§3910-C. Companion Animal Sterilization Program

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Administrator" means the entity that administers the program as provided in subsection 7. [PL 2023, c. 484, §3 (NEW).]

B. "Fund" means the Companion Animal Sterilization Fund under section 3910-B. [PL 2023, c. 484, §3 (NEW).]

C. "Neuter" means to castrate a male animal by removing the animal's testicles or to sterilize a male animal by a nonsurgical method approved by the federal Food and Drug Administration. [PL 2023, c. 484, §3 (NEW).]

D. "Overpopulation" means a surplus of cats or dogs when compared to demand for ownership by humans as determined by the commissioner by rule. [PL 2023, c. 484, §3 (NEW).]

E. "Program" means the Companion Animal Sterilization Program established under subsection 2. [PL 2023, c. 484, §3 (NEW).]

F. "Spay" means to sterilize a female animal by removing the animal's ovaries or to sterilize a female animal by a nonsurgical method approved by the federal Food and Drug Administration. [PL 2023, c. 484, §3 (NEW).]

G. "Spay or neuter event" means an event scheduled by a veterinary provider, including, but not limited to, a mobile clinic, a pop-up clinic or a clinic in a fixed location, during which 10 or more sterilizations are provided per day for program participants. [PL 2023, c. 484, §3 (NEW).]

H. "Sterilization" means the spaying or neutering of a companion animal, a stray animal or a feral cat. [PL 2023, c. 484, §3 (NEW).]

I. "Veterinary provider" means a person licensed to practice veterinary medicine under Title 32, section 4861 or an animal welfare organization that has at least one licensed veterinarian on staff and regularly provides companion animal sterilization services to the public. [PL 2023, c. 484, §3 (NEW).]

[PL 2023, c. 484, §3 (NEW).]

2. Establishment. The Companion Animal Sterilization Program is established within the department to provide sterilization services in order to reduce:

A. Stray and unwanted cats and dogs; [PL 2023, c. 484, §3 (NEW).]

B. Cat and dog euthanasia rates; [PL 2023, c. 484, §3 (NEW).]

C. Dog bites; [PL 2023, c. 484, §3 (NEW).]

D. Feral cats; [PL 2023, c. 484, §3 (NEW).]

E. Threats to public health and safety from rabies and other zoonotic diseases; [PL 2023, c. 484, §3 (NEW).]

F. Costs associated with community and state animal control; and [PL 2023, c. 484, §3 (NEW).]

G. Areas lacking access to veterinary care. [PL 2023, c. 484, §3 (NEW).]

[PL 2023, c. 484, §3 (NEW).]

3. Eligibility. A person is eligible to have a companion animal, a stray animal or a feral cat sterilized under the program if the person is:

A. At least 18 years of age and not declared as a dependent by another person for tax purposes; [PL 2023, c. 484, §3 (NEW).]

B. A resident of the State; [PL 2023, c. 484, §3 (NEW).]

C. The owner of the companion animal or the keeper of the stray animal or feral cat to be sterilized; and [PL 2023, c. 484, §3 (NEW).]

D. One of the following:

(1) The owner of the companion animal or the keeper of the stray animal to be sterilized and has a household income less than 133% of the federal poverty level, except that, if money is available in the fund, the department may by rule increase the household income limit for the purposes of eligibility up to 150% of the federal poverty level;

(2) The owner of the companion animal or the keeper of the stray animal to be sterilized participates in an income-based governmental public assistance program as determined by the department by rule; or

(3) The keeper of a feral cat, regardless of income. [PL 2023, c. 484, §3 (NEW).]

A person determined eligible under this subsection may be issued a voucher for sterilization services under this subsection.
[PL 2023, c. 484, §3 (NEW).]

4. Copayment. A person who meets the eligibility requirements under subsection 3 and who receives services under the program shall submit to the administrator or the veterinary provider, whichever is applicable, a copayment determined by the department unless the animal that is spayed or neutered is a feral cat. The department shall determine the copayment on an annual basis. The administrator may waive the copayment if the administrator determines that the copayment creates a financial hardship for the person.
[PL 2023, c. 484, §3 (NEW).]

5. Veterinary provider participation and payment. On an annual basis, a veterinary provider that wishes to receive payments for sterilization services under the program shall sign an agreement with the department on a form provided by the department. Under the agreement, the veterinary provider agrees to fees that may be charged for sterilization services, as established by the department, and all other program conditions and elects the manner of payment under the program in accordance with this subsection. The agreement must specify that the program only provides payments for the specific services covered under the program pursuant to subsection 6.

A veterinary provider may elect one of the following ways in which to receive payments under the program.

A. A veterinary provider may elect to receive prepayments for sterilizations in accordance with this paragraph by filing an application with the administrator requesting funding for sterilizations that the provider commits to perform in the 6-month period following the application's approval. The administrator shall provide prepayments to the veterinary provider in a single installment or in multiple installments. If the administrator provides multiple installments, any installment after the first installment must be conditioned upon the veterinary provider's provision of at least 75% of the sterilizations prepaid by the first installment and the availability of funding. A veterinary provider shall collect the copayments established under subsection 4 and provide an accounting to the administrator. The administrator may supply to the veterinary provider vouchers that allow the provider to verify in-clinic eligibility of clients. [PL 2023, c. 484, §3 (NEW).]

B. A veterinary provider may elect to receive reimbursements for individual sterilizations by submitting an invoice to the administrator for the sterilization performed for a person issued a voucher by the administrator. The veterinary provider shall submit the invoice with the associated voucher after performing the sterilization. [PL 2023, c. 484, §3 (NEW).]
[PL 2023, c. 484, §3 (NEW).]

6. Voucher reimbursement rate. The department shall establish by rule voucher reimbursement rates under the program in consultation with a statewide association of veterinarians. The reimbursement rates must cover the cost of the presterilization examination, the sterilization and a rabies vaccination. The reimbursement rate may cover additional procedures approved by the department, including feline viral rhinotracheitis, feline calicivirus and feline panleukopenia vaccinations; distemper, hepatitis, parainfluenza and parvovirus vaccinations; and flea and tick treatment and may cover pain management and a device that prevents the cat or dog from reaching the surgical site. The owner of a companion animal or keeper of a stray animal or feral cat is responsible for the payment of any additional procedures administered by the veterinary provider that are not covered by the program.
[PL 2023, c. 484, §3 (NEW).]

7. Program administration. The department through a competitive selection process shall contract with a suitable animal welfare organization to administer the program. The administrator must have adequate resources and staff, or plans for adding sufficient staff, to administer the program, as determined by rule by the department. Other than the payment of administrative costs under section 3910-B, subsection 1-A, the administrator may not have any direct or indirect pecuniary interest in or receive or be eligible to receive, directly or indirectly, any benefit that may arise from a contract with the State under this section. In the event that the department is unable to contract with a suitable animal welfare organization, the department is the administrator. The administrator shall:

A. Issue a unique identifying code to a person who is determined to be eligible under subsection 3. The code must indicate the type of animal that is eligible for sterilization under the program; [PL 2023, c. 484, §3 (NEW).]

B. Issue a group of vouchers to a veterinary provider to be used at a spay or neuter event for persons determined eligible in accordance with subsection 3. Vouchers under this paragraph are valid for no more than 120 days from the date of issuance unless extended by the administrator; [PL 2023, c. 484, §3 (NEW).]

C. Maintain a phone line and a voice mail system and ensure that calls and messages are returned within 10 business days; [PL 2023, c. 484, §3 (NEW).]

D. Procure veterinary provider participation agreements under subsection 5 and maintain relationships with veterinary providers; [PL 2023, c. 484, §3 (NEW).]

E. Maintain a list of participating veterinary providers; [PL 2023, c. 484, §3 (NEW).]

F. Except as provided under subsection 5, paragraph A, verify individual owner or keeper eligibility for the program; [PL 2023, c. 484, §3 (NEW).]

G. Establish a process for spay or neuter events that ensures that participating veterinary providers are verifying owner or keeper eligibility for the program; [PL 2023, c. 484, §3 (NEW).]

H. Dispense payment to veterinary providers in a timely manner once an application for payment is approved or an invoice for services is received and verified; [PL 2023, c. 484, §3 (NEW).]

I. Collect and review progress reports from veterinary providers, including, but not limited to, specific vouchers redeemed, fund expenditures, money remaining in the fund, changes needed for additional funding installments pursuant to subsection 5, paragraph A and accounting for copayments under subsection 4 paid directly to veterinary providers; and [PL 2023, c. 484, §3 (NEW).]

J. Report quarterly to the commissioner on program progress including reconciliation of all funding, vouchers issued and redeemed, participating veterinary providers' progress, number of funding applications, number and type of sterilizations performed, geographic distribution of

owners and keepers participating in the program, funds dispersed and fund balance. [PL 2023, c. 484, §3 (NEW).]

[PL 2023, c. 484, §3 (NEW).]

8. Rules. The department shall adopt rules necessary to implement this section. Notwithstanding Title 5, section 8071, subsection 2, rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2023, c. 484, §3 (NEW).]

SECTION HISTORY

PL 2023, c. 484, §3 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 132nd Maine Legislature and is current through October 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.