



## Senate

General Assembly

**File No. 426**

January Session, 2001

Substitute Senate Bill No. 1013

*Senate, April 24, 2001*

The Committee on Environment reported through SEN. WILLIAMS of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### **AN ACT CONCERNING DOG FUND REIMBURSEMENTS TO TOWNS.**

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

1 Section 1. Section 22-348 of the general statutes is repealed and the  
2 following is substituted in lieu thereof:

3 The [State Treasurer] Commissioner of Agriculture, at the end of  
4 each fiscal year, shall [set aside from fees received by him pursuant to  
5 section 22-347, ten cents from each dog license issued during the fiscal  
6 year. Such sums shall be allocated] request that for each dog license  
7 issued during the fiscal year, ten cents is transferred, from fees  
8 received pursuant to section 22-347, to The University of Connecticut  
9 for investigation and research concerning the cause, diagnosis,  
10 treatment and prevention of canine diseases. The balance of such fees,  
11 if in excess of five thousand dollars, remaining unexpended on August  
12 first following shall be returned, pro rata, to the towns [which] that  
13 paid the same, upon certification by the commissioner that the town  
14 receiving such rebate has complied with the provisions of this chapter

15 and the regulations adopted hereunder. A balance of five thousand  
16 dollars or less of such funds shall be carried into the following fiscal  
17 year.

18 Sec. 2. Section 22-341 of the general statutes is repealed and the  
19 following is substituted in lieu thereof:

20 (a) Each owner or keeper of a licensed dog shall keep around its  
21 neck or body a collar or harness of leather or other suitable material, to  
22 which shall be securely attached a tag or plate issued to such person by  
23 the town clerk. If any such tag or plate is lost, the owner or keeper of  
24 such dog shall forthwith secure a substitute tag or plate from the town  
25 clerk, at a cost of fifty cents.

26 (b) The town clerk of each town shall order a sufficient number of  
27 such tags or plates from the commissioner, who shall furnish the same  
28 at a cost of five cents each, which cost shall be paid by the town on the  
29 approval of the town clerk. Any balance of the moneys received by the  
30 commissioner after deducting the cost of the tags, the expenses  
31 incidental to their distribution to the town clerks and the expenses  
32 incidental to the enforcement of the provisions of this chapter, shall be  
33 accounted for by the commissioner to the Comptroller. [and paid to  
34 the State Treasurer and credited to the dog fund.] The design and the  
35 shape of such tags or plates shall be changed each year, and such tags  
36 or plates for each year shall be of uniform design and material  
37 throughout the state. Any dog found roaming at large upon any public  
38 highway or common or upon the premises of any person other than its  
39 owner, without a tag as provided in this section, shall be presumed to  
40 be an unlicensed dog.

41 Sec. 3. Subsection (c) of section 22-344 of the general statutes is  
42 repealed and the following is inserted in lieu thereof:

43 (c) No person shall engage in the business of grooming or  
44 maintaining a grooming facility until such person has obtained from

45 the commissioner a license to maintain such facility under such  
46 regulations as the commissioner provides as to sanitation, disease and  
47 humane treatment of such animals and the protection of the public  
48 safety. Upon written application and the payment of a fee of one  
49 hundred dollars, the commissioner shall issue such license to be  
50 effective until the ensuing December thirty-first provided the  
51 commissioner finds (1) that such regulations have been complied with,  
52 and (2) in the case of each initial application for such license, that the  
53 zoning enforcement official of the municipality wherein such  
54 grooming is to be maintained has certified that the facility conforms to  
55 the municipal zoning regulations. Such license shall be renewed  
56 annually, not later than December [twenty-first] thirty-first, in  
57 accordance with the provisions of this section, and may be transferred  
58 by the licensee to other premises upon approval of the commissioner.

59 Sec. 4. Section 22-347 of the general statutes is repealed and the  
60 following is substituted in lieu thereof:

61 Within thirty days after receipt of the fees for dog licenses and tags,  
62 each town clerk shall deduct one dollar for each dog licensed, two  
63 dollars for each kennel license issued and fifty cents for each  
64 replacement tag issued and pay the balance to the town treasurer or  
65 other proper fiscal officer. Each town treasurer or fiscal officer, as the  
66 case may be, shall keep a separate dog fund account of all fees received  
67 from the town clerk, and all receipts from the municipal animal control  
68 officer and expended by [him] said officer under the provisions of this  
69 chapter, and shall pay to the [State Treasurer] Commissioner of  
70 Agriculture, on September first of each year, fifty per cent of all  
71 moneys received from the sale of licenses prior to July first, or forty per  
72 cent of all such moneys if the town has made a survey of unlicensed  
73 dogs in accordance with the provisions of section 22-349, and include  
74 with such payment a statement of the number of licenses issued  
75 during such year. All moneys received from licenses sold after June  
76 thirtieth and all moneys received from the municipal animal control

77 officer and all license fees returned to the town by the State Treasurer,  
78 at the request of the commissioner, under the provisions of section 22-  
79 348, as amended by this act, shall be kept by the town treasurer or  
80 other fiscal officer in the separate dog fund account. The town  
81 treasurer or other fiscal officer shall, on the ensuing September first,  
82 send fifty per cent, or forty per cent as the case may be, of all license  
83 fees in such account to the [State Treasurer] commissioner, including  
84 any penalty fees collected pursuant to section 22-338. All payments to  
85 the [State Treasurer] commissioner shall be accompanied by an  
86 account thereof in a form prescribed by the [State Treasurer]  
87 commissioner and a copy of such account shall be sent to the  
88 commissioner. Upon the failure of any town treasurer or other fiscal  
89 officer to pay any amount due pursuant to this section, or any portion  
90 thereof, within forty-five days from its due date, the [Treasurer]  
91 commissioner shall add interest of one and one-fourth per cent per  
92 month or fraction thereof on the amount unpaid per month or fraction  
93 thereof from the due date of such payment to the date of payment and  
94 a penalty in the amount of ten per cent of the amount unpaid or fifty  
95 dollars, whichever is greater. All funds in the dog fund account, except  
96 such funds as are to be sent to the [State Treasurer] commissioner,  
97 shall be used only for the compensation of municipal animal control  
98 officers, license certificates, tags, the construction and maintenance of  
99 dog pounds, the detention and care of impounded dogs in accordance  
100 with section 22-336, municipal animal control officer's equipment, dog  
101 supplies and such veterinary fees as are provided for by law or  
102 regulations and shall not be used for any other purpose except upon  
103 written approval of the commissioner. No fees paid into the treasury of  
104 the town for tags or licenses for dogs shall be paid back to the persons  
105 from whom they were collected.

106 Sec. 5. Subsection (f) of section 22-355 of the general statutes is  
107 repealed and the following is substituted in lieu thereof:

108 (f) Sheep, goats, horses, hogs, cattle, poultry and domestic rabbits

109 shall be confined or shall be enclosed by a fence or wall of material and  
110 height sufficient to restrain them from roaming. In any case in which  
111 any town has paid an amount in excess of one hundred dollars for  
112 such damage to the owner of any such animal or poultry, and the  
113 amount of such damage cannot be collected from the owners, keepers  
114 or harborers of such dogs, the selectmen, town manager or other chief  
115 executive officer of such town, city or borough shall forward to the  
116 [State Treasurer] commissioner a statement of the facts, showing the  
117 amount so paid, and the State Treasurer, at the request of the  
118 commissioner, shall reimburse such town, city or borough for the  
119 amount of such damage, from the funds received by the state under  
120 the provisions of this chapter.

121 Sec. 6. Section 22-345 of the general statutes is repealed and the  
122 following is substituted in lieu thereof:

123 Any blind, deaf or mobility impaired person who is the owner or  
124 keeper of a dog which has been trained and educated to guide and  
125 assist [him] such person in traveling upon the public streets or  
126 highways or otherwise shall receive a license and tag for such dog  
127 from the town clerk of the town where such dog is owned or kept.  
128 Such license and tag shall be issued in accordance with the provisions  
129 of section 22-340, and no fee shall be required of the owner or keeper  
130 of any such dog. When any such dog has not been previously licensed  
131 by the town clerk to whom application is being made, such town clerk  
132 shall not license such dog or issue to the owner a license and tag unless  
133 written evidence is exhibited to [him] such clerk that the dog is trained  
134 and educated and intended in fact to perform such guide service for  
135 such applicant. Any person who has a dog [between the age of six  
136 months and one year] placed with [him] such person temporarily,  
137 including for breeding purposes, by a nonprofit organization  
138 established for the purpose of training or educating guide dogs to so  
139 assist blind, deaf or mobility impaired persons shall receive a license  
140 and tag for such dog from the town clerk of the town where such dog

141 is kept. Such license and tag shall be issued in accordance with the  
142 provisions of section 22-340, and no fee shall be required for such  
143 license and tag, provided such person presents written evidence that  
144 such dog was placed with [him] such person by such organization. As  
145 used in this section and section 46a-44, "deaf person" means a person  
146 who cannot readily understand spoken language through hearing  
147 alone and who may also have a speech defect which renders [his] such  
148 person's speech unintelligible to most people with normal hearing.

**Statement of Legislative Commissioners:**

The language in section 1 was rewritten for purposes of clarification.

**ENV**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** Minimal

**Affected Agencies:** Department of Agriculture, Office of the State Treasurer

**Municipal Impact:** Minimal

**Explanation**

**State and Municipal Impact:**

The bill makes the Department of Agriculture (DOA) Commissioner, instead of the State Treasurer, the administrator of the dog fund. Since the DOA currently oversees the regulatory and enforcement activities related to canine control (paid by the dog fund) and collects and accounts for the fees before distribution to the State Treasurer, only a minimal workload increase within existing resources, to the DOA and minimal decrease to the State Treasurer is anticipated. Setting a \$5,000 limit for funds to be carried forward into the next year will result in a minimal reduction in costs to DOA and a potential delay in a minimal amount of revenue to certain municipalities. This will eliminate the need to reimburse very small amount of funds to the various municipalities.

In FY 00, the total revenue deposited into the State Dog Fund was \$708,259.

In addition, exempting the dog license fee for additional guide dogs

is anticipated to minimally reduce revenues to the town and state dog funds.

**OLR Bill Analysis**

sSB 1013

**AN ACT CONCERNING DOG FUND REIMBURSEMENTS TO TOWNS.****SUMMARY:**

This bill makes the agriculture commissioner, instead of the state treasurer, the administrator of the dog fund, and requires him to carry forward up to \$5,000 in the account each fiscal year. It waives dog license fees for people who have guide dogs of any age, instead of between age six months and one year, placed temporarily with them by non profit organizations that train guide dogs. It extends the waiver to people who have the dogs placed with them for breeding purposes. The bill also eliminates a requirement that the commissioner pay the treasurer money the commissioner collects from the sale of dog tags to municipalities, and it changes the annual deadline for renewing dog grooming facility licenses from December 21 to December 31.

EFFECTIVE DATE: October 1, 2001

**DOG FUND**

Under current law, on each September 1, municipalities pay the state treasurer 50% (or 40% if the town has surveyed unlicensed dogs) of the money they have collected from dog licenses, kennel licenses, and replacement tags sold by July 1. At the end of the fiscal year, the state treasurer, after deducting 10 cents per dog license to fund canine disease research at the University of Connecticut, returns the balance to municipalities on a pro rata basis.

The bill makes the commissioner the administrator of those funds. It requires him, at the end of each fiscal year, to ask the treasurer to transfer the money to UConn, and to distribute any funds over \$5,000 remaining on August 1 to towns on a pro rata basis. He must carry the balance into the next fiscal year.

**DAMAGE DONE BY DOGS TO DOMESTIC ANIMALS**

By law, the treasurer must reimburse towns that have paid more than \$100 in damages to domestic animal owners whose animals were harmed by dogs. Such reimbursement is required when the town is unable to collect damages from the dog owner. The bill requires towns to send information about such incidents to the commissioner, instead of the treasurer, and requires the commissioner to ask the treasurer to reimburse the towns.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute  
Yea 28    Nay 0