



THE CAT FANCIERS' ASSOCIATION, INC.

World's Largest Registry of Pedigreed Cats

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AB 1634 (Levine), as Amended 2008 – OPPOSE

Dear Senators;

I am writing on behalf of the Cat Fanciers' Association to oppose AB 1634 as amended on July 1st. The bill would expand civil penalties for an intact cat or dog if impounded for any reason by a City or County animal agency. AB 1634 also mandates sterilization of dogs and cats as punishment for multiple impounds. Cats would be sterilized on the **second** impoundment. In addition AB 1634 adds new sections to the Food and Agriculture Code to give discretionary authority for enforcement of alleged complaints and if a cat owner is cited the bill would mandate sterilization as punishment for cats on the **second** complaint even if on the same day and the complaint is not valid. There is no requirement for an administrative hearing. There is no exception for a breeder with a valuable pedigreed cat who may be pregnant or a pet owner with an elderly cat who might be at risk for surgery.

The Cat Fanciers' Association (CFA) is a non-profit organization and the largest registry of pedigreed cats in the world. Our member cat clubs are active in California educating the public, providing support for feline health studies, disaster relief, feral cat programs, breed rescue and shelters. CFA's mission is to preserve and promote the pedigreed breeds of cats and to enhance the well-being of ALL cats. AB 1634 would be extremely detrimental to CFA participants throughout the State.

This is an entirely NEW bill that establishes extra fees just because a cat/dog is intact. The concept of forced sterilization used as a punishment tool is unjustified. Owning an intact cat or dog is not inherently wrong or against the law. The penalty would be required by jurisdictions when animals are impounded without regard to whether the animal is any health or safety threat or the owner is acting in any irresponsible way. We are concerned about the lack of due process and the extreme negative consequences of an expanded civil penalty for pet owners and their animals. We believe that this law would be costly to implement and enforce by local jurisdictions. Pet owners would have no recourse except the court system. More animals would be relinquished to shelters, increasing animal sheltering costs and agencies will request reimbursement from the State.

AB 1634 would be costly for the State and for local jurisdictions.

The California Department of Finance Bill Analysis, July 1, 2008 clearly states this bill “may result in more animals being abandoned or surrendered.” In addition the Department anticipates “an increase in the General Fund costs of the existing Animal Adoption mandate, which currently costs more than \$20 million”. The Department states the bill is unclear in its definition of “complaint”.

Local animal control agencies have not had time for calculations of actual costs.

This is a last minute gut and amend bill when the authors had one year to come up with language – it is totally different from the original AB 1634. Most jurisdictions have not been able to determine how this would impact them financially. At the very least every county and city in the State would have to review their existing ordinances, project any long term consequences, expend the time of County or City council members, conduct public hearings, and provide data to determine increased costs and educate the public about their risks of violation and increased fees.

Complaint based laws definitely encourage complaints – We anticipate AB 1634 would greatly add to the burden of animal services’ community response. One county in Florida kept track for 10 years in the 1980s and estimated every cat call cost the agency approximately \$59. Responding to complaints, as encouraged by this bill, means answering calls and often requires multiple home visits since many cat and dog owners are at work during the day. It is not likely that the penalties would cover the greatly added costs once disgruntled neighbors begin calling about trivial cat or dog complaints.

AB 1634 is detrimental to animals.

Every day a cat is in a shelter is costly – cats are very susceptible to infectious diseases and studies show they test positive for upper respiratory infections (URI) within 4 days of being in a shelter. When owners are faced with new penalties should a cat be impounded even for a disaster and they must take the time to find some sort of proof of spay their cats are put at high risk while they sit in the shelter. Currently shelters in this State are experiencing an explosion of cats relinquished because of home foreclosures and economic stress. There is no doubt that AB 1634 will mean some may reluctantly leave their cat at the shelter. Shelter costs will increase to hold these animals and then euthanize many of them.

AB 1634 is punitive and unfair to pet owners.

The only challenge to citations for unjustified complaint citations is through the court system. Keeping an intact pet is not against the law; however studies show that most (87% to 94%) owned cats are already sterilized. We fully expect that those animal activists who want ALL dogs and cats neutered will target the breeders of pedigreed cats and purebred dogs with alleged complaints. Law suits will bog down communities as owners fight against confiscation of reproductive value. We do not know how many jurisdictions already have a procedure set up for administrative hearings in cases of dangerous dog violations. However, every community will be pressured by the public for

due process regarding penalties just because an animal is intact, especially if surgery puts the animal at risk. Eventually counties and cities will be forced to spend money for administrative hearings to offer fair treatment. When AB 1856 was authored by Assembly Member Edward Vincent in 1998 with the same concept of sterilization on multiple impound this was ultimately removed when the need for administrative hearings was determined to be too expensive.

Finally, we are concerned that AB 1634 establishes a dangerous atmosphere of vigilantism in every community in the State. There is no doubt that disgruntled neighbors or radical animal activists may purposely take advantage of such a law. The punitive nature of the bill with the imposition of additional penalties and forced sterilization and the fact that it would lead to more animals in shelters and as well as additional shelter costs for every jurisdiction and potentially for the State provide ample reasons for AB 1634 to be entirely rejected.

We respectfully urge your NO vote on AB 1634.

Sincerely;

A handwritten signature in cursive script that reads "Joan Miller".

Joan Miller
CFA Legislative Coordinator

CC: Senate Floor Analyst
Pamela DelaBar, CFA President
Allene Tartaglia, CFA Executive Director

