



## **Talking Points re AB 1634 as amended 7/3/07:**

**Please select a few that you can discuss passionately.**

**Please speak from your heart & include anecdotes**

- State vs. Local laws: difference between urban & rural situations, One Size Does Not Fit All!
- Bill allows jurisdictions to Disallow All Exemptions & Pass Stricter Ordinances.
- Financial Impact of animal events on CA Economy & Tourism: tourism revenues will suffer due to decreased animal events – dog/cat shows, field/obedience/agility trials, et al. AKC estimates a minimum of ~\$100 million annually in CA from AKC shows alone. Hotels, motels, restaurants, travel agencies, airlines, gas stations, animal supply shops, groomers, theme parks/attractions, venues, et al, will all suffer.
  - Shelter intake & euthanasia Numbers have been Declining for the last 20+ years due to successful public education programs coupled w/low/no-cost spay-neuter programs.
  - Mandatory Spay/Neuter Laws Haven't Been Effective dealing w/shelter population issues. Similar legislation tried across the country has failed & has been repealed after unsuccessful trials.
  - Breeding Doesn't Drive Shelter Numbers, so breeding-control measures will not improve or affect them.
  - Based On Misconception that inflow of animals to shelters is "caused" by excess breeding, so assumes that if breeding is reduced, a decrease in shelter numbers will follow.
  - Births Of Owned Animals Not Source of animals in shelters. Bill will have no effect on the reasons that people surrender animals to shelters.
  - Common Reasons for Owner Relinquishments of animals to shelters: moving, landlord issues, personal issues, divorce, family crises, financial problems, allergies, behavioral problems due to poor animal stewardship, barking, biting, soiling, cost of caring for sick/aged animals, too many pets, etc. No law can address these issues.
  - Feral Cats/Kittens Aren't Addressed. Feral cats/kittens constitute the majority of shelter intakes & euthanasias. Effective Trap/Neuter/Return programs aren't included in this bill, nor are low/no-cost spay/neuter clinics.
  - People Already Spay/Neuter as suits their lifestyle, but at appropriate, healthy age after consulting w/their vets. Voluntary sterilization rate already ~80% range for dogs, & higher for owned cats.
  - Birthrate for dogs (except pit bulls) is Below Replacement Rate.
  - Shelter Intake: majority of shelter intake animals are Adults. After an acquired puppy/kitten matures, the same relinquishment issues apply once the animal is no longer cute, so unwanted adults will continue to be turned in to shelters or abandoned. The other large portion of shelter intakes are neonatal feral kittens who have a high mortality rate. Puppies & kittens are easily adopted, while older, sicker animals w/behavioral/temperament issues are not.
  - Licensure Will Decrease as people surrender pets to avoid uncapped high intact fees, fines (\$500/intact animal) or increased costs of state-mandated sterilization. Animals will be abandoned instead of being turned in.
  - Shelter Operating Costs Will Increase due to new bureaucracy created to try to enforce this bill & due to the need to shelter, sterilize & euthanize newly abandoned dogs & cats.
  - Community Health could be at risk due to decreased compliance with licensing-required rabies vaccinations
  - California's Agriculture, Cattle & Sheep Industries will suffer due to loss of working stock dogs. Most of CA's working dogs are unregistered/not of more typical registries, so would not be able to be bred or used.
  - Potential for New Registries springing up to "comply" w/bill – inability of shelter staff to differentiate.
  - Law Enforcement Dogs: proposed exemption only addresses the current generation. These dogs often come from hobby breeder stock, which would have to be neutered. The abilities of these dogs often don't become apparent until they're several years old & they don't start being trained until those talents are identified. Hormones also affect the drive/intensity of working dogs. When purchased as trained adults, these dogs are extremely expensive.
  - Service Dogs: like police dogs, service dogs generally come from hobby breeder stock. They start their lives as family pets. This bill would do a disservice to guide & service dogs & to the people who rely on them.

- No exemptions for Sporting & Hunting Dogs. These activities bring in millions in tourism, fish & game permits, & contribute to \$\$ for wildlife habitat, protection & restoration.
- To Maintain Intact Exemption, Must Continue To Actively Compete w/animal at least annually throughout animal's lifetime no matter what use/title/other exemption after age three.
- Government Intruding Into Medical Decisions best left to individual owners & their veterinarians.
- Long-term Health Problems Associated w/Canine Juvenile Sterilization: equates to performing same surgeries on pre-teenaged child. Hormones are necessary for proper physical & emotional development – ask a post-menopausal woman. Issues: orthopedic/structural/skeletal problems due to delayed growth plate closure, hip dysplasia, patellar luxation, increased risk of bone cancer, hemangiosarcoma, urinary incontinence, hypothyroidism, cognitive dysfunction when older, behavior problems – noise phobias, fearfulness & aggression, increased susceptibility to infectious diseases, higher incidence of adverse reactions to vaccines, et al.
- Damage to Gene Pools: many smaller breeds of dogs & cats are already considered "endangered" in other countries. Juvenile sterilization would further limit potential genetic diversity, & would result in the extinction of those breeds.
- Genetic Needs: especially in some breeds of cats, certain types cannot be shown, but are needed to maintain genetic health & type in order to preserve those breeds. If those "unshowable" animals are eliminated, that would mean destruction of those breeds.
- Difficulty for responsible owners to Satisfy Requirements to keep an animal intact: the criteria to prove that juvenile purebreds are in training for work, show, etc., do not exist.
- Business License Criteria: inability of most hobby breeders to comply w/zoning, USDA & other laws required for business licenses to become a licensed breeder for intact permit purposes. "Legitimate breeder" is not defined.
- Intact Permit ≠ or guarantee a Breeding Permit/license. They're currently difficult to obtain & would be discretionary so could be manipulated/fickle. Permit issuance language is limited to one male & one female, which often does not reflect how breeders keep animals, especially cats. Requires neutering after one litter & giving away the "get."
- Tax Laws: AR proponents accuse hobby breeders of being in violation of tax laws. Most hobby breeders have at most one or two litters per year, & many more only breed every few years. IRS classifies this as a hobby especially as most hobby breeders lose money on their litters but breed for their enjoyment & the improvement of their breeds. IRS doesn't consider them to be scofflaws.
- Unfairly Targets Those Who Aren't The Problem: visible small-scale, middle-class, ethical hobby breeders who provide resources & support to puppy & kitten buyers. They do extensive health evaluations on their animals + prove their worthiness in shows, trials, & performance venues.
- Breed Clubs Already Operate Effective Breed-Specific Rescue Groups & Do NOT Support This Bill.
- Supply & Demand: not everyone wants a mixed breed or older animal. People often prefer purebred pups & kittens because of predictability of temperamental & physical attributes. Shelter animals often have behavioral or temperament issues that not all owners can address. As hobby breeders leave CA or choose to sterilize their animals due to cost constraints, young purebred animals will come from large commercial out of state puppy mills or be smuggled in from places like Mexico, Asia or Eastern Europe. New pet owners will have no support network or recourse.
- Bill Favors large Commercial Breeders who provide no support to consumers, nor test the health or appropriateness of their breeding stock. Unhealthy animals perpetuate the cycle of abandonment by owners.
- California's small, caring Hobby Breeders will Flee to avoid punitive fees, hurting CA's economy.
- Discriminates Against Low Income Californians & Minorities who won't be able to afford to sterilize their animals, who lack transportation to get to clinics, or who can't afford the intact fees.
- Discriminates Against the Elderly whose companion animals are lifelines to the larger world.
- Discriminates Against the Homeless whose dogs are their security & contact with reality.
- Unacceptable As Amended. Fancies lacked input. Underlying premise is flawed & based on distorted information – doesn't address the issues. Latest amendments require: 1) criminal background check for breeding approval, 2) house must be open to AC inspection for suitability, 3) feeding, watering, sheltering of animals must be approved, 4) may only breed 1 pair of animals w/vet approval (your animals = breeding pair), 5) must GIVE away pups/kittens, keeping records, 6) must sterilize breeding pair afterwards, 7) all dogs have a 1 litter option, 8) Dept. of Ag dog farms explicitly exempted.
- What Works: A) Pet Owner Education resulted in ~90% drop in dog impounds over the last 30 years, B) Increased Education/Outreach to Children regarding RESPONSIBLE pet ownership, C) Voluntary Sterilization @ an Appropriate Age made in consultation w/a veterinarian, D) Tax Credit Incentives/deductions for spaying/neutering at Appropriate age, E) Funding Trap/Neuter/Return feral cat programs, F) Funding Voluntary Low/No-Cost sterilization programs targeted at areas where most needed, G) Improved Enforcement Of Existing "at large" & leash Laws, H) Improved Cooperation between shelter & breed rescue groups, I) Taxing Pet Foods & Products to subsidize these proposals, J) Reasonable, Enforceable Laws that protect the welfare & health of responsibly owned & bred animals.
- 1634 is Part Of Well Funded Nationwide/Worldwide AR Movement To End all Animal Uses Including Pets. Is being done slowly, attempting to regulate breeders  & owners until it become too difficult/expensive to continue. 1634 is  one of many that will come before our lawmakers. Legislators must recognize & vote this down or  our society will forever be altered for the worse.

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This bill will neither reduce the costs to AC nor decrease the euthanasia rate. In fact similar coercive legislation has increased costs and euthanasia rates and progressive thinkers have moved beyond MSN while AB 1634 proponents are escalating commitment to a losing strategy.

AB 1634 will not reduce shelter costs to California because the greatest percentage of AC costs are fixed costs. Facilities, administration, bare bones staffing and vehicles. Animals in the shelter is a variable but very small cost. Even if reductions occur costs would increase as the Hayden bill provides that animals be cared for if space is available. Killing is significantly cheaper than providing board and vet care.

AB 1634 will have disastrous consequences because it attributes killings in shelter to just one cause-animal births. It fails to note that dogs and cats are in shelters for different reasons and neither reason is the planned breeding of purebred pets. Pedigreed cats make up a mere 6% of the cat population and hardly ever are in shelters. AB 1634 would have no impact on unowned or casually owned cats and their unweaned young which make up the bulk of the shelter population. The shelter dog population is made up of mostly random bred adult dogs whose owners have failed them. Education re training is needed. There is a actual shortage of puppies, especially small breeds documented by the number of animals smuggled in from Mexico requiring a Border Puppy Taskforce to be established.

AB 1634 will not reduce costs and numbers because we have an open system with non-substitutability. The senior citizen with a size restriction on dogs cannot substitute an 80 lb shelter dog for a predictably small toy breed. The family with small children may rightly fear bringing a grown dog of unknown behavioral and genetic background into their home. MSN will actually increase the numbers of adult dogs in shelters, because the supply for young puppies will not be met by California hobby breeders but by commercial puppy producing operations and by a large increase in puppy smuggling from Mexico. This will cause deterioration in health and behavior, resulting in even more adult dogs being relinquished to shelters.

AB 1634 will cause significant sales revenue flow out of California. Going out of California to out of state and of-shore puppy mills in Eastern Europe and Mexico to buy purebred pets will entail a significant flow of revenue out of the state and lower quality animals at higher cost to Californians.

AB 1634 does not provide exemptions for hobby breeders and would destroy some gene pools. Hobby breeders are not businesses and cannot meet the license requirements. Without a "breeder license" cat/dog breeders can't meet the first exemption. Jurisdictions may or may not have this available - it is not required to set up a program and most will not. The second exemption requires a cat to be shown/earn a title. Many cats and dogs valuable in breeding programs can not be shown but are needed in the gene pool to maintain health of the gene pool.

AB 1634 would result in significant loss of revenue from dog and cat shows. Hobby breeders pour money into their pastime--so much that most of us lie to our spouses about the actual amount. Registries such as AKC and CFA conduct ongoing research regarding the economic benefits of our events, and their estimates conclude that these exhibitors contribute nearly 100 million annually to local California economies. This is the contribution from dog shows and does not include the money spent on vets, groomers, handlers, supplies, pet food, etc. California has a reputation for not being friendly to people wanting to make money. AB 1634 makes it unfriendly to people wanting to spend money in the state.

AB 1634 also will entail significant costs to every one of the 536 jurisdictions in the state incurred in establishing and maintaining the regulatory licensing system imposed by the bill. These costs will be incurred before any revenue is generated from licensing and permitting and some jurisdictions, especially those who have successful alternative programs or are financially strapped will be unable or unwilling to foot the costs. In poorer jurisdictions, citizens will be unable to comply as no affordable or available S/N services exist. This will lead to disastrous consequences.

AB 1634 cannot be effective without incurring substantial enforcement costs. Research on compliance indicates that if the scofflaw rate is above 5% enforcement is required. With dog license compliance at less than 20% and cat at less than 3%, Enforcement for AB 1634 will require vet reporting which would reduce rabies compliance, or door to door canvassing which is an invasion of privacy, requires self-incrimination, and the cost of which society will not bear considering the other issues we face such as drunk driving, illegal immigration, crime and drug use.

AB 1634 is unnecessary 75% owned dogs, 95% owned cats are neutered. So Levine is "legislating for the choir". S/N education has been one of the most successful education movements of this generation.

AB 1634 will be counter productive. You do not need to legislate that which can be easily "sold" as being in the best interests of the populous. Voluntary S/N is happening. 70% of owned dogs and 85% of owned cats are sterilized nationwide and numbers are estimated to be even higher in CA. Consider the base rate of licensing, 25% for dogs and 3% for cats in jurisdictions which license cats. Do you really think you can triple the rate of dog licensing enforcement &

achieve a 16-18 times increase in cat licensing to even begin to catch up to the current voluntary numbers already S/N pets. That makes MSN legislation a complete waste of time and money. Meanwhile, very few ideas are easier to sell than dog & cat sterilization. That is why we have a S/N rate many times that of licensing. Legislation is costly and unnecessary.

AB 1634 is built on three assumptions, all contrary to proven fact:

- 1) there is a "pet overpopulation" resulting from excessive breeding
- 2) "overpopulation" is the driving cause that puts animals into shelters
- 3) restricting breeding will reduce the shelter numbers and costs

- 1 - there is a net pet deficit in California, making importation lucrative
- 2 - there is a nearly complete disconnect between breeding and shelter intakes, which are driven by relinquishment
- 3 - historical evidence shows that all forms of mandatory s/n or "spay or pay" make the shelter situation worse, not better.

The "shelter problem" is a multifactorial one and requires a multifactorial approach. It will never be "solved" completely because there will always be animals which for reasons of age, temperament or health cannot be rehomed responsibly.

One of the highest priorities, as several people have already pointed out in graphic terms, is fundamental reform in shelter management and philosophy. Too many shelters and AC agencies are trying to do the wrong job, and going about it the wrong way.