



MICHIGAN ASSOCIATION FOR PURE BRED DOGS

Founded 1964

"Promoting Responsible Dog Ownership"

Committee: Senate Committee on Judiciary
In Opposition to: Senate Bill 377
Date: July 30, 2013

I am Anne Hier. I have been involved in the sport of purebred dogs for 41 years as a breeder, exhibitor, and judge. I am here today in my capacity as Director of Legislation for the **Michigan Association for Pure Bred Dogs (MAPBD)**.

Although **MAPBD** objects to the establishment of an animal abuser registry, we agree that **ICHAT** is an alternative to establishing a separate criminal database because it is available to all Michigan citizens. In fact, it would not be necessary for the State to go to the additional expense of enacting an animal abuser bill as anyone with a felony conviction or misdemeanor punishable by over 93 days would appear on **ICHAT**.

However, **MAPBD** opposes any waiver or reduction of the \$10 per **ICHAT** search fee for selected groups such as humane societies, animal shelters, and animal rescues. The principal reason for this objection is economic fairness. Broadband delivery is not "free." In fact, it is relatively expensive and all service providers base their fees on broadband usage. Giving hundreds of organizations throughout the State free or substantially reduced fee access to **ICHAT** does nothing but pass the costs on to your constituents, many of whom do not own pets. For example, 164 animal shelters reported to the Michigan Department of Agriculture in 2011 that 79,279 canines, felines, ferrets, and animals of other species were adopted by the public.¹ That grand total of 79,279 animals indicates that a legally mandated requirement that all shelters do background checks on potential pet owners is completely unworkable, unreasonable, unnecessary, and expensive – not only in broadband costs but in man hours to complete a minimum of approximately 80,000 background checks. And that is, indeed, a bare minimum. For example, if a family with two teenagers decides to adopt a kitten, then all members of the family must undergo the background check if they reside in the same household. Whether

¹ Michigan Department of Agriculture and Rural Development. *Results of 2011 Michigan Shelter Survey*. Available at: http://www.michigan.gov/documents/mdard/Results_of_2011_Michigan_Shelter_Survey_383091_7.pdf

operating for profit or non-profit, animal shelters are business entities. Certainly, as their cost of doing business, the animal shelter could pass along the \$10 **ICHAT** fee to its potential customers. But, an additional \$40 fee may well send the family of four out the door to acquire a kitten from another source. Even if there were an average of 2 background checks per animal adopted, those 160,000 **ICHAT** checks could overwhelm the system, result in significantly increased broadband charges, and, at the same time, deprive the State of \$1,600,000 in lost fees if animal shelter organizations are allowed to use the system for no charge.

The fiscal analysis on **SB 285(S-1)** and **SB 286**, which are bills to increase penalties for animal cruelty convictions, are directly applicable to any animal abuser bill or the use of **ICHAT** to check the criminal backgrounds of anyone wishing to adopt a pet. That fiscal study states the following:

The bills could have an indeterminate negative fiscal impact on State and local government ... In 2011, there were three felony dispositions for cruelty to 10 or more animals, and none resulted in prison time. However, also, there were 45 felony dispositions for the crime of killing or torturing an animal, of which seven resulted in prison sentences. ²

Mandating tens of thousands of criminal background checks on law-abiding citizens who merely wish to acquire a pet from a shelter is absolutely unwarranted when there are less than a dozen convictions for animal abuse in the State per year. **MAPBD** has a vested interest in the humane treatment of all animals and does not condone animal abuse. **Michigan Association for Pure Bred Dogs** respectfully opposes **SB377** and urges its defeat.

Respectfully submitted,

Anne M. Hier, JD
Director of Legislation
Michigan Association for Pure Bred Dogs

² Fiscal Analyst: Dan O'Connor. Bill analysis. *Penalties for Crimes Against Animals*. S. B. 285(S-1) & 286: Floor Summary. Date Completed: 4-17-13. Senate Fiscal Agency. Lansing, Michigan. Available at : <http://www.legislature.mi.gov/documents/2013-2014/billanalysis/Senate/pdf/2013-SFA-0285-F.pdf>