

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR

House Concurrent Resolution No. 49

98TH GENERAL ASSEMBLY

2650H.02C

D. ADAM CRUMBLISS, Chief Clerk

2 **WHEREAS**, humans need a varied diet containing protein in order to be healthy; and

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4 **WHEREAS**, eggs are an efficient, nutritious, and affordable form of animal protein on
5 which millions of Americans rely; and

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7 **WHEREAS**, Article I, Section 8, Clause 3 of the United States Constitution, also known
8 as the Commerce Clause, was designed to ensure free trade between the states by preventing any
9 state from imposing a tariff or other restriction on goods from another state; and

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11 **WHEREAS**, California is one of the nation’s largest producers and consumers of eggs
12 for human consumption; and

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14 **WHEREAS**, conventional chicken enclosures, also known as battery cages, have been
15 proven to better protect egg-laying hens from bone breaks, cannibalism, disease, smothering, and
16 predation than free range operations or operations using so-called “enriched cages”; and

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18 **WHEREAS**, forcing egg producers to switch to “enriched cages” or nonconfinement
19 operations drove up the cost of eggs in the European Union while also leading to food shortages
20 and the closure of countless farms; and

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22 **WHEREAS**, forcing egg farmers in America to abandon battery cages in favor of
23 “enriched cages” or nonconfinement operations will lead to the same impacts on the U.S.
24 economy and food supply; and

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26 **WHEREAS**, the Humane Society of the United States, also known as HSUS, is
27 America’s largest animal rights group and has aggressively pursued an agenda intended to
28 decrease and eventually eliminate the public’s consumption of animal protein; and

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30 **WHEREAS**, California voters adopted Proposition 2 to their state constitution in 2008,
31 requiring the state’s egg producers to switch to “enriched cages” or nonconfinement operations
32 in a campaign led and funded by the Humane Society of the United States; and

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34 **WHEREAS**, in 2010, at the behest of HSUS, the California legislature passed AB 1437,
35 which was signed into law by Governor Arnold Schwarzenegger, prohibiting the sale of eggs
36 from other states that do not meet the requirements of Proposition 2 of 2008; and

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38 **WHEREAS**, together, California’s Proposition 2 and AB 1437 violate the Commerce
39 Clause of the U.S. Constitution by preventing free trade among the states; and

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41 **WHEREAS**, together, California’s Proposition 2 and AB 1437 have artificially increased
42 egg prices and restricted the availability of affordable eggs and vital animal protein to
43 Californians, especially low-income citizens:

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45 **NOW THEREFORE BE IT RESOLVED** that the members of the House of
46 Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate
47 concurring therein, hereby condemn California’s anti-trade actions and call on the California
48 legislature to repeal AB 1437 and urge the voters of California to reconsider and repeal
49 Proposition 2.

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