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Spotlight: For the love of dogs -- Some dog lovers growling about spay neuter bill

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He doesn't know it, of course, but Ticky, a 1-year-old Australian shepherd mix, is at the center of a legislative dogfight.

From San Ysidro to Hilt, dog lovers have their hackles up over what to do about pooches like Ticky, who lives at the Butte Humane Society in Chico.

The fight's over Assemblyman Lloyd Levine's bill that would require all dogs in the state to be spayed or neutered at 4 months of age or earlier, unless they met certain requirements and their owners bought permits to keep the animals "intact."

Levine, D-Van Nuys, said his measure, Assembly Bill 1634, addresses what he calls a "humanitarian" and financial disaster.

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The tears that filled Barbara Wurm's eyes one afternoon last week point to the humanitarian part of the issue.

A Paradise resident, Wurm had gone to the Humane Society to look for a companion for Miss Molly, her 4-year-old Rottweiler.

Wurm said she and her husband, John, had lost Babe, their other dog and "the love of our life," to cancer. Now, without a four-legged companion, "Molly's lonely," she said.

As Wurm walked from kennel to kennel at the Humane Society, each furry resident came up to have its muzzle petted through the chain-link fence.

When she got to Ticky's kennel, the shepherd wagged his tail and flipped over on his back, inviting a tummy rub (although it wasn't possible through the fence.)

That's the sign of a good, gentle dog, Wurm said.

As she continued visiting the residents, the tears came to her eyes.

"Some of them have been here since last fall," she said. "It makes me so sad."

Ticky is just one of as many as 800,000 unwanted dogs and cats that wind up in shelters each year in California, according to Levine.

Estimates are perhaps half of them are euthanized.

It's a disgrace that there are Californians whose sole job is killing dogs and cats, the assemblyman said in a telephone interview.

Another disgrace is that state and local governments spend about \$250 million each year housing unwanted animals, caring for them, and ultimately destroying many of them, he said. It's a huge waste.

Levine thinks his bill will go a long way toward solving the problem.

But many say his measure is fraught with defects and will do more harm than good.

The bill was hotly contested at a hearing April 10 before the Assembly Business and Professions Committee.

Two sides

The two "teams" battling over Levine's bill are very large and, at first glance, appear very distinct.

You can read their rosters on the Internet by going to the Assembly Web page (www.assembly.ca.gov), clicking on "Legislation," searching for AB1634, and then looking at the legislative analysis of the bill.

Deep in the analysis, you'll find a long list of supporters and opponents.

The dozens of groups supporting the measure are mainly animal-welfare organizations. They include Animal Friends Rescue Project, the East Bay SPCA, the Feral Cat Alliance, the Fremont Police Department Animal Services Unit, the Shelter Pet Alliance and Chico Boxer Rescue. While their names aren't listed, more than 1,100 individuals have expressed support for the bill, according to the analysis.

On the opposing side are dozens of other organizations — mainly dog and cat clubs. Among them are the Antelope Valley Kennel Club, the Bonita Cat Fanciers, Golden Gate Dachshund Club, the Greyhound Club of North Carolina, the Scottish Terrier Club of California and the American Fox Terrier Club. More than 1,000 individuals have expressed opposition to the bill.

Reasons for action

The motivation for AB1634 is obvious.

Just ask Lori Holmes, general manager of Chico's Butte Humane Society.

It would be wonderful if the bill became law and achieved all of its aims, she said. However, she wonders about how effective it would actually be.

Unquestionably, there's a huge problem, she said. "Last year, we had over 4,500 animals here."

The shelter has 70 kennels for dogs and typically houses between 80 and 100 of them. The number of kittens and cats ranges from around 100 to as many as 250 at any given time.

It's a lot of work trying to take care of that many animals, and the burden is about to grow, Holmes said.

Soon it will be the time of year when lots of litters of kittens are born, and many of them wind up at the shelter, she said. "We get an overwhelming number of kittens. They come in on a daily basis."

The shelter has about 10 "foster homes" and needs more to take care of pregnant cats and kittens that need to be bottle fed. Volunteers take care of these cats and kittens in their own homes.

"We'd love to end all this," Holmes said, explaining she'd be happy if there were so few abandoned or stray animals that the shelter needed just five kennels.

Butte Humane Society is classified as a "low-kill" shelter. Animals aren't euthanized unless they are aggressive or have an illness the shelter can't afford to treat, she said.

Most animals at the shelter are adopted eventually, although it can take many months — sometimes even a year.

The shelter only accepts animals from within the city limits of Chico. Animals brought there from unincorporated parts of the county are sent to a shelter in Oroville.

Cassandra Skinner, shelter manager for the Butte Humane Society, was asked why so many people turn in dogs and cats that have been their pets.

Mainly it's because they don't think through the decision to get a pet, she said. "They buy impulsively."

Often people don't realize how much work and how destructive a puppy can be.

Another factor is the difficulty of finding rental housing in Chico where pets are allowed, she said. "I hear, 'We're moving and can't take it with us.' Or, 'We've had him a few months, and he's not housebroken.' Or, 'I got a dog and found out my son's allergic.'"

Opposition to bill

Trish Cox, a Chico dog owner and manager of Erickson Veterinary Hospital, said she's been following AB1634 closely.

"I know there are millions of extra dogs out there," she said. In fact, she has two dogs that have been rescued from shelters or abusive situations.

However, she thinks Levine's bill has some huge flaws.

One is the requirement that dogs and cats be spayed and neutered before they are 4 months old.

Cox said she believes that's way too young to alter an animal. Dogs' sex hormones contribute to the development of their bone structure, and if hormone supplies are cut off when the animals are too young, they may not develop properly.

She said that's the case with one of her own dogs, a purebred Australian shepherd that is a trained search-and-rescue dog.

Cox said she had the dog spayed when it was less than 5 months old. Now, at age 11, the animal has hip dysplasia and had to retire from service.

Levine's bill would be much better, Cox said, if its requirements for spaying or neutering were 1 year for small dogs and around 14 or 16 months for large dogs.

There are also a number of practical problems with the bill, including the matter of who would do all the spaying and neutering that would be required, Cox said. Her establishment has all the business it needs right now, and there are some local veterinarians who aren't taking any new patients at all.

Cox also expressed a concern voiced by a number of people interviewed by the E-R. That's the thought that if spaying and neutering are required, many low-income people might give up their animals to the shelter or turn them loose, which would exacerbate the problem AB1364 is designed to fix.

Others have asked how the measure would be enforced. They wonder if responsible animal owners would obey the new law while irresponsible ones would just ignore it.

The bill allows for owners of purebred dogs and cats to buy permits allowing them to remain intact if the animals meet certain criteria, such as that they are competing in shows. Animals deemed too ill to undergo surgery would be exempt, as would police dogs.

Holmes, of the Butte Humane Society, noted that Best Friends Animal Society, a group working to end pet homelessness, has said the bill fails to address the problem of "exploitive breeders" and so-called "puppy mills."

Under Levine's measure, such operations could continue to breed animals irresponsibly and churn out lots of pets for profit merely by buying permits to keep their breeding animals intact.

The society recommends that all licensed breeders be required to pay a fee whenever they sell a dog or cat, and that the revenue from this fee be used to pay for low-cost spay and neuter clinics.

"The key to success," a letter from the society reads, "is making sure that spay/neuter services are available, affordable, accessible and well publicized to low-income and moderate income families."

The American Kennel Club, representing owners and breeders of purebred dogs, is campaigning vigorously against AB1634.

The organization says the bill is unfair to responsible dog owners and breeders and fails to address the real cause of pet overpopulation, which it calls "irresponsible ownership."

In its "talking points" on AB1634 the national club warns that passage of the bill would "send a message" that major dog shows were not welcome in California and would cost the state millions because people who show dogs would stop coming to the state and spending their money.

Legislator's frustration

After the hearing on AB1634 held earlier this month, Assemblyman Levine expressed frustration.

The problems he hopes to solve are caused by irresponsibility, but "nobody is willing to say, 'I'm the irresponsible one'," he said. Instead, everyone wants to point fingers.

The extent of the problem can be seen in overcrowded shelters, the existence of rescue organizations for every breed of dog, and the many ads in every newspaper for "puppies for sale," he said. He wonders what becomes of the puppies that don't get sold.

Levine said he understands breeders and others have concerns, and that he's willing to work with them on making reasonable changes to his bill.

But are they willing to be reasonable?

Levine said he wonders. Breeders seems to think "it's our God-given right to breed our dogs," he said.

Diane Young McCormack of Truckee, a breeder of longhaired standard dachshunds and a licensed dog-show judge, said at the April 10 hearing, Levine asked the question "who is a responsible breeder?" and never got an answer.

So, she sent him a letter, providing an answer.

Among other things, she wrote that good breeders are "stewards of our breeds and are careful about our bloodlines." Before breeding animals, they study pedigrees of prospective mates and go to great lengths to ensure that the puppies will have good temperaments and no inherited diseases.

"We breed for the love of our breeds," she wrote. "For all of us, this is fundamental — we love our dogs. We make no money from doing this, and most of the time actually go broke by breeding. We love our breeds and are concerned with their past, present and future. We will do everything in our power to make sure our puppies do not wind up in an animal shelter or in some backyard chained to a tree."

The next round in the AB1634 battle comes on Tuesday when the measure is scheduled for a second hearing in the Assembly Business and Professions Committee.

Levine said he thinks a vote will be taken this time. He expects the bill to pass the committee and said he hopes it will pass the Legislature.

He said he doesn't know yet if Gov. Schwarzenegger would sign it.

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THE PROPOSAL: Assemblyman Lloyd Levine, D-Van Nuys, has introduced a bill that would require all dogs and cats in the state to be spayed or neutered unless they qualified for an "intact permit."

THE CONTROVERSY: Advocates of Assembly Bill 1634 say it will save millions of dollars and keep thousands of unwanted dogs and cats from being put to sleep. The bill's opponents say it's unfair to breeders and won't really solve the problem.

WHAT'S NEXT: A second hearing on the bill is to be held Tuesday before a state Assembly committee.