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# State Legislative Resources

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## State legislative updates

Posted 13 August 2008

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### New laws adopted

Over 100,000 bills have been introduced this year in state legislatures, with about 31,000 enacted so far. Some highlights from the last month:

- California Gov. Arnold Schwarzenegger signed legislation to crack down on the sale of downed cattle for human consumption in response to the largest beef recall in U.S. history. The new law prohibits a slaughterhouse, stockyard, auction, or dealer from buying, selling, or receiving a non-ambulatory animal. Slaughterhouses are also prohibited from processing, butchering, or selling meat or other products of non-ambulatory animals for human consumption.
- California also adopted detailed provisions updating the state's pet trust statute. One of the goals is to ensure that the animals designated in the trust are protected and cared for as the owner intended and not sent unnecessarily into the shelter system. For more information about pet trusts in general, see [http://www.avma.org/advocacy/state/issues/sr\\_pet\\_trusts.asp](http://www.avma.org/advocacy/state/issues/sr_pet_trusts.asp).
- Louisiana enacted legislation to require licensing of persons or entities breeding five or more dogs or selling dogs at retail, wholesale, or directly to the public. Another recently passed law in the state allows a domestic relations court to enter a temporary restraining order granting exclusive care, possession, or control of any pet. The court also can order that a person refrain from harassing, interfering with, abusing or injuring any pet owned or kept by either party in the legal action or a minor child.
- A new law in Rhode Island prohibits the transport or shelter of an equine in or on a trailer, conveyance or any other vehicle with two or more levels stacked on top of one another.
- New York Gov. David Paterson signed into law several measures relating to animals. One prohibits manufacturers from using traditional animal test methods where an appropriate alternative test method has been scientifically validated and adopted by the federal agency responsible. Exemptions are provided for medical research or tests in compliance with the requirements of state or federal agencies. Another signed bill establishes state and county response teams to support the prevention of, preparedness for, response to, and recovery from emergencies and disasters affecting animals in the state.

### Regulatory developments

The Utah Department of Commerce issued regulations making several changes to Veterinary Practice Act rules, including licensure requirements, continuing education and adoption of AVMA Principles of Veterinary Medical Ethics.

In Illinois, the Department of Natural Resources approved an emergency rule to address the spread of the viral hemorrhagic septicemia (VHS) virus in the Great Lakes region, requiring, in part, that all fish imported from the Great Lakes states must be certified as VHS free.

### Court watch

On July 30, the New Jersey Supreme Court upheld most of the state's regulations on the treatment of livestock as consistent with the meaning of the term "humane," including castration, de-beaking of poultry, toe-rimming of turkeys, crating, tethering, and transport to slaughter. The court, however, struck down the Department of Agriculture's exemption for "routine husbandry practices" and directed the agency to clarify exactly who is properly trained to perform procedures to make sure they are sanitary and minimize pain. The court also criticized the practice of tail docking, the amputation of part of a cow's tail. The department will work on clarifying the rules to be in compliance with the court opinion. The case goes back to 2004, when the state adopted the regulations meant to provide for the humane treatment of farm animals. A coalition of organizations filed a civil lawsuit contending the regulations authorized industry practices that are inhumane and provided no benefit to the animals. <http://lawlibrary.rutgers.edu/courts/supreme/a-27-07.opn.html>

### Legislative meetings

The AVMA represented veterinary medicine at the Legislative Summit of the National Conference of State Legislatures, which was held in New Orleans, La. on July 21-26. We joined hundreds of other exhibitors at the conference and generated a great deal of interest, particularly on the day where three rescue dogs from the Louisiana Search and Rescue Team joined us in the booth. As in past years, this conference provided veterinary medicine with a great opportunity to tell legislators its compelling story and showcase the expertise of veterinarians.

On August 11, AVMA President Dr. James Cook and Maine State Veterinarian Dr. Don Hoenig addressed the Eastern Regional Conference of the Council of State Governments in Atlantic City, N.J. on the subject of how states are addressing the shortage of large animal veterinarians. Meanwhile, the Midwestern Legislative Conference of the Council of State Governments met in Rapid City, N.D., and adopted a resolution opposing the California initiative this November to prohibit cage housing of certain farm animals. The conference also voted to strongly encourage the U.S. Congress to support continued transportation of horses in the United States.

The link at the top or bottom of the page will take you to the latest chart of significant pending bills and regulations from around the country. Thank you for keeping us informed on legislative developments in your state.

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