



House of Representatives

General Assembly

File No. 674

January Session, 2007

House Bill No. 7194

House of Representatives, May 1, 2007

The Committee on Finance, Revenue and Bonding reported through REP. STAPLES of the 96th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE EXPANSION OF THE ANIMAL POPULATION CONTROL PROGRAM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-338 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Each owner or keeper of a dog of the age of six months or older,
4 except dogs kept under a kennel license as provided in section 22-342,
5 shall cause such dog to be licensed in the town clerk's office in the
6 town where such dog is kept, on or before June thirtieth, annually, or
7 at such time as such dog becomes six months old, and annually
8 thereafter, on or before June thirtieth. The owner or keeper shall pay to
9 such town clerk for such license the sum of seven dollars for each
10 neutered male or spayed female dog and the sum of twelve dollars for
11 each unneutered male dog and each unspayed female dog, and one
12 additional dollar in each case as the town clerk's fee for issuing a tag
13 and license as provided in section 22-340. Two dollars from each
14 license fee collected for a neutered or spayed dog shall be deposited

15 into the [Animal Population Control Fund] animal population control
16 account, established under section 22-380g, as amended by this act. If
17 an owner or keeper of a dog fails to procure a license as required by
18 this section, such owner or keeper shall pay the appropriate license fee
19 specified in this section, the town clerk's fee and a penalty of one dollar
20 for each month or fraction thereof the dog remains unlicensed.

21 (b) Any owner or keeper applying for a license for a dog under
22 subsection (a) of this section, except for those owners or keepers
23 possessing a rabies vaccination exemption certificate, or a copy thereof,
24 issued pursuant to section 22-339b, shall submit to the town clerk a
25 rabies certificate signed by a licensed veterinarian, or a copy thereof,
26 stating that such dog has been vaccinated against rabies, the date of the
27 vaccination and the duration of the immunity provided by the vaccine.
28 No license shall be issued unless the certificate indicates that the
29 immunity provided by the vaccine is effective at the time of licensing.

30 (c) Any owner or keeper applying for a license for a dog pursuant to
31 subsection (a) of this section that has been exempted from vaccination
32 against rabies pursuant to section 22-339b shall submit to the town
33 clerk a rabies vaccination exemption certificate issued by the
34 department, or a copy thereof, in lieu of a rabies certificate.

35 (d) This section shall not apply to any dog which is imported into
36 this state for exhibition purposes and which does not remain in this
37 state for more than thirty days. Any person may import, from another
38 state, any licensed dog with collar, tag and rabies vaccination
39 certificate, and keep the same in this state for not more than thirty
40 days, without complying with the provisions of this section.

41 Sec. 2. Section 22-380e of the general statutes is repealed and the
42 following is substituted in lieu thereof (*Effective October 1, 2007*):

43 As used in sections 22-380e to 22-380m, inclusive, as amended by
44 this act:

45 (1) "Commissioner" means the Commissioner of Agriculture;

- 46 (2) "Program" means the animal population control program;
- 47 (3) "Account" means the animal population control account;
- 48 (4) "Participating veterinarian" means any veterinarian who has
49 been certified to participate in the program by the commissioner;
- 50 (5) "Pound" means any state or municipal facility where
51 impounded, quarantined or stray dogs and cats are kept or any
52 veterinary hospital or commercial kennel where such dogs or cats are
53 kept by order of a municipality;
- 54 (6) "Eligible owner" means a person who has purchased or adopted
55 a dog or cat from a pound and who is a resident of this state;
- 56 (7) "Medically unfit" means (A) unsuitable for a surgical procedure
57 due to any medical condition that may place a dog or cat at life-
58 threatening risk if a surgical procedure is performed on such animal,
59 as determined by a participating veterinarian, or (B) unsuitable for
60 sterilization due to insufficiency in age, as determined by a
61 participating veterinarian, of a dog or cat under the age of six months;
- 62 (8) "Neuter" means the surgical procedure of castration on a male
63 dog or cat;
- 64 (9) "Spay" means the surgical procedure of ovariectomy on a
65 female dog or cat; [and]
- 66 (10) "Voucher" means a nontransferable document provided by the
67 commissioner and issued by a pound to an eligible owner authorizing
68 payment of a predetermined amount from the animal population
69 control account to a participating veterinarian;
- 70 (11) "Feral cat" means a cat of the species *Felis catus* that is
71 unowned, that exists in a wild or untamed state or has returned to an
72 untamed state from domestication and whose behavior is suggestive of
73 a wild animal; and
- 74 (12) "Low income person" means a recipient of or a person eligible

75 for one of the following public assistance programs:

76 (A) The food stamp program authorized by Title XIII of the federal
77 Food and Agriculture Act of 1977, 7 USC 2011 et seq.;

78 (B) The federal Temporary Assistance for Needy Families Act
79 authorized by 42 USC 601 et seq.;

80 (C) The Medicaid program authorized by Title IX of the federal
81 Social Security Act, 42 USC 1381;

82 (D) The HUSKY Medicaid Plan Part A;

83 (E) The state medical assistance or cash assistance components of
84 the state-administered general assistance program;

85 (F) The state supplement program; or

86 (G) Any other public assistance program that the commissioner
87 determines to qualify a person as low income.

88 Sec. 3. Section 22-380f of the general statutes is repealed and the
89 following is substituted in lieu thereof (*Effective October 1, 2007*):

90 (a) No pound shall sell or give away any unspayed or unneutered
91 dog or cat to any person unless such pound receives forty-five dollars
92 from the person buying or adopting such dog or cat. Funds received
93 pursuant to this section shall be paid quarterly by the municipality
94 into the animal population control account established under section
95 22-380g, as amended by this act. At the time of receipt of such
96 payment, the pound shall provide a voucher, for the purpose of
97 sterilization and vaccination benefits, as provided in section 22-380i, to
98 the person buying or adopting such dog or cat. Such voucher shall be
99 on a form provided by the commissioner and signed by the eligible
100 owner. Such voucher shall become void after sixty days from the date
101 of adoption unless a participating veterinarian certifies that the dog or
102 cat is medically unfit for surgery. Such certification shall be on a form
103 provided by the commissioner and specify a date by which such dog

104 or cat may be fit for sterilization. If the surgery is performed more than
105 thirty days after such specified date, the voucher shall become void. In
106 the case of a dog or cat that has been previously sterilized or is
107 permanently medically unfit for sterilization, as determined by a
108 participating veterinarian, the voucher shall be void and the eligible
109 owner may apply to the commissioner for a refund in the amount of
110 forty-five dollars.

111 (b) Notwithstanding the provisions of subsection (a) of this section,
112 no pound shall receive forty-five dollars from the Connecticut
113 Humane Society for any unsterilized cat or dog that is given by such
114 pound to the Connecticut Humane Society, provided such cat or dog is
115 sterilized prior to the adoption of such animal from the Connecticut
116 Humane Society. Such sterilization shall not be required if a licensed
117 veterinarian certifies, in writing, that the animal is medically unfit for
118 sterilization surgery.

119 (c) The Connecticut Humane Society shall submit a biannual report
120 to the [Animal Population Control Fund] Commissioner of Agriculture
121 that shall include, but not be limited to, the municipal facility from
122 which any animal described in subsection (b) of this section was taken,
123 the impound number of such animal, the species and gender of such
124 animal, the date that the Connecticut Humane Society received the
125 animal and the date of sterilization for such animal.

126 (d) Upon a finding that the Connecticut Humane Society has failed
127 to comply with any provision of subsection (b) or (c) of this section, the
128 Commissioner of Agriculture may terminate the Connecticut Humane
129 Society's exemption from the payment of the forty-five-dollar fee
130 required pursuant to subsection (a) of this section.

131 Sec. 4. Section 22-380g of the general statutes is repealed and the
132 following is substituted in lieu thereof (*Effective October 1, 2007*):

133 (a) The Commissioner of Agriculture shall (1) establish an animal
134 population control program to provide for spaying and neutering
135 services to eligible owners of dogs and cats, (2) establish an account to

136 be known as the "animal population control account" that may contain
137 any moneys required by law to be deposited in the account and any
138 balance remaining in said account at the end of any fiscal year shall be
139 carried forward in said account for the fiscal year next succeeding,
140 [and] (3) create a standard dog licensing form and distribute said form
141 to veterinarians or the operators of pet shops, pet grooming facilities,
142 municipal pounds or dog training facilities who voluntarily agree to
143 make such forms available for the convenience of dog owners, [. The
144 commissioner may set aside up to forty thousand dollars for each fiscal
145 year for the purpose of providing assistance to charitable programs for
146 the sterilization and vaccination of feral cats] (4) establish a program to
147 assist registered nonprofit rescue groups with the sterilization and
148 vaccination of feral cats, and (5) establish a program to sterilize and
149 vaccinate dogs and cats owned by a low-income person.

150 (b) Not more than ten per cent of the funds deposited in the animal
151 population control account in accordance with subsection (f) of section
152 14-21h, subsection (a) of section 22-338, as amended by this act, section
153 22-380f, as amended by this act, and section 22-380l shall be used for
154 the sterilization and vaccination of feral cats program in accordance
155 with subdivision (4) of subsection (a) of this section.

156 (c) Not more than ten per cent of the funds deposited in the animal
157 population control account in accordance with subsection (f) of section
158 14-21h, subsection (a) of section 22-338, as amended by this act, section
159 22-380f, as amended by this act, and section 22-380l shall be used for
160 the sterilization and vaccination of dogs and cats owned by a low-
161 income person in accordance with subdivision (4) of subsection (a) of
162 this section.

163 [(b)] (d) The commissioner may solicit and accept funds from any
164 public or private source of help to carry out the goals of the [program]
165 programs established under subsection (a) of this section, including,
166 but not limited to, the sterilization of feral cats as provided in section
167 22-339d. A donor may earmark funds for any or all of such programs.

168 [(c)] (e) Any revenue collected pursuant to the provisions of sections

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Department of Agriculture	SF - See Below	See Below	See Below

Note: SF=Special Fund (Non-appropriated)

Municipal Impact: None

Explanation

Provisions of the bill creating two new programs and diverting up to 20% of the funds from the Animal Population Control Account (APCA) are discretionary and would be undertaken when resources permit. The APCA FY 2006 revenue was approximately \$791,000 and is derived from a dog license surcharge, an adoption fee, the 'caring' for pets' license plate, and donations. The bill also increases the cap on program administrative expenses for the Department of Agriculture from \$180,000 to \$225,000 a year. The department's administrative costs in FY 2006 were approximately \$190,000. Total program costs in FY 2006 were \$571,000.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**HB 7194*****AN ACT CONCERNING THE EXPANSION OF THE ANIMAL POPULATION CONTROL PROGRAM.*****SUMMARY:**

This bill expands the state's Animal Population Control Program (APCP), requiring the agriculture commissioner to establish programs to (1) sterilize and vaccinate the pets of low-income people and (2) assist registered nonprofit rescue groups with feral cat sterilization and vaccination. Under the bill, the commissioner must use APCP funds to pay for the two new programs.

Specifically, the bill allows the commissioner to (1) use up to 20% of APCP funds for the two new programs (up to 10% for each) and (2) seek funds for them. It also increases, from \$180,000 to \$225,000, the amount of APCP funds that the Agriculture Department may use for administrative costs. It eliminates a provision of current law that allows the commissioner to set aside APCP funds to assist in the sterilization of feral cats.

The bill requires the agriculture commissioner to distribute a standard dog licensing form to pet shop operators, grooming facilities, municipal pounds, or dog training facilities that offer to make it available to dog owners. Under current law, the commissioner distributes this form only to veterinarians.

It makes a minor change and conforming and technical changes.

EFFECTIVE DATE: October 1, 2007, except a conforming change is effective upon passage.

APCP FUNDING AND NEW PROGRAMS

By law, residents must pay a \$45 adoption fee for any unsterilized dog or cat they buy or adopt from a municipal impound facility, for which they receive a sterilization voucher and vaccination benefits.

By law, a resident may redeem an APCP voucher at a participating veterinarian's office; the voucher is valid for 60 days. The \$45 sale or adoption fee goes to APCP. Additional funding for the APCP comes from (1) an annual surcharge on Connecticut dog licenses (\$2 for a sterilized and \$6 for an unsterilized dog), (2) proceeds from the sale of "Caring for Pets" commemorative license plates, and (3) donations. APCP funds are placed in the animal population control account that the law required the agriculture commissioner to establish.

Under current law, the commissioner may solicit and accept funds from any public or private source to help carry out APCP goals. The bill allows him to do so for the existing voucher and the two new programs and allows a donor to earmark funds for any or all of the programs.

Under current law, the commissioner may suspend the APCP voucher program when less than \$300,000 is available for it and the commissioner may reinstate the program when funds exceed that amount. The bill expands this provision to include all three programs, allowing the commissioner to suspend and reinstate any or all of them.

Low-Income Pet Sterilization and Vaccination

Under the bill, pet owners receiving or eligible for certain forms of public assistance are eligible to receive financial assistance to have their pets sterilized and vaccinated. It defines a "low income person" as someone receiving or eligible for one of the following programs:

1. the food stamp program,
2. Temporary Assistance for Needy Families,
3. Medicaid Fee-for-Service or HUSKY A,
4. state-administered general assistance, either medical or cash

assistance components,

5. state supplement, or
6. any other public assistance program that the commissioner determines qualifies a person as low-income.

Feral Sterilization and Vaccination

The bill requires the commissioner to establish a program to assist nonprofit rescue groups with feral cat sterilization and vaccination. The bill defines a “feral cat” an animal of the species *felis catus* (1) that is unowned and exists in a wild or untamed state or has returned to an untamed state from domestication and (2) whose behavior is suggestive of a wild animal. It eliminates a provision that allows the agriculture commissioner to provide up to \$40,000 in APCP funds per year, if available, to charitable organizations to sterilize feral cats.

BACKGROUND

APCP Veterinarian Reimbursement

The commissioner must pay participating veterinarians for the sterilization and vaccinations of a dog or cat when he or she submits a signed APCP voucher (CGS § 22-380i(c)).

COMMITTEE ACTION

Environment Committee

Joint Favorable Change of Reference
 Yea 24 Nay 4 (03/21/2007)

Finance, Revenue and Bonding Committee

Joint Favorable
 Yea 49 Nay 4 (04/17/2007)