

# Bill as Introduced

HB 1362 - AS INTRODUCED

2012 SESSION

12-2197  
08/01

HOUSE BILL           **1362**

AN ACT                establishing a service animal registration commission.

SPONSORS:            Rep. Schlachman, Rock 13; Rep. Copeland, Rock 13

COMMITTEE:           Executive Departments and Administration

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ANALYSIS

This bill establishes a service animal registration commission.

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Explanation:        Matter added to current law appears in ***bold italics***.  
                      Matter removed from current law appears ~~[in brackets and struck through]~~  
                      Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twelve*

AN ACT                    establishing a service animal registration commission.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            1 New Section; Service Animal Registration Commission. Amend RSA 167-D by inserting after  
2 section 10 the following new section:

3            167-D:11 Service Animal Registration Commission. There is established a commission to study  
4 the registration of service animals.

5            I. The members of the commission shall be as follows:

6            (a) One member of the house of representatives, appointed by the speaker of the house of  
7 representatives.

8            (b) One member of the senate, appointed by the president of the senate.

9            (c) One member from the governor's commission on disability, appointed by the  
10 commission.

11            (d) One member of the Dog Guide Users of New Hampshire, appointed by that  
12 organization.

13            (e) One member of the New Hampshire City and Town Clerks' Association, appointed by  
14 the association.

15            (f) One member from division of vocational rehabilitation, department of education,  
16 appointed by the director of the division.

17            (g) One member from Granite State Independent Living appointed by that organization.

18            (h) One member who uses a service animal, appointed by the governor.

19            II. Legislative members of the commission shall receive mileage at the legislative rate when  
20 attending to the duties of the commission.

21            III. The commission shall study the registration of service animals.

22            IV. The members of the commission shall elect a chairperson from among the members. The  
23 first meeting of the commission shall be called by the first-named house member. The first meeting  
24 of the commission shall be held within 45 days of the effective date of this section. Four members of  
25 the commission shall constitute a quorum.

26            V. The commission shall report its findings and any recommendations for proposed  
27 legislation to the speaker of the house of representatives, the president of the senate, the house  
28 clerk, the senate clerk, the governor, and the state library on or before November 1, 2012.

29            2 Repeal. RSA 167-D:11, relative to the service animal registration commission, is repealed.

30            3 Effective Date.

31            I. Section 2 of this act shall take effect November 2, 2012.

**HB 1362 - AS INTRODUCED**  
**- Page 2 -**

1           II. The remainder of this act shall take effect upon its passage.

HB 1362 - AS AMENDED BY THE HOUSE

22Feb2012... 0490h

2012 SESSION

12-2197  
08/01

HOUSE BILL **1362**

AN ACT exempting service animals from dog registration and licensing and establishing an option for permanent registration and licensing of service animals.

SPONSORS: Rep. Schlachman, Rock 13; Rep. Copeland, Rock 13

COMMITTEE: Executive Departments and Administration

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AMENDED ANALYSIS

This bill:

- I. Allows for the exemption of service animals from the fee for licensing and registration of dogs.
- II. Allows the owner of a service animal to opt for a one-time licensing and registration of his or her service animal.
- III. Requires the Governor's Commission on Disability with overseeing the permanent registration and licensing for service animals.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twelve*

AN ACT                    exempting service animals from dog registration and licensing and establishing an option for permanent registration and licensing of service animals.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            1 Service Animals; Exemption from Dog Registration and Licensing. RSA 466:8 is repealed and  
2 reenacted to read as follows:

3            466:8 Exemption From Fees for Registration and Licensing.

4            I. No fee shall be required for the registration and licensing of a dog which has served with  
5 armed forces of the United States and has received an honorable discharge therefrom.

6            II. No fee shall be required for the registration and licensing of a service animal as defined  
7 in RSA 167-D:1, IV. When registering and applying for a license for a service animal, the owner or  
8 trainer shall present an identification card issued by a recognized animal training agency. If a  
9 service animal has been trained by its owner and does not have an identification card issued by a  
10 recognized animal training agency or school, in order to register and license a service animal, the  
11 animal shall pass the Assistance Dogs International Public Access Test administered by a service  
12 animal trainer, as defined in RSA 167-D:1, V, and the owner shall present a letter from a health care  
13 professional stating that the individual requires the use of a service animal to perform tasks directly  
14 related to his or her disability.

15            III. The owner of a service animal may elect for the registration and licensing of such service  
16 animal to be permanent and not subject to annual renewal so long as the service animal has met the  
17 requirements of this section and has received a certificate and tag from the Governor's Commission  
18 on Disability under paragraph IV.

19            IV. Certificates and tags stamped "New Hampshire Service Animal – Permanent  
20 Registration" with a registration number, shall be issued by the Governor's Commission on  
21 Disability to those seeking permanent registration and licensing. Applications may be obtained from  
22 a town or municipality issuing agent under RSA 466:1-c upon initial registration and licensing of a  
23 service animal or directly from the Governor's Commission on Disability.

24            V. Upon the death or retirement of a service animal, the owner or person in possession of the  
25 service animal tag shall immediately return the tag to the Governor's Commission on Disability.

26            VI. The tag identifying a service animal shall be used only by an eligible service animal, as  
27 defined in RSA 167-D:1, IV.

28            VII. The owners and trainers of service animals shall comply with all state and local  
29 ordinances regarding rabies certification under RSA 436:102 and RSA 466:1-a.

30            2 Nonuse of Hearing Ear Dog, Guide Dog, or Service Dog. Amend RSA 167-D:8, II to read as

1 follows:

2 II. It is unlawful for any person to fit an animal with a collar, leash, or harness of the type  
3 which represents that the animal is a service animal, *or service animal tag issued under*  
4 *RSA 466:8* if in fact said animal is not and to thus use the animal to misrepresent the physical  
5 status of said person.

6 3 New Paragraph; Service Animal Registration Tags; Governor's Commission on Disability.  
7 Amend RSA 275-C:6 by inserting after paragraph VI the following new paragraph:

8 VII. To design, produce, and issue special registration tags and certificates for permanent  
9 service animal registration and licensing.

10 4 Effective Date. This act shall take effect 60 days after its passage.

**HB 1362 – AS AMENDED BY THE SENATE**

22Feb2012... 0490h

05/09/12 1991s

2012 SESSION

12-2197

08/01

**HOUSE BILL 1362**

AN ACT exempting service animals from dog registration and licensing and establishing an option for permanent registration and licensing of service animals.

SPONSORS: Rep. Schlachman, Rock 13; Rep. Copeland, Rock 13

COMMITTEE: Executive Departments and Administration

**AMENDED ANALYSIS**

This bill:

- I. Allows for the exemption of service animals from the fee for licensing and registration of dogs.
- II. Allows the owner of a service animal to opt for a one-time licensing and registration of his or her service animal.
- III. Requires the Governor’s Commission on Disability with overseeing the permanent registration and licensing for service animals.

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**STATE OF NEW HAMPSHIRE**

*In the Year of Our Lord Two Thousand Twelve*

AN ACT exempting service animals from dog registration and licensing and establishing an option for permanent registration and licensing of service animals.



*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 Service Animals; Exemption from Dog Registration and Licensing. RSA 466:8 is repealed and reenacted to read as follows:

466:8 Exemption From Fees for Registration and Licensing.

I. No fee shall be required for the registration and licensing of a dog which has served with the armed forces of the United States and has received an honorable discharge therefrom.

II. No fee shall be required for the registration and licensing of a service animal dog as defined in RSA 167-D:1, IV. When registering and applying for a license for a dog that is a service animal, the owner or trainer shall present an identification card issued by a recognized dog training agency. If a dog has been trained by its owner and does not have an identification card issued by a recognized dog training agency or school, in order to register and license a dog that is a service animal, the dog shall pass the Assistance Dogs International Public Access Test administered by a service animal trainer, as defined in RSA 167-D:1, V, and the owner shall present a letter from a health care professional stating that the individual requires the use of a service animal to perform tasks directly related to his or her disability.

III. The owner of a dog that is a service animal may elect for the registration and licensing of such dog to be permanent and not subject to annual renewal so long as such dog has met the requirements of this section.

IV. For the purpose of this section, the town clerk of each town or municipality shall determine the process by which permanently registered dogs that are service animals will be tracked for town purposes and ensure that town service animal owners are not required to participate, in any way, with an annual renewal of such dog's registration or licensing. In cases of change of town of residency, the service animal owner shall re-register the dog at no cost. If the owner has elected to obtain a tag through the governor's commission on disability as set forth in paragraph V, the owner shall let the governor's commission on disability know of any change in town of residency.

V. Certificates and tags stamped "G C D – Permanent Registration" with a registration number shall be issued by the governor's commission on disability to those who wish to affix such a tag on their service animal's collar after registering the dog under paragraph II. Tags and certificates may be obtained directly from the governor's commission on disability which will verify with the town clerk that such dog has met the requirements under paragraph II and is duly registered and licensed by the town of residency. Tags issued by the governor's commission on disability shall not be used to verify the legitimacy or authenticity of a service animal for any purpose.

VI. Upon the death or retirement of a service animal, the owner or person in possession of the service animal tag shall immediately return the tag to the governor's commission on disability.

VII. The tag identifying a service animal shall be used only by an eligible service animal, as defined in RSA 167-D:1, IV.

VIII. The owners and trainers of dogs that are service animals shall comply with all state and local ordinances regarding rabies certification under RSA 436:102 and RSA 466:1-a.

2 Nonuse of Hearing Ear Dog, Guide Dog, or Service Dog. Amend RSA 167-D:8, II to read as follows:

II. It is unlawful for any person to fit an animal with a collar, leash, or harness of the type which represents that the animal is a service animal, **or service animal tag issued under RSA 466:8** if in fact said animal is not and to thus use the animal to misrepresent the physical status of said person.

3 New Paragraph; Service Animal Registration Tags; Governor's Commission on Disability. Amend RSA 275-C:6 by inserting after paragraph VI the following new paragraph:

VII. To design, produce, and issue special registration tags and certificates for permanent service animal registration and licensing.

4 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 211  
HB 1362 - FINAL VERSION

22Feb2012... 0490h  
05/09/12 1991s

2012 SESSION

12-2197  
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HOUSE BILL            **1362**

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COMMITTEE:           Executive Departments and Administration

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twelve*

AN ACT                    exempting service animals from dog registration and licensing and establishing an  
option for permanent registration and licensing of service animals.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            211:1 Service Animals; Exemption from Dog Registration and Licensing. RSA 466:8 is repealed  
2 and reenacted to read as follows:

3            466:8 Exemption From Fees for Registration and Licensing.

4            I. No fee shall be required for the registration and licensing of a dog which has served with  
5 the armed forces of the United States and has received an honorable discharge therefrom.

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7 defined in RSA 167-D:1, IV. When registering and applying for a license for a dog that is a service  
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12 service animal trainer, as defined in RSA 167-D:1, V, and the owner shall present a letter from a  
13 health care professional stating that the individual requires the use of a service animal to perform  
14 tasks directly related to his or her disability.

15            III. The owner of a dog that is a service animal may elect for the registration and licensing of  
16 such dog to be permanent and not subject to annual renewal so long as such dog has met the  
17 requirements of this section.

18            IV. For the purpose of this section, the town clerk of each town or municipality shall  
19 determine the process by which permanently registered dogs that are service animals will be tracked  
20 for town purposes and ensure that town service animal owners are not required to participate, in any  
21 way, with an annual renewal of such dog's registration or licensing. In cases of change of town of  
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23 obtain a tag through the governor's commission on disability as set forth in paragraph V, the owner  
24 shall let the governor's commission on disability know of any change in town of residency.

25            V. Certificates and tags stamped "G C D - Permanent Registration" with a registration  
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HB 1362 - FINAL VERSION  
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2 registered and licensed by the town of residency. Tags issued by the governor's commission on  
3 disability shall not be used to verify the legitimacy or authenticity of a service animal for any  
4 purpose.

5 VI. Upon the death or retirement of a service animal, the owner or person in possession of  
6 the service animal tag shall immediately return the tag to the governor's commission on disability.

7 VII. The tag identifying a service animal shall be used only by an eligible service animal, as  
8 defined in RSA 167-D:1, IV.

9 VIII. The owners and trainers of dogs that are service animals shall comply with all state  
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17 211:3 New Paragraph; Service Animal Registration Tags; Governor's Commission on Disability.  
18 Amend RSA 275-C:6 by inserting after paragraph VI the following new paragraph:

19 VII. To design, produce, and issue special registration tags and certificates for permanent  
20 service animal registration and licensing.

21 211:4 Effective Date. This act shall take effect 60 days after its passage.

22 Approved: June 13, 2012

23 Effective Date: August 12, 2012

# Amendments

Amendment to HB 1362

1 Amend RSA 466:8 as inserted by section 1 of the bill by replacing it with the following:

2

3 I. No fee shall be required for the registration and licensing of a dog which has served with  
4 the armed forces of the United States and has received an honorable discharge therefrom.

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31 purpose.

32 VI. Upon the death or retirement of a service animal, the owner or person in possession of

**Amendment to HB 1362**

**- Page 2 -**

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**Amendment to HB 1362**

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# Committee Minutes

**SENATE CALENDAR NOTICE**  
**EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

✓ Senator Sharon Carson Chairman  
 Senator Fenton Groen V Chairman  
 Senator Sylvia Larsen  
 ✓ Senator Jim Luther  
 ✓ Senator Raymond White

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/>	Bill Status
<input type="checkbox"/>	Docket
<input type="checkbox"/>	Calendar
Proof: <input type="checkbox"/>	Calendar <input type="checkbox"/> Bill Status

**Date: April 10, 2012**

**HEARINGS**

**Thursday**

**4/19/2012**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SH 100

9:00 AM

(Name of Committee)

(Place)

(Time)

**EXECUTIVE SESSION MAY FOLLOW**

9:00 AM	HB1255	relative to the membership of the commission on primary care workforce issues.
9:10 AM	HB1387	(New Title) requiring flags purchased with state funds or displayed in state facilities to be manufactured in the United States.
9:20 AM	HB1362	(New Title) exempting service animals from dog registration and licensing and establishing an option for permanent registration and licensing of service animals.
9:40 AM	HB1306-FN-L	(New Title) requiring a report on part-time employment of retired members of the retirement system.
10:00 AM	HB1206	(New Title) relative to continuing obligations under expired public employee labor agreements.
10:20 AM	HB1582	relative to medical and surgical benefits for state employees.

**Sponsors:**

**HB1255**

Rep. Laurie Pettengill

**HB1387**

Rep. Leo Pepino

Rep. Terie Norelli

Sen. John Barnes, Jr.

Sen. John Gallus

**HB1362**

Rep. Donna Schlachman

**HB1306-FN-L**

Rep. Kenneth Hawkins

**HB1206**

Rep. Donna Mauro

**HB1582**

Rep. Marshall Quandt

Rep. David Welch

Rep. Gene Chandler

Sen. David Boutin

Rep. Timothy Copeland

Rep. Timothy Copeland

Rep. Alfred Baldasaro

Rep. Stephen Shurtleff

Sen. Sharon Carson

Rep. Matt Quandt

Rep. William O'Brien

Rep. Kenneth Weyler

Rep. Robert Theberge

Deborah Chroniak 271-1403

Sen. Sharon Carson

Chairman

# Executive Dept. and Administration Committee

## Hearing Report

**TO:** Members of the Senate

**FROM:** Deb Chroniak, Legislative Aide

**RE:** Hearing report on HB 1362 – (New Title) exempting service animals from dog registration and licensing and establishing an option for permanent registration and licensing of service animals.

**HEARING DATE:** April 19, 2012

**MEMBERS OF THE COMMITTEE PRESENT:** Senator Sharon Carson, Chair, Senator Luther, Senator White

**MEMBERS OF THE COMMITTEE ABSENT:** Senator Fenton Groen, Vice Chair, Senator Larsen

**Sponsor(s):** Rep. Schlachman, Rock 13; Rep. Copeland, Rock 13

### What the bill does:

I. Allows for the exemption of service animals from the fee for licensing and registration of dogs.

II. Allows the owner of a service animal to opt for a one-time licensing and registration of his or her service animal.

III. Requires the Governor's Commission on Disability with overseeing the permanent registration and licensing for service animals.

**Who supports the bill:** Rep. Carol McGuire, House ED & A Committee; Rep. Donna Schlachman; Rep. Ken Hawkins, House ED & A Committee; Yvonne Nanasi, Dog Owners of Granite State; Sandra Teti, service dog user; John Richards, Governor's Council on Disability; Jeff Dickinson, Granite State Independent Living; Carol Conforti Adams, citizen/Governor's Council on Disability; Attorney Michael Skibbie, Disabilities Rights Center (with amendment).

**Who opposes the bill:** No one.

### Summary of testimony received:

Senator Carson opened HB 1362 at 9:27 a.m.

- **Rep. Donna Schlachman**, prime sponsor, stated that before the committee is an amendment (2012-1647h) to this bill. The background to this legislation is to make things easier for some people by allowing them to do what a number of other states do, which is have permanent registration for their service dogs. This is not a mandatory requirement, but an option for those who wish to take it.
- For some people it is transportation difficulty, and they may opt for the permanent registration.
- Amendment replaces the entire section I of the bill.
- Each town does things differently. The amendment replaces that in order to give the town clerks the control which they currently have.
- Each town has different ways of taking care of citizens who use service dogs. Some take care of registrations by making a phone call; some insist that people come to the town/city hall.
- Rep. Schlachman felt that, in the original version of the bill, there was too much going on the Governor's Commission on Disability, which should remain with the town clerks.
- This amendment respects what the town clerks do for their towns and citizens.
- The town clerks did not want to take on the permanent registration.
- Both versions of the bill maintain the same language, in terms of people having to prove their animal is a service dog by paperwork they have to provide.
- Some dogs do not go through a training school; they are owner-trained service dogs, but still need to pass a certain testing.
- The Governor's Commission on Disability will provide access to dog trainers to administer the testing for the owner-trained service dogs without a large expense. They will have a listing of those who will provide such testing.
- The tags received are not envisioned to be proof that an animal is a service animal. Tags will look no different than tags look now. The tag is not the issue; the convenience of the permanent registration is the issue.
- Rabies vaccination tracking will remain the same; the town clerks will continue to track, however they track the rabies vaccination presently is how they will continue. Every three years the rabies certificate still needs to arrive to the town clerk.
- The Governor's Commission on Disability has agreed to absorb the cost of the tags, which will be approximately \$200 per year. The requests for tags will go to the Governor's Commission on Disability once all documentation is received, and they will send the tags and certificate to people who request them.
- **Senator White** asked if Rep. Schlachman's amendment replaced the entire bill that he had before him. **Rep. Schlachman** stated Section I of the bill has been replaced with the amendment. Other sections of the bill refer back to statutes that are already law. Section 2 of the bill is untouched and is in statute now, which states that there is a fine for being an imposter; they added service animal tag to the other things that you can't put on your dog to misrepresent it.
- Section 3, as amended by the House, gives the Governor's Commission on Disability the power to issue and design the tags.
- **Rep. Ken Hawkins**, House ED & A Committee has not seen the amendment, so at this time he cannot address it.

- **Sandra Teti** (in support) (testimony provided) stated that she is a service dog user and has been for quite some time now.
- For lots of people this will be useful for the working life of the dog, but once your dog retires or dies, the tag must be returned to the Governor's Commission on Disability.
- Under the current law the tags are free.
- When they go home with their dogs they have their certification card which means that they have passed the standard test at the training school, which is the ADI public access test. The certification is brought to the town or city clerk and in return they receive their registration; this occurs every year. There are some people who have a hard time getting to their town or city hall and this would make it easier for those who do, to register their service dogs.
- They also felt that a person who self-trains their dog or who has private trainers train their dog; for those people, if they can provide some sort of documentation from their health care provider saying that they need the dog, and if the dog goes through public access testing (which puts all service dogs on a level playing field) then they can become eligible for the permanent registration tag for the working life of the dog.
- The Governor's Commission on Disability will give out the tags, but first the dogs will need to be registered with their town or city clerk. At which point, they can pick up the paperwork and get their documentation together and send it to the Commission.
- Two states are presently doing this; Ohio, which is statewide, and California by county. This brings New Hampshire in line with other states doing the permanent registration for service dogs.
- **Senator Carson** asked **Ms. Teti** to discuss the training of CiCi, her service dog. **Ms. Teti** stated that the ADI public access test is only a test to show you can handle your dog in public, i.e., if food drops on the floor the dog is not allowed to touch it, if you go to a restaurant, the dog will go under the table. You need to show that you can load and unload your dog from a vehicle, and be in control of your dog at all times.
- There is a test for noise, e.g., dropping a clipboard behind the dog to see what the dog will do. Dogs need to cope with noise without reacting to it. NEEDS requires that you take the public access testing twice.
- The first year the dogs are raised with a puppy raiser. After the first year is when they go for training. That training is almost a full year. These dogs are extremely well trained dogs.
- **Senator Luther** asked if **Ms. Teti** had any problems with establishments who do not understand the role of a service dog. **Ms. Teti** stated only once in New York, and went on to explain the circumstances, stating that was the one and only time she had any problem.
- **Attorney Michael Skibbie** (in support with amendment) Disabilities Rights Center thanked all who were receptive to their concerns. One concern as the bill left the House, which was the dynamic of merchants becoming used to a particular tag being used, which could become a de facto requirement for use of a service animal, which is contrary to the spirit of the ADA. The bill as amended deals with this issue effectively.
- **Jeff Dickinson** (in support) (testimony provided) Advocacy Director of Grant State Independent Living stating they were involved with the process of this legislation and are in support of the amendment.
- One primary concern. He had a few service dogs which were trained by himself, his mom, and a trainer when needed. One of his biggest concerns coming in

to this was to not make it difficult for someone with self-training services, that does do a good job for the person, and is well behaved, facing added difficulty in being able to have that self-trained dog access the communities. This was his biggest concern.

- He feels that it is perfectly fair to say that in order to get the benefit of a life-time free license it is not unfair to say that each dog has to meet the same criteria as the service dogs in an organization; they are happy to see that the bill makes it explicit that this proof of certification is to be used merely for the benefit of the permanent free licensing, and is not to be used as some sort of a public access for those who have a service dog in the community.
- **Carol Conforti Adams** (in support) stating that as an individual with a disability and who has a self-trained service dog, she is in full support of the bill.
- She feels that the bill, as amended, and upon registration there needs to be a certificate of a level of training a dog must have to ensure public safety for both parties.
- **Ms. Adams** works for the Governor's Commission on Disability, part-time as an informational referral specialist. She receives two to five calls per week specifically on service dogs, from entities, businesses, clubs, and also from people who have service dogs.
- This legislation would help her to state to a public entity, a business, that these are the standards of a service dog.
- **Rep. Ken Hawkins** stated that he had time to read the amendment which was brought in to the Committee by Rep. Donna Schlachman and wanted to bring a few things to the committee's attention. The original amendment they passed, line 28, it talks about the owners and trainers of service animals shall comply with all state and local ordinances regarding rabies certification. He stated that was gone from this amendment.
- **Senator White** stated that on page 2, Section VIII, lines 4 and 5 states just that. **Rep. Hawkins** stated he could not read his copy.
- The other question **Rep. Hawkins** mentioned was what happens if the owner dies. **Rep. Hawkins** stated that if a dog dies you return the tags; what happens if the owner dies. That is his only other thing after reading the amendment brought forward by Rep. Schlachman.
- **Senator White** had a concern about the rabies statement in the amendment questioning if that were enough because he was concerned about the good will thing that service animal dog owners are responsible people and will take care of the rabies certificate, but he is not a big fan of the "trust me" thing. **Rep. Hawkins** stated he did not know, but presently when you go to register your dog you have to have a rabies certification every three years. He was not sure if there should be a requirement that they need to send in a copy to the Governor's Commission on Disability every three years when they get the rabies shots so that they know, in fact that, yes, they are getting their rabies shot. That could be a good point.
- **Rep. Schlachman** came forward again to answer questions. In regard to the owner dying, if the committee were comfortable inserting that, she would not object because if the owner dies, their service dog obviously is no longer a service dog to that person. **Senator White** stated that the death and retirement of the service dog are both in the bills. It's the death of the owner that is not in the bill.
- **Rep. Schlachman** stated that in regard to the rabies issue, she had long conversations with the Town Clerk Association of New Hampshire about that, as well as the state veterinarian. Because the bill leaves that process in the hands of the town clerks, they felt confident that they were very capable in checking back



with people, if they did not, every three years, receive the rabies certification. What is interesting is if you read the law under the duties of a veterinarian is that the vet keeps one copy, the owner gets a copy, and a copy goes to the town clerk. If you look at another part of the law, under the dog ownerships, it makes it sound like it is the dog owner who is responsible for mailing that in.

- **Senator Carson** stated that the point was brought up of what happens if the owner dies or if the dog retires. When her daughter had a service dog, **Senator Carson** remembers that she had to sign papers that if the dog retired, the organization had to be notified that the dog was being retired. At that point, you are given the opportunity to get another service dog; they opted to keep the dog. The same thing happens if the owner dies; the dog automatically goes back to the organization, and sometimes places those dogs back to their original puppy raisers. There is a process in place.

- She would question the individuals that self-train their dogs. For them there is nothing in place, i.e., if the owner should die, or if the dog should die. **Senator Carson** believes that can be addressed.

- **Rep. Schlachman** stated that it would be easy enough to put those words in a statute.

The hearing on HB 1362 closed at 10:06 a.m.

**Funding:** N/A

**Future Action:** The Committee took the bill under advisement.

DAC

[file: HB 1362 report]  
Date: April 22, 2012

# Speakers





# Testimony

4-19-12 #1

Madam Chair Senator Carson and Members of the Committee,

I am Sandra Teti. As a service dog user, I support HB 1362.

For service dog owners who elect to do so, this bill would make it much easier for those of us with disabilities to register our service dogs.

Under RSA 466:8, our registration tags are free once we have provided proof by showing certification from a recognized training school, however, we must register them annually. For some with severe disabilities, the annual trip to the city/town clerk's office is difficult and a few service dogs may go unregistered. A one time trip for these people, is manageable. Rabies vaccination documentation, when required, is easily mailed to the city/town clerk upon request.

Since registration tags are free for those of us who are able to provide proof of our dog's training, we feel it is only right to extend the same service to those who self train their dogs. In order to receive our dogs from a training school, we must submit medical records. Once trained, our dogs must pass, the Assistant Dogs International (ADI) public access test before we can leave for home with them. We feel that, if we apply those same standards to owner trained service dogs, owners with medical documentation whose dogs pass the same test our dogs must pass, should be afforded the same free permanent registration tags.

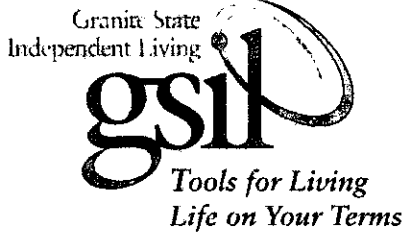
The Governor's Commission on Disability would distribute these tags upon receiving applicable documentation.

NH would follow the lead of such states as OH and CA who already have permanent service dog registration laws in effect.

Thank you for your consideration.

Respectfully Submitted,

Sandra Teti  
1 Main St.  
Rochester, NH 03868  
[steti@turlach.net](mailto:steti@turlach.net)



#2  
21 Chenell Drive  
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603.228.9680  
800.826.3700  
tty 888.396.3459  
fax 603.225.3304  
www.gsil.org

4/19/2012

Dear members of the Senate Executive Departments and Administration Committee:

Hello, my name is Jeff Dickinson. I am testifying today on behalf of Granite State Independent Living in support of Amendment 2012-1647h to HB1362, which offers owners of service dogs the option of lifetime dog licensing free of charge.

This legislation will provide individuals with disabilities whose service dogs are trained and certified by accredited organizations with the convenience of not being required to license their dogs on a yearly basis, and the financial benefit of not being required to pay an annual licensing fee. Those individuals who train their own service dogs independently will also be able to participate provided they meet the additional requirements set forth. GSIL had a concern that the language relative to "certification" in the version of HB1362 originally sent to the Senate may have been misconstrued to require certification of a service dog's status as a condition of public access. Such a requirement would be contrary to the treatment of service dogs in the Americans with Disabilities Act. However, given that Amendment 2012-1647h now makes it clear that HB1362 applies only to dog licensing procedures and fees, and not to public access of service dogs, we no longer have that concern.

HB1362 and this amendment are the result of a long process of collaboration among the bill's sponsor, individuals with disabilities who own service dogs, and a number of NH disability advocacy groups including GSIL. While this process was lengthy, it was also fruitful, and because of it GSIL believes that this legislation strikes an effective balance between maintaining federally guaranteed rights of public access of service dogs with the benefit of free lifetime dog licensing of a service dog that meets the requirements in the legislation.

GSIL hopes that the Committee will move Ought to Pass on Amendment 2012-1647h and HB1362 as amended. Thank you for the opportunity to address you today and for the hard work you perform on behalf of the citizens of New Hampshire.

Sincerely,



Jeff Dickinson  
Advocacy Director

100100

Purpose:

To make some things a bit easier for some people. by allowing (as they do in a number of other states) for service dogs to have permanent registration.

This is not a mandatory requirement: presently, people with disabilities who have service dogs do NOT have to take advantage of the free registration already offered, and we did not want to require that they Permanently register their dogs either.

I actually spoke to some people who are quite mobile and find their annual trips to the Town Clerk very enjoyable, even social occasions. This is not something I would want to take away.

But, for others, these trips are an unnecessary burden and I would like to see us lighten their bureaucratic load.

The amendment replaces Section 1 of the bill. Since its passage, we realized there were still things we needed to consider

1. Each Town has its own systems. There is no uniformity in this process.
2. The more we learned the more it made sense to keep control at the Town level, with the Town Clerks and not burden them with a one size fits all remedy.
3. Wanted to keep the communication as simple as possible between the Town and GCD. The Clerks clearly did not want to have to deal with another tag, and it seemed easier to have one point of distribution for the permanent tags.
4. Both versions maintain the same language regarding "proof" that the dog is a service animal. The old law required proof and it seemed reasonable to continue to require proof in order to get something free. Both version are a bit more specific though and protect Clerks from having to be the arbiters of what dog is trained enough and what is not. However, the current law makes no provisions for service dogs that are owner-trained



5. Finally, we have deliberate kept the actual tag as a low key item. We are not advocating bad dogs. The purpose of the tags is not to identify service dogs as such; it is not to help merchants decide what dogs are or are not allowed to enter their store. We do not want those people who are eligible for permanent tags, but who choose not to go that route, to be discriminated against and barred from entry.
6. Lastly, we have left the rabies vaccination tracking exactly where it has always been.
7. Regarding the untouched parts of the bill, the GCD has agreed to absorb the cost of the tags (we anticipate this to be under \$200/year.) Requests will go to them, and they will verify via phone, email, or fax, that the dog has been duly registered with the town.

SUB #1

April 19, 2012

Dear Members of the Senate Executive Departments and Administration Committee:

My name is Jennifer Decker. I am a person with a disability and I have a wonderful service dog named Orbit. The cost of caring for a service dog is significant, and the option created by HB1362 of free of charge licensure for the lifetime of the dog would be one less expenditure that the owner of a service dog would have to be concerned about.

As an employee of GSIL I was fortunate to be able to work with the bill's sponsor on the final language that is before you today. Originally, there was concern that some language in the bill would portray owner trained service dogs negatively. However, it is now made clear in Amendment 2012-1647h that these dogs will be eligible for no cost licensure if certain provisions are met.

Section V of the amendment does state that participating in the ADI public access test and providing certain medical documentation is a condition *only* of obtaining free licensure. Given that the provisions of the bill state that neither the public access test, nor the medical documentation can be used to verify the authenticity of a service dog and the rights afforded the owner, I support HB 1362 as amended. I ask that the Committee support this bill with the changes made in the aforementioned amendment.

Thank you for your consideration of this bill and for all of the hard work you do on behalf of the citizens of New Hampshire.

Sincerely,

Jennifer Decker

Jennifer Decker  
75 Longmeadow Lane #23  
Portsmouth, NH 03801

4/19/2012

Dear members of the Senate Executive Departments and Administration Committee:

Hello, my name is Ryan Donnelly. I am testifying today in support of Amendment 2012-1647h to HB1362, which offers owners of service dogs the option of lifetime dog licensing free of charge.

This bill will allow individuals with disabilities a lifetime licensing of their service dogs rather than a yearly renewal, provided that they are certified by an accredited organization. In the case of service dogs that are trained independently by their handlers, they are also able to take advantage of this benefit provided that they have completed additional requirements as laid out in the legislation to prove that their dog meets certain training guidelines.

There was an initial worry that the language regarding "certification" in the original version of HB1362 sent to the Senate may have been mistaken by others as meaning a dog would require this certification to access public places. This would have been a violation of certain key provisions of the Americans with Disabilities Act relative to service dogs. Amendment 2012-1647h has since clarified this passage and makes plain that HB1362 applies only to the dog licensing process and fees. The special tags issued by the Governor's Commission on Disability and other provisions are not indicative of any state-sanctioned certification required for public access. This also eliminates a concern that a dog making use of lifetime licensing may have been seen as more "legitimate" in the eyes of business owners and the general public, which may have opened a path to misinformation regarding federal law and denial of public access to individuals with service dogs lacking these tags and "certification".

I am glad to see HB1362 has reached its current form following a long but productive process of cooperation between the bill's sponsor, individuals with disabilities who own service dogs, and NH disability advocacy groups. As an owner of a service dog myself, I think this legislation strikes an effective balance between maintaining federally guaranteed rights of public access of service dogs with the benefit of free lifetime dog licensing of a service dog.

I hope that the Committee will move Ought to Pass on Amendment 2012-1647h and HB1362 as amended. Thank you for the opportunity to address you today and for the hard work you perform on behalf of the citizens of New Hampshire.

Sincerely,

*Ryan Donnelly*

Ryan Donnelly  
16 Pearson Road  
Alton, NH 03809

**Chroniak, Deborah***SUB #3*

**From:** Dog Owners of the Granite State [nhdogs@gmail.com]  
**Sent:** Wednesday, April 18, 2012 8:43 AM  
**To:** Carson, Sharon  
**Subject:** Regarding HB1362

Dear Senator Carson,

Unfortunately I am unable to attend the hearing on HB1362 as I will be working. As president of Dog Owners of the Granite State I would like to point out a couple of things regarding HB1362. DOGS supports the exemption from licensing fees for service animals (currently, in statute). However we have concerns regarding the new procedure, such as:

- The Commission does not have the authority to revoke registration if the service dog's rabies vaccination is not current after the dog is permanently registered.
- A municipality will have no way to identify or verify current rabies vaccination for a permanently registered service dog that is running at large.

I am writing to ask the committee to amend the bill to ensure that service dogs that are permanently registered have up-to-date proof of rabies vaccination on file with the municipality.

As you know rabies is a public health concern. This year HB1498: Repealing Dog Licensing was heard before the House Municipal & County Committee. The committee voted 17-0 to kill the bill. In its report to the House, the committee cited not only the cost of the bill but the public health and safety problems created largely due to how to enforce the rabies vaccination.

Your consideration of this request is greatly appreciated. Thank you.

Sincerely, Joyce Arivella

Joyce Arivella  
President - Dog Owners of the Granite State  
Protecting Animals and Animal Owners Since 1991  
NHDogs.org  
NHPetsonline.com

*CP to see if in file*

5/4/2012

# Committee Report

STATE OF NEW HAMPSHIRE  
SENATE  
REPORT OF THE COMMITTEE

Date: May 3, 2012

THE COMMITTEE ON Executive Departments and Administration  
to which was referred House Bill 1362

AN ACT (New Title) exempting service animals from dog  
registration and licensing and establishing an option for  
permanent registration and licensing of service animals.

Having considered the same, the committee recommends that the Bill:

**OUGHT TO PASS WITH AMENDMENT**

BY A VOTE OF: 4-0

AMENDMENT # 1991s

Senator Sharon M. Carson  
For the Committee

Deb Chroniak 271-1403

## New Hampshire General Court - Bill Status System

**Docket of HB1362**

Docket Abbreviations

**Bill Title:** (New Title) exempting service animals from dog registration and licensing and establishing an option for permanent registration and licensing of service animals.

*Official Docket of HB1362:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
11/21/2011	H	<b>Introduced</b> 1/4/2012 and Referred to Executive Departments and Administration; <b>HJ 7</b> , PG.353
1/10/2012	H	Public Hearing: 2/9/2012 10:00 AM LOB 306
2/13/2012	H	Subcommittee Work Session: 2/14/2012 2:30 PM LOB 306
2/15/2012	H	Executive Session: 2/15/2012 12:40 PM LOB 306
2/16/2012	H	Committee Report: Ought to Pass with Amendment #0490h(NT) for Feb 22 (Vote 14-0; CC); <b>HC 14</b> , PG.801
2/16/2012	H	Proposed Committee Amendment <b>#2012-0490h</b> (New Title); <b>HC 14</b> , PG.837
2/22/2012	H	Amendment #0490h(NT) Adopted, VV; <b>HJ 20</b> , PG.1203-1204
2/22/2012	H	Ought to Pass with Amendment #0490h(NT): MA VV; <b>HJ 20</b> , PG.1203
3/28/2012	S	Introduced and Referred to Executive Departments and Administration
4/10/2012	S	Hearing: 4/19/12, Room 100, SH, 9:20 a.m.; <b>SC15</b>
5/3/2012	S	Committee Report: Ought to Pass with Amendment <b>#2012-1991s</b> , 5/9/12; <b>SC18</b>
5/9/2012	S	Committee Amendment 1991s; AA, VV
5/9/2012	S	<b>Ought to Pass with Amendment</b> 1991s, MA, VV; OT3rdg
5/30/2012	H	House Concurs with Senate AM #1991s (Rep C.McGuire): MA VV; <b>HJ 47</b> , PG.2502
6/6/2012	S	Enrolled
6/6/2012	H	Enrolled
6/18/2012	H	Signed By Governor 06/13/2012; Effective 08/12/2012; Chapter 0211

NH House

NH Senate

# Other Referrals



# COMMITTEE REPORT FILE INVENTORY

HB 1362 ORIGINAL REFERRAL

RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE AIDE AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

DOCKET (Submit only the latest docket found in Bill Status)

COMMITTEE REPORT

CALENDAR NOTICE on which you have taken attendance

HEARING REPORT (written summary of hearing testimony)

PREPARED TESTIMONY AND OTHER SUBMISSIONS

List by number [ Submission 1 thru 4 or Submission 1, 2, 3, 4 ] here:

#1 #2 #3

SUBMISSION(S) 1, 2, 3

SIGN-UP SHEET

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

- AMENDMENT # 1647(h) - AMENDMENT # \_\_\_\_\_  
 - AMENDMENT # 1991(s) - AMENDMENT # \_\_\_\_\_

ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED  AS AMENDED BY THE HOUSE  
 FINAL VERSION  AS AMENDED BY THE SENATE

EXECUTIVE SESSION REPORT

OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):

DATE DELIVERED TO SENATE CLERK

6-29-12

[Signature]  
COMMITTEE AIDE