

February 17, 2009

**H 208. SPAY/NEUTER PROGRAM TRANSFER/FUNDS.** Filed 2/17/09. *TO APPROPRIATE FUNDS TO THE SPAY/NEUTER ACCOUNT AND TO TRANSFER ADMINISTRATION OF THE VOLUNTARY SPAY/NEUTER PROGRAM TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.*

Transfers the Spay/Neuter Program and the Spay/Neuter Account (Account) from the Department of Health and Human Services (DHHS) to the Department of Agriculture and Consumer Services (DACS) by a Type I transfer. Transfers any unexpended funds appropriated to DHHS for 2009-10 to implement the Spay/Neuter program to DACS. Amends GS 19A-61 to clarify that the Spay/Neuter Program is voluntary. Makes a conforming change.

Amends GS 19A-62 by (1) eliminating the requirement that a portion of the fee imposed for obtaining a rabies vaccination tag from DHHS, pursuant GS 130A-190(b)(4), be transferred to fund the Account and (2) adding that funds be transferred to the Account pursuant to proposed new GS 106-284.40(d), which applies fees and other receipts collected under the Commercial Feed Law, to the extent not applied to cover the costs of inspection of canned pet food and commercial feeds, in order to fund the Local Spay/Neuter Assistance Program. Makes a conforming change by eliminating the use of revenue from fees collected from rabies vaccination tags and, instead, requires that \$60,000 be distributed annually to DHHS to fund rabies education and prevention programs. Provides that up to 20% of the money in the Account be used to defray the costs of administering the program *and to develop and implement the statewide education component of the Spay/Neuter Program* (was, a separate 20% dedicated to developing and implementing the statewide program). Makes technical and conforming changes. Also makes conforming changes to GS 130A-190(b).

Amends GS 19A-63 (eligibility for distributions from the Account) to expand the definition of *low-income person* to also mean an individual whose annual household income is under 200% of the federal poverty level guidelines published by the US Department of Labor. Provides that each county must make rules or publish guidelines that designate what proof is required to be submitted to establish low-income eligibility and qualify for public assistance under the statute. Makes a conforming change.

Amends GS 19A-64 by deleting the requirement that the distribution of payments to eligible counties or cities in tier one, tier two, and tier three areas from the Account be in proportion to the number of cats and dogs receiving rabies vaccinations as compared to all eligible applicants in those specified areas and, instead, states that the distribution is pursuant to rules adopted by DACS. Makes conforming changes.

Amends GS 19A-65 to change the filing date for the annual report required from every animal shelter in receipt of state or local funding from August 1 to March 1 of each year. Makes a conforming change requiring that the report be filed with DACS. Prohibits a city or county that does not file a timely report from being eligible to receive reimbursement payments under GS 19A-64 in that calendar year.

Appropriates \$1 million for 2009-10 and \$1 million for 2010-11 from the General Fund to DACS to fund the Account. Provides that these funds are in addition to funds available or transferred to the Account under statutory authority. Prohibits funds from 2009-10 from reverting and allows DACS to use those funds in 2010-11 to fund the Account.

Requires DACS, prior to January 1, 2010, to notify counties and cities that have, prior to the notification deadline, established eligibility for distribution of funds from the Account regarding the amount of funding available, as well as any estimated additional funding, for distribution to pay reimbursement requests during the calendar year following the notification deadline.

Effective July 1, 2009.

**Intro. by Harrison, Wray.**

GS 19A, 106, 130A, APPROP

June 10, 2010

**H 208. SPAY/NEUTER PROGRAM TRANSFER/FUNDS.** Filed 2/17/09. House committee substitute makes the following changes to 1st edition.

Amends GS 19A-62 to increase to \$20 (was, \$10) the portion of the Animal Lovers license plate fee included in the Spay/Neuter Account (Account). Allows up to 20% of the revenue in the

Account to be used to develop and implement the statewide education component of the Spay/Neuter Program. Deletes \$60,000 annual distribution to DHHS to fund rabies education and prevention programs. Makes conforming and technical changes.

Amends GS 19A-63 to make an individual eligible for distributions from the Account if that person's annual household income is under 300% (was, 200%) of the federal poverty level guidelines, and directs counties to establish conforming rules.

Deletes appropriations provided in the previous edition, and deletes proposed GS 106-284.40(d) (concerning pet food inspection costs).

Codifies the requirement, in proposed GS 19A-66, that the Department of Agriculture and Consumer Services (DACS), prior to January 1 of each year (was, January 1, 2010), must notify counties and cities that have, prior to the notification deadline, established eligibility for distribution of funds from the Account regarding the amount of funding available, as well as any estimated additional funding that may be available to pay reimbursement requests during the calendar year following the notification deadline.

Amends GS 130A-190(b), authorizing the Secretary of DHHS to collect (was, establish by rule) a fee for rabies tags, links, and rivets. Increases the fee to \$0.15 (was, \$.05) that will fund rabies education and prevention programs.

Adds new section, amending GS 20-79.7(a) to increase the Animal Lovers special registration plate additional fee to \$30 (was, \$20). Amends GS 20-97.7(b) to credit \$20 (was, \$10) from the plate fee to the Collegiate and Cultural Attraction Plate Account.

Adds new section, authorizing DACS to study the State's role in reducing the number of unwanted dogs and cats, and in ensuring the humane treatment of those animals. Lists components related to the study. Directs the Department to conduct this study with funds available for the 2010-11 fiscal year, allows the Department to make interim reports as necessary, and requires a report to specified legislative entities on or before May 1, 2011.

Makes additional clarifying changes, and stylistic and conforming changes to the title.

Changes the act's effective date to October 1, 2010 (was, July 1, 2009).