

# THE ANIMAL COUNCIL

**P.O. Box 168, Millbrae CA 94030**

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August 8, 2008

Senator \_\_\_\_\_

State Capitol, Room \_\_\_\_\_

Sacramento, CA 95814

Re: AB 1634, Dogs and cats: nonspayed or unneutered: civil penalties,  
as amended August 5, 2008 – OPPOSITION

Dear \_\_\_\_\_ :

We oppose AB 1634 and ask you to not support this bill. As amended August 5, AB 1634 amends existing provisions of the Food & Agricultural Code enacted by the 1998 AB 1856, resurrecting punitive mandatory sterilization of dogs and cats within a state mandated civil penalty scheme for impounds – not necessarily actual violations of law at all -- that had been deleted from AB 1856, and now replicates this civil penalty schedule for owners of unaltered dogs and cats violating any animal law, except noise, without regard to whether offenses are related to the animals' unaltered status, are trivial or serious, civil or criminal and whether sterilization inappropriate medically for the individual animal or working a disproportionate forfeiture on the owner or non-custodial co-owners of a animal with significant reproductive value.

The very late gut and amended content of AB 1634 from its original versions has short-circuited the usual legislative process that allows sufficiently careful scrutiny of both the obvious and not-so-obvious bill policies that allow the true fiscal issues to be uncovered, articulated and most importantly, quantified. Most importantly, local governments will not yet have been able to assess the processes and costs necessary to enforce the mandated sterilization penalties, particularly against owners whose animals are not impounded and object to the mandated punishment.

THE ANIMAL COUNCIL (TAC) is a California nonprofit, public benefit corporation founded in 1991 to seek positive, humane solutions to the challenges of detrimental animal public policies, legislation and regulation through study, analysis and application of animal husbandry, statistics and law, and at the same time preserve human benefit from all species, breeds and registries .

This punitive concept failed in the California legislature in 1998 as it should in 2008. Please do not support AB 1634 with its unknown costs to local government and impacts on citizens.

Very truly yours,

SHARON A. COLEMAN

President, The Animal Council

***A California Non-Profit Public Benefit Corporation***

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