

1-1-1938

## Regulation Of Pounds

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### Recommended Citation

Regulation Of Pounds California Initiative 1938-r-1 (1938).  
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File: 1938-R-1

EXHIBIT "A"

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE ELECTORS

Prohibiting Surrender of Unclaimed Dogs and Cats by Pounds to Research Laboratories and Providing Humane Death if No Home Offered

STATE OF CALIFORNIA,

County (or City and County) of .....

} ss.

To the Honorable, the Secretary of State of the State of California:

We, the undersigned, registered and qualified electors of the State of California residents of ....., County (or City and County) of ....., present to the Secretary of State this petition and hereby propose and request that an Act to be known as "The State Humane Pound Law" be submitted to the electors of the State of California, for their adoption or rejection at the next succeeding general election or at any special election called by the Governor prior to such general election.

The Attorney General has entitled and summarized the chief purpose and points of the proposed measure as follows:

**REGULATION OF POUNDS. Initiative Measure. Defines "pounds" and regulates conduct thereof; prescribes duties of poundmasters; prohibits sale, surrender or use of unwanted or unclaimed animals in pounds for scientific, medical, experimental, demonstration or commercial purposes; exempting kennels, buildings or enclosures maintained on own premises by any accredited college, university or any medical research laboratory licensed under State Medical Practice Act, provided cats and dogs therein were bred on the premises or lawfully acquired under provisions of measure; directs that unclaimed and stray animals for which no bona fide home is available be put to death by an approved humane method.**

The title and full text of said proposed act is as follows:

*An act to regulate the conduct of pounds, prescribing the duties of persons in charge thereof or employed thereat, and regulating the disposition of animals impounded or sheltered therein.*

*The People of the State of California do enact as follows:*

SECTION 1. This act shall be known and may for all purposes be cited as the State Humane Pound Law.

SEC. 2. The following words, terms, and phrases, when used in this act, are for the purposes hereof defined as follows:

(a) "Pound" means any place, building, structure, yard, or inclosure publicly or privately conducted, where stray or unwanted animals are impounded, sheltered or held in custody, whether such animals have been acquired through the surrender of their owners, finders, or keepers, or taken up as a measure of humanity, public health, or nuisance abatement.

The word "pound" as herein defined shall not be construed to apply to kennels, buildings or inclosures maintained on its own premises by any university or college, or any accredited medical or surgical research laboratory licensed and recognized under the State Medical Practice Act, provided the cats and dogs harbored therein have been bred on the premises or have been acquired lawfully under the provisions of this act.

(b) "Poundmaster" means any person who permanently or temporarily has the custody of stray or unwanted animals in any pound.

(c) "Animals" means all domestic animals except livestock and poultry, and particularly refers to dogs and cats.

SEC. 3. Where the governing body of a county, city and county, city or town provides for the receiving, shelter, maintenance and destruction of unwanted or unclaimed animals, such governing body may employ proper persons to attend to the duties described in this act, or they may enter into a contract with any humane society or other organization which will undertake to carry out the provisions of this act, and which shall give proper bond in whatever amount may be fixed by such governing board for the faithful performance of the contract. It shall be unlawful to employ or enter into any contract with any person, persons, organization, or organizations directly or indirectly connected with establishments where animals are used for commercial, scientific, or experimental purposes.

SEC. 4. A poundmaster and his assistants shall use modern and humane methods when taking up and catching animals, and shall use all due care to protect the same from injury.

SEC. 5. A poundmaster shall provide the animals in his custody with proper and sufficient food, pure water, clean bedding, and protection from the elements, and shall provide sanitary conditions, proper segregation of species, sexes and individuals for the maintenance of their well-being and comfort.

SEC. 6. A poundmaster shall use proper diligence to ascertain the owner of any impounded animal and no animal shall be killed, sold or given into a home without due notice to the owner thereof if he be known, with sufficient time for said owner to claim and regain said animal.

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SEC. 7. The poundmaster shall destroy or cause to be destroyed under his personal supervision by an approved humane method all those animals which shall remain unclaimed by their owners and for which no provision for a home has been made after the expiration of the time provided by law or ordinance or regulation for the redemption of the same. No animal shall be destroyed before seventy-two hours after impoundment unless it be at the request of its owner, or if it is so badly diseased or injured that it is deemed proper as a measure of humanity or safety to destroy it at once.

SEC. 8. The poundmaster shall demand satisfactory proof that persons seeking to acquire impounded animals desire the same for pets, companions or for personal protection and are willing and able to give the same proper care and consideration, and shall demand from every such person a signed statement to that effect.

SEC. 9. The poundmaster shall keep a record of all animals impounded, destroyed, sold or disposed of as herein provided, together with the names and addresses of persons reclaiming, redeeming or acquiring the same, and the method of disposal and the names and addresses of recipients of carcasses, together with the amount of fines, charges or proceeds of sale received in each case, such records to be open for public inspection.

SEC. 10. It is unlawful for any poundmaster or assistant to use or permit to be used any live animal in his custody for experimental or commercial purposes or to turn over with or without remuneration, directly or by any indirect ways or means any dog, cat or other animal in his custody or over which he has or will have control, to any person, firm, establishment or manufactory to be used for commercial purposes, or to any person, firm, establishment or manufactory using live animals for commercial purposes, or to any person, school, university, research laboratory or experimental station to be used for educational demonstration, medical, scientific, and/or experimental purposes of any nature, or to any person, school, university, research laboratory or experimental station using animals for educational demonstration, medical, scientific or experimental purposes of any nature.

SEC. 11. Any person, who, as servant, employee, or otherwise, assists another in the performance of any act in violation of the provisions hereof, shall be punishable therefor to the same extent as if acting as principal.

SEC. 12. Any person, school, firm, association or corporation violating any provision of this act, or inducing or assisting in any violation thereof is guilty of a misdemeanor.

SEC. 13. It shall be the duty of all persons in charge of or employed at or connected with any pound to carry out the provisions of this act, and of all peace officers and State humane officers and their deputies to see that same are so carried out; and all peace officers, humane officers, or duly accredited representatives of duly incorporated humane societies are hereby empowered to inspect any pound, and for said purpose all pounds shall be open for public inspection during all reasonable hours.

SEC. 14. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act.

SEC. 15. Nothing in this act shall be held to repeal any part or section of Chapter 852, Statutes of 1929, Chapter 190, Statutes of 1931, or the provisions of Political Code 4041.11, or any other act or ordinance for the protection of cattle, sheep or other livestock.