

ANIMAL LAW SECTION

Respectfully submits the following position on:

\*

HB 4251

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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 291.

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 14. The number who voted opposed to this position was 0.

**Report on Public Policy Position****Name of Section:**

Animal Law Section

**Contact person:**

Ann M. Griffin

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**Bill Number:**

[HB 4251](#) (LaFontaine) Agriculture; animals; prohibition on sale of artificially colored baby chicks, rabbits, or ducklings; repeal. Repeals [1945 PA 163](#) (MCL [752.91](#) - [752.92](#)).

**Date position was adopted:**

March 27, 2015

**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:**

14 Voted for position

0 Voted against position

0 Abstained from vote

1 Did not vote (absent)

**Position:**

Oppose

**Explanation of the position, including any recommended amendments:**

The Animal Law Section opposes HB 4251 and respectfully urges the legislature to retain MCL § 752.91. The House Fiscal Agency's Legislative Analysis characterizes MCL § 752.91 as obsolete, but the Animal Law Section believes that MCL § 752.91 is still needed to protect vulnerable young animals, including rabbits, chicks, and other fowl.

While there is merit to eliminating unnecessary and obsolete legislation, the unfortunate truth is that MCL § 752.91 is still needed. This law protects fragile young animals from the distressing and potentially life-threatening practice of dyeing them. While this practice is objectionable in and of itself, its purpose is to encourage people to buy these animals as Easter gifts. These impulsive purchases by people who more likely view the animals as brightly-colored toys than living creatures do not typically end well for the animals.

These animals are young and need special and intensive care in order to survive. When they are acquired as holiday novelties by people who are not prepared to provide the care they need, chances are they will die from a lack of proper care. If they do survive, they are very likely to be surrendered to a shelter or released outside when their novelty has worn off.

Maintaining the current ban is necessary to protect vulnerable animals in Michigan, and retaining MCL § 752.91 also avoids a potential waste of legislative resources, as happened in Florida. In July 2012, Florida lifted its ban on dyeing animals. By July 2013, the ban was reenacted on behalf of animals under 12 weeks old, along with any fowl or rabbit of any age. The public was incensed that the ban had been lifted and made numerous appeals to the state's Governor and the legislature to reinstitute the ban.

Michigan, twenty-one other states, and the District of Columbia currently ban dyeing animals and/or selling animals that have been dyed. For the sake of Michigan's animals and legislative efficiency and economy, the Animal Law Section strongly encourages the Legislature to retain MCL § 752.91.

**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?2015-HB-4251>