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HOUSE JOINT RESOLUTION NO. 57

Offered January 13, 2010

Prefiled January 11, 2010

Establishing a joint subcommittee to study the administration of animal welfare and enforcement. Report.

Patron—Griffith

Referred to Committee on Rules

WHEREAS, the regulation and enforcement of animal welfare laws have increasingly occurred within the scope of the criminal justice system; and

WHEREAS, a stakeholder committee sponsored by the Virginia State Crime Commission reviewed the animal control officer program and concluded that the Virginia Department of Agriculture and Consumer Services is not the proper oversight agency for animal control officers; and

WHEREAS, the statewide survey conducted in conjunction with the stakeholder committee indicated that both the adequacy of training and the availability of regional training opportunities for animal control officers were concerns for the majority of responding localities; and

WHEREAS, the Virginia Department of Agriculture and Consumer Services has numerous obligations that may, at times, conflict with its authority to regulate and enforce animal welfare laws applicable to agricultural and companion animals; and

WHEREAS, the separation of the responsibilities currently attributed to the State Veterinarian into two positions, with one focusing on animal health and the other on animal welfare, and locating animal welfare duties and the oversight of animal control under another agency would benefit the Commonwealth; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study institutional design of animal welfare and enforcement. The joint subcommittee shall have a total membership of 16 members that shall consist of eight legislative members, seven nonlegislative citizen members, and one ex officio member. Members shall be appointed as follows: five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate to be appointed by the Senate Committee on Rules; four nonlegislative citizen members to be appointed by the Speaker of the House of Delegates upon consideration of the recommendation of the Virginia Association of Counties, Virginia Farm Bureau, Virginia Municipal League, and Virginia Association of Commonwealth's Attorneys, if any; and three nonlegislative citizen members to be appointed by the Senate Committee on Rules upon consideration of the recommendation of the Virginia Agribusiness Council, Virginia Sheriffs Association, and Virginia Association of Chiefs of Police, if any. The State Veterinarian or his designee shall serve ex officio with nonvoting privileges. Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall examine best management practices in Virginia and other states for animal humane law enforcement and regulation, the most effective standards for training and supervision of animal control officers, the real and potential conflicts between animal welfare and animal health professionals, the appropriate oversight agency and division of responsibilities for animal health and humane laws and regulatory programs, and the perceived and actual costs of shifting from the existing institutional design.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2010 interim, and the direct costs of this study shall not exceed \$10,800 without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is

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59 agreed to, written authorization of both Clerks shall be required.

60 No recommendation of the joint subcommittee shall be adopted if a majority of the House members
61 or a majority of the Senate members appointed to the joint subcommittee (i) vote against the
62 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the
63 joint subcommittee.

64 The joint subcommittee shall complete its meetings by November 30, 2010, and the chairman shall
65 submit to the Division of Legislative Automated Systems an executive summary of its findings and
66 recommendations no later than the first day of the 2011 Regular Session of the General Assembly. The
67 executive summary shall state whether the joint subcommittee intends to submit to the General
68 Assembly and the Governor a report of its findings and recommendations for publication as a House or
69 Senate document. The executive summary and the report shall be submitted as provided in the
70 procedures of the Division of Legislative Automated Systems for the processing of legislative documents
71 and reports and shall be posted on the General Assembly's website.

72 Implementation of this resolution is subject to subsequent approval and certification by the Joint
73 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
74 delay the period for the conduct of the study, or authorize additional meetings during the 2010 interim.

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