

4:19-15.1 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 4:19-15.1 et al

(Animal control officers -- establish training and educational requirements)

LAWS OF: 1983

CHAPTER: 525

Bill No: A3205

Sponsor(s): Zimmer and others

Date Introduced: March 3, 1983

Committee: Assembly: Agriculture and Environment

Senate: Natural Resources and Agriculture

Amended during passage: Yes

Substituted for S3589 (not attached since identical to A3205). Amendments during passage denoted by asterisks.

Date of Passage:

Assembly: June 20, 1983

Senate: January 9, 1984

Date of Approval: January 17, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

DO NOT REMOVE FROM LIBRARY
MAY 10 1984
NEW JERSEY STATE ARCHIVES

1-17-84

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 3205

STATE OF NEW JERSEY

INTRODUCED MARCH 3, 1983

By Assemblymen ZIMMER, SMITH, WEIDEL, T. GALLO,
LESNIAK, MARSELLA and BENNETT

AN ACT concerning domestic animal control and amending and
supplementing P. L. 1941, c. 151.

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

1 1. Section 1 of P. L. 1941, c. 151 (C. 4:19-15.1) is amended to
2 read as follows:

3 1. "*Certified animal control officer*" means a person 18 years of
4 age or older who has satisfactorily completed a course of study
5 approved by the Commissioner of Health on the control of animals
6 prescribed by this amendatory and supplementary act **or who has
7 been employed in the State of New Jersey in the capacity of, and
8 with similar responsibilities to those required of certified animal
9 control officers pursuant to the provisions of this act for a period
10 of three years**.

10A "Dog" shall mean any dog, bitch or spayed bitch.

10B "Dog of licensing age" shall mean any dog which has attained
10C the age of seven months or which possesses a set of permanent
10D teeth.

10E "Kennel" shall mean any establishment wherein or whereon the
11 business of boarding or selling dogs or breeding dogs for sale is
12 carried on, except a pet shop.

13 "Pet shop" shall mean any room or group of rooms, cage or
14 exhibition pen, not part of a kennel, wherein dogs for sale are
15 kept or displayed.

16 "Pound" shall mean an establishment for the confinement of

**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 April 11, 1983.**

****—Senate committee amendments adopted December 8, 1983.**

17 dogs seized either under the provisions of this act or otherwise.

18 “Shelter” shall mean any establishment where dogs are received,
19 housed and distributed.

20 “Owner” when applied to the proprietorship of a dog shall
21 include every person having a right of property in such dog and
22 every person who has such dog in his keeping~~[,]~~.

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

3 16. Any person appointed for the purpose by the governing body
4 of the municipality, shall take into custody and impound or cause
5 to be taken into custody and impounded, and thereafter destroyed
6 or disposed of as provided in this section:

7 (a) Any dog off the premises of the owner or of the person
8 keeping or harboring said dog which said official or his agent, or
9 agents have reason to believe is a stray dog;

10 (b) Any dog off the premises of the owner or of the person keep-
11 ing or harboring said dog without a current registration tag on his
12 collar;

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

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

16 (e) *Any dog or other animal off the premises of the owner re-*
17 *ported to, or observed by, a certified animal control officer to be ill*
18 **[or] * ,* injured *[and] * *or* creating a *[public nuisance]**
19 **threat to public health, safety or welfare, or otherwise interfering*
20 *with the enjoyment of property*.*

21 If any ~~dog~~ *animal* so seized wears a collar or harness
22 having inscribed thereon or attached thereto the name and address
23 of any person or a registration tag or the owner or the person
24 keeping or harboring said ~~dog~~ *animal* is known, any person
25 authorized by the governing body, shall forthwith serve on the
26 person whose address is given on the collar, or on the owner or
27 the person keeping or harboring said ~~dog~~ *animal*, if known,
27A a notice in writing stating that the ~~dog~~ *animal* has been
27B seized and will be liable to be disposed of or destroyed if not
27C claimed within seven days after the service of the notice.

28 A notice under this section may be served either by delivering it
29 to the person on whom it is to be served, or by leaving it at the per-
30 son’s usual, or last known place of abode, or at the address given on
31 the collar, or by forwarding it by post in a prepaid letter addressed
32 to that person at his usual or last known place of abode, or to the
33 address given on the collar.

34 When any dog so seized has been detained for seven days after

35 notice, when notice can be given as above set forth, or has been
 36 detained for seven days after seizure, when no notice has been given
 37 as above set forth and if the owner or person keeping or harboring
 38 said dog has not claimed said dog and paid all expenses incurred
 39 by reason of its detention, including maintenance not exceeding
 40 \$4.00 per day, and if the dog be unlicensed at the time of the
 41 seizure and the owner or person keeping or harboring said dog has
 42 not produced a license and registration tag for said dog, any person
 43 authorized by the governing body, may cause the dog to be
 44 destroyed in manner causing as little pain as possible and consistent
 45 with the provisions of R. S. 4:22-19. No dog or other animal so
 46 caught and detained or procured, obtained, sent or brought to a
 47 pound or shelter shall be sold or otherwise made available for the
 48 purpose of experimentation. Any person who sells or otherwise
 49 makes available any such dog or other animal for the purpose of
 50 experimentation shall be guilty of a disorderly persons offense.

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

1 3. (New section) a. The Commissioner of Health shall, within
 2 120 days after the effective date of this amendatory and supple-
 3 mentary act and pursuant to the "Administrative Procedure Act,"
 4 P. L. 1968, c. 410 (C. 52:14B-1 et seq.), adopt rules and regulations
 5 concerning the training and educational qualifications for the
 6 certification of animal control officers including, but not limited to,
 7 a course of study approved by the commissioner, which acquaints
 8 a person with:

9 (1) The law as it affects animal control and welfare;

10 (2) Animal behavior and the handling of stray or diseased
 11 animals; and

12 (3) Community safety as it relates to animal control.

13 b. The commissioner shall provide for the issuance of a certificate
 14 to a person who possesses, or acquires, the training and education
 15 required to qualify as a certified animal control officer pursuant to
 16 ***[section 3 of this amendatory and supplementary act]*** **the*
 17 *provisions of this act* **and the issuance of a certificate to a person*
 18 *who has been employed in the State of New Jersey in the capacity*
 19 *of, and with similar responsibilities to those required of certified*
 20 *animal control officers pursuant to the provisions of this act for*
 21 *a period of three years**.*

1 4. (New section) The governing body of a municipality shall,
 2 within ***[five]*** **three** years of the effective date of this amenda-

3 tory and supplementary act, appoint a certified animal control
4 officer who shall be responsible for animal control within the
5 jurisdiction of the municipality and who shall enforce and abide
6 by the provisions of section 16 of P. L. 1941, c. 151 (C. 4:19-15.16).
1 5. This act shall take effect immediately.

45 with the provisions of R. S. 4:22-19. No dog or other animal so
 46 caught and detained or procured, obtained, sent or brought to a
 47 pound or shelter shall be sold or otherwise made available for the
 48 purpose of experimentation. Any person who sells or otherwise
 49 makes available any such dog or other animal for the purpose of
 50 experimentation shall be guilty of a disorderly persons offense.

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

1 3. (New section) a. The Commissioner of Health shall, within
 2 120 days after the effective date of this amendatory and supple-
 3 mentary act and pursuant to the "Administrative Procedure Act,"
 4 P. L. 1968, c. 410 (C. 52:14B-1 et seq.), adopt rules and regulations
 5 concerning the training and educational qualifications for the
 6 certification of animal control officers including, but not limited to,
 7 a course of study approved by the commissioner, which acquaints
 8 a person with:

9 (1) The law as it affects animal control and welfare;

10 (2) Animal behavior and the handling of stray or diseased
 11 animals; and

12 (3) Community safety as it relates to animal control.

13 b. The commissioner shall provide for the issuance of a certificate
 14 to a person who possesses, or acquires, the training and education
 15 required to qualify as a certified animal control officer pursuant to
 16 section 3 of this amendatory and supplementary act

1 4. (New section) The governing body of a municipality shall,
 2 within five years of the effective date of this amendatory and
 3 supplementary act, appoint a certified animal control officer who
 4 shall be responsible for animal control within the jurisdiction of
 5 the municipality and who shall enforce and abide by the provisions
 6 of section 16 of P. L. 1941, c. 151 (C. 4:19-15.16).

1 5. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to provide for more professional and more highly trained people to enforce the laws concerning animal control. Presently, municipalities appoint individuals for this purpose who have little or no formal training. This bill directs the Commissioner of Health to establish training and educational requirements to certify animal control officers. Municipalities are required, within five years of the effective date of the act, to appoint certified animal control officers. This will provide a period of time during which those people now responsible for animal control may be appropriately trained and qualified.

A3205 (1983)

ASSEMBLY AGRICULTURE AND ENVIRONMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3205

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: APRIL 11, 1983

The purpose of this bill is to provide for more professional and more highly trained people to enforce the laws concerning animal control. Presently, municipalities appoint individuals for this purpose who have little or no formal training. This bill directs the Commissioner of Health to establish training and educational requirements to certify animal control officers. Municipalities are required, within five years of the effective date of the act, to appoint certified animal control officers. This will provide a period of time during which those people now responsible for animal control may be appropriately trained and qualified.

The committee amended the bill to clarify the conditions under which an animal could be seized, to require that the additional training and educational qualifications for animal control officers be met within three rather than five years to accelerate adequate training, and to correct certain technical deficiencies.

SENATE NATURAL RESOURCES AND AGRICULTURE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3205

[OFFICIAL COPY REPRINT]

with Senate committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 8, 1983

The purpose of this bill is to provide for more professional and more highly trained people to enforce the laws concerning animal control. Presently, municipalities appoint individuals for this purpose who have little or no formal training. This bill directs the Commissioner of Health to establish training and educational requirements to certify animal control officers. Municipalities are required, within three years of the effective date of the act, to appoint certified animal control officers. In addition, the bill clarifies the conditions under which animal control officers shall impound animals.

In order to prevent undue hardship on those persons who already possess considerable experience in the field of animal control, the Senate Natural Resources and Agriculture Committee amended the bill to provide for the issuance of a certificate to those persons who have been employed in the State of New Jersey in the capacity of, and with similar responsibilities to those required of certified animal control officers pursuant to the provisions of this act for a period of three years.