



Tuesday, September 22, 2009

Honorable Arnold Schwarzenegger  
Governor  
State of California  
State Capitol  
Sacramento, CA 95814

Veto request on AB 241

Dear Governor Schwarzenegger;

PetPAC, an organization representing over 65,000 pet owners and 1,900 dog and cat clubs urges you to veto AB 241, Nava. AB 241 sets an ownership limit of fifty intact adult dogs and cats. Proponents want you to believe that just the act of owning or possessing fifty dogs and cats should result in animal abuse, a criminal offense. They do not base this on fact, only on horror stories from out of state. There is no correlation between an arbitrary number of 50 and the treatment of dogs and cats. Animal abuse is and should be based upon the condition of the animals, not the number. AB 241 establishes an arbitrary number of 50 animals as the criminal act.

AB 241 as amended, 8/24/09 shows to what extent proponents will go to harass and stifle constitutional rights of dog owners. The latest amendments now include businesses, "(g) For purposes of this section, "business entity" means any company, firm, association, partnership, business trust, corporation, limited liability company, or other legal entity." This would include pet stores, animal rescue groups, boarding kennels and large breeding kennels.

AB 241 goes so far as to criminalize persons and firms: "(d) Any person who voluntarily acts in concert with another person by aiding, abetting, counseling, commanding, inducing, soliciting, requesting, or assisting that person in the violation of this section shall be guilty of a misdemeanor. Any person who voluntarily assists a business entity, as defined in subdivision (g), in the violation of this section shall be guilty of a misdemeanor."

Does Mr. Nava really mean to criminalize an attorney or attorney firm that counsels, or assists an owner of fifty dogs? Does Mr. Nava really mean to disregard the sanctity of our legal defense system?

Does Mr. Nava really mean to penalize a purveyor of law enforcement dogs? Does Mr. Nava want to penalize Guide Dogs for the Blind? Does Mr. Nava mean to punish Service Dog providers and purveyors of dogs for the hearing impaired? Is Mr. Nava seriously going to criminalize commercial dog boarding kennels for possession of fifty intact dogs?

Senator Rob Wright, D-Los Angeles, in Senate Public Safety Committee asked the HSUS representative to explain why an arbitrary number of 50 was selected. He answered, "Because that is what other states have selected". He did not tell the committee those other state bills were sponsored by HSUS. Their whole argument is based upon issues not addressed in the bill.

According to the Author's analysis:

- Most puppy farms are controlled by the Federal Department of Agriculture Animal Welfare Act.
- Closing just one puppy farm back East cost over \*\$440,000.00  
\*author's office analysis comments.

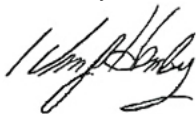
Research by the Federal Department of Agriculture Report on Breeders shows only five puppy farms were identified in California. Not one of them failed a Dept. of Agriculture Inspection. This represents a \$2 million state mandate. AB 241 is opposed by the Department of Finance. AB 241 will result in huge state mandated costs.

Practically every city and county in California now limits dog and cat ownership. Is AB 241 requiring the state to preempt the field on dog and cat limits? If that is the case, mandated state costs will skyrocket.

AB 241 has nothing to do with setting a fifty dog and cat cap. AB 241 is a move by HSUS, who admitted in their Rochester N.Y seminar last February that their intention is to introduce legislation to cap dog and cat ownership at fifty, but to return each year to reduce that number. HSUS, in the state of Tennessee has already reduced that cap to 20.

PetPAC does not support animal cruelty, but we cannot support legislation that dictates ownership of an arbitrary number of pets constitutes a crime. PetPAC urges you not to be swayed by the false assumptions of proponents. Please veto AB 241.

Sincerely;



Bill Hemby  
Chairman