

**MICHIGAN ASSOCIATION FOR PURE BRED DOGS**  
**POSITION PAPER**  
**MICHIGAN SENATE BILL 626**  
**(S-5 as passed by the Senate)**

**If enacted, this bill will prohibit Michigan dog clubs from holding, conducting or operating dog events for the purpose of wagering or gambling. These popular competitive events include performance trials, such as sled dog racing, lure coursing, agility trials, coonhound water racing, and many others competitions where the winners receive recognition with "things of value."**

The **Michigan Association for Pure Bred Dogs** and the **Michigan Hunting Dog Federation** believe that enactment of this bill will place the clubs and their members in jeopardy of the Michigan Penal Code being used to stop the exhibition of dogs in hundreds of events where the "winners receive directly or indirectly money or valuable things contingent upon the results of any race, contest, or game." Even though the exclusion in Sec. 1(c) "Wagering or gambling" does not include the payment of a purse, prize, or entry fee to the "owner," the Penal Code make no such exemption. Accordingly, the language in this bill does not, and cannot amend or change the Penal Code. It would require a companion and linked bill to do that.

Please take the time to read this position in which we try to justify our opposition. Since dog racing for wagering and gambling in Michigan is not permitted and we have **no data to indicate the need for the bill, why is this act justified at this time?**

Many of the activities sponsored by Michigan Dog Clubs could be considered "dog racing." Since awards and prizes are presented to the winners of the races, the rewards come within the category of wagering or gambling.

There is a profound difference in the penalty between the penal code and in SB 626 -- fine of \$1,000.00 for the Penal Code and \$5,000.00 for a violation of SB 626. The difference could be used for the prosecutor to decide which act to use.

Our membership is deeply concerned about the reasons why these significant restrictions and penalties should be made on a recreational activity that is not intended as gambling or wagering but clearly fits the definition in the penal code. In reality, it recognizes the superior performance for their animal and their breeding and training programs. The awards are minor in a monetary sense but reflect great pride, recognition and personal accomplishment. It is difficult to understand why gambling and wagering are acceptable for state sponsored activities which are promoted as a source of revenue for the state treasury but similar activity should be penalized in the private sector.

There are hundreds of dog events scheduled in Michigan - events that bring thousands of visitors to several hundred cities each year. Drummond Island is a site of sled dog races in mid-winter. The Marquette Kennel Club show brings hundreds of entries for their Labor Day weekend show &#8211; an important tourist event. The Detroit Kennel Club show in Cobo Hall brings nearly 2,000 entries for a two-day-show and demonstrations of many dog activities. Frankenmuth is becoming a popular site for national dog breed shows. The Borzoi Club of America will bring hundreds of dogs and their families to Michigan this summer.

Dog racing for the purpose of gambling is not legal in Michigan. If it should become wise to initiate that form of gambling or wagering, then I assume the Michigan Legislature would make the appropriate decision and establish the necessary rules and regulations. Certainly the definitions and rules could be more clearly defined than in this superficial and undefined act!

When SB 626 was considered by the Senate Commerce and Tourism Committee, the one person who testified in favor of the bill and the accompanying information for public use (SB 626 Information Sheet, SB 626 Selection of Relevant News Articles, and U.S Greyhound Racing Fact Sheet) was mainly devoted to the cruelty of racing greyhounds and the distribution and adoption of the dogs that did not succeed at competitive racing. I suggest this is **the** motivating justification for the bill as written.

A similar bill in 1996 by the same author was rejected by the legislature at that time. The Legislative Analyst for SB 626 noted that: "**There are no data to indicate how many offenders would be convicted of the proposed offense.**" Should you not have some data to verify the need for the legislation in 2008? It is basically a "feel-good" bill to leave the impression that the legislature "feels" the concerns of the public about an issue (cruelty) but ignore the fact it will deprive the public of some of their freedoms to enjoy an innocent recreational relationship with their companion animal.

The Humane Society of the United States (HSUS) and the People for Ethical Treatment of Animals (PeTA) are making a diligent effort to stop all dog racing activities and have pledged to do it through the democratic process of national, state and local laws. Since the HSUS has now employed a lobbying firm to represent their interests in Michigan, there are increased numbers of bills being introduced. They are also using existing laws to campaign for prosecution of any animal cruelty provisions that are unintended consequences of existing laws.

The **Michigan Hunting Dog Federation** and the **Michigan Association for Pure Bred Dogs** believe that these powerful and well financed "humane" organizations are following the objectives of a statement made by Wayne Pacelle, Chief Executive Officer, HSUS:

***"We have no ethical obligation to preserve the different breeds of livestock produced through selective breeding...one generation and out. We have no problems with the extinction of domestic animals. They are creations of human selective breeding."***

Judging from their national activities, these animal rights groups are actively seeking the destruction of Michigan's agricultural animal industry, companion animal industry, and the traditional wildlife hunting industry. We sincerely hope that Michigan's Legislature will not succumb to their simplistic propaganda and their biased concept of the proper relationship of man and animals. The "animal rights" organizations and literally hundreds of others would be able to agitate prosecutors to prosecute dog people, and even file suits to obtain court orders directing prosecutors to prosecute. Such activities are engaged in with ever increasing frequency. It is an annual court action regarding seals in Canada, sheep in Australia, against departments of agriculture to force them to prosecute animal laws as the activists interpret them.

Michigan citizens have had a long, traditional and productive relationship with domestic animals. They give us food, labor, clothing, protection, entertainment and through laboratory animals have made our lives healthier and longer. In return we have provided food, shelter, habitat and medical care. We believe that the mutual benefits of our interactions with domestic and forest creatures have been an important part of our continued relationships. This relationship has been important for centuries. Both animals and man have given their lives for the benefit of both. The relationship should be preserved for the mutual benefit.

The **Michigan Association for Pure Bred Dogs** and the **Michigan Hunting Dog Federation** strongly urge the House to look carefully at the benefits and consequences of SB 626 and decline to move it forward into law.

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<http://www.mapbd.org>