

New England State Capitol Issues March 2021

Here are some highlights of state-level issues AKC GR is currently tracking in New England. Links to bill text are embedded in the bill numbers.

Connecticut – The Joint Human Services Committee received testimony regarding [HB 6318](#) on February 16, 2021. The bill would update Connecticut's statutes to align with federal service animal definitions and requirements under the Americans with Disabilities Act (ADA). It also would educate the public regarding the differences between service, emotional support, and therapy animals and raise awareness about the rights and responsibilities of these animal owners. AKC GR submitted testimony in support.

Connecticut – The Department of Agriculture filed an animal welfare proposal that had a public hearing on March 3, 2021. AKC GR issued an [alert](#) and testified in support of [HB 6504](#) together with the President of the Connecticut Federation of Dog Clubs and Responsible Dog Owners (CFDRDO) at the Joint Environment Committee because it would require a veterinary examination of animals brought into the state by animal shelters, among other helpful provisions.

Connecticut – On Friday, March 5, 2021, the Joint Planning and Development Committee will consider [HB 6542](#) authorizing municipalities to adopt and enforce obligations and restrictions on pet retail sales. AKC GR issued an [alert](#) and testified in opposition. State law provides licensure, uniform animal care and conditions standards, and consumer protections for those who acquire pets at retail. Adopting this measure would result in a patchwork of different rules across the state.

Connecticut – [SB 123](#) would increase the penalties for injuring or killing a police K-9 or volunteer search and rescue K-9. AKC GR supports the bill, and it was voted favorably by the Joint Public Safety Committee on March 4, 2021.

Connecticut – Several bills impacting dog owners have been pre-filed for this year and AKC GR is meeting virtually with the Connecticut Federation of Dog Clubs and Responsible Dog Owners to discuss them. For example, [SB 458](#) proposes a companion animal breeders license. AKC GR has researched existing oversight authority for anyone selling more than two litters a year and provided information to the bill sponsor.

Connecticut – On March 12, 2021, the Joint Judiciary Committee heard testimony on [SB 923](#), which would require the Connecticut Sentencing Commission review the state's animal cruelty laws and make recommendations to the Governor and General Assembly. AKC and the Connecticut Federation of Dog Clubs and Responsible Dog Owners (CFDRDO) are concerned that members of the commission do not have animal welfare experience. Testimony was submitted by AKC GR and CFDRDO, consistent with that of the Department of Agriculture, requesting collaboration with the department and subject matter experts. AKC GR has scheduled a meeting with the Executive Director of the commission to discuss the scope of such a review and available options to ensure input from animal welfare subject matter experts.

Maine – The Maine Department of Agriculture has filed an omnibus bill, [LD 103](#), that would allow it to employ any person considered necessary to assist in any response to a natural or man-made disaster affecting animals; appoint to the Animal Welfare Advisory Council a person who is a pet food supplier and an attorney with experience in the state court system; and change the rabies vaccination requirement for a dog over 3 months of age instead of 6 months. Last, the bill provides for the revocation of animal control officer certification if the officer refuses or intentionally fails to perform the officer's statutory duties. AKC GR and the Maine Federation of Dog Clubs spoke to the Joint Committee on Agriculture, Conservation and Forestry on February 25, 2021 to express concerns with the rabies vaccination requirement at 3 months and to request an amendment requiring any assistant employed by the state to assist with animal emergencies such as hoarding cases, enter into a confidentiality agreement prohibiting the use of evidence collected for private fundraising purposes. An amendment providing an additional 30 days after a puppy turns 3 months to get the initial rabies vaccination was adopted.

Maine – [LD 561](#) would require the Department of Agriculture, Conservation and Forestry to adopt rules that set standards for animal rescue entities, specify staff-to-animal ratios and govern animals that are returned multiple times and resold or placed in multiple homes. AKC GR contacted the bill sponsor and learned that an animal rescue operation with more than 50 dogs had only one person caring for them and that a vicious dog had been re-homed several times. At the public hearing on March 9, 2021, AKC GR testified regarding current standards of care and available enforcement provisions to address animal hoarding disorder situations. It was also suggested that animal rescue organizations and shelters be required to share known behavior histories with those looking to re-home a dog. On March 23, 2021 the committee voted to send a letter to the Governor requesting appointments to the Animal Welfare Advisory Council and that the council take up these issues instead of voting passage of the resolution.

Massachusetts – [HD 326](#) would authorize the emergency transport and treatment of police K-9s injured in the line of duty. AKC GR issued an [alert](#) asking Massachusetts residents to contact their lawmakers and request that they co-sponsor the bill. Representative Xiarhos' office reports a resulting significant number of signatures. In addition, Senator Montigny has also re-filed the bill in the Senate, [SD 1177](#).

New Hampshire – AKC GR worked closely with NH Beagle clubs to express concerns about [HB 118](#), which would change the qualifications for commissioners appointed to the NH Fish and Game Commission. Instead of sporting clubs providing nominees for appointment, the bill would authorize "participating organizations," defined as organizations with wildlife or conservation experience, to nominate individuals. The House Fish and Game Committee decided at public hearing on February 1, 2021 that the bill was not ready and has retained it. No further action on HB 118 will take place this year.

New Hampshire – On February 3, 2021, AKC GR testified with NH DOGS in support of [HB 249](#), which would authorize animal shelters to own or lease a facility rather than be required to own it. It also clarifies which exemptions apply to animal shelters for obtaining health certificates and requires that shelters contact the microchip owner of record before any transfer of the animal. The House Environment and Agriculture

Committee [amended](#) and unanimously voted to favorably release the bill on February 18, 2021. [Read](#) AKC GR's alert.

New Hampshire – Prior to enactment of a 2019 law, a commercial breeder in the state who transferred fewer than 50 dogs in a year was not required to get municipal zoning authorization as a prerequisite for state licensure. However, in 2019, legislation was enacted that removed the state's definition of commercial breeder and classified a person as a pet vendor if they transfer 25 dogs in a 12-month period. Additionally, prior to 2019, breeders that were classified as commercial breeders but who transferred fewer than 50 dogs in a year were not required to receive municipal zoning authorization before applying for their state license. The 2019 change required all applicants for a pet vendor license to obtain municipal zoning authorization. As a result of this legislative change and not due to change in their operations, several dog breeders that were previously licensed have been unable to obtain the state's new pet vendor license due to not being granted municipal zoning authorization. This has resulted in the violation of due process for those dog breeders. [HB 250](#) seeks to address these issues by (1) raising the minimum transfer threshold to 35 dogs, and (2) "grandfathering" those breeders who were not previously required to petition local authorities for authorization before obtaining a state license so they may continue to own and personally enjoy their dogs without needing local authorization before applying to operate as a pet vendor. In early February, AKC GR and the New Hampshire Dog Owners of the Granite State testified in support of HB 250 when it was considered by the House Environment and Agriculture Committee. The committee favorably released the bill on February 18, 2021.

New Hampshire – Two bills that would provide COVID-19 liability protections to small businesses and non-profit organizations, [HB 255](#) and [SB 63](#), were considered in February. AKC GR submitted testimony in support of both bills to ensure New Hampshire dog clubs would receive these protections.

New Hampshire – Two bills regarding rabies vaccinations were considered by the House Environment and Agriculture Committee on February 17, 2021. AKC GR issued an [alert](#) that [HB 322](#) would require a color photo of a dog, cat, or ferret to be attached to its rabies vaccination certificate and [HB 367](#) would require rabies antibody tests after vaccination and allow rabies titers in lieu of rabies vaccination for dogs with a reaction to initial vaccination. After hearing concerns about cost and adequate protection, including testimony from AKC GR and NH DOGS, the committee voted unanimously to reject both bills.

New Hampshire – To deter dog theft and illegal tampering with tracking dog collars, [HB 338](#) would increase the penalty from a misdemeanor offense to a class B felony. AKC GR testified in support of this bill on February 10, 2021. Committee members expressed concerns that the bill only applied to dogs, regarding how the value of a dog would be determined, and what level of offense would be an appropriate criminal charge. On March 3, 2021 the committee released an amended bill that would increase the penalty each time an individual stole a dog from a criminal misdemeanor through a class A felony for a third offense.

New Hampshire – [HB 366](#) would amend state animal cruelty law to acknowledge that animal neglect and cruelty may be the result of a defendant's mental illness known as animal hoarding disorder. AKC supports the bill because it would require a judge to

order psychiatric evaluation and mental health treatment, if necessary. Without treatment, and despite conviction, these individuals often continue to collect animals to the detriment of the health and safety of themselves and the animals. AKC testified in support on February 3, 2021, and the House Environment and Agriculture Committee has retained the bill to work on it further.

New Hampshire – AKC GR issued an [alert](#) and testified on March 1, 2021 in support of [HB 431](#), which seeks to allow town select boards to supervise, sanction, and also suspend an animal control officer for bad faith conduct. The House Municipal and County Government Committee noted there is only one elected animal control officer, as state law allows local authorities to provide these services by electing, appointing, hiring, or subcontracting. AKC GR encouraged the committee to amend the bill and provide oversight provisions uniformly for every model of service delivery. This bill was filed as a result of an individual personnel issue with an animal control officer and the committee decided to retain it for further review.

New Hampshire – On March 1, 2021, the House Municipal and County Government considered [HB 467](#), which would amend the “Use Taxation” law so that “open space land” would not apply to “any farm land or forest land used to harbor non-native, non-domesticated animal species”. AKC GR and the Congressional Sportsmen’s Foundation testified that some facilities where dog owners train with non-native birds (i.e., pheasants) would be negatively impacted. The committee voted the bill inexpedient to legislate. Read AKC GR’s [alert](#) on this issue.

New Hampshire – Two amended bills regarding the creation of a state-wide animal records database continue to move. AKC GR and NH DOGS expressed concerns about [HB 532](#) to the House Environment and Agriculture Committee when it considered the bill in late January. The committee favorably released an amended version of the bill that addressed AKC’s and NH DOGS’ concerns. HB 532 was later considered by the House Ways and Means Committee, during which AKC GR explained the rationale for the changes. The bill remains pending in House Ways and Means. [Read more about HB 532 here.](#) Meanwhile, in early February, the Senate Finance Committee hosted a hearing on [SB 127](#), an appropriations bill that also featured the unamended animal records database text of HB 532. During the hearing, AKC GR requested that the committee adopt the same changes as were made to the House bill. The Senate Finance Committee responded favorably to the requests from AKC GR, NH DOGS, and New Hampshire dog owners by adopting an amended version of SB 127 that largely reflects the acceptable animal records database text adopted by the House. SB 127 remains pending.

New Hampshire – [SB 17](#) would, among provisions for brew pubs in the state, authorize municipalities to adopt ordinances permitting dogs outside at brew pubs. AKC supports this provision and submitted testimony on March 23, 2021, to the House Commerce and Consumer Protection committee.

New Hampshire – [SB 122](#) would, among other provisions, increase the penalties from a misdemeanor to a felony for a person who injures or kills; or allow their animal to injure or kill, a working service dog. AKC GR submitted testimony in support at the February 9, 2021 hearing. On March 18, 2021, the Senate Committee on the Judiciary voted favorably to release an amended bill that preserves this section.

Rhode Island – Re-filed from 2019, [HB 5040](#) would establish an animal cruelty registry prohibiting offenders from owning animals in the future by requiring pet sellers and shelters to review the registry before transferring an animal. Violations would result in significant fines. AKC GR joined the Rhode Island American Civil Liberties Union to testify at the February 9, 2021 hearing and expressed concerns that registries have not been found to be effective at preventing animal cruelty and encouraged the committee to consider using more effective tools.

Rhode Island – On March 10, 2021, the House Judiciary Committee heard testimony on [HB 5569](#), which would allow the district court to include pets in a temporary protective order for domestic violence victims. The family court has this authority already. AKC GR submitted testimony in support of this measure to protect pets from violence in domestic situations.

Rhode Island – AKC GR issued an [alert](#) that on March 2, 2021, the House Judiciary Committee was taking public testimony on [HB 5577](#). AKC GR testified in opposition of the bill, which would authorize court-appointed legal advocates for animals. Appointing lawyers for animals “in the interests of justice” implies animals have legal non-human rights. As an animal welfare organization, AKC is concerned that changing the legal status of animals from property would negatively affect the ability of owners, veterinarians, and government agencies to protect and care for animals. The House committee has retained the bill to review it further. On March 4, 2021 the Senate President introduced an identical bill as [SB 534](#), and the Senate Minority Leader introduced another companion bill, [SB 601](#). AKC GR developed a fact sheet, and Rhode Island dog clubs and members are contacting their lawmakers to express opposition to these bills.

Rhode Island – The House Judiciary Committee took testimony on March 10, 2021 regarding [HB 5580](#), that would authorize courts to use criteria for child custody disputes in awarding custody of a pet upon the dissolution of marriage, and [HB 5618](#) regarding contested pet ownership upon termination of cohabitation. These bills were re-filed from last session. AKC GR submitted written testimony in opposition to courts using criteria governing child custody disputes for animals.

Rhode Island – [HB 5617](#) would place a lifetime ban on the possession of animals for anyone convicted of serious animal cruelty. Testimony was submitted for the March 3, 2021 hearing by the House Judiciary Committee noting the bill fails to address how the convicted would be monitored for the duration of their lifetime. The bill may also unintentionally remove a tool judges have to obtain agreement to engage in mental health counseling by a defendant whose conduct was the result of mental illness.

Rhode Island – [HB 5736](#) would ban tethering a dog outside for more than 30 minutes when the temperature is below 32 degrees or above 90 degrees Fahrenheit. AKC GR testified in opposition before the House Judiciary Committee on March 9, 2021, because current law provides that animal control officers may address any weather situation where a dog might be at risk of harm. Adding specific temperatures to the law could diminish protections for any breed that tolerates only moderate climates and punish owners of breeds that thrive in lower temperatures.

Vermont – [HB 316](#) would clarify that a hunter training dogs or using dogs to hunt black bear must retain visual and verbal control over the dogs while hunting. This is in

response to two serious bear hunting dog attacks of people hiking. It has been forwarded to the House Committee on Natural Resources, Fish, and Wildlife for review. Vermont – The Vermont Federation of Dog Clubs met virtually with AKC GR on March 8, 2021 to review [HB 369](#), which would create standards for care of domestic pets, and other bills filed for consideration.

Vermont – The House Agriculture Committee released [HB 421](#), which would provide training and oversight for animal control officers. The House of Representatives voted favorably and sent the bill to the Senate for consideration on March 12, 2021. AKC GR supports the bill and is working closely with the Vermont Federation of Dog Clubs to adopt one amendment defining “humane societies” and facilitate its passage this session.

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A Salute to AKC's Canine Health Foundation! Celebrating 25 Years with \$59.5 million funded to improve the health of all dogs and their owners through scientific research and dissemination of health information to prevent, treat and cure canine disease. www.akcchf.org