

MAINE STATE LEGISLATURE

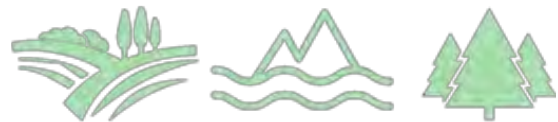
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ANIMAL WELFARE PROGRAM

ANNUAL REPORT FISCAL YEAR 2022



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Commissioner

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Maine's Animal Welfare Program Review for 2022

Our Mission: The Animal Welfare Program (AWP) ensures the humane treatment of animals through communication, education, and enforcement of animal welfare laws.

What we do: AWP develops and implements policies and programs to effectively address animal cruelty complaints; inspects and licenses animal shelters, pet stores, kennels, and animal research facilities; and enforces the licensing of dogs.

Staff:¹

Field staff

- | | |
|---|--------------------|
| • Acting Field Supervisor | Chrissy MacFarland |
| • District Humane Agent Aroostook County | Vacant |
| • District Humane Agent Washington, Hancock Counties | Douglas Radziewicz |
| • District Humane Agent Penobscot, Piscataquis, Somerset Counties | Rachel Welch |
| • District Humane Agent Waldo, Knox, Lincoln, Kennebec Counties | Reginald Manter |
| • District Humane Agent Franklin, Oxford, Androscoggin Counties | Angela Rogers |
| • District Humane Agent York, Cumberland Counties | Nicole Doyle |
| • District Humane Agent, Inspections | Vacant |

Administrative Staff

- | | |
|-----------------------------------|--------------------|
| • Director | Ronda Steciuk |
| • Secretary Associate | Thomas Rackliff |
| • Office Associate II | Danielle Trask |
| • Planning and Research Assistant | Connor Egan |
| • Assistant State Veterinarian | Rachael Fiske, DVM |

Note: AWP financial data is collected and reported on a fiscal year (July 1-June 30) basis. Program data is collected and reported on a calendar year basis. Unless labeled FY 2022, data on the following pages cover the period between January 1-December 31, 2022.

¹ As of this publication, AWP has posted the position for the Aroostook Humane Agent position twice.

Introduction

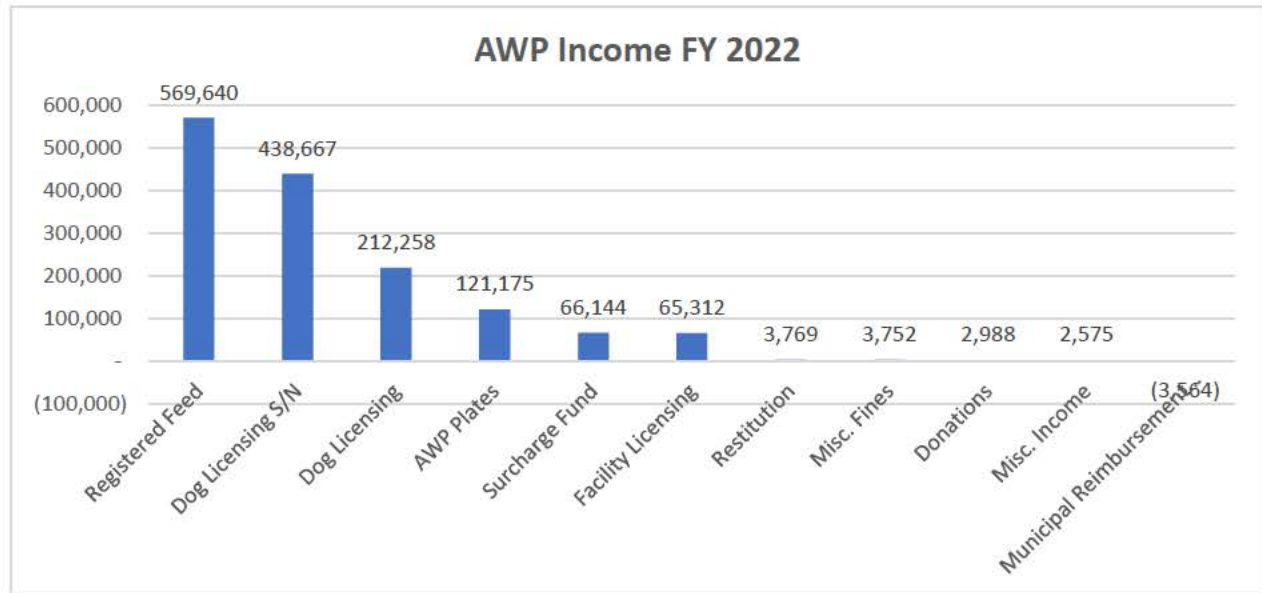
2022 saw a transition with the Animal Welfare Program (AWP). Director Liam Hughes left AWP in April, and Ronda Steciuk was hired as the new Director in August. Director Steciuk brings extensive animal welfare experience to AWP, having managed a national spay-neuter grant program, improved an animal transport program, and overseen a county shelter in Alabama. Director Steciuk is also a licensed attorney.

Last year's annual report explained how Covid-related court backlogs that delayed the adjudication of animal seizure possession cases upended AWP's business model. Delays in court proceedings continued in 2022. There has been a continuation in the increased lengths of stays, and the associated costs, for seized animals. As the financials shared below show, expenses relating to sheltering animals were \$502,931 and represented 27.5% of AWP's expenditures. AWP is working with the Attorney General's Office to explore ways to encourage more expedient review of possession cases to curtail prolonged care of these animals in custody, thus reducing affiliated costs.

The change in leadership brought new eyes to the operations of the AWP, allowing for an in-depth assessment and recommendations for strengthening the program. Once fully staffed, AWP plans to target several areas of program operations for improvements. Among them are updated and more comprehensive yet efficient record keeping and documentation, working with staff to enhance cross-training and information sharing, and implementing additional safety measures for field staff.

Funding for the Animal Welfare Program

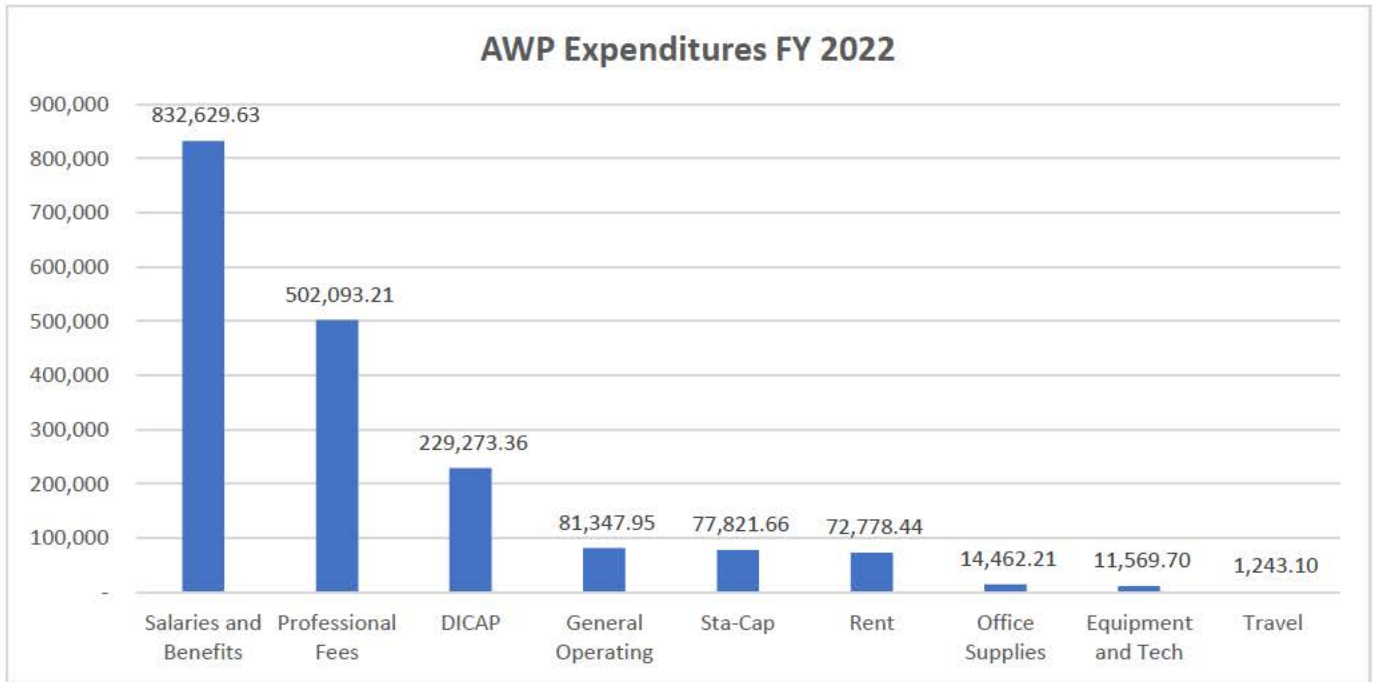
Income FY 2022



AWP Income FY 2022	
Registered Feed	\$569,640
Dog Licensing S/N	\$438,667
Dog Licensing	\$218,258
AWP Plates	\$121,275
Facility Licensing	\$65,312
Surcharge fund	\$66,144
Municipal Reimbursement Dog Licensing*	\$ (-3564)
Restitution	\$3,769
Misc. Fines	\$3,752
Donations	\$2,988
Misc. Income	\$2,575
TOTAL	\$1,488,816

**When a dog is licensed online, the State receives the full fee, and we must disburse municipalities' portions back to them.*

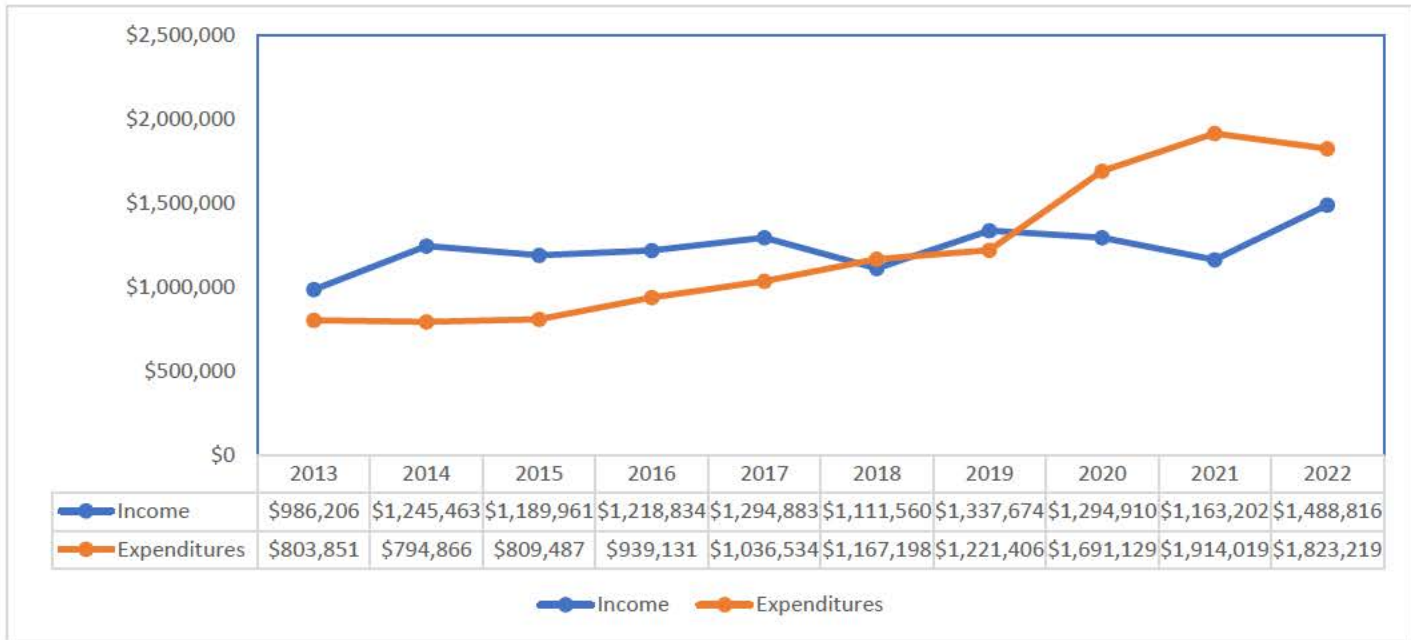
Expenditures FY 2022



Expenses FY 2022	
Salaries and Benefits	\$832,629.63
Professional Fees*	\$502,093.21
DICAP	\$229,273.36
General Operating	\$81,347.95
Sta-Cap	\$77,821.66
Rent	\$72,778.44
Office Supplies	\$14,462.21
Equipment and Tech	\$11,569.70
Travel	\$1,243.10
TOTAL	\$1,823,219.26

**Professional Fees primarily consist of payments to shelters for boarding and veterinarians for the care of animals in the custody of AWP.*

Review of Revenue Versus Expenditures



As illustrated in the above graphic, AWP’s expenses kept pace with revenue between 2012 and 2019. However, COVID-era backlogs in the courts meant AWP began to have to hold seized animals with shelter partners for more extended amounts of time than what had been typical. These longer stays—frequently for sicker animals—meant our seized animal expenses have more than tripled, from \$121,606 in FY 2019 to exceeding \$500,000 in FY 2022.

In addition to these pandemic-specific cost increases, a structural change drives increased costs. Per a legislative directive, we increased what we pay shelter partners to house and care for animals effective August 8, 2022. As a result, we expect to see even higher costs in FY 2023, projected to be 151% increase in boarding costs. This estimate is based on FY 2022 actual expenses using the new rates and the fact that the possession cases continue to pend in FY 2023 as of the writing of this report.

However, a feed registration fee increase that passed in the second session of the 130th Legislature and became effective August 8, 2022, may help alleviate these costs. We project that the increase, which also allowed for AWP to receive 80% of the fee (the remaining 20% going to the General Fund – a change from a prior 50/50 split), has the potential to result in approximately a \$200,000 gain annually for AWP after accounting for the increase in seized animal cost.

Cruelty Investigations

In 2022, the AWP office dispatched 212 complaints to Humane Agents. Many of the complaints we responded to involved more than one type of violation. For example, reports might list improper care, shelter, living conditions, sustenance, or lack of medical care on a single complaint. Agents advise owners about proper care, available veterinarians, and feed sources. They will often check back even when a case is closed to ensure the animal and the owner are doing well. Dogs and cats are the most regular basis of a complaint, but Humane Agents also spend time working with farmers on livestock issues. Humane Agents use community policing methods when enforcing animal welfare laws and have had great success in educating animal owners on their responsibilities as animal owners. Agents use education to resolve many of the complaints. Only a few require tougher enforcement actions, such as summoning for violations or seeking a court order to remove the animals.



On January 28, 2022, AWP obtained a warrant and seized more than 110 cats and 26 poultry from one location in Wales, Maine. Many animals required immediate and significant veterinary attention; unfortunately, some were beyond what veterinary care could provide. This case was delayed and continued several times, and we finally received a possession order in August 2022. The defendant filed a timely appeal, so as of this report, 111 cats and 26 poultry remain in the custody of AWP, awaiting an appeal decision. The cost to the State for housing and providing veterinary care has reached \$614,006.96 to the date of this report writing. The appeal remains pending at the time of this annual report's publication. Fortunately, the 131st Legislature in February 2023 passed an emergency supplemental budget that provided \$650,000 for AWP to cover its FY 2023 costs associated with animal sheltering.

Of note, statutory requirements exist that allow an automatic statutory lien in these cases: "Any person taking possession of an animal . . . shall have a lien for expenses as provided in this subsection..." (17 M.R.S. §1021). The statute additionally requires a defendant to post security before an appeal may go forward. However, AWP's recent experience has been that the judiciary has declined to award a lien to the State despite the State requesting it and has failed to dismiss an appeal for lack of security. AWP is

considering ways to better educate members of the bar regarding these statutory provisions to help alleviate the financial burden on the taxpayer for these extended animal custody cases.

Companion Animal Sterilization (Help Fix ME)

Since 2005, AWP has been operating the Companion Animal Sterilization Fund, best known as the Help Fix Me (HFM) program. Established to encourage qualified pet owners to sterilize their cats and dogs and to help cover the cost of those sterilizations, HFM reduces the number of animals in shelters. This reduction helps to decrease euthanasia and increase adoptions. Since 2009, Help Fix ME has helped pet owners spay and neuter over 24,000 animals. For the past five years, the adoption rate in Maine shelters has been 95%, while the euthanasia rate is around 3%. Compare that to 2011, when the adoption rate was 73%, and the euthanasia rate was 27%.

AWP surveyed veterinarians in 2020 about HFM program's effectiveness. We identified that the voucher system for participation needed improvement due to long lag times in submitted applications, voucher issuance, and veterinarians submitting reimbursement requests. We also recognized that payments to veterinarians took too long, and the reimbursement rates needed to be higher to better encourage participation. As a result, AWP is working to simplify and expedite the voucher application process and process payments more quickly. AWP also raised surgery fees by 50% on January 4, 2022.

The HFM program receives approximately 6,000 voucher requests annually. In 2022, over 3,700 surgeries were invoiced, vouchers accounted for, and paid. It is essential to underscore that the timing and amount of HFM program revenues fluctuate significantly throughout the year, whereas voucher demand and requests for reimbursement are constant. This demand has required the program to pause the issuance of vouchers per that ebb and flow of revenue. The program halted the distribution of vouchers in April 2022, although it continued to redeem and pay vouchers issued before that pause. Due to the demand for (and scarcity of) available veterinarian appointments, scheduling surgeries took several months. Recognizing these constraints, HFM continued processing those 2022 vouchers for surgeries completed by December 31, 2022.

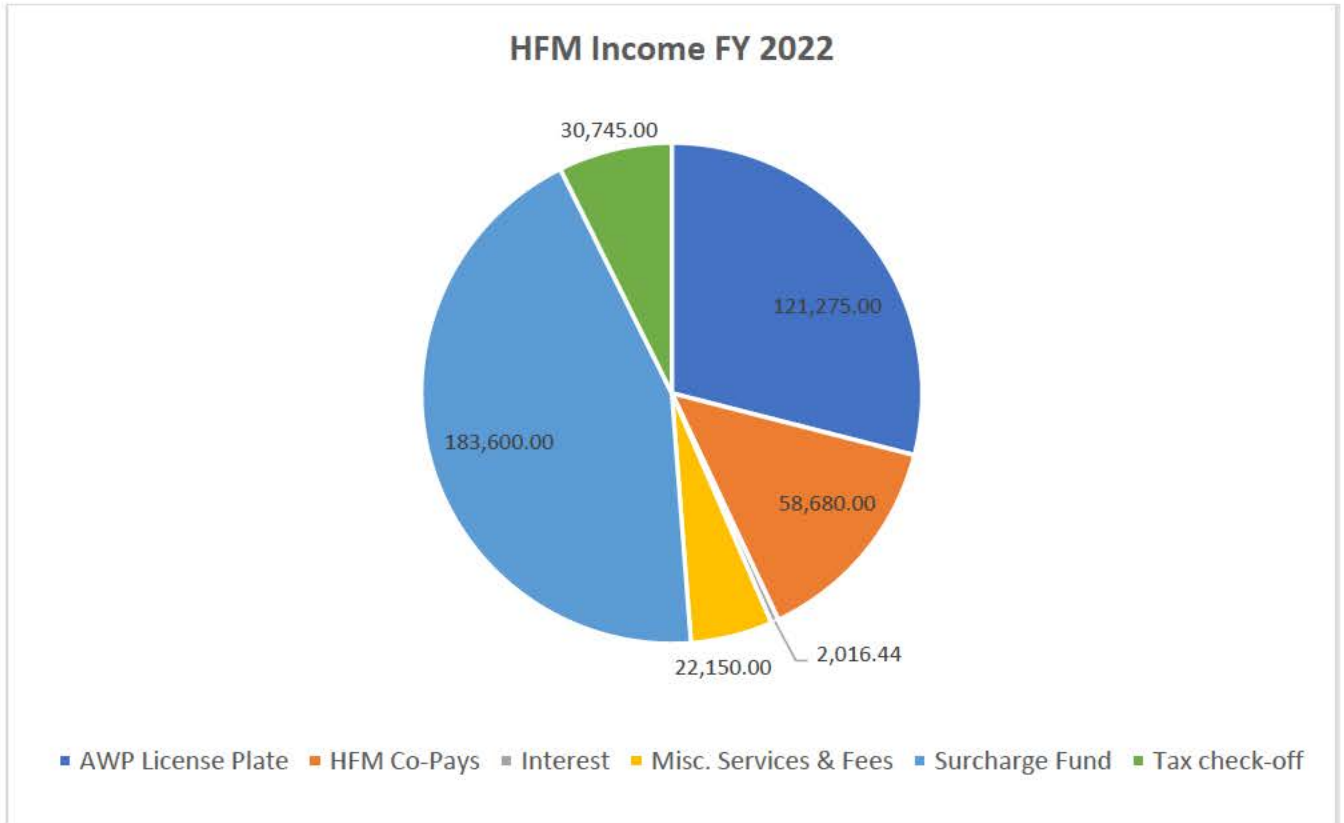
130th Legislation Requiring Transfer of HFM to Third Party

LD 1828, directing HFM to be administered by a third party – with an RFP deadline of August 1, 2022 – was enacted on August 9, 2022. However, the Office of the Maine Attorney General advised DACF that we could not issue an RFP until rulemaking reflected third-party administration parameters and changes regarding feral cats was completed. DACF commenced routine technical rulemaking on December 28, 2022, to accommodate administration by a third party, adding feral cats per 7 MRS §3910-B(1-A), updating the program's payment delivery to providers, increasing program efficiency, and reducing administration costs. These rules will allow for methods and modes of service delivery more in line with modern spay/neuter delivery approaches to low-income clientele. Further, they account for the current shortage of veterinary professionals in the state by specifically including spay/neuter events, which have become the primary mode of service delivery to areas of the state most lacking in the veterinary capacity for providing Help Fix ME surgeries.

Public comment ended on January 28, 2023. The Department carefully reviewed the public and written comments that it received. DACF amended the proposed Rules to address comments the Department believed were sound recommendations that would provide clarification and effective administration moving forward. The rulemaking process concluded in late February, and AWP has commenced its work to create and issue an RFP for third-party administration. *The AWP's Annual Report for FY 2023 will provide an update on the status of the HFM program.*

While the HFM rules and third-party vendor effort are still in process, the Animal Welfare Advisory Council² recommended that HFM limit voucher release to veterinary providers and animal welfare organizations for scheduled spay/neuter clinics while carefully weighing those requests with available funds. Additionally, they recommended setting aside 50% of incoming revenues for the eventual third-party administrator to begin their work. AWP implemented these recommendations on January 1, 2023.

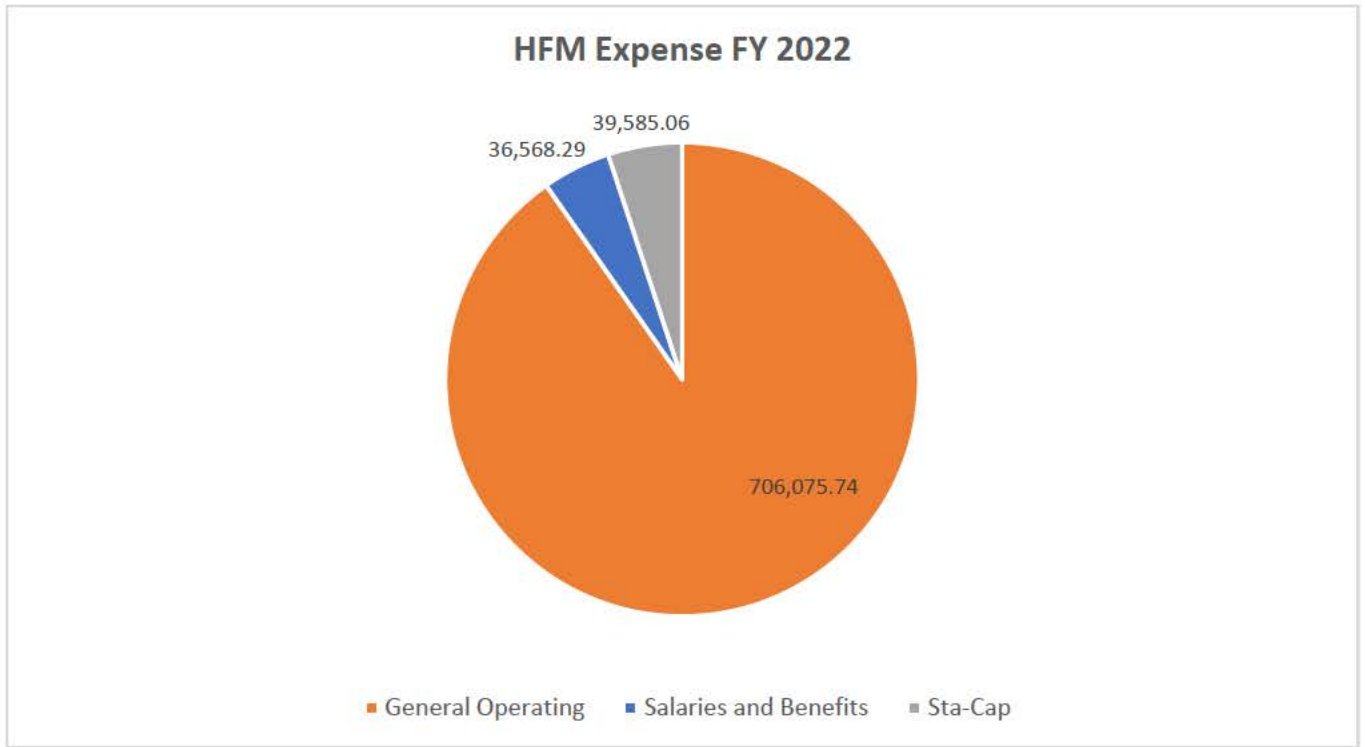
HFM Income FY 2022



HFM Income FY 2022	
AWP License Plate	\$121,275
Surcharge Fund	\$183,600
HFM Co-Pays	\$58,680
Misc Service & fees	\$22,150
Tax check-off	\$30,745
Interest	\$2,016
TOTAL	\$418,166

² The Governor appoints the 14-member council. AWAC’s mission is to advise the Department on animal welfare laws, including evaluating existing and/or proposed laws and rules, review training programs for municipal animal control officers and the Department’s district humane agents, and research funding options for AWP. See 7 MRS § 3906-C.

HFM Expenditures



HFM Expenditures FY 2022	
Salaries and Wages	\$36,568
General Operating	\$706,075
Sta Cap	\$39,585
TOTAL	\$782,229*

**2022 expenditures utilized monies from FY 2020 and FY 2021 that went unused during the pandemic to provide additional surgeries in 2022.*

**Companion Animal Sterilization Fund (HFM) Vouchers Paid in Calendar Year 2022 by County
(Graphic attached as Appendix A).**

PLACE/COUNTY	Number of Vouchers Given	Percentage of Vouchers Given	Percentage of Total Maine Population (July 1st, 2022)
Penobscot	623	15.83%	11.10%
Androscoggin	433	11.00%	8.15%
Somerset	429	10.90%	3.70%
Aroostook	353	8.97%	4.85%
Kennebec	343	8.71%	9.06%
Oxford	307	7.80%	4.29%
Washington	307	7.80%	2.26%
Waldo	246	6.25%	2.90%
York	177	4.49%	15.60%
Cumberland	176	4.47%	22.19%
Piscataquis	170	4.32%	1.25%
Hancock	162	4.11%	4.09%
Franklin	65	1.65%	2.19%
Lincoln	61	1.55%	2.61%
Sagadahoc	49	1.24%	2.69%
Knox	34	0.86%	2.97%
Total	3935	99.95%	99.90%

Animal Shelter Survey

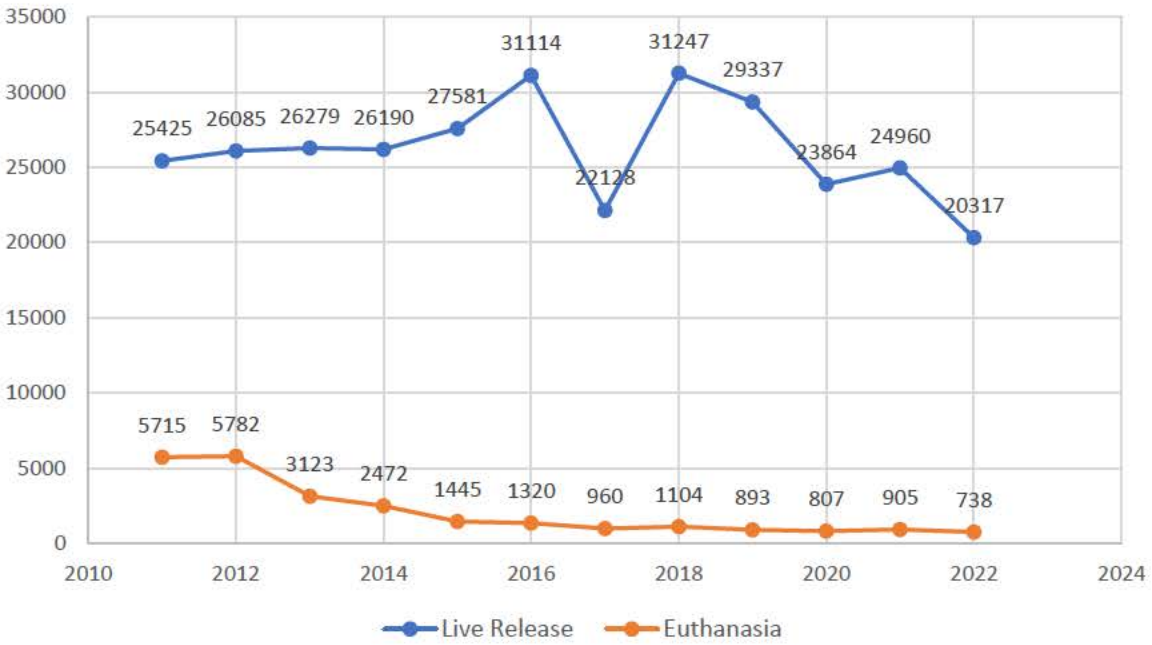
AWP has surveyed all licensed animal shelters in Maine since 2011, gathering extensive data on euthanasia rates and live release rates. These data points shed light on how the animal shelters of Maine have changed over the past two decades, providing vital data. However, beyond our survey, AWP also acknowledges changes in animal sheltering and the critical work shelters do in their communities.

There is currently a larger stakeholder discussion happening on the local, state, and regional levels about how animal sheltering has evolved from "the pound" to a place for lost animals to land safely. Many shelters are now viewed as adoption centers, primarily focusing on rehoming pets. The most significant change in how animal shelters operate is how much community outreach they provide. Community outreach has positively impacted how shelters have educated their community and evolved with the changing times. The metrics, data, and key performance indicators shelters have identified to measure community outreach and impact in the current animal welfare/animal shelter landscape continues to evolve.

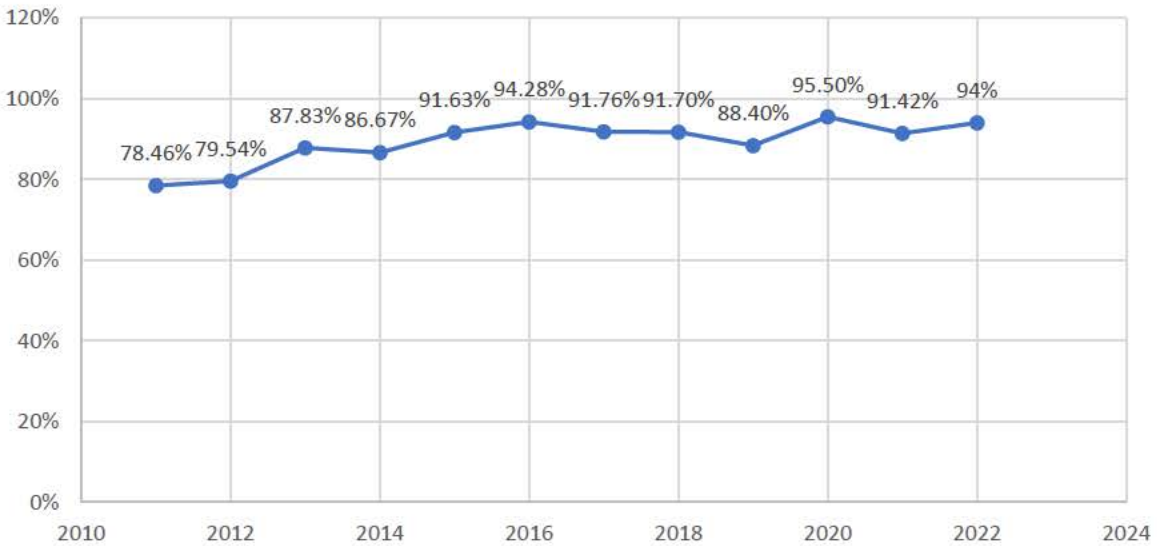
In recognition of these changes, AWP's 2021 survey added categories to better understand the happenings at local animal shelters and rescues. In the intake section, seized animals are counted separately. These are animals seized by Law Enforcement, a municipal Animal Control Officer, or the State (AWP's Humane Agents). Animals transferred from shelter to shelter within Maine are now counted separately from animals imported into Maine. The outcome section now includes Return to Field (RTF) for feral cats and separates the transfer of animals within the State and transferred out of Maine. These new categories provide helpful information about what is happening in the animal shelters of Maine and how they are serving community needs.

An error presented in the past Annual Reports in the "Live Release vs. Euthanasia" charts is corrected in this report. The data presented in these charts captured Adoptions vs. Euthanasia, not Live Release vs. Euthanasia. Live Outcome numbers include adoptions, return to owner, return to field, transfers, and other lifesaving programs allowing animals to leave the shelter alive. The ASPCA defines "Live Release Rate" as Live Outcomes divided by Intake. It helps inform about all animals coming into the shelter instead of providing information only on those who have left it. For comparison purposes, this report presents a corrected "Live Outcome vs. Euthanasia" chart for 2011 through 2022 but also introduces a Live Release Rate chart for the same years which better tells us about what is happening to all dogs and cats entering shelters in Maine.

2011-2022 Live Outcome vs. Euthanasia for Dogs and Cats



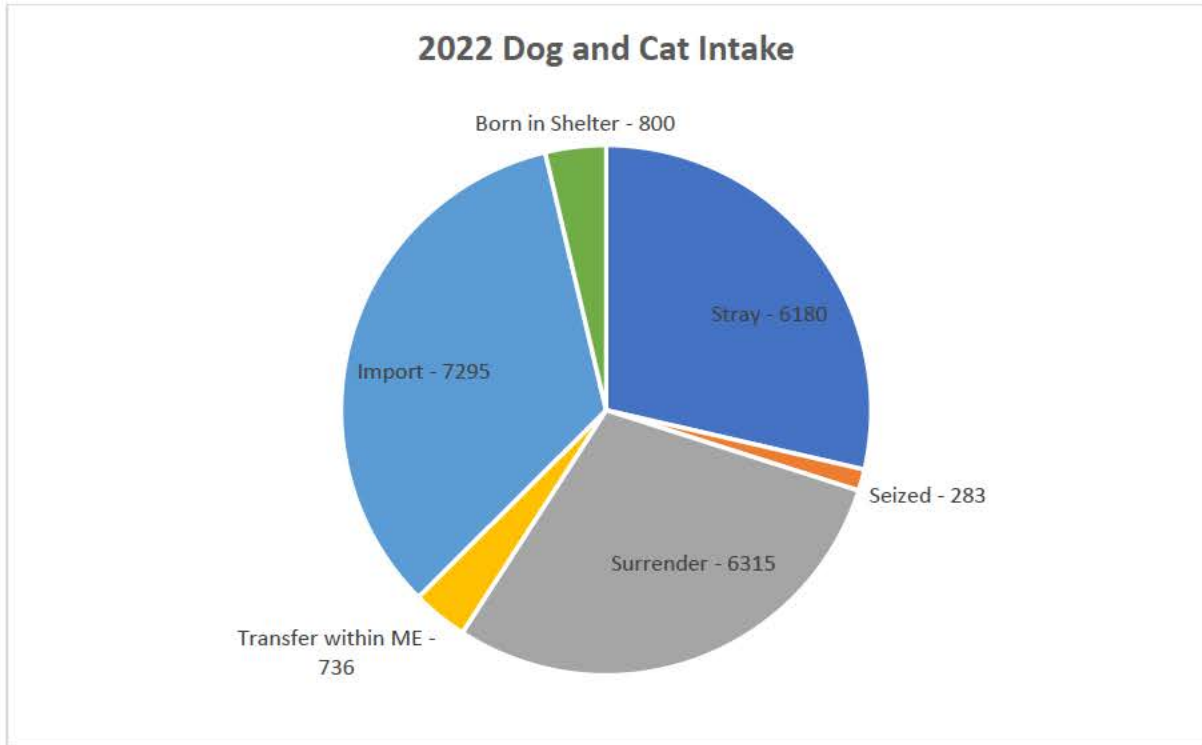
2011-2022 Dog and Cat Live Release Rate



2022 Shelter Survey Results

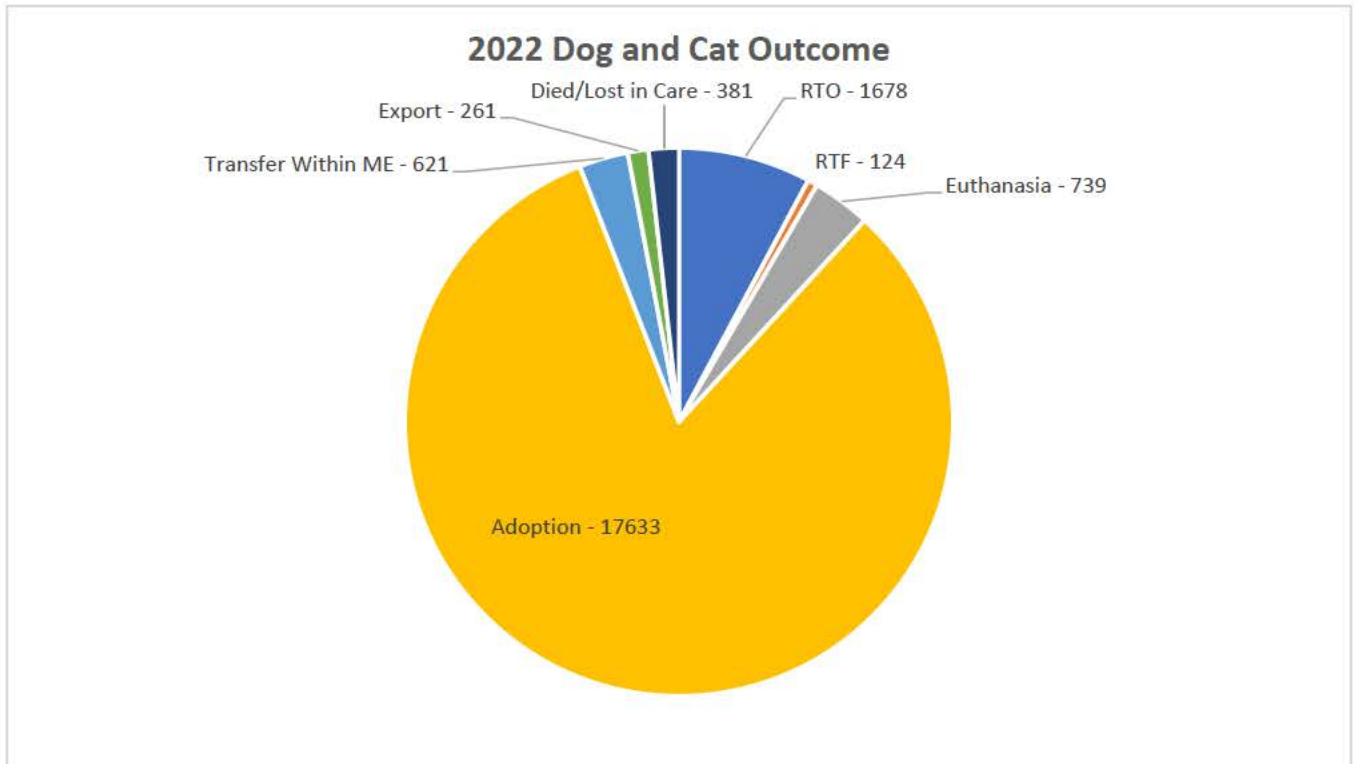
Seventy-seven of 136 licensed shelters and rescues responded to the 2022 survey. While the data represents what is happening in 56% of these organizations around the State, the Department will seek new approaches to improving the response rate of licensed shelters and rescues in the 2023 survey.

INTAKE METRICS



	Dog and Cat Intake	Dog	Cat
Stray	6180	1537	4643
Seized	283	167	116
Surrendered	6315	1736	4579
Transfer within ME	736	149	587
Import	7295	5529	1766
Born	800	120	680

ANIMAL OUTCOMES



	Animal Outcome	Dog	Cat
Return to Owner (RTO)	1678	1218	460
Return to Field (RTF)	124	0	124
Adoption	17633	7493	10170
Euthanasia	739	183	556
Transfer Within Maine	621	242	379
Export	261	238	23
Died/Lost in Care	381	37	344

Licensed Animal Facilities in Maine

AWP is responsible for licensing and inspecting all animal shelters, pet stores, boarding kennels, breeding kennels, and research facilities in the State of Maine. In 2022 there were 569 of these facilities in Maine, categorized as follows:

- Animal Shelters & Rescues – 136 (-7)
- Boarding Kennels – 227 (+6)
- Breeding Kennels – 157 (+17)
- Pet Stores – 36 (+2)
- Research Facilities – 13 (+1)

AWP Humane Agents work with these facilities to maintain compliance and prevent disease outbreaks.

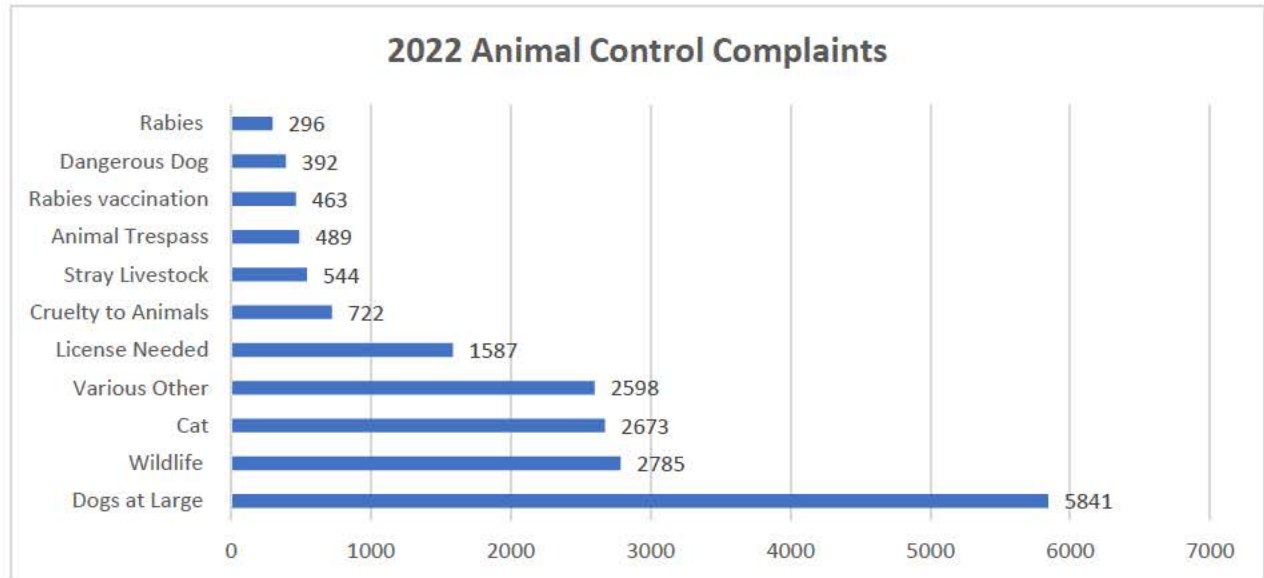
COVID-19, staffing, scheduling issues, and cruelty cases slowed inspection response time in 2022. Staff in the southern parts of Maine with disproportionately high numbers of facilities have needed help to keep up with inspections on top of other pressing and time-sensitive duties. We are hopeful to fill an additional Humane Agent position soon that will focus on facility inspections and providing additional coverage to our District-focused agents.

In 2022, inspections focused on education regarding the Rule 701 changes that became effective in January 2022 and working with facilities that needed guidance to comply with these updates. The updated rules include a definition for Capacity for Care, require medical records and examinations for animals held at facilities for more than six months, clarify which records can be submitted electronically, define who is responsible for maintaining the facility license, and define who is accountable for maintaining isolation areas for imported dogs and cats.

AWP receives regular calls expressing concern regarding dog daycare facilities that likely fall within our Rule 701 Capacity for Care requirements. Unfortunately, unless these daycare locations also provide boarding, they fall outside our licensing requirements and are not subject to Rule 701 requirements or enforcement thereof.

Animal Control Officer (ACO) Reporting

This is the fourth year of collecting and reporting data on ACO complaints. This information shows the different types of complaints Maine ACOs are responding to and helps AWP plan for future training and look for potential issues that need to be addressed through rule, law, or procedural changes.



ACO Training

AWP continues to offer online certification training for animal control officers. Online training is convenient and cost-effective for municipalities while providing comprehensive training in basic investigatory techniques, response to suspected rabies cases, handling calls regarding dog licensing and immunizations, and managing interactions with the public. The 23-hour course also includes training modules with content focusing on animal hoarding, animal cruelty, domestic violence, Maine animal welfare laws, case reviews, and report writing as required by 01-001 DACF Chapter 717 §3906-B(4), covering basic and advanced training subject matter. AWP expects to have an updated section on new laws for 2024. AWP is also working to resume providing practical hands-on, and more in-depth training in the field as funds and staffing allow. AWP is currently working with AWAC to update the criteria for qualifying training to fulfill continuing education credit requirements. These trainings will be delivered with a mix of in-person and online options. A day-long equine-focused advanced training is planned for September 2023.

Animal Welfare Advisory Council (AWAC)

In October of 2021, Governor Mills appointed ten new members to AWAC. Their first meeting took place on November 18, 2021. The board has already taken an active role in discussing animal welfare-related legislation. They are also considering strategies to improve funding, animal control services, and dog licensing. In 2022 the Council met 11 times and provided guidance and recommendations to the AWP on numerous issues. Subcommittees to investigate regionalization of Animal Control, solutions to Dog Licensing challenges, and fundraising for AWP have been formed and are active. AWP appreciates the work of the current AWAC members and looks forward to continuing to make strides together in 2023.

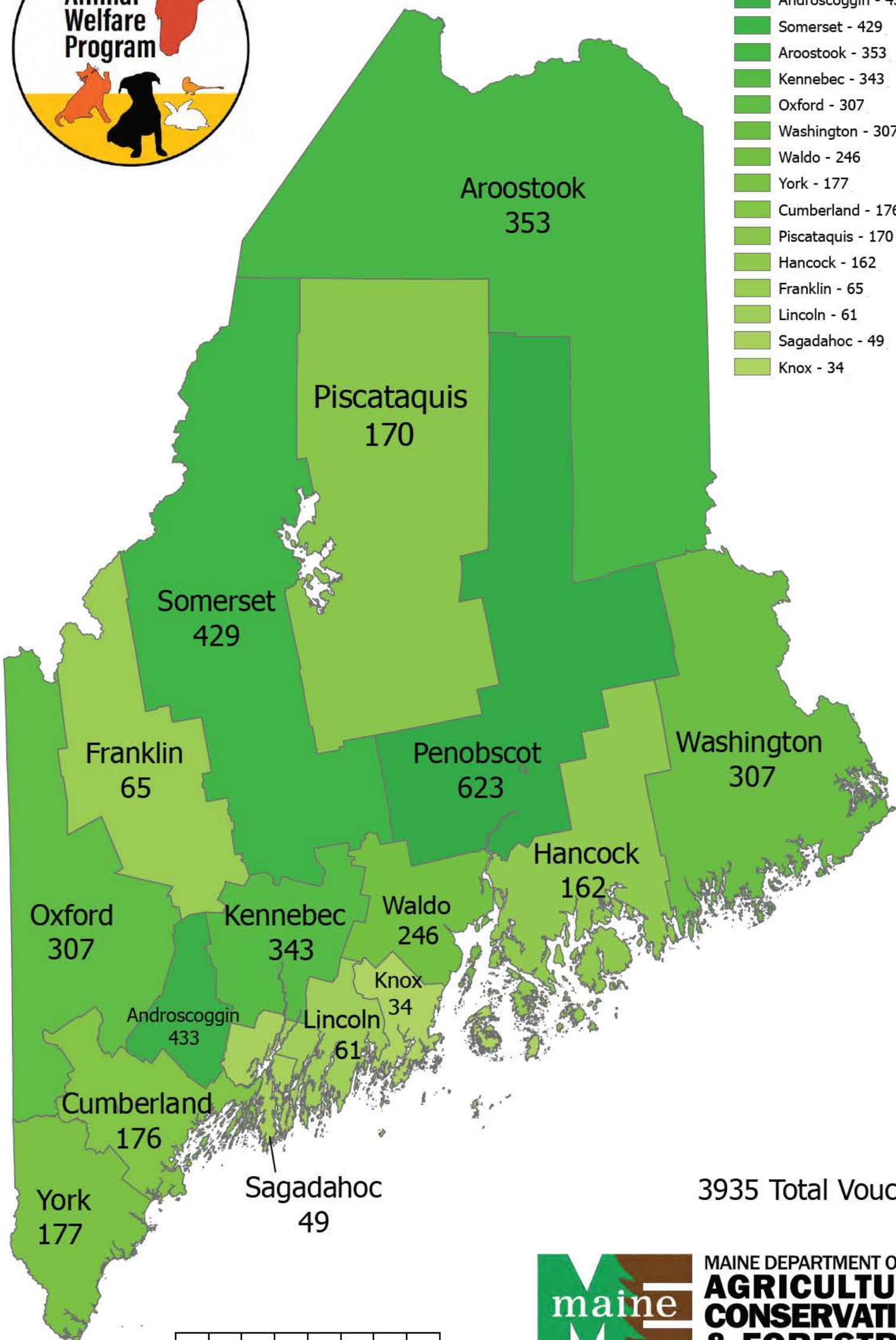
The AWAC members are:

1	Kim McLaughlin	Represents Municipal Interests
2	Vacant	Animal Control Officer
3	Katie Lisnik	Represents Licensed Animal Shelters
4	Frank Billings	Represents Licensed Boarding Kennels
5	Vacant	Represents Licensed Pet Shops
6	Kathleen Benard	Owner of a Pet and Represents the Interests of the Public
7	Bonnie Martinolich	An Attorney with Experience in Animal Welfare Law
8	Jessica Matulis, DVM	Veterinarian who is or has been Licensed to Practice in the State
9	Vacant	A Cooperative Extension Agent or Specialist
10	Casey Cole, DVM	Experience in Equine Care
11	Julie Ann Smith	Experience in Livestock Representing a Statewide Farming Organization
12	Vacant	Represents a State-based Animal Advocacy Group
13	Vacant	Holds a Kennel Licensed Issued Under Section 3923-C
14	Sharon St. John	Represents Licensed Breeding Kennels

Appendix: Companion Animal Sterilization Fund Vouchers paid calendar year 2022 By County



- Penobscot - 623
- Androscoggin - 433
- Somerset - 429
- Aroostook - 353
- Kennebec - 343
- Oxford - 307
- Washington - 307
- Waldo - 246
- York - 177
- Cumberland - 176
- Piscataquis - 170
- Hancock - 162
- Franklin - 65
- Lincoln - 61
- Sagadahoc - 49
- Knox - 34



3935 Total Vouchers

0 15 30 60 Miles



MAINE DEPARTMENT OF
**AGRICULTURE
CONSERVATION
& FORESTRY**