

THE ANIMAL COUNCIL

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August 15, 2008

California Senate Members
State Capitol
Sacramento, CA 95814

Re: AB 1634, Dogs and cats: nonspayed or unneutered: civil penalties,
as amended August 12, 2008 – OPPOSITION

Dear Senator: :

This letter confirms our ongoing opposition to the above-entitled AB 1634, as amended *again* on August 12, and we ask that you not support this bill. AB 1634 raises entirely new and disturbing questions in addition to amending 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 as had been deleted from AB 1856. Despite token amendments, AB 1634 still lacks due process review of underlying facts and appropriateness of the penalty, working a disproportionate forfeiture on the owner or non-custodial co-owners of a animal with significant reproductive value.

Newly added are mandates to **reduce** local animal license fee differentials based on new criteria that will **reduce revenues** to local governments even if compliance rates remain stable. Animal license fees vary greatly in California from reasonable amounts to high-fee taxes. Now, AB 1634 would penalize local governments that have kept fees affordable by mandated reductions for microchipped or both microchipped and altered animals of at least $\frac{3}{4}$ or $\frac{1}{4}$ respectively of the base fee. Consider also that local governments will incur indirect costs to administer the additional documentation. Some will be sorely tempted to raise the base fee very high to accommodate unquantifiable loss of revenue, and in the process risk less compliance despite increased penalties.

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 and impacts on local government, citizens and animals.

Very truly yours,

SHARON A. COLEMAN
President, The Animal Council

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