



OPPOSE SB778 – An Act Establishing a Massachusetts Cat & Dog Spay & Neuter Fund (Sen. Montigny)

Referred to Joint Committee on Municipalities & Regional Government

PROBLEM:

Massachusetts has a spay/neuter fund license plate which has generated over \$500,000 to date. There is no overpopulation of dogs in Massachusetts. A survey done by MSPCA indicates that 94% of cats and 87% of dogs are sterilized by their owners in the state. Once an income tax checkoff passes the legislature, it takes an act of the legislature to remove it.

HISTORY:

This bill was submitted last year to create even more money to spay and neuter dogs and cats. It was sent to study. The state already has a license plate dedicated to spay/neuter funds which generates nearly \$130,000 a year and has generated over \$500,000 to date. A rewrite of the dog laws dedicates up to an additional \$167,000 to spaying and neutering by adding a surcharge on dog licenses. In a deepening recession, Massachusetts priorities need to focus on the economy and people in need.

WHAT THIS BILL DOES:

Establishes yet another tax checkoff on Mass. State income tax.

WHY YOU SHOULD OPPOSE:

1. The state has a license plate that generates over \$130,000 for spay/neuter
2. A rewrite of the dog laws would dedicate up to an additional \$167,000 for spay/neuter
3. The vast majority of dogs and cats in the state are already sterilized.
4. It takes an act of the legislature to remove a checkoff box from income tax forms. We feel it is irresponsible to ask for this check off when more worthy causes would help children and families, mental health or education.
5. Thousands of dogs are brought into the state from the South, offshore islands and even the middle East to Massachusetts shelters that would otherwise be empty. Taxpayer money should not be used to support this trade.

FOR MORE INFORMATION:

Massachusetts Federation of Dog Clubs and Responsible Dog Owners

Julie Rembrandt Seeley, Corresponding Secretary; jrembrandtseeley@aol.com; 978-456-8644

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MassFed: 05/09/09

SENATE No. 778

The Commonwealth of Massachusetts

PRESENTED BY: Mark C. Montigny

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:
The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Establishing a Massachusetts Cat and Dog Spay and Neuter Fund.

PETITION OF:

Mark C. Montigny Second Bristol & Plymouth
Walter F. Timilty 7th Norfolk
Michael O. Moore Second Worcester
Richard T. Moore Worcester and Norfolk
Christine E. Canavan 10th Plymouth
Stephen M. Brewer Worcester, Hampden, Hampshire & Franklin
Bruce E. Tarr First Essex and Middlesex
Robert M. Koczera 11th Bristol
Michael F. Rush 10th Suffolk
Kathi-Anne Reinstein 16th Suffolk

John P. Fresolo 16th Worcester
Scott P. Brown Norfolk, Bristol and Middlesex
Robert L. Hedlund Plymouth and Norfolk
Bruce J. Ayers 1st Norfolk
Anthony D. Galluccio Middlesex, Suffolk and Essex
Cheryl A. Coakley-Rivera 10th Hampden
John W. Scibak 2nd Hampshire
Richard J. Ross 9th Norfolk
Bill Bowles 2nd Bristol

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act Establishing a Massachusetts Cat and Dog Spay and Neuter Fund.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 10 of the General Laws is hereby amended by inserting after section 35JJ the following section:-

Section 35KK. There shall be established and set up on the books of the commonwealth a separate fund, to be known as the Massachusetts Spay and Neuter Fund, to assist residents of the commonwealth in paying all or part of any costs associated with reducing the numbers of homeless animals through spaying and neutering. The Fund shall be used to assist persons meeting income limit standards to sterilize and vaccinate dogs and cats, including feral cats, to educate the public about the importance of spaying and neutering, and for necessary and reasonable administrative and personnel costs related to the Fund.

Said fund shall consist of all revenues received by the commonwealth: (1) under the provisions of law authorizing the voluntary check-off donation indicated on the department of revenue's annual income tax return, pursuant to section 6L of chapter 62; and (2) from public and private sources as gifts, grants and donations to further the elimination of homeless animals.

The state treasurer shall not deposit the revenues in or transfer the revenues to the General Fund or to any other fund other than the Massachusetts Cat and Dog Spay and Neuter Fund . The state treasurer shall deposit the fund in accordance with sections 34 and 34A of chapter 29 in such manner as will secure the highest interest rate available consistent with the safety of the fund and with the requirement that all amounts on deposit shall be available for immediate withdrawal at any time. The fund shall be expended only for the purposes stated above at the direction of the commissioner of the Department of Agricultural Resources and any unexpended balances shall be redeposited in the fund for future use consistent with this section.

SECTION 2. Chapter 62 of the General Laws is hereby amended by inserting after section 6L the following section:

Section 6M (a) An individual who files a separate return and a husband and wife filing a return jointly may voluntarily contribute all or part of any refund to which they are entitled, or may voluntarily add an amount onto any amount due, to be credited to the Massachusetts Cat and Dog Spay and Neuter Fund established pursuant to section thirty-five CC of chapter 10

A contribution made under this section may be with respect to any taxable year at the time of filing a return of the tax established by this chapter for such taxable year; provided, however, that the commissioner shall prescribe the manner in which such contribution shall be made on the face of the return required by section five of chapter sixty-two C; provided, further, that the commissioner shall assure that taxpayers filing any such forms are made clearly aware of their ability to make the contributions provided for by this section.

The commissioner shall annually report the total amount designated under this section to the state treasurer, who shall credit such amount to said Massachusetts Cat and Dog Spay and Neuter Fund.

(b) There is hereby established an advisory committee to assist the commissioner in establishing procedures for disbursements from the Massachusetts Cat and Dog Spay and Neuter Fund. Members of the advisory committee shall receive no compensation or reimbursement for expenses incurred in the performance of their duties. The advisory committee shall consist of the following members appointed by the Governor:

- (1) one member from a humane society, animal rescue or sheltering organization
- (2) one representative from the an association organized in Massachusetts for animal control officers
- (3) one representative from the state veterinary medical association
- (4) one representative from the Department of Agricultural Resources
- (5) one member of the general public with an interest in reducing the number of homeless animals

All members of the advisory committee shall be residents of the commonwealth. The board members shall serve three-year terms; except that three of the members appointed initially shall serve a term of two years. All members shall have an active interest in reducing homeless pets and educating the community regarding the benefits of pet population control in Massachusetts.