

1 S.74

2 Introduced by Senators Campbell, Giard, Kittell and McCormack

3 Referred to Committee on

4 Date:

5 Subject: Government operations; secretary of state; animal spaying and  
6 neutering program

7 Statement of purpose: This bill proposes to transfer the dog, cat, and  
8 wolf-hybrid spaying and neutering program and its supporting special fund  
9 from the agency of agriculture, food and markets to the office of the secretary  
10 of state.

11 An act relating to the transferring of the animal spaying and neutering  
12 program to the office of the secretary of state

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 20 V.S.A § 3815 is amended to read:

15 § 3815. DOG, CAT, AND WOLF-HYBRID SPAYING AND NEUTERING  
16 PROGRAM

17 (a) ~~The agency of agriculture, food and markets shall establish by rule~~  
18 secretary of state shall be responsible for the enforcement of the administrative  
19 rule establishing a process by which a qualified organization shall administer a  
20 program providing reduced-cost spaying and neutering services and

1 presurgical immunization for dogs, cats, and wolf-hybrids owned by low  
2 income individuals.

3 (b) The program shall reimburse veterinarians who voluntarily consent to  
4 spay or neuter dogs, cats, and wolf-hybrids under the auspices of the program.  
5 The reimbursement shall be less any co-payment by the owner of a dog, cat, or  
6 wolf-hybrid for the cost of each spaying or neutering procedure.

7 ~~(c) The agency of agriculture, food and markets is authorized to promulgate~~  
8 ~~an emergency administrative rule by August 1, 2009, the purpose of which~~  
9 ~~shall be that only a dog, cat, or wolf hybrid acquired for no compensation shall~~  
10 ~~be eligible for funding from the animal spaying and neutering program~~  
11 ~~established under this section. The rule shall provide consideration for the~~  
12 ~~financial ability of the funding applicant to pay for the requested service. For~~  
13 ~~the purposes of this subsection, a nominal fee or donation required for adoption~~  
14 ~~of a dog, cat, or wolf hybrid shall not constitute compensation paid for the~~  
15 ~~animal.~~

16 Sec. 2. 20 V.S.A. § 3816 is amended to read:

17 § 3816. ANIMAL SPAYING AND NEUTERING FUND; CREATION

18 (a) There is created, pursuant to subchapter 5 of chapter 7 of Title 32, in the  
19 ~~agency of agriculture, food and markets~~ office of the secretary of state the dog,  
20 cat, and wolf-hybrid spaying and neutering special fund to finance the costs of

1 the dog, cat, and wolf-hybrid spaying and neutering program established in  
2 section 3815 of this title.

3 (b) Revenue for the fund shall be derived from:

4 (1) The \$2.00 surcharge payment paid to a municipality pursuant to  
5 subdivision 3581(c)(1) of this title.

6 (2) Gifts from private donors.

7 (3) Any appropriation which the general assembly makes to the fund.

8 (c) Interest earned on the fund shall be retained in the fund.

9 (d) The ~~agency~~ office of the secretary of state may offset the cost of  
10 administering the dog, cat, and wolf-hybrid spaying and neutering program  
11 from the fund created in subsection (a) of this section in accordance with the  
12 provisions of ~~section 6 V.S.A. § 10 of Title 6.~~

13 Sec. 3. EFFECTIVE DATE

14 This act shall take effect on passage.