

An Initiative Petition for a Law Relative to the Reduction of Euthanasia in Animal Shelters (Version B)

Be it Enacted by the People, and by Their Authority:

Section One

Massachusetts General Laws Chapter 140, section 136A, deletes the existing definition of “Shelter,” and replaces it with:

“A public animal control facility or private facility which is operated by an organization or individual for the purpose of protecting animals from cruelty, neglect or abuse.”

And inserts the following definitions:

“Adoptable Animal,” any domestic animal, excluding community cats, that is in need of permanent housing, that is not seriously or terminally ill, and that does not have serious behavioral issues.

“Community Cat,” a cat that is abandoned, stray, lost, or born and living outdoors, and may be cared for by one or more community caregivers.

“Community Cat Caregivers,” a person who provides care, including food, shelter, or medical care to a cat that is abandoned, stray, lost, or born and living outdoors, but is not the cat’s owner..

“Ear tipping,” the removal of the ¼ inch tip of a community cat’s ear, performed while the cat is under anesthesia, to identify the community cat as being sterilized and vaccinated for rabies,

“Rescue,” an animal adoption organization or individual.

“Trap-Neuter-Return,” a process where community cats are humanely trapped, sterilized, vaccinated against rabies, ear-tipped, and returned to trapping location.

Section Two

Shelters shall contact local rescues that are registered with the Massachusetts Department of Agricultural Resources, Division of Animal Health before the euthanizing of an adoptable animal in accordance with the following:

1.) Not less than two business days before the euthanasia of an animal, the shelter having custody of the animal shall:

a.) notify or make a reasonable attempt to notify by verifiable written or electronic communication any rescue organization previously requested to be notified before animals at the shelter are euthanized; and

b.) offer each rescue organization notified the opportunity to take possession of the animal to avoid the animal's death.

In the event that a shelter believes that an animal poses a danger to the public because of serious behavioral issues, and is therefore not adoptable, the shelter will make a good faith effort to have that animal evaluated by a trainer if funding is available.

Section Three

It shall be unlawful for community cats to be trapped or taken into custody for the sole purpose of destroying these cats.

Section Four

If a shelter has a community cat in its custody, it shall contact a local rescue registered with the Massachusetts Department of Agricultural Resources, Division of Animal Health to give it the opportunity to take custody, before returning the cat to the location that it was found, if known, or some other suitable location. Nothing in this act shall prevent a shelter or rescue from finding a suitable home for a community cat.

Section Five

Failure to comply with these requirements shall be punishable by a fine of not less than \$10.00 not to exceed \$100.00 for each offense.

Section Six

The provisions of this law are independent and severable, and the invalidity of any part or feature thereof shall not affect or render the remainder of this law invalid or inoperative.

Section Seven

This Act shall be effective January 1, 2017

I have personally reviewed the final text of this Initiative Petition entitled An Initiative Petition for a Law Relative to the Reduction of Euthanasia in Animal Shelters, fully subscribe to its contents, and agree to be one of the original signers of this petition.

Signed:

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