

1.1 ..... moves to amend H.F. No. 391 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2012, section 346.47, subdivision 2, is amended to read:

1.4 Subd. 2. **Impoundment; record keeping.** All animals seized by public authority  
1.5 must be held in an establishment for redemption by the owner for at least five regular  
1.6 business days of the establishment or for a longer time specified by municipal ordinance.  
1.7 Establishments must maintain the following records of the animals in custody, and  
1.8 preserve the records for at least six months:

1.9 (1) the description of the animal by species, breed, sex, approximate age, and other  
1.10 distinguishing traits;

1.11 (2) the location at which the animal was seized;

1.12 (3) the date of seizure;

1.13 (4) the name and address of the person from whom any animal three months of age  
1.14 or over was received; and

1.15 (5) the name and address of the person to whom any animal three months of age  
1.16 or over was transferred.

1.17 ~~The records must be maintained in a form permitting easy perusal by the public.~~  
1.18 ~~A person may view the records and animals in custody at any time during which the~~  
1.19 ~~establishment is open to the public.~~

1.20 Sec. 2. **[346.60] TITLE.**

1.21 Sections 346.60 to 346.69 shall be known as the "Minnesota Companion Animal  
1.22 Protection Act."

1.23 Sec. 3. **[346.61] DEFINITIONS.**

1.24 Subdivision 1. **Scope.** The definitions in this section apply to sections 346.60 to  
1.25 346.69.

2.1 Subd. 2. **Animal.** "Animal" means a living creature of a species normally kept  
2.2 as a pet.

2.3 Subd. 3. **Dangerous dog.** "Dangerous dog" means a dog adjudicated to be vicious  
2.4 under section 347.50 by a court of competent jurisdiction after all appeals of that judicial  
2.5 determination have been unsuccessful.

2.6 Subd. 4. **Private sheltering agency.** "Private sheltering agency" means a shelter,  
2.7 society for the prevention of cruelty to animals, humane society, or animal adoption group  
2.8 designated as a nonprofit under section 501 (c)(3), of the Internal Revenue Code, that:

2.9 (1) neither receives public funding nor has a contract with a city, town, or  
2.10 municipality under which it accepts stray or owner-relinquished animals;

2.11 (2) accepts animals into a physical facility other than a private residence; and

2.12 (3) places into new homes stray or owner-relinquished animals or animals who have  
2.13 been removed from a public or private sheltering agency.

2.14 Subd. 5. **Public sheltering agency.** "Public sheltering agency" means a public  
2.15 animal control shelter or pound, private shelter, society for the prevention of cruelty to  
2.16 animals, humane society, or any person or group that receives funding or has a contract with  
2.17 a city, town, or municipality under which it accepts stray or owner-relinquished animals.

2.18 Subd. 6. **Rescue group.** "Rescue group" means a collaboration of individuals not  
2.19 operated for a profit, whose primary stated purpose is animal adoption or animal rescue, or  
2.20 which is formed for the prevention of cruelty to animals.

2.21 Subd. 7. **Savable animal.** "Savable animal" means any animal that is either healthy  
2.22 or treatable and is not a dangerous dog.

2.23 Subd. 8. **Stray animal.** "Stray animal" means an animal that is impounded without  
2.24 a known owner present at impound who is voluntarily relinquishing custody.

2.25 Subd. 9. **Treatable animal.** "Treatable animal" means an animal that is sick or  
2.26 injured, whose prognosis for rehabilitation of that illness or injury is excellent, good, fair,  
2.27 or guarded as determined by a veterinarian.

2.28 Subd. 10. **Veterinarian.** "Veterinarian " means a person licensed to practice  
2.29 veterinary medicine in this state.

2.30 **Sec. 4. [346.68] EUTHANASIA OF ANIMALS.**

2.31 No savable animal possessed by a public or private sheltering agency may be killed  
2.32 simply because the holding period under section 346.47 has expired. Before an animal is  
2.33 killed, all of the following conditions must be met:

2.34 (1) there are no empty cages, kennels, or other living environments in the shelter;

- 3.1 (2) the animal cannot reasonably share a cage or kennel with another animal because  
3.2 the animal is aggressive to other animals, has a contagious illness the other animal does  
3.3 not have, or is injured and sharing the cage with another animal will aggravate the injury;  
3.4 (3) a foster home is not available; and  
3.5 (4) the director of the agency certifies there is no alternative.

3.6 **Sec. 5. [346.69] METHOD OF EUTHANASIA.**

3.7 (a) Animals possessed by a public or private sheltering agency or rescue group  
3.8 may be killed only when necessary and only by lethal intravenous injection of sodium  
3.9 pentobarbital, except as follows:

3.10 (1) intraperitoneal injections may be used only under the direction of a veterinarian  
3.11 and only when intravenous injection is not possible for infant animals, companion animals  
3.12 other than cats and dogs, or comatose animals with depressed vascular function; and

3.13 (2) intracardiac injections may be used only when intravenous injection is not  
3.14 possible for animals that are completely unconscious or comatose or for exotic animals  
3.15 such as rats after proper sedation, and then only under the direction of a veterinarian.

3.16 (b) Animals may be sedated or tranquilized as necessary to minimize their stress  
3.17 or discomfort or, in the case of vicious animals, to ensure staff safety, except that  
3.18 neuromuscular blocking agents must not be used.

3.19 (c) Following their injection, animals must be lowered to the surface on which they  
3.20 are being held and must not be permitted to drop or otherwise collapse without support.

3.21 (d) An animal may not be left unattended between the time procedures to kill the  
3.22 animal are commenced and the time death occurs, nor may the body be disposed of until  
3.23 death is verified.

3.24 (e) Verification of death must be confirmed for each animal in all of the following  
3.25 ways:

3.26 (1) by lack of heartbeat, verified by stethoscope;

3.27 (2) by lack of respiration, verified by observation;

3.28 (3) by pale, bluish gums and tongue, verified by observation; and

3.29 (4) by lack of eye response, verified if lid does not blink when eye is touched and  
3.30 pupil remains dilated when a light is shined on it.

3.31 (f) The room in which animals are killed must be cleaned and regularly disinfected  
3.32 as necessary, but no less than once per day on days the room is used, except that the area  
3.33 where the procedure is performed must be cleaned and disinfected between each procedure.

3.34 (g) The room in which animals are killed must have adequate ventilation that  
3.35 prevents the accumulation of odors.

4.1           (h) A veterinarian in this state or a euthanasia technician certified by the state  
4.2 certification program must perform the procedures in this section, except that if a state  
4.3 certification program does not exist, the procedure may be performed by a trained  
4.4 euthanasia technician working under the direction of a veterinarian.

4.5           (i) The room in which animals are killed must be closed off from view by other  
4.6 animals.

4.7           Sec. 6. **EFFECTIVE DATE.**

4.8           Sections 1 to 5 are effective the day following final enactment."

4.9           Amend the title accordingly