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Legislation aims to sterilize pets

By Jim Sanders - Bee Capitol Bureau

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California lawmakers soon will consider adopting a massive birth control plan for dogs and cats that seeks to reduce the burden on animal shelters by sterilizing millions of family pets.

Assemblyman Lloyd Levine, through a program unprecedented in its size nationwide, hopes to curb the number of unwanted dogs and cats by making fewer capable of reproducing.

Levine's measure, Assembly Bill 1634, would require every dog and cat to be spayed or neutered except for breeding animals -- perhaps only purebreds -- whose owners would pay for a city or county permit.

Levine, D-Van Nuys, said his goal is to crack down on irresponsible breeding practices that fill shelters each year with more than 550,000 dogs and cats, of which more than 300,000 are killed.

"If you agree that it's inhumane as a society to create disposable animals, animals that we know are just going to be dumped into shelters and ultimately euthanized, then we need to do something about it," he said.

Taxpayers are paying more than \$250 million annually to house, care and euthanize sheltered dogs and cats, said Levine, citing figures provided by a coalition that includes shelter operators statewide.

"It's wrong to put all these animals in shelters and it's wrong to kill them," said Judie Mancuso, a coalition spokeswoman. "The only reason they were born is because of humans' negligence. ... They don't deserve to die because of it."

The coalition sponsoring AB 1634 includes the California Animal Control Directors' Association, the California Veterinary Medical Association and the State Humane Association of California.

But critics say AB 1634 would interfere with the rights of pet owners, be ignored by many of the worst offenders, be largely unenforceable, spark litigation if a young animal sensitive to anesthesia died in surgery and could pose a financial hardship to hobbyist breeders.

Glen Bui, of the American Canine Association, predicted the bill would exacerbate shelter problems because some pet owners would abandon their cats or dogs rather than pay to sterilize them.

"It's going to be a nightmare," he said.

Lesley Brabyn, a Mill Valley breeder of saluki dogs, said many hobbyists would quit because they could not afford permits. The breeders provide a valuable service, producing healthy animals, socializing them well, assisting buyers and often volunteering in rescue programs, she said.

"It's going to leave puppy mills to supply purebred dogs to the public," she said of AB 1634. "And it's going to open the market for smugglers."

Vickie Cleary, an Antelope resident and hobbyist whose Scottish terriers occasionally have a litter of puppies, said the bill is "one step closer to bureaucracy and government controlling our human rights."

Levine's bill, expected to be debated at a public hearing next month, would require that dogs and cats more than 4 months old be spayed or neutered.

The legislation provides exceptions for breeding animals that have permits, and for guide dogs, service dogs, signal dogs, police dogs or animals excused by a letter from a veterinarian because of illness, age or poor health.

Levine's bill would not spark a door-to-door search for violators. But when a roaming dog or cat is impounded, animal control officers could issue a citation requiring the owner to spay or neuter the animal within 30 days -- or face a \$500 fine, Levine said.

Revenue would be used for outreach efforts and for programs that spay or neuter animals at little or no charge.

AB 1634 is meant to crack down on mongrel cats and dogs, which shelter officials claim make up about 70 percent of their population.

The bill, as currently written, allows cities and counties to issue breeding permits and set fees only for purebred animals. But Levine said he is considering amendments to allow issuance of some permits to mixed-breed owners.

Levine concedes that a program that embraces only breeding among purebred dogs and cats could perpetuate genetic deficiencies.

Citing one example, Levine said Dalmatians often are deaf. Mixed breeding, by expanding the gene pool, could reduce the likelihood of impairment.

"I think the world would be better off if we had mixed breeds or evolution," he said. "But I'm not going to win that fight. So what I'm trying to do is figure out how we address overpopulation in the shelters."

Pedestrians interviewed randomly Thursday in downtown Sacramento had mixed feelings.

Mary Powell, 72, likes the idea because "some of the cats are a nuisance."

But James Hunger, 74, said "the poor people who own these animals, they can't afford that."

"I think it's over the top," said Greg Taggart, 51, of Citrus Heights. But, "there are some

people who own cats and dogs that ought to be spayed or neutered."

Prices vary for the surgery. A sampling of three Sacramento-area veterinarians found a low of \$55 for a male cat and a high of \$165 for a female dog over 50 pounds.

Supporters and critics of AB 1634 disagree over the need for mandatory spay and neutering, with both sides citing California animal shelter statistics.

Each of the past 10 years, more than a half-million dogs and cats were handled by shelters statewide -- with a high of 862,652 in 1998, according to state statistics, which are considered low because not every agency reports each year.

California keeps no statistics on the number or percentage of pets that are spayed or neutered. State law requires the procedure for any dogs or cats adopted from an animal shelter, but not for pets recovered after impoundment.

"I don't believe you can legitimately argue that (overpopulation) is not a problem and should be ignored," said Levine, who does not currently own a cat or a dog.

But critics note that while California's population has risen in the past decade, the animal shelter population has fallen.

Cats, not dogs, make up a disproportionate share of unwanted pets: 70 percent of sheltered cats were killed last year, compared with 40 percent of dogs, state statistics show.

Patti Strand, national director of the National Animal Interest Alliance, said AB 1634 would do little or nothing to reduce feral cat populations.

"They're wandering on their own, they have no owners," she said. "Who are you going to charge?"

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