



General Assembly

February Session, 2000

***Raised Bill No. 5673***

LCO No. 1904

Referred to Committee on Environment

Introduced by:  
(ENV)

***An Act Concerning Minor Changes To The Conservation Statutes.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-331a of the general statutes is repealed and the  
2 following is substituted in lieu thereof:

3 Any two or more contiguous towns (1) each of which has a  
4 population of less than twenty-five thousand or (2) all of which when  
5 taken in the aggregate have a population of less than seventy  
6 thousand, and which have or will provide a dog pound facility within  
7 their region, by action of their legislative bodies, may agree to be  
8 served by a regional animal control officer. Upon certification of such  
9 agreement to the commissioner with assurances from the towns so  
10 certifying that they will provide and continue to provide adequate  
11 facilities and compensation for such officer, the commissioner may,  
12 after giving due regard to the regional aspects of the proposed facilities  
13 and whether the proposed region would be in the best interests of the  
14 towns so certifying, establish such region. Each person so appointed  
15 shall have the same powers and duties within the region to which [he  
16 is] assigned as a municipal animal control officer in each town therein.

17 All costs of maintaining and operating such pounds and administering  
18 and enforcing the laws relating to dogs within such regions shall be  
19 paid in accordance with the provisions of the agreement certified to  
20 the commissioner under this section.

21 Sec. 2. Section 26-47 of the general statutes is repealed and the  
22 following is substituted in lieu thereof:

23 (a) When it is shown to the satisfaction of the commissioner that  
24 wildlife is causing unreasonable damage to agricultural crops during  
25 the night and it is found by the commissioner that control of such  
26 damage by wildlife is impracticable during the daylight hours, the  
27 commissioner may issue permits for the taking of such wildlife as [he]  
28 the commissioner deems necessary to control such damage by such  
29 method as [he] the commissioner determines, including the use of  
30 lights, during the period between sunset and sunrise, upon written  
31 application of the owner or lessee of record of the land on which such  
32 crops are grown. Such permits may be issued to any qualified person  
33 designated by such landowner or lessee. The person to whom such  
34 permit is issued shall be held responsible for complying with the  
35 conditions under which such permit is issued. The provisions of this  
36 section shall not apply to deer.

37 (b) (1) No person shall engage in the business of controlling  
38 nuisance wildlife, other than rats or mice, without obtaining a license  
39 from the commissioner. Such license shall [expire on the last day of  
40 December next succeeding its issuance] be valid for a period of two  
41 years and may be renewed in accordance with a schedule established  
42 by the commissioner. The fee for such license shall be [fifty] one  
43 hundred dollars. The controlling of nuisance wildlife at the direction of  
44 the commissioner shall not constitute engaging in the business of  
45 controlling nuisance wildlife for the purposes of this section. No  
46 person shall be licensed under this subsection unless; [he] (A) The  
47 applicant provides evidence, satisfactory to the commissioner, that [he]  
48 the applicant has completed training which included instruction in site

49 evaluation, methods of nonlethal and approved lethal resolution of  
50 common nuisance wildlife problems, techniques to prevent  
51 reoccurrence of such problems and humane capture, handling and  
52 euthanasia of nuisance wildlife and instruction in methods of  
53 nonlethal resolution of common nuisance wildlife problems, including,  
54 but not limited to, training regarding frightening devices, repellants,  
55 one-way door exclusion and other exclusion methods, habitat  
56 modification and live-trapping and releasing and other methods as the  
57 commissioner may deem appropriate; and (B) is a resident of this state  
58 or of a foreign state or jurisdiction that does not prohibit residents of  
59 this state from being licensed as nuisance wildlife control operators  
60 because of lack of residency or domicile in that foreign state or  
61 jurisdiction. The licensure requirements of this subsection shall apply  
62 to municipal employees, including but not limited to animal control  
63 officers, except that no license shall be required of such of employees  
64 for the emergency control of rabies.

65 (2) The commissioner shall adopt regulations in accordance with the  
66 provisions of chapter 54 which (A) define the scope and methods for  
67 controlling nuisance wildlife provided such regulations shall  
68 incorporate the recommendations of the 1993 report of the American  
69 Veterinary Medical Association panel on euthanasia and further  
70 provided such regulations may provide for the use of specific  
71 alternatives to such recommendations only in specified circumstances  
72 where use of a method of killing approved by such association would  
73 involve an imminent threat to human health or safety and only if such  
74 alternatives are designed to kill the animal as quickly and painlessly as  
75 practicable while protecting human health and safety, and (B) establish  
76 criteria and procedures for issuance and renewal of a license.

77 [(2)] (3) Except as otherwise provided in regulations adopted under  
78 this section, no person licensed under this subsection may kill any  
79 animal by any method which does not conform to the  
80 recommendations of the 1993 report of the American Veterinary  
81 Medical Association panel on euthanasia. No person may advertise

82 any services relating to humane capture or relocation of wildlife unless  
83 all methods employed in such services conform to such regulations.

84 [(3)] (4) Any person licensed under this subsection shall provide all  
85 clients with a written statement approved by the commissioner  
86 regarding approved lethal and nonlethal options, as provided in this  
87 subsection, which are available to the client for resolution of common  
88 nuisance problems. If a written statement cannot be delivered to the  
89 client prior to services being rendered, the licensee shall leave the  
90 statement at the job site or other location arranged with the client.

91 [(4)] (5) On or before February first of each year, or at such other  
92 time as the commissioner may determine, each person licensed under  
93 this subsection shall submit a report to the commissioner which  
94 specifies the means utilized in each case of nuisance wildlife control  
95 service provided in the preceding calendar year including any method  
96 used in those cases where an animal was killed. Any information  
97 included in such report which identifies a client of such person or the  
98 client's street address may be released by the commissioner only  
99 pursuant to an investigation related to enforcement of this section.

100 (c) Any person who violates any provision of this section, or any  
101 condition under which a permit or license is issued, shall be fined not  
102 less than twenty-five dollars nor more than two hundred dollars or be  
103 imprisoned not more than sixty days or be both fined and imprisoned;  
104 and any permit or license issued to such person, and all other such  
105 permits or licenses issued to any other person for such property, shall  
106 be revoked by the commissioner and the right to obtain such permit or  
107 license shall remain suspended for such period of time as the  
108 commissioner determines.

109 (d) Any permit or license issued under this section shall not  
110 authorize the taking of deer.

111 Sec. 2. Section 20-197 of the general statutes is repealed and the  
112 following is substituted in lieu thereof:

113 No person shall practice veterinary medicine, surgery or dentistry  
114 [until he has obtained] without obtaining a license as provided in  
115 section 20-199. A person shall be construed to practice veterinary  
116 medicine, surgery or dentistry, within the meaning of this chapter,  
117 [who holds himself out as being] if the person purports to be able to  
118 diagnose, administer biologics for, treat, operate or prescribe for any  
119 animal or bird disease, pain, injury, deformity or physical condition, or  
120 [who] either offers or undertakes within the context of a valid  
121 veterinarian-client-patient relationship, by any means or methods, to  
122 diagnose, administer biologics for, treat, operate or prescribe for any  
123 animal or bird disease, pain, injury, deformity or physical condition.  
124 The euthanizing of animals in accordance with applicable state and  
125 federal drug laws by the Connecticut Humane Society and the floating  
126 of teeth in horses by persons experienced in that practice shall not be  
127 deemed to be the practice of veterinary medicine. For the purposes of  
128 this section; [, "floating teeth"] (1) "Floating teeth" means using hand-  
129 held rasps to reduce or eliminate sharp or uneven edges on a horse's  
130 upper and lower molars to avoid injury to the tongue and cheeks and  
131 to improve chewing food, but does not include treating decay, tumors  
132 or extracting teeth; and (2) veterinarian-client-patient relationship"  
133 means (A) the veterinarian has assumed the responsibility for making  
134 medical judgments regarding the animal's health and the need for  
135 medical treatment and the client, owner or other caretaker has agreed  
136 to follow the veterinarian's instructions, (B) the veterinarian has  
137 sufficient knowledge of the animal to initiate at least a general or  
138 preliminary diagnosis or prognosis of the animal's medical condition,  
139 with such knowledge based on the veterinarian having recently seen  
140 or being personally acquainted with the animal's keeping and care by  
141 virtue of an examination or by medically and timely visits to the  
142 premises where the animal is kept, or both, and (C) the practicing  
143 veterinarian is readily available or has arranged for emergency  
144 veterinary coverage for follow-up in case of adverse reactions or  
145 failure.

146 Sec. 3. Section 22-126a of the general statutes is repealed and the

147 following is substituted in lieu thereof:

148 The Commissioner of Agriculture, at the request and expense of the  
149 authority in charge of any animal drawing contest, shall provide for  
150 the administration of a program to test, immediately before or after a  
151 drawing contest, for the presence of drugs in any animals participating  
152 in such contest. The authority may charge the owner of the animal  
153 being tested for the cost of such test. The commissioner may, within  
154 available appropriations, on [his] the commissioner's own initiative  
155 and at state expense, test animals participating in such contest on a  
156 random basis for the presence of drugs. The authority in charge of  
157 such contest shall provide well-lighted facilities, removed from the  
158 public, for the administration of such test. The owner or trainer of any  
159 animal being so tested shall provide assistance and proper restraint for  
160 confining such animal for and during the administration of such test. If  
161 the animal continues to resist the test after restraint is applied and the  
162 person administering the test determines a danger exists to the animal  
163 or persons present at the test, an alternative test shall be administered.  
164 No prize money shall be paid until the result of the test is known. If  
165 any such test reveals the presence of a drug in any such animal, such  
166 animal shall be disqualified to participate in such contest, shall be  
167 ineligible to receive any prize money awarded in such contest and  
168 such animal shall be barred from participating in any such contest held  
169 in this state for a period of one year from the date of receipt by the  
170 commissioner of the results of the test. The owner or trainer or both the  
171 owner and trainer of any such animal shall be barred from entering  
172 any other animal in any such contest held in this state for a period of  
173 not less than one year nor more than two years, at the commissioner's  
174 discretion, from the date of receipt by the commissioner of the results  
175 of the test for the first finding of the presence of a drug and for a  
176 period of not less than two years nor more than three years, at the  
177 commissioner's discretion, for a second such finding. The owner of any  
178 such animal shall reimburse the authority in charge of such animal  
179 drawing contest or the state, as the case may be, for the expense of  
180 such test. The owner may appeal, in accordance with the provisions of

181 chapter 54, any action by the commissioner authorized by this section.  
182 As used in this section; [, "drug"] (1) "Drug" means any medication,  
183 stimulant, depressant, hypnotic or narcotic used in the diagnosis, cure,  
184 mitigation, treatment or prevention of disease in [man] humans or  
185 other animals; and (2) "trainer" means any person responsible for the  
186 care, training, custody or performance of an animal including, but not  
187 limited to, a person who signs an entry form for participation in an  
188 event or who has control of the animal during such contest.

***Statement of Purpose:***

To allow regional dog pounds when the region's population is less than seventy thousand; to facilitate renewing an animal control license by making it once every two years rather than annually and adjusting the fee accordingly; to require applicants as nuisance wildlife control operators to be residents of this state or a state that allows nonresidents to be licensed; to make it clear that municipal animal control officers need a license to engage in most nuisance wildlife control; to facilitate the filing of annual reports; to clarify the context of a veterinarian-client-patient relationship to clarify the responsibilities of a trainer in animal drugging cases; and to make technical changes.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*