



January 12, 2010

The Honorable Micah Kellner
The Honorable Thomas K. Duane
834 Legislative Office Building
Albany, NY 12248

Re: Oreo's Law - Suggested Amendments

Dear Assembly Member Kellner and Senator Duane,

We are writing to follow up on our letter of support for Oreo's Law dated November 19 and a second letter with a suggested amendment, dated December 1, both enclosed for your easy reference. In the past month, the No Kill Advocacy Center has worked closely with Pets Alive in Middleton, NY as well as rescue groups around New York State. We believe there is a need for three amendments to the language drafted by the Commission to clarify the intent of the law, provide maximum protections for animals, and neutralize the insincere, though potentially damaging, opposition of the ASPCA and its acolytes.

Although we continue to support the bill as written, we suggest the following:

1. Language *suspending* "any organization that has an officer or board member who has been convicted of a statute having as its primary effect the prevention or punishment of neglect and/or cruelty or dog fighting until such time as that officer or board member is no longer an officer or board member of the organization."
2. Language *suspending* any organization during the time "such charges are pending in a court of law, but not yet adjudicated until such time as the case is adjudicated either in favor of the organization, at which time the suspension will be lifted, or if adjudicated against the organization, until such time as the officer or board member is no longer with the organization."
3. Clarifying language defining irremediable physical suffering as follows: "An animal with a medical condition who has a poor or grave prognosis for being able to live without severe, unremitting pain despite necessary veterinary care."

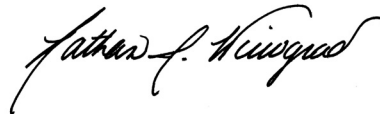
The first two are requested consistent with the arguments advanced in the December 1, 2009 letter. The third is necessary based on the experience of shelters in California which adopted an

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overly broad definition in order to thwart intent of the law and kill highly treatable animals
rescue groups were willing to save, such as kittens with minor respiratory infections.

We continue to offer our deepest and most heartfelt gratitude for your leadership on this issue.

Very truly yours,

A handwritten signature in black ink, reading "Nathan J. Winograd". The signature is written in a cursive, flowing style with a prominent initial "N".

Nathan J. Winograd