	
18	pregnant or in heat	25.00
19	For neutering male cats of any weight	15.00

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly committee amendments adopted November 29, 1982.

20 c. The fees shall include immunization of dogs against dis-
21 temper, hepatitis and leptospirosis and the immunization of cats
22 against feline panleucopenia, pneumonitis and rhinotracheitis,
23 which immunization shall be given at least 10 days prior to surgery
24 on animals not previously immunized.

1 3. a. Any person submitting a dog or cat for spaying or neuter-
2 ing pursuant to this pilot program shall sign a consent form
3 certifying that the person is the owner of the dog or cat or is
4 authorized to present the dog or cat for the above operation.

5 ***[b.]** The consent form shall also contain an agreement to hold the
6 clinic, the State, its agents, servants and employees free from
7 liability for any damages arising from the spaying or neutering
8 of an animal.*

9 ***[c.]** *b.* The commissioner shall establish a return date by
10 which a person submitting an animal for spaying or neutering shall
11 retrieve the animal.

12 ***[d.]** *c.* Failure to retrieve the animal shall subject the person
13 to liability for the cost of board and care of the animal for the
14 period of time the animal is kept at the clinic beyond the return
15 date.

16 ***[e.]** *d.* Failure to retrieve the animal within 15 days of the
17 return date established pursuant to subsection c. of this section
18 shall be deemed abandonment and the pilot clinic may seek to have
19 the animal adopted or may transfer the animal to a shelter for
20 adoption.

1 4. Not less than 180 days subsequent to the establishment of the
2 pilot clinic, the commissioner may recommend to the Legislature
3 any adjustment to the fees, established pursuant to section 2 of this
4 act, deemed necessary to ensure the operation of the pilot clinic.

1 5. a. The commissioner may accept funds from any public or
2 private source to help carry out the purposes of this act.

3 b. All fees collected pursuant to *P. L. 198 c. (now pending
4 before the Legislature as Assembly Bill 1472) or pursuant to*
5 section 2 of this act, and all moneys received pursuant to subsection
6 a. of this section shall be placed in a special fund to be known as
7 the "Pilot Clinic Fund" which shall be separate from the General
8 State Fund and which shall be used for the purposes established
9 herein.

1 6. Not later than 1 year following the effective date of this
2 act, the commissioner shall submit a written report to the Legis-
3 lature detailing the operation of the pilot program and shall make
4 recommendations concerning the practicability and feasibility of
5 the establishment of additional clinics. The commissioner may

6 accompany this report with any recommendations for legislation
7 or other action appropriate for adoption or consideration by the
8 Legislature.

1 ***[7. There is appropriated to the department from the General**
2 **State Fund the sum of \$95,000.00 to carry out the provisions of**
3 **this act.]***

1 ***[8. P. L. 1978, c. 120 (C. 4:21B-1 et seq.) is repealed.]***

1 ***[9.]* *7.* This act shall take effect immediately.**

SENATE, No. 1101

STATE OF NEW JERSEY

INTRODUCED MARCH 1, 1982

By Senators GAGLIANO, DiFRANCESCO, PAOLELLA, STOCKMAN, LYNCH, LIPMAN, VREELAND, GRAVES, DALTON, GREGORIO, SAXTON, LASKIN, DUMONT, CONNORS, DORSEY, HURLEY, GALLAGHER, McMANIMON, COSTELLO, FORAN and RUSSO

Referred to Committee on Natural Resources and Agriculture

AN ACT concerning a pilot program for the establishment of a spaying and neutering clinic for dogs and cats, supplementing Title 4 of the Revised Statutes and making an appropriation.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. a. The Commissioner of the Department of Health shall
2 establish a pilot program for the establishment of a clinic at a
3 location to be determined by him whereby members of the public
4 may have dogs and cats spayed or neutered in a humane manner
5 upon payment of the following fees: (1) for spaying of a female
6 dog or cat, \$25.00 and (2) for neutering of a male dog or cat, \$15.00.

7 b. The fees shall include immunization of dogs against distemper,
8 hepatitis and leptospirosis and of cats against feline panleukopenia,
9 pneumonitis and rhinotracheitis; the respective immunizations to
10 be given 10 days prior to surgery on animals not previously so
11 immunized.

1 2. a. Any person submitting a dog or cat for spaying or neuter-
2 ing pursuant to this pilot program shall sign a consent form
3 certifying under penalty of perjury that the person is the owner of
4 the dog or cat or is authorized to present the dog or cat for the
5 above operation and the person may be required to furnish proof
6 of such ownership or authority.

7 b. The consent form shall also contain an agreement to hold the
8 clinic, the State, its agents, servants and employees harmless for
9 any damages arising from the spaying or neutering of an animal
10 or incidental thereto.

11 c. The department shall establish a return date by which a
12 person submitting an animal for the above operation shall pick
13 up the animal or be subject to a reasonable board and care fee to
14 commence the day after the return date. Failure to pick up the
15 animal within 15 days of the return date shall be deemed abandon-
16 ment of the animal and the department may dispose of it by sale
17 or destruction, but no sale shall be made to a research facility or
18 any person acting to procure the animal for a research facility.

1 3. a. The commissioner may accept funds from any public or
2 private source to help carry out the purposes of this act.

3 b. All fees collected pursuant to section 1 and all moneys received
4 pursuant to subsection a. of this section shall be placed in a
5 special fund which shall be separate from the General State Fund.
6 This special fund, together with appropriated moneys, shall be used
7 for the establishing of new clinics and for operational costs.

1 4. The Commissioner of the Department of Health shall report
2 to the Legislature not later than 2 years after the opening of the
3 clinic on the success of the pilot program accompanying the same
4 with any legislative bills or statements of policy or findings which
5 he may desire to recommend for adoption or consideration by the
6 Legislature.

1 5. The sum of \$95,000.00 is appropriated from General State
2 Fund to the Department of Health to carry out the provisions of
3 this act.

1 6. This act shall take effect immediately.

STATEMENT

This bill provides for the establishment of a pilot program for the establishment of a clinic where dogs and cats may be spayed or neutered. It also provides for charging a \$25.00 fee for spaying female dogs and cats and \$15.00 for neutering male dogs and cats. The fees are to be used for the operational costs of the clinic and for establishing new clinics.

The appropriates \$95,000.00 for initial funding of the program.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 1101

STATE OF NEW JERSEY

ADOPTED JUNE 24, 1982

AN ACT establishing a pilot clinic for the spaying and neutering of dogs and cats, supplementing Title 4 of the Revised Statutes, repealing P. L. 1978, c. 120 and making an appropriation.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. As used in this act:

2 a. "Commissioner" means the Commissioner of Health;

3 b. "Department" means the Department of Health.

1 2. a. There is established in the department a pilot clinic for the
2 spaying and neutering of dogs and cats to determine the practi-
3 cability and feasibility of establishing a Statewide clinic program.

4 b. The commissioner shall establish a pilot clinic at a location
5 whereby the public may have dogs and cats spayed or neutered,
6 as the case may be, in a humane manner by a licensed veterinarian
7 upon payment of the following fees:

8	For spaying female dogs weighing	
9	Not more than 40 pounds	\$25.00
10	41 to 60 pounds	30.00
11	Over 60 pounds	35.00
12	For neutering male dogs weighing	
13	Not more than 40 pounds	20.00
14	41 to 65 pounds	25.00
15	Over 65 pounds	30.00
16	For spaying female cats of any weight	20.00
17	For spaying female cats which are	
18	pregnant or in heat	25.00
19	For neutering male cats of any weight	15.00

20 c. The fees shall include immunization of dogs against dis-
21 temper, hepatitis and leptospirosis and the immunization of cats
22 against feline panleucopenia, pneumonitis and rhinotracheitis,
23 which immunization shall be given at least 10 days prior to surgery
24 on animals not previously immunized.

1 3. a. Any person submitting a dog or cat for spaying or neuter-
2 ing pursuant to this pilot program shall sign a consent form
3 certifying that the person is the owner of the dog or cat or is
4 authorized to present the dog or cat for the above operation.

5 b. The consent form shall also contain an agreement to hold the
6 clinic, the State, its agents, servants and employees free from
7 liability for any damages arising from the spaying or neutering
8 of an animal.

9 c. The commissioner shall establish a return date by which a
10 person submitting an animal for spaying or neutering shall retrieve
11 the animal.

12 d. Failure to retrieve the animal shall subject the person to
13 liability for the cost of board and care of the animal for the period
14 of time the animal is kept at the clinic beyond the return date.

15 e. Failure to retrieve the animal within 15 days of the return
16 date established pursuant to subsection c. of this section shall be
17 deemed abandonment and the pilot clinic may seek to have the
18 animal adopted or may transfer the animal to a shelter for
19 adoption.

1 4. Not less than 180 days subsequent to the establishment of the
2 pilot clinic, the commissioner may recommend to the Legislature
3 any adjustment to the fees, established pursuant to section 2 of this
4 act, deemed necessary to ensure the operation of the pilot clinic.

1 5. a. The commissioner may accept funds from any public or
2 private source to help carry out the purposes of this act.

3 b. All fees collected pursuant to section 2 of this act, and all
4 moneys received pursuant to subsection a. of this section shall be
5 placed in a special fund to be known as the "Pilot Clinic Fund"
6 which shall be separate from the General State Fund and which
7 shall be used for the purposes established herein.

1 6. Not later than 1 year following the effective date of this
2 act, the commissioner shall submit a written report to the Legis-
3 lature detailing the operation of the pilot program and shall make
4 recommendations concerning the practicability and feasibility of
5 the establishment of additional clinics. The commissioner may
6 accompany this report with any recommendations for legislation
7 or other action appropriate for adoption or consideration by the
8 Legislature.

1 7. There is appropriated to the department from the General
2 State Fund the sum of \$95,000.00 to carry out the provisions of
3 this act.

1 8. P. L. 1978, c. 120 (C. 4: 21B-1 et seq.) is repealed.

1 9. This act shall take effect immediately.

ASSEMBLY AGRICULTURE AND ENVIRONMENT
COMMITTEE

STATEMENT TO

SENATE, No. 1101

STATE OF NEW JERSEY

DATED: NOVEMBER 29, 1982

This bill directs the Commissioner of Health to establish a pilot program concerning a spaying and neutering clinic for dogs and cats and sets the fees for spaying female cats and dogs and neutering male cats and dogs. The fee also covers the immunization against common diseases if the animal has not been previously so immunized.

Anyone wishing to have their animal spayed or neutered at such a clinic must certify ownership. The Department of Health is directed to establish a return date, and the owner is required to retrieve their animal 15 days following the return date or the department may dispose of it by sale or destruction.

This bill also requires the establishment of a special fund to cover the operational costs of the program and for establishing new clinics if the program is successful. All money collected as fees and any other donations will constitute the fund.

Any animal deemed abandoned shall be disposed of by sale or destruction, provided that no sale would be made to research facilities for experimentation.

The rationale for establishing such a clinic, which is based on the successful program in Los Angeles, is to reach those individuals who cannot or will not pay private veterinarians spaying fees. If through this method the number of fertile animals is reduced, it is believed that there will be fewer animals which are "processed" (taken in, killed, placed in new homes or returned to owners) annually by New Jersey pounds and shelters at the taxpayers expense.

The Committee amended the bill to delete the exemption from liability for damages arising from the sterilization procedure, restored the right of a municipality to establish its own program at its own discretion and deleted the \$95,000.00 appropriation.

[ASSEMBLY REPRINT]
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 1101

STATE OF NEW JERSEY

ADOPTED JUNE 24, 1982

AN ACT establishing a pilot clinic for the spaying and neutering of dogs and cats***[.]*** *and** supplementing Title 4 of the Revised Statutes***[**, repealing P. L. 1978, c. 120 and making an appropriation**]***.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. As used in this act:

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2 spaying and neutering of dogs and cats to determine the practi-
3 cability and feasibility of establishing a Statewide clinic program.

4 b. The commissioner shall establish a pilot clinic at a location
5 whereby the public may have dogs and cats spayed or neutered,
6 as the case may be, in a humane manner by a licensed veterinarian
7 upon payment of the following fees:

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11	Over 60 pounds	35.00
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13	Not more than 40 pounds	20.00
14	41 to 65 pounds	25.00
15	Over 65 pounds	30.00
16	For spaying female cats of any weight	20.00
17	For spaying female cats which are	
18	pregnant or in heat	25.00
19	For neutering male cats of any weight	15.00

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

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*—Assembly committee amendments adopted November 29, 1982.

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21 temper, hepatitis and leptospirosis and the immunization of cats
22 against feline panleucopenia, pneumonitis and rhinotracheitis,
23 which immunization shall be given at least 10 days prior to surgery
24 on animals not previously immunized.

1 3. a. Any person submitting a dog or cat for spaying or neuter-
2 ing pursuant to this pilot program shall sign a consent form
3 certifying that the person is the owner of the dog or cat or is
4 authorized to present the dog or cat for the above operation.

5 ***[b.]** The consent form shall also contain an agreement to hold the
6 clinic, the State, its agents, servants and employees free from
7 liability for any damages arising from the spaying or neutering
8 of an animal.*

9 ***[c.]** *b.* The commissioner shall establish a return date by
10 which a person submitting an animal for spaying or neutering shall
11 retrieve the animal.

12 ***[d.]** *c.* Failure to retrieve the animal shall subject the person
13 to liability for the cost of board and care of the animal for the
14 period of time the animal is kept at the clinic beyond the return
15 date.

16 ***[e.]** *d.* Failure to retrieve the animal within 15 days of the
17 return date established pursuant to subsection c. of this section
18 shall be deemed abandonment and the pilot clinic may seek to have
19 the animal adopted or may transfer the animal to a shelter for
20 adoption.

1 4. Not less than 180 days subsequent to the establishment of the
2 pilot clinic, the commissioner may recommend to the Legislature
3 any adjustment to the fees, established pursuant to section 2 of this
4 act, deemed necessary to ensure the operation of the pilot clinic.

1 5. a. The commissioner may accept funds from any public or
2 private source to help carry out the purposes of this act.

3 b. All fees collected pursuant to *P. L. 198 c. (now pending
4 before the Legislature as Assembly Bill 1472) or pursuant to*
5 section 2 of this act, and all moneys received pursuant to subsection
6 a. of this section shall be placed in a special fund to be known as
7 the "Pilot Clinic Fund" which shall be separate from the General
8 State Fund and which shall be used for the purposes established
9 herein.

1 6. Not later than 1 year following the effective date of this
2 act, the commissioner shall submit a written report to the Legis-
3 lature detailing the operation of the pilot program and shall make
4 recommendations concerning the practicability and feasibility of
5 the establishment of additional clinics. The commissioner may

6 accompany this report with any recommendations for legislation
7 or other action appropriate for adoption or consideration by the
8 Legislature.

1 ***[7. There is appropriated to the department from the General**
2 **State Fund the sum of \$95,000.00 to carry out the provisions of**
3 **this act.]***

1 ***[8. P. L. 1978, c. 120 (C. 4:21B-1 et seq.) is repealed.]***

1 ***[9.]* *7.* This act shall take effect immediately.**

OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATE

CONTACT: PAUL WOLCOTT

WEDNESDAY, MAY 11, 1983

Governor Thomas H. Kean has signed the following bills:

S-3215, sponsored by State Senator John H. Dorsey, R-Morris, which amends the Casino Conflicts of Interest Law to permit certain spouses of State employees who have no casino responsibilities to represent casinos if they were married during the course of State employment.

S-1101, sponsored by State Senator S. Thomas Gagliano, R-Monmouth, which establishes a State pilot clinic for the spaying and neutering of dogs and cats at a low cost.

A-1472, sponsored by Assemblyman John D. Bennett, R-Monmouth, which provides for an additional 20-cent dog registration tag fee to fund the pilot clinic.

Under the Senate bill the Department of Health is directed to establish the pilot clinic, at which the public may have their cat or dog neutered for a fee ranging from \$15 to \$35, depending on the size and sex of the animal.

The Assembly bill would raise an estimated \$116,000 to finance the cost of the clinic.

S-1441, sponsored by State Senator Carmen A. Orechio, D-Essex, which provides that commissioners elected under the commission form of government under the Walsh Act, begin their terms one week after their election. Under the previous law commissioners assumed their office July 1.