



LEAGUE OF HUMANE VOTERS OF NEW YORK CITY

151 First Avenue, Suite 237
New York, NY 10003-2965

Phone: (212) 889-0303 Email: info@HumaneNYC.org
Web: www.HumaneNYC.org

Questionnaire for New York State Senate and Assembly Candidates

Introduction to the League of Humane Voters of New York City

The League of Humane Voters of New York City (LOHV-NYC) was founded in 2001 with the goal of electing humane-minded candidates to office.

With more than 6,000 active members as of 2006, we have grown to become *the* political voice of the New York City animal protection community; our endorsement matters.

Previous Endorsements

Some of our previous endorsements include: Council Members Alan Gerson, Annabel Palma, Tony Avella, Rosie Mendez, Dan Garodnick; State Senators Liz Krueger, Jose M. Serrano and Frank Padavan; as well as Assembly Member Jonathan Bing. Our most recent endorsement was Linda Rosenthal for the Assembly on the upper west side.

We encourage you to ask around; ours is an endorsement you can count on. In addition to a paper endorsement, we get out there for the candidates we endorse. In the past, we have provided much needed volunteer support by mobilizing humane voters.

Introduction to Questionnaire

Please answer in as much detail as necessary. Please note that the completed questionnaire may be posted on our website and/or distributed to our membership.

This questionnaire is due, by mail or email, two weeks from receipt. If you have questions on any of the issues or you need an extension, please contact the Executive Director, John Phillips, at (212) 889-0303 or by email at john@humanenyc.org.

Candidate Contact Information

Jonathan L. Bing	73 rd Assembly District	
Candidate Name	District	

Barry Klein	917-239-5493	barry.j.klein@gmail.com
Campaign Manager	Phone	Email

Barry Klein	212-605-0937	kleinb@assembly.state.ny.us
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People for Bing
Name of Committee

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Personal Initiatives

1. Do you feel that promoting the humane treatment of animals should be a priority for the New York State Legislature? Why or why not?

Yes, the humane treatment of animals, like that of all living things comprising our ecosystem, should be a priority for the state legislature. The humane treatment of animals is a necessary component for the maintenance of a civilized and moral society.

2. What have been your most significant achievements to date on humane issues?

In 2004, I sponsored legislation that now allows courts to factor in potential danger to other animals in the determination of a "dangerous dog." Previously, courts were only allowed to base their decisions on whether a "dangerous dog" was a threat to human beings. I and my office have also helped dozens of constituents with animal issues, including helping tenants whose landlords wish to evict them for owning pets.

3. What are your animal protection goals for the next term, should you be elected?

I would like to see the end of "canned shoots," because they serve no legitimate hunting purpose and are horribly cruel to animals.

4. Did you grow up with any animal companions?

Mainly fish and turtles.

5. Do you currently live with any animal companions?

No, but my wife and I spend quality time with my parents' cocker spaniel.

6. Do you have any fond memories of animals which you would like to share?

7. Do you financially or philosophically support any national or local animal protection groups? Which ones?

I have met with the leadership of the ASPCA in New York City to discuss animal issues. I was proud to have LOHV's support in my 2002 campaign.

Campaign

8. Have you been endorsed by any elected officials or groups? If so, which endorsements are you most proud of? If more space is needed, please attach endorsements separately.

It is early in the endorsement process but I have the support of the Democratic officials, unions, and groups that have important connections to the East Side.

9. How much money has your campaign raised to date? Approximately \$250,000.



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Government Issues

10. Members of the City Council are jockeying to extend their terms or do away with term limits entirely. What is your position on this issue? i.e., should the City Council legislate an extension or the abolition of term limits or should it go back to the voters for a third time?

As I am not a member of the City Council, I do not have the opportunity to vote on this issue. I do not, however, generally support term limits. The decision of whom to elect should be in the hands of voters, not by arbitrary limitations. Public financing of campaigns and other methods of creating level playing fields for candidates are superior to term limits.

Hunting and Trapping

Canned hunts are fixed hunts which guarantee the "hunter" a trophy. The animals used are docile animals who are often drugged to make it even easier for the killer. The animals are also placed into a fenced area which prevents them from escaping.

11. Do you support legislation (such as NYS Senate bill S. 2993 of 2005 and Assembly bill A. 5877 of 2005) to ban canned hunts in New York State?

Yes, I was a sponsor of A. 5877 and am a co-sponsor of A. 9267 (2006). The practice of canned shoots is inhumane and unsportsmanlike. A. 9267 will expand the prohibition of this type of hunting by removing exemptions based on acreage of facilities, and outlaw the release of an animal into a confined space where there is no reasonable escape from a hunter. Further, this bill will prohibit the direct or indirect sale of animals used for educational, scientific, or entertainment purposes to any entity that intends to hunt the animal for amusement or sport.

The steel-jaw leghold trap is so notoriously cruel that it has been banned in over 70 countries as well as many states. The steel jaws of these traps clamp down on an animal's body when triggered. She or he sometimes suffers for days before the trapper arrives to stomp, suffocate or beat her or him to death. To escape the pain, some escape by biting off their own legs.

12. Do you support legislation (such as NYS Senate bill S. 2142 of 2005 and Assembly bill A. 1835 of 2005, the "home rule trapping bill") to allow local counties and municipalities to ban the use of steel-jaw leghold traps on fur-bearing animals?

Yes, I am a sponsor of and voted for A. 1835, which passed the Assembly on May 22, 2006. Local counties should have the right to end this practice.

13. Do you support a ban on steel-jaw leghold traps?

Yes.



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Fur

Confined in small wire cages where natural activities are denied them, animals on fur farms suffer tremendously. Disease and unnatural behaviors such as self-mutilation, cannibalism, and incessant pacing are common. Common methods used to kill these animals include anal electrocution, gassing, and neck-breaking.

14. Do you support legislation (such as NYS Assembly bill A. 19 of 2005) to ban the anal and genital electrocution of animals?

Yes, I am a co-sponsor of A. 19 and the 2006 version, A. 9264. I believe it is important to protect furbearing animals from unnecessary suffering at the hands of those who seek their death for purely financial gain.

Animals & Entertainment

Animals used in circuses are beaten into submission; trainers use bullhooks, whips, electrical shock, and other devices to turn wild animals into unwilling performers. During the winter off season, animals such as lions and elephants are cramped into cages, stalls, and even trucks. In addition, elephants spend 90 percent of their day chained and restrained in small areas.

15. Would you support legislation to ban the use of animals in circuses and other traveling shows?

I would support legislation to ensure the proper and humane treatment of animals during their time spent in such shows and in transit to and from the shows.

Rodeo promoters say that the animals are wild and rough, but without the use of spurs, tail-twisting, and bucking straps cinched tightly around their abdomens, these frightened and often docile animals wouldn't even buck. They are terrorized into action when men shove them with electric prods, twist their necks, yank them by their tails or legs, slam them to the ground, or otherwise batter them. The fact that most of these innocent animals are eventually destined for the slaughterhouse in no way justifies compounding their agony along the way.

16. Would you support legislation (such as City Council Intro. No. 472 of 2004) to ban rodeos?

As I am not a member of the City Council, I do not have the opportunity to vote on this bill. I would certainly be open to supporting this legislation on a statewide level.

Horses used by the carriage industry are often denied water to prevent them from urinating; forced to breathe in exhaust from automobiles; denied sufficient veterinary care; forced to pull carriages which are overloaded with passengers; kept in substandard shelter; subject to weather extremes; and sent to slaughter when their profitability wanes.

17. Would you support a ban on horse-drawn carriages in New York City?

As I am not a member of the City Council, I do not have the opportunity to vote on this issue. I would certainly be open to supporting this legislation on a statewide level.



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Pressure from the carriage horse industry resulted in a bill, Intro. No. 740 of 2005, to ban pedicabs from operating in Midtown. This is an insult to free enterprise and would deny residents and visitors of Midtown a humane alternative to horse-drawn carriages.

18. Do you support legislation to ban pedicabs from operating in Midtown?

As I am not a member of the City Council, I do not have the opportunity to vote on this bill. I do not, however, support banning pedicabs.

Farmed Animals

Foie gras, which is French for fatty liver, is the grotesquely enlarged livers of ducks and geese. Ducks have up to four pounds of food per day pumped into their stomachs through long metal pipes that are shoved down their throats. Their diseased liver swells up to twelve times its regular size, and is then sold as foie gras. Force fed birds suffer from neck tearing, caused by the feeding pipe; chronic heart disorders; bone fractures; spleen and gall bladder damage; liver hemorrhage; ruptured organs; asphyxiation; as well as pneumonia.

19. Do you support legislation (such as NYS Senate Bill S. 2083) to ban the force feeding of ducks for foie gras?

Yes, I support the Assembly version of this legislation, A. 6212. I agree that the health and safety of the ducks and geese from which foie gras is produced is more important than continuing production of this item in New York.

Companion Animals

Existing state law prevents municipalities from enacting breed-specific legislation banning "dangerous dogs." Council Member Michael McMahon introduced a Resolution in 2004 calling on the state legislature to repeal this law.

20. Do you support existing law preventing municipalities from enacting breed-specific bans?

Yes, I have consistently opposed legislation that would enact breed-specific bans. Bans should not be based on the breed of the animal. The determination of a "dangerous dog" should be based on a multitude of factors.

21. Would you support increased funding for no-kill shelters and facilities which trap, neuter and release animals?

Yes. I was a sponsor of A. 7644, a 2005 law which expanded eligibility for low-cost spay and neuter services.



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22. In 2004, Council Member Melinda Katz introduced the pets in housing bill, Intro. No. 189, which clarifies existing law regarding pets in multiple dwellings. It says that the no-pet clause, once waived, is waived for the duration of a tenant's occupancy, not the life of an individual pet. Do you support this legislation?

As I am not a member of the City Council, I do not have the opportunity to vote on this bill. I am, however, a co-sponsor of A. 1825, which negates lease provisions preventing tenants from owning or keeping pets. No senior should be denied housing solely on the basis of wanting or having a pet. Additionally, I support A. 1824 which prohibits insurers from refusing to issue, renew, cancel, or charge or impose an increased premium for homeowners' insurance policies based on the breed of a dog owned.

23. The City Council is considering Intro. 0217-2004, which requires the installation of fire sprinklers in all facilities which provide services to animals and shelter them for more than 24 hours. Would you support this legislation? If not, please explain your position and cite any specific problems you have with the bill as written.

As I am not a member of the City Council, I do not have the opportunity to vote on this bill. I would certainly be open to supporting this legislation on a statewide level.

Crimes Involving Animals

Under existing law cruelty to companion animals is a felony. Similar abuse to wild animals is just a misdemeanor.

24. Would you support legislation to make cruelty to wildlife a felony?
Even though some laws exist to protect animals from cruelty, they are unfortunately not always aggressively prosecuted.

Yes, I support A. 4377, which makes cruelty to any animal a felony, and A. 1850 which extends the coverage of the felony animal cruelty law to cover intentional acts of extreme cruelty to wildlife as well as companion animals. I am a co-sponsor of several bills intended to prevent the abuse of wildlife and companion animals.

25. Would you support the allocation of funds for a special prosecutor to handle animal cruelty cases?

Yes. I support A. 5421 which covers the cost of animal care during criminal proceedings involving animal cruelty and expedites legal proceedings. I voted for, and the Assembly passed, this bill in 2005 and 2006.

On Memorial Day in 2005, Roxi, a deaf 15 year old German Shepherd, was violently kicked to death when she mistakenly wandered into a neighbor's yard.

Under current New York State law, dogs, like all animals, are considered property. Therefore, a civil law suit against someone who injures or kills an animal companion is limited to the value of the animal. Since Roxi was considered a "shelter dog" (she was adopted from one as a puppy), Roxi's "value" as a piece of property is nominal.



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Legislation is currently pending which would recognize animal companions, such as dogs and cats, as family members and companions and instead of mere property. People would be entitled to sue for the loss of companionship, comfort and protection provided by an animal who was injured or killed.

26. Would you support legislation (such as Assembly Bill 3585 and Senate Bill 1789) to recognize companion animals as members of the family?

Yes. I also support A. 9266 which classifies the theft of a companion animal as grand larceny.

Humane Education

In 1947, the New York legislature enacted §809 of the Education Law mandating that "instruction...be given in every elementary school under state control...in the humane treatment and protection of animals." It further states: "A school district shall not be entitled to participate in the public school money on account of any school...subject to the provisions of this section, if the instruction required hereby is not given." Nevertheless, in practice §809 of the State Education Law has never been fully implemented, and it is largely ignored.

Humane education strives to foster kindness, respect and empathy for both human and nonhuman animals as well as the environment. It has a philosophical component that strives to establish a sense of responsibility and make the world a better a more humane place. Humane educators believe that children who learn to care about animals and develop a sense of respect for all life will be more respectful of each other and grow up to be more compassionate adults.

Humane education lessons build empathy and engage student interest. The interest motivates students to learn more about the topic being studied. This motivation can lead to focused and enthusiastic writing, reading or applied learning activities.

27. Would you allocate much-needed funds for humane education programs?

Yes, to the extent that the State can dictate to a local school board that funds must be directed in this manner.

28. Existing law requires that new teachers receive extensive trainings in character education and child abuse prevention. Would you support an amendment to §809 requiring certification (a 3-hour course) in humane education for new teachers?

Yes.

29. The penalty for noncompliance with §809 is withdrawal of state funds. However, this is never enforced. Would you support efforts to enforce this law?

Yes.



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Healthy School Lunches

The American Academy of Pediatrics, the American Cancer Society, the American Dietetic Association, the American Diabetes Association, the American Heart Association, the United States Department of Agriculture and the National Institutes of Health all recommend a greater emphasis in the American diet on fruits, vegetables, whole grains and legumes with a reduction in the consumption of animal foods (which are the primary source of saturated fat and the only source of cholesterol.)

30. Assembly Resolution K1888 of 2004 (Ortiz) and Senate Resolution J3971 of 2004 (LaValle) calls on local school districts to provide optional vegetarian entrees, as well as nutrition education materials and instruction. Do you support this resolution?

Yes.