

ASSEMBLY BILL NO. 1219
(Second Reprint)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am herewith returning Assembly Bill No. 1219 (Second Reprint) with my recommendations for reconsideration.

Assembly Bill No. 1219 (Second Reprint) would prohibit any rabies testing from being performed on a dead domestic companion animal until the health official requiring the rabies testing, or the veterinarian preparing and submitting the specimen for rabies testing, has complied with the requirements set forth in the bill. Such requirements include providing the owner of the animal with both written and verbal notice of the following: 1) the necessity of the rabies testing; 2) the rabies testing protocol to be followed; 3) the protocol to be followed with regard to the handling of the animal's body; 4) the protocol to be followed with regard to the disposal of the animal's body or its return to the owner; and 5) the protocol for decapitation of the animal. The bill also requires the health official or veterinarian to obtain written acknowledgment from the owner that the necessary notification of protocols and procedures was received prior to conducting any rabies testing on the animal in question.

The bill would also increase penalties for persons who violate provisions of the law regarding the treatment of rabid animals, including the provisions of this bill, from a minimum of \$5.00 and maximum of \$50.00, to a minimum of \$50.00 and a maximum of \$250.00.

I commend the bill's sponsors for recognizing the trauma that pet owners can experience when their companions are subject to rabies testing and the pet owners have not been fully informed of the procedure. This bill will ensure that pet owners are properly informed of the protocols associated with the process in order to minimize this trauma.

While I support the laudable goals of this legislation, I am concerned that requiring a written acknowledgement could jeopardize public health if a health official or veterinarian is unable to conduct a necessary and time-sensitive procedure due to the inability to obtain the written acknowledgment. In order to properly balance the goals of this bill with the health and safety of our communities, I am recommending modest revisions to allow a health official or veterinarian to proceed with rabies testing in the absence of written acknowledgment from the owner if reasonable and documented attempts to contact the owner and obtain a signature are unsuccessful.

Therefore, I herewith return Assembly Bill No. 1219 (Second Reprint) and recommend that it be amended as follows:

Page 3, Section 2, Line 5: Delete "No" and insert "Except as provided under subsection e. of this section, no"

Page 4, Section 2, Line 22: After "(C.4:19-15.16)." insert "In cases where a veterinarian or health official has made reasonable attempts to contact the owner to comply with this section and the owner is unable to be contacted or refuses to provide a signature, rabies testing can proceed. When contact is made but a written signature of acknowledgment by the owner cannot be obtained, the veterinarian or health official shall document the date and time that verbal notification was made to the owner and keep this information on file for six months."

[seal]

Respectfully,

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor