



Maryland Department of Agriculture

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Maryland Department of Agriculture

Legislative Comment

Date: February 15, 2023

BILL NUMBER: HB 365

SHORT TITLE: DEPARTMENT OF AGRICULTURE- SPAY AND NEUTER FUND

MDA POSITION: INFORMATION

HB 365 would alter the contents of Agriculture Articles § 2–1602 and § 2–1603. The alterations would create a means for individuals to make a voluntary donation to the Spay and Neuter Fund, and change/increase the fees imposed on pet food manufacturers who register products with the State of Maryland. HB365 also imposes some changes to the eligible services to be funded by grant projects and dictates that certain types of grant projects be given priority when being selected for funding.

In 2013, at the onset of the Spay and Neuter Program an advisory board (“Spay and Neuter Advisory Board” or “SNAB”) was established based on the recommendations found in the 2012 Final Report of the *Task Force on the Establishment of a Statewide Spay/Neuter Fund*. The task force report stated, in part, that “The state agency, in consultation with the volunteer oversight board, would maintain the spay/neuter fund, ... and set standards for and approve competitive grants. The State agency and advisory board would require a grant recipient to report specific data on how the funding is used as they determine necessary.” The SNAB has created guidelines and applications to ensure that the funding is being used to target the intended goals of reducing shelter intake and euthanasia rates. Since the program's inception it has funded almost 100,000 spay and neuter surgeries. Despite the setbacks caused by the pandemic the program has continued to see positive results in intake (approximately 29% reduction) and euthanasia (approximately 58% reduction) numbers.

HB365 would require the Maryland Department of Agriculture (MDA) to provide a means for individuals to make a voluntary donation to the fund. This would most likely be achieved by providing information on the Spay and Neuter Program’s website for how to submit a donation.

HB365 would expand the services allowable in grant projects to include “Wellness care for cats and dogs at the time of Spay or Neuter service.” We are unsure if this would have a demonstrable

impact on the programs desired target of lowering shelter intake and euthanasia rates. The SNAB would need to update the guidelines to define what type of wellness care would be eligible to be applied for in grant applications. This expansion of services may provide some assistance to pet owners and feral cat caretakers, it could detract from the amount of spay and neuter surgeries that are able to be completed each year. This may have a negative impact on the efficacy of the program.

HB365 also allows for mobile veterinary clinic transportation and transportation services to bring animals to and from clinics. However, the SNAB guidelines already provide for these services as a means of removing the transportation barrier for getting animals spayed and neutered. Additionally, the program has a capital expense grant application that allows for, among other things, the start-up costs of new clinics, including, but not limited to, mobile clinics.

HB365 establishes priorities that the SNAB would be required to use for selecting grants for funding. These requirements would differ from the existing priorities set by the SNAB. The current guidelines state “Grant projects must meet the purpose of the Fund. Grant projects that most effectively and efficiently facilitate, promote, and increase spay and neuter services for cats and dogs in Maryland will be given priority.” The Guidelines also state that “This is a competitive grant, and while the program will consider the below listed allowable expenses, priority is often given to “clean” applications that do not require significant amounts of additional expenses and devote as much money to funding spay and neuter surgeries as possible.” Requiring the SNAB to prioritize applications that use mobile veterinary clinics, that serve multiple jurisdictions, or serve previously unserved areas will compromise the SNAB’s ability to ensure funding for the projects that will have the largest impact on intake and euthanasia rates. The SNAB currently considers the availability of services in a target area and the amount of funding that has gone to the target area when determining funding recommendations. When possible, attempts are made to provide some funding to underserved areas to ensure funds are provided across the state, as well as the amount that a jurisdiction contributes to shelter intakes and euthanasia statewide.

HB365 would require the department to adjust the fee schedule charged to the pet food manufacturers based on their annual registration with the state chemist to coincide with annual inflation rates. The bill would set a baseline of 2013 and over the next 3 years increase the fee to the current inflation rate. After that it would be adjusted annually. We estimate that the fee increase in the first 3 years would be:

- \$9.00 for the first year (total \$109 per product registered),
- \$10.00 for the second year (total \$119 per product registered),
- \$12.00 for the third year (total \$131 per product registered).

After the first 3 years it would vary depending on inflation rates but we could expect an approximately \$2 increase per year after. Using that assumption, at the programs next sunset, the fee would be \$145.00 per product registered.

If you have additional questions, please contact Steve Connelly, Deputy Secretary, at steve.connelly@maryland.gov or (410) 841-5881.