

LEGISLATIVE COMMITTEE MINUTES

SB368

Bill as
Introduced

SB 368-FN - AS INTRODUCED

2022 SESSION

22-2887
08/11

SENATE BILL **368-FN**

AN ACT relative to animal vending licenses.

SPONSORS: Sen. Bradley, Dist 3; Sen. Hennessey, Dist 1; Sen. Watters, Dist 4; Sen. Sherman, Dist 24; Sen. Rosenwald, Dist 13; Sen. D'Allesandro, Dist 20; Sen. Avard, Dist 12; Sen. Gannon, Dist 23; Sen. Cavanaugh, Dist 16; Sen. Prentiss, Dist 5; Rep. Bixby, Straf. 17

COMMITTEE: Energy and Natural Resources

ANALYSIS

This bill details the process for transferring animals after a animal vending license is revoked.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to animal vending licenses.

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

1 1 New Paragraph; Revocation of License; Transfer of Animals. Amend RSA 437:4 by inserting
2 after paragraph V the following new paragraph:

3 VI. Within 30 days of a revocation the former license holder shall transfer ownership of all
4 animals housed in the licensed portion of the premises to another person in accordance with all
5 applicable statutes and rules. On the expiration of the 30 day period, the premises shall be subject
6 to a final inspection. The final inspection may take place sooner than 30 days at the request of the
7 former license holder. Any animals not transferred within 30 days of the revocation may be subject
8 to seizure by any law enforcement agency and the former license holder shall be guilty of a
9 misdemeanor.

10 2 Effective Date. This act shall take effect January 1, 2023.

LBA
22-2887
12/14/21

**SB 368-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to animal vending licenses.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation, as introduced, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2022 through 2025.

AGENCIES CONTACTED:

Department of Agriculture, Markets, and Food

SB 368-FN - AS AMENDED BY THE SENATE

03/24/2022 1108s

2022 SESSION

22-2887

08/11

SENATE BILL **368-FN**

AN ACT relative to the unlicensed sale of live animals and establishing the agricultural hearings officer revolving fund.

SPONSORS: Sen. Bradley, Dist 3; Sen. Hennessey, Dist 1; Sen. Watters, Dist 4; Sen. Sherman, Dist 24; Sen. Rosenwald, Dist 13; Sen. D'Allesandro, Dist 20; Sen. Avar, Dist 12; Sen. Gannon, Dist 23; Sen. Cavanaugh, Dist 16; Sen. Prentiss, Dist 5; Rep. Bixby, Straf. 17

COMMITTEE: Energy and Natural Resources

AMENDED ANALYSIS

This bill increases the fine for subsequent offenses of unlicensed sale of live animals.

This bill also establishes the revolving fund for agricultural hearing officers.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
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 Twenty Two

AN ACT relative to the unlicensed sale of live animals and establishing the agricultural hearings officer revolving fund.

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

1 1 Penalty; Unlicensed Sale of Live Animals. Amend RSA 437:10, II to read as follows:

2 II. In addition to the penalty under paragraph I, any pet vendor who violates any of the
3 provisions of this subdivision or rule adopted under it may be subject to an administrative fine levied
4 by the commissioner, not to exceed \$1,000 for ~~each~~ **the first violation, and up to \$5,000 for each**
5 **subsequent violation.**

6 2 New Section; Revolving Fund for Agricultural Hearings Officers. Amend RSA 425 by inserting
7 after section 11 the following new section:

8 425:11-a Revolving Fund for Agricultural Hearings Officers.

9 I. There is established within the department of agriculture, markets, and food a revolving
10 fund for agricultural hearings officers. All fines collected by the department shall be deposited into
11 the fund. The fund shall be nonlapsing and continually appropriated to the department to fund the
12 department's adjudicative procedures, including, but not limited to, the costs associated with
13 contracting with one or more hearing officers who shall be responsible for administering all aspects
14 of the department's adjudicative procedure as directed by the commissioner. The department of
15 agriculture, markets, and food shall every quarter forward any unpaid fines assessed in an
16 adjudicative proceeding to the attorney general for collection in accordance with RSA 7:15-a.

17 II. At the end of each quarter of the fiscal year any balance in the fund in excess of \$10,000
18 shall be deposited in the general fund.

19 3 New Subparagraph; Revolving Fund for Agricultural Hearings Officers. Amend RSA 6:12:
20 II(b) by inserting after subparagraph (383) the following new subparagraph:

21 (384) Moneys deposited in the revolving fund for agricultural hearings officers under
22 RSA 425:11-a.

23 4 Effective Date. This act shall take effect July 1, 2022.

SB 368-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2022-1108s)

AN ACT relative to the unlicensed sale of live animals and establishing the agricultural hearings officer revolving fund.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$7,500	\$7,500	\$7,500
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Revolving fund for agricultural hearings officers			

METHODOLOGY:

This bill increases the fine for subsequent offenses of unlicensed sale of live animals and establishes the revolving fund for agricultural hearing officers.

The Department of Agriculture, Markets, and Food makes the following assumptions regarding the fiscal impact of this bill:

- 4 divisions (animal industry, pesticide control, regulatory services, weights & measures) would generate the bulk of administrative fines.
- Based on a review of recent information, the Department assumes total annual administrative fines of about \$100,000 of which approximately 75-80% will be collected. This includes approximately \$75,000 of fines currently collected and deposited in the general fund. Under the bill this revenue will be deposited in the revolving fund for agricultural hearings officers, decreasing general fund revenue by approximately \$75,000.
- The Department assumes this bill may lead to imposition of an additional \$10,000 more in fines (10%) leading to collection of an additional \$7500 per year. Including the anticipated new revenue plus the existing fine revenue, there will be approximately \$82,500 per year available for hiring contractors.
- Assume 50-70 administrative actions (fines, suspensions, revocations) each 12-month period and 40-50 alleged violators will request a pre-hearing conference or a formal hearing.

- The contracted hearing officer(s) will handle “all aspects of the Department’s adjudicative procedure” subsequent to a division proposing an administrative action.
- Department employees will solely act as expert witnesses in any administrative matter. Current Department employees are not attorneys or otherwise trained in prosecution.
- Putting together an administrative case as the Department’s ‘prosecutor’ takes an average of 40-60 hours of staff time subsequent to documenting violations and issuing a proposed fine, suspension, revocation.
- The current process of relying on Department employees to develop and prosecute cases as well as act as hearing officers is an impediment to efficient resolution in many cases. The Department often attempts to gain compliance without fines (re-inspections, formal agreements, etc.), since the administrative process is very resource intensive.
- Some proportion of violators would be more responsive to formal administrative actions.
- A contracted person handling all administrative matters subsequent to a proposed action will free up 20-30 hours of Department time in each instance. The time saved is not money saved, but time that can be committed to doing other work that currently gets left undone.

AGENCIES CONTACTED:

Department of Agriculture, Markets, and Food

SB 368-FN - AS AMENDED BY THE HOUSE

03/24/2022 1108s
4May2022... 1780h

2022 SESSION

22-2887
08/11

SENATE BILL **368-FN**

AN ACT establishing the agricultural hearings officer revolving fund and relative to penalties for unlawfully transferring dogs, cats, and ferrets.

SPONSORS: Sen. Bradley, Dist 3; Sen. Hennessey, Dist 1; Sen. Watters, Dist 4; Sen. Sherman, Dist 24; Sen. Rosenwald, Dist 13; Sen. D'Allesandro, Dist 20; Sen. Avard, Dist 12; Sen. Gannon, Dist 23; Sen. Cavanaugh, Dist 16; Sen. Prentiss, Dist 5; Rep. Bixby, Straf. 17

COMMITTEE: Energy and Natural Resources

AMENDED ANALYSIS

This bill establishes the revolving fund for agricultural hearing officers.

This bill also requires a dog, cat, or ferret to be transferred with a health certificate, and establishes an administrative fine for violations.

Explanation: Matter added to current law appears in ***bold italics***.
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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 368-FN - AS AMENDED BY THE HOUSE

03/24/2022 1108s
4May2022... 1780h

22-2887
08/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT establishing the agricultural hearings officer revolving fund and relative to penalties for unlawfully transferring dogs, cats, and ferrets.

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

1 1 New Section; Revolving Fund for Agricultural Hearings Officers. Amend RSA 425 by inserting
2 after section 11 the following new section:

3 425:11-a Revolving Fund for Agricultural Hearings Officers.

4 I. There is established within the department of agriculture, markets, and food a revolving
5 fund for agricultural hearings officers. All fines collected by the department, except as provided in
6 RSA 427:14, shall be deposited into the fund. The fund shall be nonlapsing and continually
7 appropriated to the department to fund the department's adjudicative procedures, including, but not
8 limited to, the costs associated with contracting with one or more hearing officers who shall be
9 responsible for administering all aspects of the department's adjudicative procedure as directed by
10 the commissioner. The amount withdrawn from the fund shall not exceed \$75,000 in total each year.
11 The department of agriculture, markets, and food shall every quarter forward any unpaid fines
12 assessed in an adjudicative proceeding to the attorney general for collection in accordance with RSA
13 7:15-a.

14 II. At the end of each quarter of the fiscal year any balance in the fund in excess of \$10,000
15 shall be deposited in the general fund.

16 2 New Subparagraph; Revolving Fund for Agricultural Hearings Officers. Amend RSA 6:12:
17 II(b) by inserting after subparagraph (383) the following new subparagraph:

18 (384) Moneys deposited in the revolving fund for agricultural hearings officers under
19 RSA 425:11-a.

20 3 Transfer of Birds and Animals; Penalty. Amend RSA 437:10, I to read as follows:

21 I. Any *person who transfers ownership of a live dog, cat, or ferret without an official*
22 *certificate of transfer* or any pet vendor who transfers live animals or birds customarily used as
23 household pets in this state without having a license to do so as required by this chapter shall be
24 guilty of a misdemeanor *and may be subject to an administrative fine levied by the*
25 *commissioner, not to exceed \$1,000 for each violation.*

26 4 Effective Date. This act shall take effect January 1, 2023.

SB 368-FN- FISCAL NOTE
 AS AMENDED BY THE SENATE (AMENDMENT #2022-1108s)

AN ACT relative to the unlicensed sale of live animals and establishing the agricultural hearings officer revolving fund.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
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METHODOLOGY:

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AGENCIES CONTACTED:

Department of Agriculture, Markets, and Food

CHAPTER 225
SB 368-FN - FINAL VERSION

03/24/2022 1108s
4May2022... 1780h

2022 SESSION

22-2887
08/11

SENATE BILL **368-FN**

AN ACT establishing the agricultural hearings officer revolving fund and relative to penalties for unlawfully transferring dogs, cats, and ferrets.

SPONSORS: Sen. Bradley, Dist 3; Sen. Hennessey, Dist 1; Sen. Watters, Dist 4; Sen. Sherman, Dist 24; Sen. Rosenwald, Dist 13; Sen. D'Allesandro, Dist 20; Sen. Avard, Dist 12; Sen. Gannon, Dist 23; Sen. Cavanaugh, Dist 16; Sen. Prentiss, Dist 5; Rep. Bixby, Straf. 17

COMMITTEE: Energy and Natural Resources

AMENDED ANALYSIS

This bill establishes the revolving fund for agricultural hearing officers.

This bill also requires a dog, cat, or ferret to be transferred with a health certificate, and establishes an administrative fine for violations.

Explanation: Matter added to current law appears in *bold italics*.
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CHAPTER 225
SB 368-FN - FINAL VERSION

03/24/2022 1108s
4May2022... 1780h

22-2887
08/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT establishing the agricultural hearings officer revolving fund and relative to penalties for unlawfully transferring dogs, cats, and ferrets.

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

1 225:1 New Section; Revolving Fund for Agricultural Hearings Officers. Amend RSA 425 by
2 inserting after section 11 the following new section:

3 425:11-a Revolving Fund for Agricultural Hearings Officers.

4 I. There is established within the department of agriculture, markets, and food a revolving
5 fund for agricultural hearings officers. All fines collected by the department, except as provided in
6 RSA 427:14, shall be deposited into the fund. The fund shall be nonlapsing and continually
7 appropriated to the department to fund the department's adjudicative procedures, including, but not
8 limited to, the costs associated with contracting with one or more hearing officers who shall be
9 responsible for administering all aspects of the department's adjudicative procedure as directed by
10 the commissioner. The amount withdrawn from the fund shall not exceed \$75,000 in total each year.
11 The department of agriculture, markets, and food shall every quarter forward any unpaid fines
12 assessed in an adjudicative proceeding to the attorney general for collection in accordance with RSA
13 7:15-a.

14 II. At the end of each quarter of the fiscal year any balance in the fund in excess of \$10,000
15 shall be deposited in the general fund.

16 225:2 New Subparagraph; Revolving Fund for Agricultural Hearings Officers. Amend RSA 6:12:
17 II(b) by inserting after subparagraph (383) the following new subparagraph:

18 (384) Moneys deposited in the revolving fund for agricultural hearings officers under
19 RSA 425:11-a.

20 225:3 Transfer of Birds and Animals; Penalty. Amend RSA 437:10, I to read as follows:

21 I. ***Any person who transfers ownership of a live dog, cat, or ferret without an***
22 ***official certificate of transfer or any pet vendor who transfers live animals or birds customarily***
23 ***used as household pets in this state without having a license to do so as required by this chapter***
24 ***shall be guilty of a misdemeanor and may be subject to an administrative fine levied by the***
25 ***commissioner, not to exceed \$1,000 for each violation.***

26 225:4 Effective Date. This act shall take effect January 1, 2023.

Approved: June 17, 2022
Effective Date: January 01, 2023

Amendments

Amendment to SB 368-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the unlicensed sale of live animals and establishing the agricultural
4 hearings officer revolving fund.

5

6 Amend the bill by replacing all after the enacting clause with the following:

7

8 1 Penalty; Unlicensed Sale of Live Animals. Amend RSA 437:10, II to read as follows:

9 II. In addition to the penalty under paragraph I, any pet vendor who violates any of the
10 provisions of this subdivision or rule adopted under it may be subject to an administrative fine levied
11 by the commissioner, not to exceed \$1,000 for ~~each~~ **the first violation, and up to \$5,000 for each**
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19 department's adjudicative procedures, including, but not limited to, the costs associated with
20 contracting with one or more hearing officers who shall be responsible for administering all aspects
21 of the department's adjudicative procedure as directed by the commissioner. ~~A hearing officer shall~~ *The ~~Committee~~ Department of ASNA*
22 every quarter forward any unpaid fines assessed in an adjudicative proceeding to the attorney
23 general for collection in accordance with RSA 7:15-a.

24 II. At the end of each quarter of the fiscal year any balance in the fund in excess of \$10,000
25 shall be deposited in the general fund.

26 3 New Subparagraph; Revolving Fund for Agricultural Hearings Officers. Amend RSA 6:12:
27 II(b) by inserting after subparagraph (383) the following new subparagraph:

28 (383) Moneys deposited in the revolving fund for agricultural hearings officers under
29 RSA 425:11-a.

30 4 Effective Date. This act shall take effect July 1, 2022.

2022-0265s

AMENDED ANALYSIS

This bill increases the fine for subsequent offenses of unlicensed sale of live animals.

This bill also establishes the revolving fund for agricultural hearing officers.

AMENDED

Amendment to SB 368-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the unlicensed sale of live animals and establishing the agricultural
4 hearings officer revolving fund.

5

6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 Penalty; Unlicensed Sale of Live Animals. Amend RSA 437:10, II to read as follows:

9 II. In addition to the penalty under paragraph I, any pet vendor who violates any of the
10 provisions of this subdivision or rule adopted under it may be subject to an administrative fine levied
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22 agriculture, markets, and food shall every quarter forward any unpaid fines assessed in an
23 adjudicative proceeding to the attorney general for collection in accordance with RSA 7:15-a.

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Amendment to SB 368-FN
- Page 2 -

2022-1108s

AMENDED ANALYSIS

This bill increases the fine for subsequent offenses of unlicensed sale of live animals.

This bill also establishes the revolving fund for agricultural hearing officers.

Committee Minutes

SENATE CALENDAR NOTICE

Energy and Natural Resources

Sen Kevin Avard, Chair
 Sen Bob Giuda, Vice Chair
 Sen James Gray, Member
 Sen David Watters, Member
 Sen Rebecca Perkins Kwoka, Member

Date: December 22, 2021

HEARINGS

Tuesday		01/11/2022
(Day)		(Date)
Energy and Natural Resources	State House 103	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m. SB 259	relative to the definition of "municipal host" for purposes of limited electrical energy producers.	
9:15 a.m. SB 370-FN	allowing the university system and community college system to be municipal host electric customer generators.	
9:30 a.m. SB 346-FN-A	requiring the department of environmental services to conduct feasibility and impact studies for the construction of a pier on Hampton Beach.	
9:45 a.m. SB 267-FN-A	establishing the upland invasive species program, program fund, and program coordinator in the department of agriculture, markets, and food.	
10:00 a.m. SB 368-FN	relative to animal vending licenses.	
10:15 a.m. SB 369-FN-A	relative to organic farming.	

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 259

Sen. Avard	Sen. Watters	Sen. Bradley	Sen. Sherman
Sen. Perkins Kwoka	Sen. Whitley	Sen. Rosenwald	Sen. Hennessey
Sen. Giuda	Sen. Prentiss	Sen. Soucy	Rep. Egan

SB 370-FN

Sen. Perkins Kwoka	Sen. Watters	Sen. Avard	Sen. Cavanaugh
Sen. Prentiss	Sen. Sherman	Sen. Rosenwald	Sen. Kahn
Sen. Soucy	Sen. Whitley	Sen. D'Allesandro	Rep. M. Smith
Rep. Somssich	Rep. Wall		

SB 346-FN-A

Sen. Avard	Sen. Bradley	Sen. Hennessey	Sen. Perkins Kwoka
Sen. Watters	Sen. Gannon	Sen. Rosenwald	Sen. Sherman
Rep. Lang	Rep. Pearl	Rep. Hill	

SB 368-FN

Sen. Bradley	Sen. Hennessey	Sen. Watters	Sen. Sherman
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Sen. Rosenwald
Sen. Cavanaugh
SB 369-FN-A

Sen. Kahn
Sen. Prentiss
Rep. Allard
SB 267-FN-A

Sen. Giuda
Sen. Sherman
Rep. Suzanne Smith

Sen. D'Allesandro
Sen. Prentiss

Sen. Whitley
Rep. Weber
Rep. Deshaies

Sen. Rosenwald
Sen. Watters
Rep. Weston

Sen. Avard
Rep. Bixby

Sen. Watters
Rep. Bixby

Sen. Carson
Rep. Renzullo

Sen. Gannon

Sen. Sherman
Rep. Wolf

Sen. Gannon
Rep. Pearl

Daley Frenette 271-3042

Kevin A. Avard
Chairman

Senate Energy and Natural Resources Committee
Daley Frenette 271-3042

SB 368-FN, relative to animal vending licenses.

Hearing Date: January 11, 2022

Members of the Committee Present: Senators Avard, Giuda, Gray, Watters and Perkins Kwoka

Members of the Committee Absent : None

Bill Analysis: This bill details the process for transferring animals after a animal vending license is revoked.

Sponsors:

Sen. Bradley	Sen. Hennessey	Sen. Watters
Sen. Sherman	Sen. Rosenwald	Sen. D'Allesandro
Sen. Avard	Sen. Gannon	Sen. Cavanaugh
Sen. Prentiss	Rep. Bixby	

Who supports the bill: Senator Jeb Bradley, Senate District 3, Representative Peter Bixby, Strafford-District 17, Commissioner Shawn Jasper, Department of Agriculture, Senator Erin Hennessey, Senate District 1, Senator Cindy Rosenwald, Senate District 13, Senator Tom Sherman, Senate District 24,

Who opposes the bill: Angela Ferrari, Dog Owners of the Grantie State, Stacy Ober, American Kennel Club, Michelle Cole, Elin Phinizy, Kate Champney, Karen Kearney, Sosanna Folz, Deborah Medic, Laurie Zalewski, Joseph Zalewski, Leslie Traniello, Patience Sassone, Amada Russo, Colby Tavares, Cindy Williams, Elaine Tinker, Lacey Stickney, Tammy Hooten, Allen Fox, Brenda Levesque, Rena Fox, Deanna Clark, Deborah Adams, Kim May, Karen Whitfield, Catherine Ford, Dubuque Carol, Lee Adams, Emily St, Hilaire, Joan Scialdone, Dianne Tyree, Ashley Riel, Stephanie D'Agostino, Tiffany Cross, Helen Cross, Jay Phinizy, Haren Ash, Diane Richardson, Geralyn Tropea, George Cook, Raymond Schwartz, Madelyn Cirinna, Norman Brandt

Who is neutral on the bill: Representative Howard Pearl, Merrimack-District 26

Summary of testimony presented: Senator Jeb Bradley, Senate District 3

- Senator Bradley explained that the language of SB 368-FN was previously a law. It needs to be put back into law.

- Under this bill, if someone has a license taken away for violating animal cruelty laws there will be a mechanism in place to remove the animal from the owner.
- This bill is necessary for enforcement.

Representative Howard Pearl, Merrimack-District 26- Provided Written Testimony

- Representative Pearl expressed no formal position on the bill. He did offer some suggestions and warnings to the committee.
- The commissioner is doing his best to enforce the current pet vender law and the resources required are significant. SB 368-FN attempts to strengthen consequences for license revocation.
- Representative Pearl does not believe that this bill does not solve the departments problem of securing compliance with the pet vender license.
- If someone has their animal taken, there is nothing stopping them from acquiring new animals.
- Our legal system does not allow the seizure of personal property without a warrant, judgement, or probable cause. This bill bypasses the court system and creates seizure without due process.
- The current statute provides a process. The lack of enforcement by local jurisdictions is creating a situation that is causing the Department increased work with substandard results.
- In Representative Pearl's opinion, this bill encourages people to not register as a pet vender and take their chances unlicensed. As an unlicensed individual transferring animals, they are not subject to seizure.
- Local law enforcement needs to enforce our current laws which require adequate care and conditions and outlines a procedure for seizing animals in harms way. Without probable cause to secure a warrant and seize animals, the justification for granting this kind of authority to the department is questionable.
- Senator Avard asked if Representative Pearl has ideas regarding the issue of probable cause. Representative Pearl wants to leave it to the committee.
- Senator Watters asked if the revocation process is a vehicle for due process. Representative Pearl believes it does for revocation, however it becomes an issue when it comes to the seizure of property.
- Senator Avard asked if Representative Pearl has considered emergency cases as the committee has heard of alarming cases of animal cruelty. Representative Pearl understands this but suggests caution in regard to probable cause.

Representative Peter Bixby, Strafford-District 17

- Representative Bixby supports the intent of the SB 368-FN and shares some of same concerns as Representative Pearl.
- One issue is in some cases the animals that are the breeding stock are also family pets. We want to make sure the language of the bill is set up in such a way that family pets would not be seized without reason.

Angela Ferrari, Dog Owners of the Granite State

- Ms. Ferrari testified in opposition to SB 368-FN on behalf of Dog Owners of the Granite State. They are affiliated with the American Kennel Club.
- This bill is driven by a rare situation when a pet vender is unwilling to comply with addressing issues to their facility, possibly identified during an inspection when getting their license renewed. The health of the animals is not in question therefore not warranting animal cruelty charges which are covered under the current law.
- We are sympathetic to the current department but cannot support a bill that punishes one bad actor and puts others at risk.
- The only law being broken is transferring animals without a license.
- There are already laws that enforce penalties.
- In cases due to mental health issues regarding owners, it would be better to have social services address the issues.
- There have been a few cases where animals were seized and then returned to breeders because of lack of evidence.
- An unintended consequence of this bill could be the spread of disease. This is because it is possible to have a license revoked for selling a sick animal. After this, if the breeder does not acquire a new license within the given time-frame, they will rapidly sell the animals to get them out of their facilities. This can contribute to the spread of disease.
- Another concern is this may impact small hobby breeders.
- Animals should not be seized unless it is due to animal cruelty.

Stacy Ober, American Kennel Club- Provided Written testimony

- Ms. Ober spoke in opposition to SB 368-FN.
- The American Kennel Club advocates for the purebred dog as a family companion, advance canine health and well-being, protect the rights of dog owners, and promote the ideals of responsible dog ownership.
- The AKC supports reasonable and enforceable laws that protect the welfare and health of dogs and do not restrict the rights of breeders and owners who take their responsibilities seriously.
- SB 369-FN would grant the New Hampshire Department of Agriculture authority to seize animals maintained by a pet vender and housed in the licensed portion of a premise, if, within 30 days of license revocation, the animals have not been transferred to another person.
- The AKC believes SB 368-FN is not an appropriate or effective solution.
- Senator Avard asked what language Ms. Ober would suggest changing if the committee were to go forward with the bill. Ms. Ober wants to look at the

previous laws and believes the Department of Agriculture should have all the tools necessary to use the court system.

- Senator Giuda shares the concerns about seizure of property. Ms. Ober recognized the issues the Department of Agriculture faces, however this bill sets a dangerous precedent.

Commissioner Shawn Jasper, Department of Agriculture

- Commissioner Jasper expressed his support for SB 368-FN.
- To Commissioner Jasper's understanding, seizure of private property or animals has always been something that could be appealed. Legislative research can clarify this.
- Commissioner Jasper clarified that the Department of Agriculture revokes usually only revokes licenses after long periods of time after first trying to work together with the people in question.
- The Department of Agriculture will work with anyone who has issues with the rules.
- There are few people who are at risk because of this bill. It is easy to stay in compliance by following the established rules and the department needs to be able to enforce this.
- The Department cannot do anything to stop people from not being licensed. He can only deal with people who are licensed.
- Commissioner Jasper is in favor of amending the time periods given to those who wish to have their license reinstated.
- Regarding mental health, does not have the staff to address mental health issues relating to animal vending licenses.
- Regarding issues with disease, the owner still needs to have a health certificate.
- Their goal is to bring people into compliance.
- Transferring of animals brings in a great deal of money for breeders including small hobby breeders who make thousands of dollars from breeding and transferring the animals. The fines that are in place will not put people out of business. Some hobby breeders can bring in over 100 thousand dollars a year.
- The Department of Agriculture is struggling to fulfill the responsibilities the legislators have tasked them with in regards to animal vending licenses. Commissioner Jasper seeks to acquire the tools needed to fulfill these responsibilities.
- Senator Avard clarified that the Department of Agriculture's ability to enforce is very limited. Commissioner Jasper agreed and explained that it is because these issues are usually passed to law enforcement.
- Senator Avard clarified that in one case, law enforcement had to house the dogs the seized over a long period of time and they did not have the funds to do that. Commissioner Jasper explained that is the reason why the Cost of Care Fund was put into place.

- The Department works with local law enforcement to try to have people surrender the animals. When this occurs, the Department works with agencies and organizations to find homes for the animals.
- Senator Avarad brought up a case where the housing of seized animals almost caused a small town to go bankrupt.
- Senator Giuda asked if the department can use administrative search warrants. Commissioner Jasper does not have this ability but can inspect any current licensee during business hours. If there are animal cruelty issues, they refer it to law enforcement.
- Senator Giuda asked if it is possible to base fines on the income of the breeders. Commissioner Jasper does not believe that the fines are necessarily disincentive.
- Senator Giuda added that if they decriminalize the issue and create appropriate fines this will encourage people to comply. Commissioner Jasper is open to this idea but recognized the issue of mental health.

DF

Date Hearing Report completed: January 14, 2022

Speakers

Senate Remote Testify

Energy and Natural Resources Committee Testify List for Bill SB368 on 2022-01

Support: 7 Oppose: 41

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Watters, Senator David	An Elected Official	Myself	Support
Cavanaugh, Senator Kevin	An Elected Official	Myself	Support
Gannon, Senator Bill	An Elected Official	SD 23	Support
Avard, Senator Kevin	An Elected Official	SD 12	Support
Cole, Michelle	A Member of the Public	Myself	Oppose
Phinizy, Elin	A Member of the Public	Myself	Oppose
Champney, Kate	A Member of the Public	Myself	Oppose
Kearney, Karen	A Member of the Public	Myself	Oppose
Folz, Sosanna	A Member of the Public	Myself	Oppose
Medic, Deborah	A Member of the Public	Myself	Oppose
Zalewski, Laurie	A Member of the Public	Myself	Oppose
Zalewski, Joseph	A Member of the Public	Myself	Oppose
Traniello, Leslie	A Member of the Public	Myself	Oppose
Sassone, Patience	A Member of the Public	Myself	Oppose
Russo, Amanda	A Member of the Public	Myself	Oppose
Tavares, Colby	A Member of the Public	Myself	Oppose
Williams, Cindy	A Member of the Public	Myself	Oppose
Tinker, Elaine	A Member of the Public	Myself	Oppose
Stickney, Lacey	A Member of the Public	Myself	Oppose
Hooten, Tammy	A Member of the Public	Myself	Oppose
Fox, Allen	A Member of the Public	Myself	Oppose
Levesque, Brenda	A Member of the Public	Myself	Oppose
Fox, Rena	A Member of the Public	Myself	Oppose
Clark, Deanna	A Member of the Public	Myself	Oppose
Adams, Deborah	A Member of the Public	Myself	Oppose
May, Kim	A Member of the Public	Myself	Oppose
Whitfield, Karen	A Member of the Public	Myself	Oppose
Ford, Catherine	A Member of the Public	Myself	Oppose
Carol, Dubuque	A Member of the Public	Myself	Oppose
Adams, Lee	A Member of the Public	Myself	Oppose
St.Hilaire, Emily	A Member of the Public	Myself	Oppose
Scialdone, Joan	A Member of the Public	Myself	Oppose
Tyree, Dianne	A Member of the Public	Myself	Oppose
Riel, Ashley	A Member of the Public	Myself	Oppose
DAgostino, Stephanie	A Member of the Public	Myself	Oppose
Cross, Tiffany	A Member of the Public	Myself	Oppose
Cross, Helen	A Member of the Public	Myself	Oppose
Phinizy, Jay	A Member of the Public	Myself	Oppose
Ash, Karen	A Member of the Public	Myself	Oppose
Richardson, Diane	A Member of the Public	Myself	Oppose
Tropea, GERALYN	A Member of the Public	Myself	Oppose
Hennessey, Sen. Erin	An Elected Official	Myself	Support
Rosenwald, Cindy	An Elected Official	SD 13	Support
Sherman, Senator	An Elected Official	SD24	Support
Cook, George	A Member of the Public	Myself	Oppose
Schwartz, Raymond	A Member of the Public	Myself	Oppose
Cirinna, Madelyn	A Member of the Public	Myself	Oppose

Brandt, Norman

A Member of the Public

Myself

Oppose

Testimony

**GEORGE W COOK IV
241 INGERSON ROAD
JEFFERSON, NH 03583**

January 10
, 2022

To the members of the Senate Energy and Natural Resources Committee,

I am writing in opposition to the amendment to RSA 437:4 proposed in SB 368. I am a member of Dog Owners of the Granite State (N.H.D.O.G.S), and of the Governor's Commission on the Humane Treatment of Animals. I explicitly state that I am only speaking as an individual and not on behalf of the Commission, but because of these associations I am intimately familiar with the history of the establishment of the pet vendor definition and associated rules. The proposed language in SB 368 is a solution looking for a problem, and at the same time creates a possible double jeopardy for the license holder that it purports to regulate.

RSA 437:4 currently provides a small and succinct list of conditions that could lead to the revocation of a license. One can logically presume that a licensed facility would have many animals present if they were going to fit the definition of a pet vendor in the first place, to be able to be in a position of transferring 30 or more cats, dogs, or ferrets or 50 or more birds. The proposed amendment would cause the licensee to then transfer ownership of the animals within 30 days after license revocation which is an insanely short time frame to responsibly source a new home for an animal, thereby possibly jeopardizing the animal's welfare. Furthermore, depending upon how many animals the licensee had already transferred during that year, the transfer of a substantial number of additional animals may place the licensee in violation of 437:3 which imposes additional requirements if more than 50 animals are transferred within a year, caused by this amended language and not by any action of the licensee.

In addition, I am not aware of other situations in the NH laws that allows the confiscation of assets after a license revocation, and I do not believe that this is a good precedent to set. It is my understanding that this legislation has been introduced in response to a specific set of conditions at a specific pet vendor location. I am sorry that I am unable to attend the hearing to verify this firsthand. I believe that a far better solution would be to have the Commissioner utilize the punitive provisions found in RSA 437:10 and the administrative fine of \$1,000 for each transfer violation that occurred when in violation of RSA 437:9 Rulemaking Authority. If there are grounds for license revocation, and if there are conditions that do not meet the standards listed in 437:9 then this is a much more effective policy than causing a haphazard transfer of even more animals theoretically protected and regulated by this section. I trust that the committee will rule SB368 Inexpedient to Legislate

Respectfully submitted,

George Cook



From: Howard Pearl Howard.Pearl@leg.state.nh.us
Subject: SB368
Date: Jan 11, 2022 at 8:10:35 AM
To: Howard Pearl Howard.Pearl@leg.state.nh.us

SB368

- The Commissioner is doing his best to enforce the current pet vendor law. The resources required (man hours) is significant. SB 368 attempts to strengthen consequences for license revocation.
- In my review it does not solve the department's problem of securing compliance with the pet vendor license. Here are some of the areas I identified that I feel the committee needs to look at.
- After revoking a license for noncompliance, if you take the animals, what keeps the person from going out and acquiring more animals?
- Our legal system does not allow the seizure of personal property without a warrant, judgement, or probable cause. This bill bypasses the court system and creates a seizure without due process.
- The current statute provides a process. The lack of enforcement by local jurisdictions is creating a situation that is causing the Department increased work with substandard results.
- In my opinion, if we enact this as written we actually encourage people NOT to register as a Pet Vendor and take their chances unlicensed. As an unlicensed individual transferring animals they are not subject to seizure.
- Local law enforcement needs to enforce our current laws which require adequate care and conditions and outlines a procedure for

seizing animals in harm's way. Without probable cause to secure a warrant and seize the animals, then the justification for granting this kind of authority to the department is questionable. The Commissioner and the Ag Department are working diligently to meet the tasks that we, the Legislature, assigned them with pet vending and animal cruelty. I hope the committee will take a close look at SB368 and the areas of concern I've highlighted.

Howard C Pearl

State Representative Merrimack 26

Owner Pearl & Sons Farm LLC

Loudon Town Moderator

Environment & Agriculture Committee Chair

Member NH Solid Waste Working Group

Member NH Weights & Measures Advisory Board

NH Farm Bureau Treasurer

409 Loudon Ridge Rd

Loudon N.H. 03307

603-231-1482 cell



DOG OWNERS OF
THE GRANITE STATE

Dog Owners of the Granite State
Protecting the interests of NH pet owners since 1991

January 10, 2022

Chairman Kevin Avard and Members of the Senate Energy and Natural Resources Committee –

I am writing on behalf of Dog Owners of the Granite State (D.O.G.S.) to thank you for your consideration of SB 368-FN, *An act relative to animal vending licenses*. On behalf of our membership of responsible local pet owners and breeders, D.O.G.S. respectfully **opposes** this bill.

D.O.G.S. is an American Kennel Club affiliated non-profit organization founded in 1991 to represent the interests of all pet owners in New Hampshire. Our membership includes a vibrant and active community of specialty breed clubs, all breed kennel clubs, dog and cat breeders, veterinarians, mushers, hunters, and livestock guardian dog owners.

SB 368-FN is driven by a rare situation of a pet vendor unwilling to comply with addressing issues to their facility identified during an inspection. The health of the animals is not in question, therefore not warranting animal cruelty charges which would result in seizure of the animals. The Department of Agriculture is looking for a solution to “have some teeth” in this case, but the unintended consequences are too vast.

The lack of local police involvement, and enforcing current law, are the real issue. Or just maybe, no local laws are being broken, such as the number of animals not violating zoning laws or ordinances, or barking in excess of statutory limits. This, in conjunction with the inability to charge for animal cruelty, since the animals are healthy, it seems the only law being broken is transferring animals without a license.

Current law allows for charges of a misdemeanor and a \$1,000 fine for each violation (transfer). These are steep penalties which ought to incentivize making the necessary changes to the facility and getting the license reinstated.

437:10 Penalty. –

- I. Any pet vendor who transfers live animals or birds customarily used as household pets in this state without having a license to do so as required by this chapter shall be guilty of a misdemeanor.
- II. In addition to the penalty under paragraph I, any pet vendor who violates any of the provisions of this subdivision or rule adopted under it may be subject to an administrative fine levied by the commissioner, not to exceed \$1,000 for each violation.

It has been questioned if the pet vendor in this case has mental issues. The Department of Agriculture should then be alerting social services, which may open up additional avenues. For example, there was a case in Warner where the animals were seized and rehomed because social services came in and determined that the animals had to leave as the conditions were not suitable for children. This was due to the Department of Agriculture involving social services.

We are sympathetic to the Department but cannot support a bill just to punish one bad actor.

Unintended consequences of SB 368-FN

- Seizure of property without due process
- Harsher penalties for the licensed versus those who avoid licensure (potential of animals being seized vs fines only)
- Increase in non-compliance with licensing due to risk of forced transfer or seizure of animals
- Potential of spreading disease by rapidly dispersing animals
- Forced transfer of animals per SB 368, could result in fines of \$1,000 per animal (*437.10 Penalty*), if they exceed the transfer threshold while dispersing of their animals without a license
- The transfer threshold was reduced from 50 to 30, which has/will include small hobby breeders who breed out of their home. Rules were never updated to address this. Current Agr 1700 Part 1704 Rules apply to Commercial facilities, not homes. This makes the potential for license revocation much higher due to inability to conform to inspection rules. Without a new category for home breeders in Rules, there is too much potential for unnecessary license revocation, forced transfer of animals, and ultimately animals being seized.
Agr 1700 Transfer Of Animals And Birds
Part 1704 Operating Standards For Premises Licensed To House, Harbor, Or Display Animals In New Hampshire
- Animals should not be confiscated for reasons other than cruelty or an issue that made their location unsafe for them to live in.

Again, thank you for your consideration of SB 368-FN. We hope that you will vote this bill **Inexpedient to Legislate**.

Sincerely,



Angela Ferrari, President,
Dog Owners of the Granite State

1/9/2022

Dear Members of the Senate Energy and Natural Resources Committee,

I am writing in opposition of SB368-FN. This bill says that it details the process for transferring animals after an animal vending license is revoked. It does not do that.

Instead, this bill requires contradictory actions in that the former license holder by state law is forbidden to transfer more than 30 animals a year once the license is revoked and yet this bill specifically requires the transfer to *“another person in accordance with all applicable statutes and rules”* of all animals housed in the licensed portion of the premises within 30 days of loss of license. If you follow the rules, you cannot legally transfer all the animals particularly if you have had other sales during the year the license is revoked.

Another big concern with this sort of directed ‘fire sale’ of the animals is that finding an appropriate place for them to go may well take second place to rapid dispersal of the animals to anyone who will take or purchase them. Anyone involved in rehoming animals can assure you this is not the best choice for the animals.

If the unresolved triggering issue for license revocation was the transfer of one or more sick animals why would you want to disperse the breeding animals rapidly in or out of the state potentially spreading the disease throughout a wide animal population?

The concept of a licensed portion of the premises as described in the bill may make sense when viewing an animal shelter, a rescue, or a pet store but not when the animals are part of a personal household, as quite often is the case with a breeder situation. In that case the entire premises may be the licensed ‘facility’. This puts personal pets in jeopardy.

The bill goes on to say *“Any animals not transferred within 30 days of the revocation may be subject to seizure by any law enforcement agency and the former license holder shall be guilty of a misdemeanor.”*

The problem with this is that there are many reasons listed in our law for a license to be revoked not all of which have to do with animal welfare issues. See section 437:4 for the list of reasons.

437:4 Refusal to Issue; Revocation of License. –

The commissioner, after notice to the licensee and opportunity for hearing, as set forth in the rules adopted under RSA 437:9, may deny an application or revoke a license for any of the following reasons:

- I. The applicant or licensee violated the statutes of the state of New Hampshire or of the United States or any rule adopted by the commissioner pursuant to this chapter;*
- II. The applicant made false or misleading statements in his or her application for a license;*
- III. The licensee knowingly transferred any animal affected with a communicable disease except as allowed under RSA 437:5 and RSA 437:8, II;*
- IV. The licensee ceased to operate the business for which the license was issued; or*
- V. The applicant or licensee held any similar license issued in another jurisdiction which was*

revoked or suspended by that jurisdiction as a result of engaging in conduct prohibited by RSA 437 during the preceding 5 years.

Examples of non animal welfare issue would include a zoning change in the licensee's town or city, an error in filling in the application, the transfer of a sick animal to a new owner (knowingly is hard to prove when health certificates are considered good for 10 days), or the licensee ceasing to operate the business due to many varied reasons.

As this bill stands, if you decide to retire from breeding at the level of needing a license all of your animals can be seized and you can be charged with a misdemeanor if you do not transfer them all. *"Any animals not transferred within 30 days of the revocation may be subject to seizure by any law enforcement agency and the former license holder shall be guilty of a misdemeanor."* This language is apt to add to the number of breeders unwilling to be licensed at all if they know they risk losing all their pets if they decide to give up their license.

Currently our animal cruelty laws cover removal of animals when the conditions or level of care warrants it along with other levels of penalties. These laws apply to licensees as well as all other residents in the state. See section 644:8 IV-a. (a) of the Criminal Code. Animal welfare issues should be addressed through this code and not the licensing process.

For issues not rising to the level of animal cruelty but requiring remediation of the premises or problem to retain a license, I believe an increasing level of fines per incident per day/week/month would do far more to resolve the issue than this bill will. Fine escalation to the level of putting a lien on the property would certainly get people's attention if they are refusing to resolve the cited problems.

As it stands, this contradictory bill will be harmful to the licensing process, has the strong potential to be harmful to the welfare of the animals involved, would cause resentment and heartbreak to the licensees it impacts, and is redundant, confusing and unnecessary.

Please vote this bill inexpedient to legislate.

Sincerely,
Nancy Holmes
New Boston, NH



AMERICAN
KENNEL CLUBSM

Stacey Ober, J.D.
Legislative Analyst
Community Outreach
New England Region

January 11, 2022

The Honorable Kevin Avard, Chair
New Hampshire Senate Committee on Energy and Natural Resources
SH Room 103, 107 North Main Street
Concord, New Hampshire 03301

RE: American Kennel Club Opposes SB 368 Relative to Animal Vending Licenses.

Dear Chair Avard and Members of the Senate Committee on Energy and Natural Resources:

Founded in 1884, the American Kennel Club (AKC) is a recognized and trusted expert in canine health, breeding, and training. We represent over 5,000 dog clubs nationally, including 14 in New Hampshire, which represent thousands of dog owners. We advocate for the purebred dog as a family companion, advance canine health and well-being, protect the rights of dog owners, and promote the ideals of responsible dog ownership. The AKC supports the right of people to own, train, interact with, and exhibit their dogs without interference. On principle, the AKC supports reasonable and enforceable laws that protect the welfare and health of dogs and do not restrict the rights of breeders and owners who take their responsibilities seriously.

SB 368 would grant the New Hampshire Department of Agriculture authority to seize animals maintained by a pet vendor and housed in the licensed portion of a premise, if, within 30 days of license revocation, the animals have not been transferred to another person. Respectfully, we understand the Department has gone to great lengths to enforce the pet vendor license provisions adopted in 2019. AKC and its affiliate clubs consistently provide education regarding compliance with RSA 437.

AKC recognizes that the Department has expressed the need for this authority to address a situation where the individual is not capable of understanding how to correct deficiencies leading to their license revocation. *However, AKC is opposed to the adoption of SB 368 as filed, because it is not an appropriate or effective solution.*

First, SB 368 could result in a harsher outcome for a pet vendor whose license is revoked than someone charged with animal cruelty. Without a court order, taking the animals does not correct purported squalid conditions or prevent the individual from acquiring more animals.

Second, owners must be afforded substantive and procedural due process protections and must not be permanently or unreasonably deprived of the property interests they have in their animals without first pleading guilty to, being found guilty of, or pleading “no contest” to, animal-related criminal charges. The policies and procedures detailed in New Hampshire’s animal cruelty laws at RSA 644:8 are constitutionally sound and ought to be enforced when animals are not kept in a

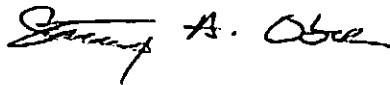
Founded in 1884; a not-for-profit corporation

8051 Arco Corporate Drive Raleigh, NC 27617 Tel 919-816-3600 www.akc.org

humane manner. The seizure of personal property happens lawfully with a warrant. Respectfully, if the Department has difficulty proving probable cause to obtain a warrant, then the justification for providing the department with this independent seizure authority is questionable.

Thank you for your consideration of our significant concern. Please know that AKC and our affiliated dog clubs are available as a resource to you. I can be reached at (919) 816-3348 or Stacey.Ober@akc.org.

Sincerely,



Stacey Ober, JD
Legislative Analyst and Community Outreach Coordinator, New England
AKC Government Relations

CC: The Honorable Jeb Bradley, Sponsor SB 368
Angela Ferrari, Dog Owners of the Granite State (DOGS)

Daley Frenette

From: Patience Sassone <sa2sone2@gmail.com>
Sent: Tuesday, January 4, 2022 1:08 PM
To: Daley Frenette
Cc: Tom Sherman
Subject: SB368

Dear Committee,

As a 20+ year resident of NH, I strongly oppose Bill SB368.

I question the constitutional legality of this bill as written. If a license is revoked due to animal cruelty or mistreatment, it should be dealt with under already existing NH Cruelty laws. Taking personal property from an individual, in this case animals, for any other reason has serious constitutional considerations that are not addressed by this bill-SB368.

I implore you to vote against this Bill SB-368.

Patience Sassone
Hampton, NH 03842

Voting Sheets

Senate Energy & Natural Resources Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # 368

Hearing Date: 1/11/22

Executive Session Date: 3/15/22

Motion of: OTP Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Inc 22 department ⁰²⁶⁵⁵ _{committee} Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTPA Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Co Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Watters

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Friday, March 18, 2022

THE COMMITTEE ON Energy and Natural Resources

to which was referred SB 368-FN

AN ACT relative to animal vending licenses.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 4-1

AMENDMENT # 1108s

Senator David Watters
For the Committee

Daley Frenette 271-3042

ENERGY AND NATURAL RESOURCES

SB 368-FN, relative to animal vending licenses.

Ought to Pass with Amendment, Vote 4-1.

Senator David Watters for the committee.

General Court of New Hampshire - Bill Status System

Docket of SB368

Docket Abbreviations

Bill Title: (New Title) establishing the agricultural hearings officer revolving fund and relative to penalties for unlawfully transferring dogs, cats, and ferrets.

Official Docket of SB368.:

Date	Body	Description
12/17/2021	S	To Be Introduced 01/05/2022 and Referred to Energy and Natural Resources; SJ 1
12/22/2021	S	Hearing: 01/11/2022, Room 103, SH, 10:00 am; SC 50
3/15/2022	S	Committee Report: Ought to Pass with Amendment #2022-1108s , 03/24/2022; SC 12
3/24/2022	S	Committee Amendment #2022-1108s , AA, VV; 03/24/2022; SJ 6
3/24/2022	S	Ought to Pass with Amendment 2022-1108s, MA, VV; OT3rdg; 03/24/2022; SJ 6
3/28/2022	H	Introduced 03/28/2022 and referred to Environment and Agriculture
4/6/2022	H	Public Hearing: 04/12/2022 01:00 pm LOB 301-303
4/13/2022	H	Full Committee Work Session: 04/19/2022 02:10 pm LOB 301-303
4/13/2022	H	==CONTINUED== Public Hearing: 04/19/2022 02:00 pm LOB 301-303
4/20/2022	H	Public Hearing on non-germane Amendment # 1674h: 04/26/2022 10:30 am LOB 301-303
4/27/2022	H	Committee Report: Ought to Pass with Amendment #2022-1780h (NT) (Vote 16-0; CC)
5/4/2022	H	Amendment # 1780h: AA VV 05/04/2022 HJ 11
5/4/2022	H	Ought to Pass with Amendment 1780h: MA VV 05/04/2022 HJ 11
5/12/2022	S	Sen. Avard Moved to Concur with the House Amendment, MA, VV; 05/12/2022; SJ 12
6/7/2022	H	Enrolled (in recess of) 05/26/2022 HJ 14
6/6/2022	S	Enrolled Adopted, VV, (In recess 05/26/2022); SJ 13
6/22/2022	S	Signed by the Governor on 06/17/2022; Chapter 0225; Effective 01/01/2023

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 368 - FN

Senate Committee: E Nery

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

- Bill version as it came to the committee
- All Calendar Notices
- Hearing Sign-up sheet(s)
- Prepared testimony, presentations, & other submissions handed in at the public hearing
- Hearing Report
- Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

- amendment # 11085 _____ - amendment # _____
- amendment # 0265 _____ - amendment # _____
- Executive Session Sheet
- Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

- _____ - amendment # _____ _____ - amendment # _____
- _____ - amendment # _____ _____ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

- _____ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
- _____ Enrolled Bill Amendment(s)
- _____ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

- as amended by the senate as amended by the house
- final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Dale
Committee Aide

6/24/22
Date

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