

Michigan: Improved Breeder Regulations Bill Passes Legislature - Contact the Governor

AKC Government Relations



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December 15, 2016

Last night, the Michigan Legislature passed a bill that will regulate those breeders who have on their property at least 15 intact females that have been previously bred.

Thanks to your phone calls and e-mails, the bill does not include the very problematic Animal Welfare Commission that would have regulated and inspected all breeders and possibly even all owners of intact dogs.

While the AKC remains concerned about defining a breeder based solely on ownership, the bill does contain many positive provisions as well. AKC greatly appreciates the number of positive improvements, which are the result of months of communications, but remains concerned that the bill regulates a person based solely on the number of intact dogs they own.

The new House Bill 4353 has passed the legislature and is now pending on the governor's desk. Please contact the governor today with comments and concerns on House Bill 4353 by calling (517) 335-7858, or [completing the online comment form](#).

Summary:

[House Bill 4353](#) as amended and passed late yesterday by the legislature is based largely on a previous version of another bill that passed the House earlier this year.

Several amendments requested by the AKC, the Michigan Association for Pure-Bred Dogs, and other stakeholders were incorporated into this prior bill when it passed the House, and subsequently are included in the bill that passed the legislature yesterday. This includes positive regulations for dogs being imported into the state (including shelters and rescues), and removing dog ownership limits and other problematic provisions.

AKC remains concerned, however, with the definition of "large scale dog breeding kennel". The proposal states that the definition will only apply to those females that have been previously bred. However, this requires state inspectors to first determine how many intact females are on the property and whether or not they have been bred before determining if they must comply with the other regulations outlined in the proposal. This will prove difficult to enforce.

Michigan residents are encouraged to contact the governor today with comments and concerns.

For more information, contact AKC's Government Relations Department at doglaw@akc.org.

AKC Remains Concerns with Provisions of House Bills 4353 and 4898

Message sent to Michigan State Senate by Jennifer Clark, Manager, Canine Legislation for AKC

Dear Members of the Michigan State Senate:

The American Kennel Club (AKC) writes on behalf of our 158 Michigan dog clubs, comprised of thousands of Michigan responsible dog owners and taxpayers, to comment on House Bill 4898 and House Bill 4353, which we understand may be amended again to impact Michigan dog owners and breeders.

The AKC is the nation's largest not-for-profit purebred dog registry. We are dedicated to ensuring that dogs in Michigan and across the country are treated with the humane care they deserve. AKC and our member clubs comprise the largest rescue network in the United States, and AKC is the only registry that incorporates health screenings into its permanent dog records. We are also the only non-profit registry with a kennel inspections program. ***We strongly believe all dogs deserve lives in safe, humane environments, but this will not be accomplished with these bills.***

We respectfully ask that you consider the following:

- **Michigan already has numerous laws regulating the care of animals.** The Michigan Dog Law of 1919 already regulates kennels where three or more dogs are kept for sale, boarding, breeding or training, and the penal code (Act 328 of 1931) outlines numerous actions that constitute cruelty and neglect of animals. This is in addition to federal regulations requiring USDA licensing and inspections of anyone who owns more than 4 intact female dogs and sells a puppy sight unseen. ***It is unclear why additional laws should be passed at additional cost to Michigan taxpayers. The state and local communities should instead focus on resources to allow local communities to enforce animal control and cruelty laws, rather than simply responding to a call for more laws.***
- **House Bill 4353 as amended will prove difficult to enforce.** The AKC understands that House Bill 4353 may be amended to include provisions from a previous version of House Bill 4898. The AKC appreciates and supports many provisions of House Bill 4898 as it was passed by the House earlier this year, including regulations regarding dogs being imported into the state. The AKC remains concerned, however, that “large scale commercial dog breeding kennel” is still defined solely on the number of intact female dogs someone owns. This will prove extremely difficult to enforce, as state inspectors will first have to count the number of female dogs on the property, determine if they are intact, and then whether or not they have been previously bred before enforcing the provisions of the law. ***This will merely place more hardships on responsible breeders and dog owners, and those who are already out of compliance with current laws will easily be able to avoid compliance with this new law.***
- **HB 4898 is not in the best interest of responsible breeders, sportsmen, or Michigan taxpayers.** The new Animal Welfare Commission outlined in House Bill 4898 and its companion Senate Bill 339 will be given a broad range of powers to establish rules for “dog breeding operations”, ***which is not defined in the bill and is presumed to mean anyone who breeds even one dog, or could be those who simply own intact dogs.*** The animal welfare commission created in these bills would be given broad regulatory powers, including licensing and inspections of private homes and property. ***This will be a tremendous drain on state resources and an unnecessary violation of the private property rights of responsible breeders and sportsmen.***

Those directly impacted, who also have extensive expertise in animal science and husbandry, are given a small minority of seats on the commission. Further, breeders must be members of “a national organization of dog breeders and owners”. We are not clear what types of organizations this would include. The AKC, for example, is comprised of

local clubs and a specialized club for each breed, but the AKC is a registry and does not have “members”.

Strong enforcement of current laws would be more effective than establishing new laws to further regulate breeders and sportsmen in the state. The AKC and the Michigan Association of Pure-Bred Dogs would welcome the opportunity to work with you to develop educational programs and other effective solutions that promote responsible dog ownership without burdensome overregulation that punish breeders. Please do not hesitate to contact me or a member of the AKC GR team at (919) 816-3720 or jlc@akc.org if we can be of assistance.

Thank you for your consideration,

Jennifer Clark

Manager, Canine Legislation



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Michiganders, please call Governor Snyder TODAY!

Call the Governor TODAY and ask him veto HB 4353, which has brought back to life the old commercial breeder bill in a Trojan horse of Logan's Law.

Originally, HB 4353 was a bill to provide definitions for Logan's Law, which was a bill that would give shelters access to iChat to ensure they did not adopt out to convicted animal abusers. That bill has not moved since June. Yesterday, all of the definitions from HB 4898, which sought to amend the pet shop and shelter law to regulate "large scale dog breeders", were inserted into HB 4353, rushed through both the House and Senate, and now sits before the Governor's desk.

Although the idea and intent behind HB 4353, which seeks to improve the current law regulating pet shops and animal shelters, has good intentions, the inclusion and definition of "large-scale dog breeding kennel" is very concerning. The bill defines "large scale dog breeders" as those with more than 15 intact females over 4 months old used for the primary purpose of breeding, but provides no exception for breeders/kennels with performance, hunting, show, or other purpose-bred dogs. The most recent addition to the definition has been that a dog kept for the primary purpose of breeding is a female that has previously been bred and whelped a litter. While this further clarification to the definition is an improvement, it still leaves many questions. How do intact females become excluded from this definition? "Large scale dog breeders" will have to become licensed under this bill and adhere to as-yet unwritten regulations and standards that could vastly change housing and husbandry requirements.

While there are many improved regulations for shelters (requiring health records and vaccinations for dogs and cats imported from out of state) and pet shops, the bill unnecessarily and over-inclusively brings breeders into the pet shop and shelter law. Current cruelty and neglect laws carry more teeth against the bad actors this bill is intended for. Also, most large scale breeders are already licensed and regulated by the USDA APHIS. Enforcement of HB 4353 will be burdensome and costly to the Michigan Department of Agriculture and Rural Development which already cannot effectively inspect, register, and regulate the current load of pet shops and shelters.

This bill was underhandedly rushed through under the auspices of Logan's Law and passed with no input from interested parties. Please contact the Governor TODAY and ask him to veto HB 4353.

PHONE: 517-373-3400

PHONE: 517-335-7858 - Constituent Services