

Memorandum Urging Approval

COMMITTEE ON ANIMALS AND THE LAW

Animals and the Law #1 - GOV

September 4, 2015

S. 1081
A. 2778

By: Senator Marchione
By: M. of A. McDonald
Senate Committee: Agriculture
Assembly Committee: Agriculture
Effective Date: Immediately

AN ACT to amend the agriculture and markets law, in relation to community-based initiatives for the purpose of trapping, neutering, vaccinating and returning feral cats to the area from which they were trapped.

SECTION AND LAW REFERRED TO: Agriculture and Markets Law Section 117-a

THE COMMITTEE ON ANIMALS AND THE LAW SUPPORTS THIS LEGISLATION AND URGES ITS APPROVAL

A.2778 / S.1081 would amend the Agriculture and Markets Law to expand the funding available from the Animal Population Control Program for low cost spaying and neutering of owned cats and dogs to include feral cats that are trapped, spayed or neutered, vaccinated, and returned to the location from which they were trapped through community-based initiatives working with eligible not for profit entities. By making funding available for the sterilization and vaccination of feral cats in addition to owned cats, this bill directly supports the stated legislative purpose of the Animal Population Control Program, which is “to reduce the population of unwanted and stray dogs and cats thereby reducing the incidence of euthanasia and potential threats to public health and safety posed by the large population of these animals.”

Reducing the population of feral cats through spaying and neutering poses unique challenges due to their feral nature. While they live harmoniously with other felines, they have lost their socialization skills with humans and thus cannot simply be brought into traditional low cost spay and neuter clinics. They instead must be humanely trapped, and from there they can be sterilized and vaccinated. Additionally, because they are feral they are not good candidates for adoption and thus cannot be taken to shelters, for if they are, most often they are euthanized. Thus, after feral cats are sterilized and vaccinated, they are returned to the

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place where they were trapped, where most live in outdoor colonies which are fed and monitored by a caretaker or caretakers. This process is known as trap, neuter, return, or TNR. Those feral cats that have been vaccinated and are not hormonally driven to seek reproductive partners live healthier, less nomadic lives than intact cats, and they also serve to keep other feral cats from moving into their territory.

The factors cited above and the failure of the previous practice of exterminating feral cats as a means of controlling the population have led to the recognition by many communities that TNR is the best way to reduce the number and improve the health of feral cats. In fact, the sponsors of this Bill note that fifteen other states' animal population control programs (including, on the east coast, Massachusetts, Rhode Island, Connecticut and Delaware) specifically authorize the use of spay and neuter funds for TNR programs. New York State should join them in recognizing the importance of reducing the population of feral cats in this manner and should allow grants from the Animal Population Control funds to be used to help pay for community-based TNR initiatives.

Based on the foregoing, the New York State Bar Association Committee on Animals and the Law **SUPPORTS this legislation and urges its approval by the Governor.**

Chair of the Committee: Natalie A. Carraway, Esq.