

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 888

H.P. 665

House of Representatives, March 21, 1995

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### An Act to Establish a Spaying and Neutering Program for Domestic Pets.

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative PERKINS of Penobscot. (By Request)

**Be it enacted by the People of the State of Maine as follows:**

2           **Sec. 1. 7 MRSA §3906-A, sub-§3**, as enacted by PL 1991, c. 779,  
4           §8, is repealed.

6           **Sec. 2. 7 MRSA §3906-D** is enacted to read:

8           **§3906-D. Spaying and neutering program**

10           **1. Establishment.** There is established within the  
12           department a program to promote the spaying and neutering of  
14           domestic pets by contracting with local animal shelters and  
16           making grants to those shelters as provided in this section.

18           **2. Definitions.** As used in this section, unless the  
20           context otherwise indicates, the following terms have the  
22           following meanings.

24           A. "Domestic pets" means cats and dogs.

26           B. "Fund" means the Spaying and Neutering Fund established  
28           in this section.

30           C. "Participating veterinarian" means a veterinarian  
32           licensed under Title 32, chapter 71-A who agrees to  
34           participate in the program.

36           D. "Presurgical immunization" means presurgical  
38           immunization for dogs against rabies, distemper, hepatitis,  
40           leptospirosis and parvovirus or for cats against rabies,  
42           feline panleukopenia, calici, pneumonitis and  
44           rhinotracheitis on animals not previously immunized.

46           E. "Program" means the spaying and neutering program  
48           established in this section.

**3. Fund.** The Spaying and Neutering Fund is established for  
          the purpose of carrying out this section. The fund receives the  
          amounts collected from the additional 2% tax on pet food and pet  
          supplies pursuant to Title 36, section 1811 and other funds from  
          any private or public source to subsidize spaying and neutering.  
          The money in the fund must be used for grants and administrative  
          expenses relating to the spaying and neutering program  
          established in this section. Amounts in the fund do not lapse  
          but are carried forward.

**4. Certification.** The department shall certify animal  
          shelters that are eligible to receive grants under this section.  
          The animal shelter must be licensed and must agree to follow

2 rules established by the department for the administration of the  
3 program.

4 5. Grants. The department shall make grants to certified  
5 animal shelters to promote spaying and neutering of domestic pets.

6 6. Vouchers. Animal shelters receiving grants under this  
7 section shall provide vouchers to persons who agree to have  
8 domestic animal, spayed or neutered. A voucher may be granted  
9 for any domestic animal whether or not the domestic animal has  
10 been under the care of the shelter. The vouchers must authorize  
11 payment to a participating veterinarian of the authorized cost of  
12 spaying or neutering. When granting a voucher, the shelter shall  
13 also provide the recipient with a list of local participating  
14 veterinarians. The veterinarian may submit the voucher and  
15 certification that the animal has been spayed or neutered to the  
16 department, which shall promptly make payment of the authorized  
17 cost to the veterinarian.

18 7. Authorized costs. The department shall adopt by rule  
19 authorized costs of spaying, neutering and presurgical  
20 immunization.

21 8. Immunizations. The program must also provide vouchers  
22 for presurgical immunization.

23 **Sec. 3. 36 MRSA §1752, sub§-8-B** is enacted to read:

24 8-B. Pet supplies. "Pet supplies" means a product,  
25 including food, that is ordinarily intended for use by or for a  
26 cat or dog.

27 **Sec. 4. 36 MRSA §1811**, as amended by PL 1993, c. 701, §§6 and  
28 7 and affected by §10, is further amended by adding at the end a  
29 new paragraph to read:

30 An additional tax of 2% is imposed on the sale of pet  
31 supplies. The amounts collected under this additional 2% tax  
32 must be deposited in the Spaying and Neutering Fund created in  
33 Title 7, section 3906-D.

34 **Sec. 5. Transition.** Any amounts in the Spaying and Neutering  
35 Fund formerly created in the Maine Revised Statutes, Title 7,  
36 section 3906-A, subsection 3 must be transferred to the Spaying  
37 and Neutering Fund established by this Act.

## STATEMENT OF FACT

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4           This bill establishes a program to increase the spaying and  
neutering of domestic pets through a voucher system administered  
by the Department of Agriculture, Food and Rural Resources  
6 through local animal shelters. The cost of the program is funded  
by an additional 2% sales tax on pet supplies.