



THE HUMANE SOCIETY
OF THE UNITED STATES

**Testimony in Opposition to LD 595
An Act to Require Major Substantive Rulemaking for the
Companion Animal Sterilization Fund
Committee on Agriculture, Conservation and Forestry
February 27, 2023**

Senator Ingerswen, Representative Perry, and members of the Committee on Health Coverage, Insurance and Financial Services, my name is Katie Hansberry and I am the Maine State Director of The Humane Society of the United States.

On behalf of HSUS and our Maine supporters, I want to thank you for the opportunity to testify in opposition to LD 595 for the same reasons set forth in the testimony provided by the Maine Federation of Humane Societies. In addition, I wanted to provide the committee with the attached written comments HSUS submitted in response to the recent Chapter 702 Rules for the Low Income Spay/Neuter Program (Proposed Rule Number: 2022-P235) rulemaking proposal. Those comments offer additional suggestions in connection with the Help Fix ME Program's work with feral cat populations.

Thank you for your time and consideration.

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By Electronic Mail

January 28, 2023

Ronda Steciuk (ronda.steciuk@maine.gov)
Director, Animal Welfare Program
Department of Agriculture, Conservation & Forestry
90 Blossom Lane
Augusta, ME 04333

Re: Ch. 702, Rules for the Low Income Spay/Neuter Program; Proposed Rule Number: 2022-P235

Dear Director Steciuk:

On behalf of the Humane Society of the United States and our Maine supporters, I thank you for the opportunity to submit comments regarding the proposed rules changes to Ch. 702, Rules for the Low Income Spay/Neuter Program. We applaud the Animal Welfare Program and Department of Agriculture, Conservation and Forestry on broadening the program's scope with respect to feral cats in the proposed revisions to the Rules for the Low Income Spay/Neuter Program.

In the interest of improving the efficacy of the Companion Animal Sterilization Fund, we offer the following recommendations for changes to the proposed regulations regarding feral cats:

Broaden Definition of Feral Cat

While the definition of "feral cat" included in the proposed regulations mirrors the definition in the state law, we recommend expanding this meaning to include those cats commonly referred to as "community cats". This will ensure that funds can be applied to all those reproductively active cats who live primarily outdoors without a known owner, regardless of their behavior.

F. FERAL CAT – A cat without owner identification of any kind that consistently exhibits extreme fear in the presence of people. For the purposes of the Companion Animal Sterilization Fund, feral cats shall include community cats.

Consider All Feral Cats to be an Overpopulation

The proposed definition of feral cat overpopulation—when the population of feral cats exceeds its sustainable size within a particular environment or habitat—presents several challenges. How is feral cat overpopulation determined? What metrics are to be used to calculate the population of feral cats living outdoors in the state? What—and who—will determine what a "sustainable size" is?

While the information needed to calculate "pet overpopulation" can be available through data collected by animal shelters, the information needed to determine "feral cat overpopulation" is not. Simple formulas once used to estimate feral cat populations, such as dividing the human population by a factor of 6 or 15, have proven invalid. There is also no industry standard of what a "sustainable size" population is, nor if that is the best-practices objective as compared to reducing the populations to as close to zero as possible.

The reality of determining this calculation may be beyond the ability of the Program Administrator. How to accurately estimate free-roaming cat populations is a question that researchers are currently trying to



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answer. A three-year research project, DC Cat Count (<https://hub.dccatcount.org>) recently explored using tools and methodologies commonly employed for estimating wildlife populations for measuring domestic cat populations. These cat counting tools are now being utilized in several communities to demonstrate impact and improve efficiency of cat management programs. However, even this rigorous science is not aimed at determining “overpopulation” nor “sustainable size” of free-roaming cats.

In lieu of trying to define a metric to measure feral cat overpopulation, the state should consider finding that, for the purposes of the Companion Animal Sterilization Fund, all unsterilized “feral cats” qualify as an overpopulation.

I. OVERPOPULATION- Pets: a surplus of pets when compared to demand for ownership by people. Feral Cats: when the population of feral cats exceeds its sustainable size within a particular environment or habitat. For the purposes of the Companion Animal Sterilization Fund, all feral cat populations are considered an overpopulation.

These changes to the Rules for Low Income Spay/Neuter concerning feral cats can help strengthen the program as it continues to provide vital services to those Mainers in need. Thank you for considering our recommendations.

Sincerely,

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