

House Concurrent Resolution No. 101

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ALFERMAN.

6453H.011

D. ADAM CRUMBLISS, Chief Clerk

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

3

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

6

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

10

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

13

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

17

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

21

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

25

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

29

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

32

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

36

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

39

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

43

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

49

50 **BE IT FURTHER RESOLVED** that the Chief Clerk of the Missouri House of
51 Representatives be instructed to prepare a properly inscribed copy of this resolution for the
52 majority and minority leaders of the California General Assembly, the Governor of California,
53 and the Attorney General of California.

✓