The agenda will cover:

    1. Reports

    2. Follow-up information and Status of “Dusty’s Law”

       A. The following text was copied from the NJLeg website noting nothing had been scheduled for both Jan 6 and Jan 13 at the time of my writing this message (Dec 31st):

           Voting Session: Board list to be announced

       B. A2728 <http://www.njleg.state.nj.us/2012/Bills/A3000/2728_I1.HTM>

       C. A4105 <http://www.njleg.state.nj.us/2012/Bills/A4500/4105_I1.HTM>

       D. S1907 <http://www.njleg.state.nj.us/2012/Bills/S2000/1907_I1.HTM>

       E. Resource reminder - NJ Legislature Mobile Website <http://www.njleg.state.nj.us/wmobile/wmlnjleg.asp>

    3. Success with NJAGDU State Convention Baskets donated by the Seeing Eye

    4. State Convention Review

    5. Questions and Discussion time

Meeting was called to order at 8:01p.m., Monday, January 6, 2014 by Vincent Chaney, President

Roll call:

Vincent Chaney, President

Trish Ebel, Vice President

Alice Eaddy, Secretary

Lynn Reynolds, Treasurer

Joe Ruffalo, NFBNJ President

Michelle Chaney

Angela Perone

Les Cameron

Anthony Lanzilotti

Rick Fox

Kathy Rawa

Lydia Keller

Jack Truehaft

Ginger Kutsch

Pat McKenna

Steve Rutch

Sue Tillett

Dan Facchini

Lydia treasures report: $235. 17 persons paid dues for a total of $85; we collected $110 from the raffle giving a grand total of $430 in the account after the state convention.

Congratulations’ all around as A4105 Dusty’s Law passed unanimously with a 79-0 vote. For today it is listed as completed or archived you can hear today’s session from the archived proceedings: view or listen to prior proceedings link on the New Jersey Legislature home page http://www.njleg.state.nj.us/. This all started with a 2009 resolution. The next step is for it to go to Governors desk. As reported by the committee, this Assembly Committee Substitute for Assembly Bill No. 4105 is identical to Senate Bill No. 1907, as amended and reported by the committee on this same date.  The Senate when it originally passed Dusty’s Law did so as reported by the Assembly Law and Public Safety Committee on December 12, 2013, with amendments referencing “service animals” as well. “Dusty’s Law” now establishes criminal penalties for killing, injuring or interfering with a service animal or guide dog.

Ginger Kutsch stated that she hoped that the governor signs it within the next week in the hopes of arranging a bill signing event. Further she said that as long as he signs it around January 15 Th or after 45 days it

automatically becomes law as it was signed with the stipulation that it would be effective immediately. Not at the end of a session.

Vinnie interjected that since the Senate unanimously passed it as well we’d have more than the 2/3 voted needed. The governor plans to sign it.

Ginger described their arrival at the Assembly Chamber first in the gallery and then briefly on the Assembly floor. In attendance with her were Jim Kutsch, Dave Johnson, and Trish Ebel, a four month old golden retriever and its puppy walker handlers and others. They were brought down to the floor when Charles Mainor introduced it and while they waited for the auto tally. After Mainor shook hands and there were lots of pictures taken.

The substitute defines a “guide dog” as a dog or dog in training which has been or is being raised or trained to provide assistance to a blind or deaf person, including but not limited to a dog that has been or is being raised or trained by a volunteer puppy raiser or staff member of an organization generally recognized as being involved in the rehabilitation of the blind or deaf and reputable and competent to provide dogs with specialized training.  The substitute defines a “service animal” as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.  This is the definition of a service animal under the federal Americans with Disabilities Act.  There is no protection against negligence just reckless behavior. A person who recklessly injures a guide dog, or recklessly permits a dog that he or she owns or has immediate control over, to injure a guide dog would be a disorderly person under the bill.  Disorderly person’s offenses are punishable by a term of imprisonment of up to six months, a fine of up to $1,000, or both.

      A person who recklessly interferes with the use of a guide dog, or who recklessly permits a dog that he or she owns or over which he or she has immediate control to interfere with a guide dog, by obstructing, intimidating, or otherwise jeopardizing the safety of that guide dog or its handler is guilty of a petty disorderly persons offense.

Anthony: A4105 now becomes a criminal offense and the police have to come in response to an animal attack call. A question was asked if the police department has a copy of the statute. They should be sent one as should animal control and your local mayors.

Ginger: The Seeing Eye has a flyer that can be modified for NJ and could be downloaded. Inform animal control especially if there is a problem animal in your neighborhood. Kathy: It could also be given out to store that you frequent like Pet Smart or Pet Co. Joe: maybe bring it to the attention of your veterinarian and animal shelter or SPCA. Ginger: the dog that attacked Dusty was a former shelter dog. Les said that his Pet Smart will post it once it is made law. Joe: once it is finalized we can put it on our website. It was asked if there was a NJ veterinarian magazine or association that could maybe post a release regarding it. Ginger said that’s a good idea.

Vinnie recapped discussion for Sue Tillet and will share this information with the Monmouth County ASPCA. Ginger suggested a letter to the editor or flyer in the Trenton Times. Vinnie had done a press release earlier. Trish: I have written letters to the editor individually via e-mail perhaps many could use her template, but it was stated that we should wait until the governor signs it. In the meantime you could call papers and get the e-mail address to your editor on the ready. Vinnie try your local weekly papers. It was asked if providing a sample letter to give people an idea of what to say would be helpful. Joe said when all of these are finalized send them to him via Brian Mackey and he will send them out to local papers in the meantime research the editors names and be sure to ask about the word count for letters to the editor.

Ginger suggested that people send thank you letters to the Assembly persons and especially to Mainor. Joe: Vinnie sent thank you’s to the assembly membership and co-sponsors. Trish will check for her list of districts and Assembly person names to make the effort easier for others. Joe and a big thank you goes out to Lisa Yakomin. Angela when you get a printable version she will approach persons like the mayor or other public officials. Joe thanked Vinnie and stated that once finalized Vinnie can send it to NAGDU for other states to see that are trying to do the same thing in their states. Ours can become the template or model to work from. Michele pointed out the number of hours Vinnie spent talking with Ginger either while they were traveling at the airport or between cruise departures when the ship came into various ports that supported internet access, saying she was very proud of him, Ginger and everybody working for this. Joe: Under Vincent’s leadership has been beautiful and time consuming, you did it together (with one ring master). You saw an issue and did what was needed to get it done. Joe: congratulations’ you guys did a good job Vinnie we networked together. Vinnie: I wanted to make the future better and for today as well.

We will talk of the history and education of the public and maybe we can get passed the negligence or ignorance of the law as an excuse do the road. Joe: a law is only as good if a person uses it. If there is follow through maybe it will be better in the future.

Vinnie asked, do you think that this bill is using the right definition of service, guide dog and guide dog puppies in training. The definition of service animal is that of the ADA but excluded service animals in training. Ginger perhaps at a later date service animal groups may want to get this definition fixed. In the end guide dog make out and service animals in training are not cover by my interpretation. In 2008 the law started out as just a civil offense but under Schroeder and our presenting the NFBNJ 2009 Resolution it was made criminal so that the police would be required to respond and is now in the penal code. Lisa Yakomin understood that when a guide dog is attacked we are helpless and unable to function and the dogs cannot do their job. If service animal groups should decide to work toward better wording the fine tuned should be easier.

Les related a situation in a Pet Smart where the other dog’s handler thought that it’s interference behavior were cute. Joe the idea is not to over use it but to seek sighted help as other dogs are allowed in a Pet Smart as a sort of social venue for dogs in general. Angela what is the degree of penalty?  Under the provisions of the bill, it is a crime of the fourth degree for a person to recklessly kill a guide dog, or to recklessly permit a dog that he or she owns or has immediate control over, to kill a guide dog.  Fourth degree crimes are punishable by a term of imprisonment of up to 18 months, a fine of up to $10,000, or both. Ginger said that interference penalties are lesser than reckless, as they may not necessarily be trying to hurt you. The penalties are dependent upon the level of intent, harm to the animal and the like. Vinnie noted Pat is a lawyer. Pat commented the law will have innate shades of grey within it. Ginger the majority of handlers do not report. Anytime a dog is loose it is at least a leash law violation. Vinnie stated that it’s a $25 fine in Old Bridge for a leash law violation.

There was some discussion of scooper laws and the requirement or need to pick up after your animal. Sometime to not do so may be from ignorance or it not being safe to do so. Yes, trying to clean up is ok and in this circumstance would not warrant a fine. Joe: as long as the attempt is made it is ok.

Dan asked if now we would start working toward the goals of our standing access resolution from 2010.Ginger said in closing that there were so many people that helped to bring this event about, it was very heartwarming to see it all and thanked our NJAGDU Division.

Vinnie we will table any further agenda items until our next month’s meeting. Michelle moved and Trish seconded the motion to adjourn. The meeting adjourned at 9:11 p.m.

Minutes submitted by

Alice Eaddy, Secretary