

THE ANIMAL COUNCIL

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July 1, 2009

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SENATE COMMITTEE ON PUBLIC SAFETY, Attention: Committee Bill Consultant
Sacramento CA 95814

Re: AB 1122. Animal abuse: sale of live animals. As amended 6/20 – OPPOSITION

Gentlemen:

In response to the June 29 amendments to AB 1122, we now register our opposition to this bill. Our specific objection is to the apparent effort to create exemptions for "show" sales but only if 5 "circumstances" exist. Some of these are so outlandish as to make the exemption meaningless. At the same time, this amendment would expressly create a crime of show-related sales that may not have existed in prior bill versions, be consistent with the stated purposes of the bill or perhaps even the author's intent.

Specifically, most local jurisdictions in California have NO PERMITTING process for shows, typically held at rented premises on a one-time basis. We have no expertise as to bird show sales, but cat show hall sales are traditional whereas sales are not a part of dog shows except as to beginning conversations that will lead to sales later and elsewhere or sometimes finalizing a sale that has previously and elsewhere been negotiated. In other words, the public does not expect to buy a dog at a dog show, or soon learns this is not done in one transaction at the show. However the public seeking a pedigreed cat knows that a few kittens may be available at shows as a convenience to both sellers and potential buyers. For dogs, the limitation to the show premises seems to raise even First Amendment concerns about continuing conversations about sales that lead to completion of sales later and elsewhere. The requirement that each and every participant complies with every possible animal law would be impossible to ascertain or assure, rendering this entire exemption utterly meaningless. For these reasons, we must now oppose AB 1122 as an insidious intrusion on the public's opportunity to purchase animals even from reputable sources.

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.

Very truly yours,

SHARON A. COLEMAN
President, The Animal Council

Cc: Committee members, Author