

ANIMAL LAW SECTION
Respectfully submits the following position on:

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HB 5987

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The Animal Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Animal Law Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Animal Law Section is 221.

The position was adopted after an electronic discussion and vote. The number of members in the decision-making body is 15. The number who voted in favor to this position was 12. The number who voted opposed to this position was 0.

Report on Public Policy Position

Name of section:

Animal Law Section

Contact person:

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Bill Number:

[HB 5987](#) (Lauwers) Agriculture; animals; requirements that confined animals be provided space to allow certain movements; delay application of to certain livestock. Amends sec. 46 of [1988 PA 466](#) (MCL [287.746](#)).

Date position was adopted:

November 7, 2016

Process used to take the ideological position:

Position adopted after an electronic discussion and vote.

Number of members in the decision-making body:

15

Number who voted in favor and opposed to the position:

12 Voted for position

0 Voted against position

0 Abstained from vote

3 Did not vote (absent)

Position:

Oppose

Explanation of the position, including any recommended amendments:

HB 5987 would amend MCL 287.746 and extend the phase-out period for battery cages for egg-laying hens by another 5 years.

As originally enacted, the statute gives egg producers until April 1, 2020 (ten years from the statute's enactment) to comply with the new requirements. The statute was originally enacted as a compromise to avoid a ballot initiative. The new rules resulting from California's ballot measure against battery cages became effective in 7 years. In Ohio, the moratorium on battery cages became effective the same year it was passed.

While producers clearly can comply with new requirements in less than 10 - or 15 - years, ostensibly, the proposed extension in Michigan is designed to match the time frame within which corporate buyers have pledged that they

will stop buying eggs produced by hens in battery cages. This is not a valid reason to grant an extension of the battery cage phase-out period.

With respect to MCL 287.746, the deal that resulted in that statute was made more than six years ago, and there is no good reason to continue to make hens in Michigan suffer any longer than they already will be required to under the current statute. Under the current statute, Michigan egg producers that use battery cages have another four years to phase them out. The egg producers also avoided a ballot initiative that could have required them to phase out battery cages in a much shorter time frame than that provided by the statute. Michigan egg producers should be required to honor the deal from which they have benefited and from which they will continue to benefit for the next four years.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2016-HB-5987>