

4: 22-19

LEGISLATIVE HISTORY CHECKLIST

NJSA 4:22-19; 4:19-15.16 (Destruction of animals-method)

Laws of 1977 Chapter 231

Bill No. A1727

Sponsor(s) Bassano and others

Date Introduced March 3, 1976

Committee: Assembly Agriculture and Environment

Senate Agriculture

Amended during passage Yes ~~Yes~~ Amendments during passage denoted by asterisks

Date of passage: Assembly May 27, 1976

Senate May 5, 1977

Date of approval September 20, 1977

Following statements are attached if available:

Sponsor statement Yes ~~Yes~~ Below

Committee Statement: Assembly Yes ~~Yes~~

Senate Yes ~~Yes~~

Fiscal Note ~~Yes~~ No

Veto message ~~Yes~~ No

Message on signing Yes ~~Yes~~

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

Sponsor's Statement:

The purpose of this bill is expressed in its title.

10/4/76

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ASSEMBLY, No. 1727

STATE OF NEW JERSEY

INTRODUCED MARCH 8, 1976

By Assemblymen BASSANO, BARRY, D. GALLO, MAGUIRE, DIFRANCESCO, FAVA, OLSZOWY, STEWART, McDERMOTT, and Assemblywoman MUHLER

Referred to Committee on Agriculture and Environment

AN ACT concerning the destruction of certain animals, amending "An act for the uniform control and licensing of dogs and kennels to aid in preventing the spread of rabies, and repealing sections 4:19-10, 4:19-11, 4:19-12, 4:19-13, 4:19-14, 4:19-15, 40:52-5 and 40:52-6 of the Revised Statutes," approved May 24, 1941 (P. L. 1941, c. 151), and amending R. S. 4:22-19.

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

1 1. R. S. 4:22-19 is amended to read as follows:

2 4:22-19. A person who shall

3 a. Impound or confine, or cause to be impounded or confined, in
4 a pound or other place, a living animal or creature, and shall fail
5 to supply it during such confinement with a sufficient quantity of
6 good and wholesome food and water; or

7 b. Destroy or cause to be destroyed any such animal except by a
8 method of euthanasia generally accepted by the veterinary medical
9 profession as being reliable, appropriate to the type of animal upon
10 which it is to be employed, and capable of producing loss of con-
11 sciousness and death rapidly and painlessly for such animal shall*,
12 in the case of a violation of paragraph a.,* be guilty of a misde-
13 meanor and punished as provided in section 4:22-17 of this Title*;
13A or, in the case of a violation of paragraph b., be subject to a penalty
13B of \$25.00 for the first offense and \$50.00 for each subsequent
13C offense. Each animal destroyed in violation of paragraph b. shall
13D constitute a separate offense. The penalty shall be collected in
13E accordance with the Penalty Enforcement Law (N. J. S. 2A:58-1
13F et seq.) and all money collected shall be remitted to the State*.

14 *Paragraphs a. and b. of this section shall apply to pounds and*
15 *places of confinement owned and operated by municipalities, coun-*
16 *ties or regional governmental authorities and to every contractual*
17 *warden or impounding service, any provision to the contrary in*
18 *this title notwithstanding.*

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
11 keeping or harboring said dog without a current registration tag
12 on his collar;

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

15 If any dog so seized wears a collar or harness having inscribed
16 thereon or attached thereto the name and address of any person or
17 a registration tag or the owner or the person keeping or harboring
18 said dog is known, any person authorized by the governing body,
19 shall forthwith serve on the person whose address is given on the
20 collar, or on the owner or the person keeping or harboring said dog,
21 if known, a notice in writing stating that the dog has been seized
22 and will be liable to be disposed of or destroyed if not claimed
23 within 7 days after the service of the notice.

24 A notice under this section may be served either by delivering it
25 to the person on whom it is to be served, or by leaving it at the
26 person's usual, or last known place of abode, or at the address
27 given on the collar, or by forwarding it by post in a prepaid letter
28 addressed to that person at his usual or last known place of abode,
29 or to the address given on the collar.

30 When any dog so seized has been detained for 7 days after notice,
31 when notice can be given as above set forth, or has been detained
32 for 7 days after seizure, when no notice has been given as above
33 set forth and if the owner or person keeping or harboring said dog
34 has not claimed said dog and paid all expenses incurred by reason
35 of its detention, including maintenance not exceeding \$1.00 per day,
36 and if the dog be unlicensed at the time of the seizure and the
37 owner or person keeping or harboring said dog has not produced

38 a license and registration tag for said dog, any person authorized
39 by the governing body, may cause the dog to be destroyed in man-
40 ner causing as little pain as possible *and consistent with the pro-*
41 *visions of R. S. 4:22-19.* No dog or other animal so caught and
42 detained or procured, obtained, sent or brought to a pound or
43 shelter shall be sold or otherwise made available for the purpose
44 of experimentation. Any person who sells or otherwise makes
45 available any such dog or other animal for the purpose of experi-
46 mentation shall be guilty of a disorderly persons offense.

1 3. This act shall take effect immediately.

REFERENCE USE ONLY

ASSEMBLY AGRICULTURE AND ENVIRONMENT
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1727

STATE OF NEW JERSEY

DATED: APRIL 5, 1976

This bill would prevent pounds and other similar places of animal confinement from destroying any animal except by a method of euthanasia generally accepted by the veterinary medical profession as being reliable, appropriate and painless.

SENATE AGRICULTURE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1727

STATE OF NEW JERSEY

DATED: NOVEMBER 8, 1976

This bill would prevent pounds and other similar places of animal confinement from destroying any animal except by a method of euthanasia generally accepted by the veterinary medical profession as being reliable, appropriate and painless.

The sponsor of the legislation, Assemblyman Bassano, distributed to committee members letters from veterinary and humane societies in support of this measure. Department rules and regulations list "acceptable" methods of euthanasia, but the sponsor asserted that he has been led to believe that not all of the methods listed are painless.

No opposition to the measure was voiced at the committee meeting.

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FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

SEPTEMBER 20, 1977

KATHY FORSYTH

Governor Brendan Byrne Tuesday signed into law two bills designed to protect the welfare of animals.

The first bill, S-180, sponsored by Senator John Russo, D-Ocean, makes the abandonment of a dog or cat a misdemeanor punishable by a fine of up to \$250 or six months in the county jail or both.

Offenders would also be subject civilly in an amount of up to \$250 in an action to be brought by the New Jersey Society for the Prevention of Cruelty to Animals.

Under prior law, a person may only be penalized for abandoning an animal to die in a public place.

A-1727, sponsored by Assemblyman C. Louis Bassano, R-Union, provides that any person who destroys an animal by means which are not recognized as reliable by veterinarians, or which do not lead to rapid and painless death, is subject to a penalty of \$25 for the first offense and \$50 for subsequent offenses.

The law applies to municipal and county shelters and pounds, as well as impoundment services acting under contract, although not limited to these.

The bill is intended to prohibit certain painful methods of destroying animals, especially the particularly controversial use of injections of succinylcholine chloride, a drug which causes paralysis without loss of consciousness until the animal suffocates. A second method has been the use of decompression chambers in which air is rapidly removed.

The more accepted method of destruction is the injection of sodium phenobarbital, which causes immediate unconsciousness.

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SEP 21 1977
NEW JERSEY STATE DEPT OF TREASURY
KATHY FORSYTH