

**Public Policy Position
HB 5916 and HB 5917**

The Animal Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 253 members. The Animal Law Section is not the State Bar of Michigan and the position expressed herein is that of the Animal Law Section only and not the State Bar of Michigan. To date, the State Bar does not have a position on this item.

The Animal Law Section has a public policy decision-making body with 15 members. On May 17, 2018, the Section adopted its position after an electronic discussion and vote. 14 members voted in favor of the Section's position on HB 5916 and HB 5917, 0 members voted against this position, 0 members abstained, 1 member did not vote.

OPPOSE**Explanation:**

HB 5916 purports to apply higher, statewide standards to pet stores that sell puppies regarding the source of those puppies. HB 5917 would preclude local units of government from enacting ordinances preventing pet stores from selling puppies sourced from puppy mills, and such ordinances in a few cities that have already enacted would be repealed.

Consumers are becoming better educated about animal-related industries, and across the board, they are speaking with their spending and demanding that animals be treated humanely. This can be seen in concern for wild animals in captivity and the decline of "entertainment" venues like Sea World and circuses and the opposition to practices at factory farms causing consumers to pressure even the largest restaurant chains, like McDonald's, to source products like eggs from humanely-run operations. While there has been a huge increase in the amount of money spent on pets (\$69 billion dollars last year) for products and services, the purchase of live animals through pet stores has declined as consumers are opting for more humane alternatives.

Surveys show that a significant majority of pet owners consider their pets to be family members, and when those pet owners spend their money, they want to be assured that animals are not being hurt in the process. In short, consumers want animals to be treated humanely. These bills would represent a significant step backwards in Michigan when it comes to the treatment of puppies sold in pet stores.

The standards included in HB 5916 rely in large part on the USDA licensure and regulation process to ensure that puppies sold in pet stores are coming from humane sources. Unfortunately, the USDA licensure and inspection process as it applies to commercial dog breeders is not as thorough, consistent, or stringent as it needs to be to protect animals in those breeding facilities. The Office of Inspector General and Congress have both called on the USDA to do a better job enforcing the Animal Welfare Act and related regulations to protect dogs and puppies in commercial breeding

operations.

The USDA has licensed breeding facilities where the dogs and puppies are forced to live in unsanitary, cramped enclosures; are deprived of exercise; and are not given veterinary care and fresh food and water. The breeding dogs are bred as often as possible for as long as possible, and when they are no longer useful, they are dumped. Puppy mill puppies often suffer from illness, parasites, and behavioral and genetic problems.

In the absence of effective federal oversight, local units of government should be allowed to regulate pet shops and close the door on the sale of puppies from wholesalers should they choose to do so.

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