

COMPILED H.533 from Senate Journal of 5/3/16 (Dick Sears, Alice Nitka, Jeanette White, Tim Ashe and Joe Benning) and Committee of Conference (Maxine Grad, Willem Jewett, Thomas Burditt) (Draft No. 1.1 – H.533) 5/5/2016 - 03:08 PM

There is NO FINAL VERSION of this bill that was PASSED on Friday at 9pm, on the State webpage at this time.

The text of the ORIGINAL bill by Maxine Grad (original bill sponsor) that was hijacked by the SENATE JUDICIARY on 5/3/16 to introduce this previously UNSEEN anti-hunting bill is omitted for clarity.

This Senate amendment was updated further by the House Committee of Conference was directly designed to instill power to radical out-of-state lobbying groups and radical anti-hunting groups into the Vermont Legislative, Judicial and Law-Enforcement branches, and to PAY per diem compensation and reimbursement of expenses to those members chosen to represent them!

Where did this amendment proposed into H533 on 5/3/16 come from?

This was NOT thought up at the last minute on 5/3/16.

This was PLANNED for the last day of the session while the House still had the supermajority to vote it through and the people of Vermont could do NOTHING about it!

They didn't get their "Universal Background Check" bill...

They didn't get their "Universal Background Check v2.0" bill...

They didn't get their "S.141" bill the way they wanted...

They didn't get their "Burlington Charter Changes" bills...

They didn't get their "firearm insurance" bill...

They didn't get their "lead bullet ban" bill...

They didn't get their "ivory ban" bill...

They didn't get their "shooting range control" bill...

They didn't get their "Berlin Pond ban" bill...

So, they propose, revise, and vote on 8 pages of legislation, within the last 4 days of the session, in secret (no public input) in order to PASS SOMETHING that gives power to outside groups over Vermont laws and policies.

Interesting how this is exactly the SAME process that was used in the House Judiciary Committee on S.141 in order to pass the infamous "Jewett Amendment".

Interesting how Willem Jewett and Maxine Grad are once again in charge of the final Committee that helped pull the last-minute switcheroo.

H.533 (amendment 5/3/16 & 5/5/16)

Sec. 4. 24 V.S.A. § 1943 is added to read:

§ 1943. ANIMAL CRUELTY INVESTIGATION ADVISORY BOARD

(a) Board. An Animal Cruelty Investigation Advisory Board is created within the Department of Public Safety to advise the Governor, the General Assembly, and the Commissioner of Public Safety on issues involving the cooperation and coordination of all agencies that exercise animal welfare responsibilities.

(b) Membership.

(1) The Advisory Board shall be composed of the following members:

- (A) the Commissioner of Public Safety or designee;
- (B) the Executive Director of State's Attorneys and Sheriffs or designee;
- (C) the Secretary of Agriculture, Food and Markets or designee;
- (D) the Commissioner of Fish and Wildlife or designee;
- (E) a member appointed by the Governor to represent the interests of the Vermont League of Cities and Towns;

<This group is anti-gun AND anti-hunting.>

(F) two members appointed by the Governor to represent the interests of organizations dedicated to promoting the welfare of animals;

<This opens the door WIDE to radical anti-hunting groups like HSUS, PETA, POW, etc. to have DIRECT INPUT AND CONTROL over ALL aspects of "animal rights" in Vermont!>

- (G) a member appointed by the Governor to represent the interests of the Vermont Police Association;
 - (H) a member appointed by the Governor to represent the interests of dog breeders and associated groups;
 - (I) a member appointed by the Governor to represent the interests of veterinarians; and
 - (J) a member to represent the interests of the Criminal Justice Training Council.
- (2) The Board shall elect a chair and a vice chair which shall rotate among the various member representatives. Each member shall serve a term of two years. The Board shall meet at the call of the Chair. A quorum shall consist of six members, and decisions of the Board shall require the approval of a majority of those members present and voting.
- (c) Duties. The Board shall exercise oversight over Vermont's system for investigating and responding to animal cruelty complaints and develop a systematic, collaborative approach to providing the best services to Vermont's animals statewide, given monies available. In carrying out its responsibilities under this subsection, the Board shall:

<Here lies the ALL-ENCOMPASSING POWERS to be given to this newly founded group.>

- (1) identify and monitor the extent and scope of any deficiencies in Vermont's system of investigating and responding to animal cruelty complaints;
- (2) work with the Department of Public Safety to study the feasibility of designating one law enforcement agency to receive, dispatch, and document the outcome of animal cruelty complaints and, with the assistance of the Vermont Sheriffs' Association, develop a uniform response protocol for assigning complaints to the appropriate local law enforcement agencies;
- (3) ensure that investigations of serious animal cruelty complaints are systematic and documented, and develop written standard operating procedures and checklists to support the objective investigation of cruelty complaints that include objective measures of both environmental and clinical evidence of cruelty;

(4) ensure that requests for voluntary compliance are made in writing, with clear requests and timelines, and include a timeline for the investigator to perform a follow-up visit to confirm actions taken;

(5) develop a guide for animal cruelty prosecution, including a review of current sentencing recommendations for State's Attorneys;

<This would mandate that out-of-state lobbyists and radical anti-hunting groups would have DIRECT INPUT into DESIGNING LAWS FOR PROSECUTION of crimes in Vermont!>

(6) research the feasibility of developing and implementing an animal cruelty prevention and education program for offenders to be used as a part of offenders' sentencing;

<This would mandate that out-of-state lobbyists and radical anti-hunting groups would have DIRECT INPUT into DESIGNING LAWS AND POLICIES for criminal rehabilitation in Vermont!>

(7) explore potential private and public sources of funding for animal cruelty investigations, including animal care expenses;

<Funding is to be obtained only AFTER this program is implemented.

The program is to implemented THIS SUMMER!

Why the rush?

Unless these processes, documentation, associated bill proposals are ALREADY LINED UP AND WAITING for implementation.>

(8) develop trainings, protocols, procedures, and guidance documents for agencies engaging in animal welfare responsibilities;

<This would mandate that out-of-state lobbyists and radical anti-hunting groups would have DIRECT INPUT into DESIGNING LAWS AND POLICIES for every aspect of "Animal Rights" in Vermont. This would include HUNTING!>

(9) develop and identify funding sources for an animal cruelty investigation certification program for humane officers in accordance with 13 V.S.A. § 356, and develop a standard by which a person who has been actively engaged in this State as a humane officer conducting animal cruelty investigations for at least five years preceding July 1, 2017 may become certified without completion of the certification program requirements;

<Certification without actual certification training. Do electricians become certified just because they work with an electrician for five years?>

(10) identify funding sources for the training requirement under 20 V.S.A. § 2365b;

(11) develop recommendations for providing liability protection and reducing uncompensated costs to animal shelters and animal welfare groups that assist law enforcement authorities in animal cruelty investigations;

(12) explore changing the annual deadline for dog licensure under 20 V.S.A. § 3582 better to align with the time of year dogs require annual veterinary care; and

(13) determine what should appropriately constitute an enforcement action triggering the obligation of the Agency of Agriculture, Food and Markets to assist law enforcement pursuant to 13 V.S.A. § 354(a).

(d) Reimbursement. Members of the Board who are not employees of the State of Vermont and who are not otherwise compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010, paid from the budget of the Agency of Administration for attendance of meetings of the Board.

<While efforts to PROTECT the rights of Vermonters are done by volunteers, for FREE, this bill mandates that anyone that doesn't work for the state will get PAID and reimbursed to regulate the rights of Vermonters! This would include any out-of-state activists working in VT; airfare, food, lodging, cab fare, etc., JUST FOR ATTENDING EACH MEETING!>

(e) Meetings and report. The Board shall meet no fewer than six times a year to undertake its duties as outlined in subsection (c) of this section. The Board shall report on its findings and specific recommendations in brief summary to the House and Senate Committees on Judiciary, House Committee on Agriculture and Forest Products, and Senate Committee on Agriculture annually on or before January 15.

<Why are only "brief summary" reports are needed to comply with this section. Why not DETAILED analysis of what has actually been accomplished? Not a lot of work is required to be PAID for sitting on these boards.>

Sec. 5. 20 V.S.A. § 2365b is added to read:

§ 2365b. ANIMAL CRUELTY RESPONSE TRAINING

As part of basic training in order to become certified as a Level Two and Level Three law enforcement officer, a person shall receive a two-hour training module on animal cruelty investigations as approved by the Vermont Criminal Justice Training Council and the Animal Cruelty Investigation Advisory Board.

<Radical anti-hunting groups and out-of-state lobbyists will now have DIRECT CONTROL over the training methods and requirements used for law-enforcement officers in VT!>

Sec. 6. 13 V.S.A. § 356 is added to read:

§ 356. HUMANE OFFICER REQUIRED TRAINING

All humane officers, as defined in subdivision 351(4) of this title shall complete a certification program on animal cruelty investigation training as developed and approved by the Animal Cruelty Investigation Advisory Board.

<EXCEPT as noted in section 4 that would allow non-law enforcement officers to receive law-enforcement accreditation.>

Sec. 7. 13 V.S.A. § 354 is amended to read:

§ 354. ENFORCEMENT; POSSESSION OF ABUSED ANIMAL;

SEARCHES AND SEIZURES; FORFEITURE

(a) The Secretary of Agriculture, Food and Markets shall be consulted prior to any enforcement action brought pursuant to this chapter which involves livestock and poultry. Law enforcement may consult with the Secretary in person or by electronic means, and the Secretary shall assist law enforcement in determining whether the practice, or animal condition, or both represent acceptable livestock or poultry husbandry practices. <new>

Sec. 8. DEPARTMENT OF CORRECTIONS; ANIMAL CARE PILOT PROGRAM

The Commissioner of Corrections may implement a pilot program in at least one correctional facility that would permit qualified inmates to provide temporary care, on-site, for animals on a weekly or more frequent basis. The Commissioner shall report on the Department's progress towards implementation of the program, with recommendations as to whether it could include caring for animals that have been seized or relinquished in cruelty or neglect investigations, to the Joint Committee on Justice Oversight on or before September 1, 2016.

<This is a NEW, UNFUNDED program in ONE OR MORE correctional facilities, which will bring animal care workers into direct contact with prisoners.>

Sec. 9. [Deleted.]

Sec. 10. EFFECTIVE DATE

This act shall take effect on July 1, 2016.

And that after passage the title of the bill be amended to read:

An act relating to victims' rights and animal welfare