

DELEGATE MARY A. LEHMAN  
*Legislative District 21*  
Prince George's and  
Anne Arundel Counties

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Environment and Transportation  
Committee



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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**HOUSE BILL 146**  
**Spay/Neuter Fund - Extension and Fee on Commercial Feed**

January 29, 2021

**SUPPORT**

MR. CHAIRMAN, MR. VICE CHAIRMAN AND ESTEEMED COLLEAGUES: I AM HERE TO REQUEST YOUR SUPPORT OF HB 146, WHICH REAUTHORIZES THE STATE'S SPAY/NEUTER GRANT FUND. THAT FUND WAS CREATED BY A FEE ON COMMERCIAL PET FOOD. GRANTS ARE MADE ANNUALLY TO COUNTY ANIMAL SHELTERS AND NONPROFIT ORGANIZATIONS THAT SPAY AND NEUTER CATS AND DOGS.

THIS SUCCESSFUL LAW WILL SUNSET IN SEPTEMBER OF 2022, BUT ADVOCATES DID NOT THINK IT WAS WISE TO WAIT UNTIL THE 2022 LEGISLATIVE SESSION TO CONSIDER CHANGES TO THE LAW IN THE EVENT THERE WAS A FAILURE TO REACH CONSENSUS. I CONCUR SO I AM BRINGING THIS BILL FORWARD NOW.

THE PURPOSE OF THIS LAW IS TO FUND SPAY AND NEUTER SERVICES TO REDUCE ANIMAL SHELTER OVERPOPULATION AND EUTHANASIA RATES. AS

DRAFTED, THE BILL PROPOSES AN INCREASE IN THE \$100 FEE PER PET FOOD PRODUCT LICENSE TO \$150 OVER A FIVE-YEAR PERIOD. THE BILL ALSO EXTENDS THE LAW FOR ANOTHER 10 YEARS.

**NEED FOR INCREASED FUNDING** BETWEEN 2017 AND 2020, THE MD DEPT. OF AGRICULTURE AWARDED \$3.4 MILLION FOR SPAY/NEUTER PROGRAMS, BUT THAT WAS JUST 60% OF THE TOTAL AMOUNT REQUESTED BY APPLICANTS. THE PET FOOD INDUSTRY HAS EXPRESSED CONCERN THAT THE PROGRAM HOLDS OVER YEAR-TO-YEAR APPROXIMATELY 20 PERCENT OF THE FUNDING IT TAKES IN THROUGH THE COMMERCIAL FOOD LICENSING FEE, AN AMOUNT THAT SEEMS TO EXCEED THE COST OF ADMINISTERING THE PROGRAM.

WHILE THE PROGRAM HAS RESULTED IN THE SPAY/NEUTER OF 65,216 DOGS AND CATS, MARYLAND IS STILL EUTHANIZING A STAGGERING NUMBER OF ANIMALS. ACCORDING TO THE DEPARTMENT OF AGRICULTURE, BETWEEN 2014 AND 2019, MARYLAND SHELTERS TOOK IN 86,384 DOGS AND 146,859 CATS. OF THOSE, 22,287 DOGS AND 75,061 CATS WERE EUTHANIZED. MR. CHAIRMAN AND COMMITTEE MEMBERS, I KNOW MANY OF YOU ARE PET OWNERS AND ANIMAL LOVERS AND I THINK YOU WOULD AGREE THIS IS A TRAVESTY. WE MUST DO BETTER. THE ANSWER IS SPAYING AND NEUTERING.

**AMENDMENT:** DESPITE THESE GRIM STATISTICS AND THE PROMISE LOW-COST SPAY AND NEUTERING SERVICES PROVIDE, I COULD NOT REACH CONSENSUS

WITH THE PET FOOD INDUSTRY OR THE DEPARTMENT OF AGRICULTURE ON AN APPROPRIATE FEE INCREASE. I HAVE WORKED WITH ANIMAL ADVOCATES AND THE DEPARTMENT ON WHAT I BELIEVE IS A GOOD COMPROMISE. I AM PRESENTING AN AMENDMENT TO RETAIN THE PET FOOD LICENSE FEE AT THE CURRENT LEVEL OF \$100 PER PRODUCT LABEL; HOWEVER I AM REQUIRING THE DEPT. OF AGRICULTURE TO EVALUATE AN EXPANSION OF SPAY/NEUTER SERVICES AND AN INCREASE IN THE FEE BASED ON MARKET (PET FOOD INDUSTRY) CONSIDERATIONS THAT WOULD ENHANCE THE PROGRAM.

THIS IS A CRITICAL LAW FOR REDUCING THE POPULATION OF UNWANTED DOGS AND CATS, AND THE EUTHANIZATION RATES OF THOSE ANIMALS. IT IS ESSENTIAL THAT WE REAUTHORIZE IT AND GET THE FUNDING FORMULA RIGHT.

AMENDING THE BILL TO INCLUDE AN EVALUATION OF WHETHER AN INCREASE IN THE FEE IS JUSTIFIABLE SEEMS TO BE THE BEST WAY FORWARD AND THE MOST FAIR WAY OF DETERMINING HOW TO ENHANCE THE GRANT PROGRAM AND REDUCE OUR STILL TOO HIGH EUTHANASIA RATE.

MR. CHAIR, COLLEAGUES, I ASK FOR YOUR FAVORABLE REPORT.

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