



49651 Shenandoah Circle  
Canton, MI 48187

May 23, 2018

Representative Tom Barrett  
Chair, Agriculture Committee  
Michigan House of Representatives

*Via email: Dakota Soda, Committee Clerk, [dsoda@house.mi.gov](mailto:dsoda@house.mi.gov)*

**Re: Opposition to HB 6050, House Agriculture Committee Meeting, May 23, 2018**

Dear Chair Barrett and Committee Members:

Thank you for the opportunity to address the committee. Attorneys for Animals, Inc. is a Michigan non-profit and 501(c)(3) organization of legal professionals and animal advocates. Our board of directors voted to **oppose HB 6050**.

The bill revises the Large Carnivore Act ("LCA") to allow certain entities to breed black bears.

**Discussion:**

In 2000, the Michigan legislature passed a comprehensive Large Carnivore Act. It prohibited direct human interaction with large carnivores.

The law was revised in 2013<sup>i</sup> to allow for so-called "bear cub petting zoos," which essentially benefitted one Upper Peninsula business, by allowing direct contact between humans and bears who are younger than 36 weeks of age or weigh less than 90 pounds. Lawmakers had expressed concern that the measure would lead to a surge in new facilities seeking to profit from offering bear petting and photo opportunities, so the bill was amended so that it would apply only to existing businesses already offering this type of entertainment.<sup>ii</sup> When the 2013 law passed, the owner of one of the petting zoos claimed that he "saved bears"<sup>iii</sup> and the Governor's signing statement mentioned the facility raised "rescued cubs to adulthood".<sup>iv</sup>

The current bill goes further, by allowing these facilities to breed bears, and puts to rest any argument that these petting facilities are about the bear's welfare, or education.

Petting zoo operations are not safe for the public and exploit vulnerable bear cubs. They are not in the interests of the bear cubs, who should be with their mothers instead of being handled by humans and posing for pictures.

[www.attorneysforanimals.org](http://www.attorneysforanimals.org)  
[info@attorneysforanimals.org](mailto:info@attorneysforanimals.org)

The bill also saddles the Michigan Department of Agriculture and Rural Development with additional regulatory burdens. MDARD would be called upon to ensure that a proposed transferee of a bear is “qualified or capable” of “safely maintaining the large carnivore or ensuring its well-being”.<sup>v</sup>

We urge committee members to consider a comprehensive report by the Humane Society of the United States, written in 2012 in response to a predecessor bill to the 2013 revisions, excerpts of which are reproduced below as **Attachment A**, showing several incidents of bear attacks after passage of the 2000 LCA, and many incidents of concern for the animals’ welfare.

**Attorneys for Animals Position:**

HB 6050 is unwise public policy, both from an animal welfare and human safety standpoint. Allowing breeding will lead to a surplus of these animals, who can only be “monetized” when they are young (e.g., are younger than 36 weeks of age or weigh less than 90 pounds).

**Attorneys for Animals urges this Committee to vote against HB 6050.**

Very Truly Yours,



Beatrice M. Friedlander, JD  
President

cc: Agriculture Committee Members, via email: tombarrett@house.mi.gov, JulieAlexander@house.mi.gov, DanLauwers@house.mi.gov, GaryHowell@house.mi.gov, ThomasAlbert@house.mi.gov, JulieCalley@house.mi.gov, BenFrederick@house.mi.gov, BrianElder@house.mi.gov, repphelps@house.mi.gov, TerrySabo@house.mi.gov, TimSneller@house.mi.gov, saracambensy@house.mi.gov

---

<sup>i</sup> PA 8 of 2013

<sup>ii</sup> <http://michiganradio.org/post/bear-cub-petting-zoo-bill-headed-governor-snyder-s-desk>

<sup>iii</sup> [http://www.mlive.com/politics/index.ssf/2013/03/bear\\_cub\\_petting\\_is\\_back\\_michi.html](http://www.mlive.com/politics/index.ssf/2013/03/bear_cub_petting_is_back_michi.html)

<sup>iv</sup> [http://www.mlive.com/politics/index.ssf/2013/03/bear\\_cub\\_petting\\_is\\_back\\_michi.html](http://www.mlive.com/politics/index.ssf/2013/03/bear_cub_petting_is_back_michi.html)

<sup>v</sup> HB 6050, page 4, lines 1-3

---

## Attachment A

**Michigan's Large Carnivore Act: An overview of Senate Bill 1236 and its adverse impact on captive bear welfare and public safety, Humane Society of the United States, November 1, 2012** (full report available at:

[http://www.humanesociety.org/assets/pdfs/legislation/mi\\_sb\\_1236\\_report.pdf](http://www.humanesociety.org/assets/pdfs/legislation/mi_sb_1236_report.pdf))

July 2005/Newberry, Michigan: Dean Oswald of Oswald's Bear Ranch was bitten six times, hard enough to draw blood, by a recently acquired bear cub, Garret Mathews, "Tender Moment with Cuddly Cub Almost Unbearable," Evansville Courier & Press, July 20, 2005.

July 18, 2011/Ewen, Michigan: A member of the public was attacked and injured by a bear at Dakin's Dream A Little Black Bear Sanctuary. The person entered the bear enclosure to provide water for the animals and was not aware that at least one of the bears was still in the pen. The bear was killed by a state police officer, U.S. Department of Agriculture, Inspection Report, License #34-C-0297, July 27, 2011.

**Facility Issues** (footnotes 16-28 are numbered as in the original report):

Oswald's Bear Ranch, Newberry, Michigan: In 2010, Dean Oswald's Bear Ranch was cited by the U.S. Department of Agriculture for using physical abuse to discipline a bear cub. An employee hit the bear cub twice while the animal was being used for photo opportunities with the public.<sup>16</sup> Oswald had previously told a reporter who was handling a bear cub, "If he does something to you that you don't want done, slap him one."<sup>17</sup> Oswald was apparently informed by state officials in June 2012 that the dangerous practice of allowing the public to handle bear cubs violated state law.<sup>18</sup>

100 Aker Wood, Mayville, Michigan: During a 2011 pre-license inspection by the USDA, 100 Aker Wood was cited for not having a way to lock out the bears so employees could safely clean the enclosure and inspect the animals. Weeks after some bears emerged from hibernation, employees discovered a dead bear who had not emerged from hibernation. The inspector wrote, "Had employees had been able to access the enclosure earlier it is possible that the bear may have been provided with treatment."<sup>19</sup>

Dakin's Dream, Ewen, Michigan: In 2011, the USDA issued an official warning to Dakin's Dream after a member of the public was attacked and injured by a bear. The person entered the bear enclosure to provide water for the animals and was not aware that at least one of the bears was still in the pen. The bear was killed by a state police officer.<sup>20,21</sup>

Summer Wind Farm, Brown City, Michigan: In 2012, Summer Wind Farm entered into a settlement agreement with the USDA for chronic, serious Animal Welfare Act violations. The facility was fined \$500, had its license suspended for three months, and agreed not to acquire more animals for two years. Among the many violations were citations for a black bear enclosure that was in disrepair with wire panels that were beginning to bend and sag, excessive excreta in the black bear enclosure, and filthy, unsanitary drinking water receptacles.<sup>22</sup>

---

Wilderness Trail Zoo, Birch Run, Michigan: A number of disappointed travelers have posted troubling comments at an online travel review site after visiting Wilderness Trail Zoo: • “The poor animals at this facility have some very small and dirty pens. The poor bear and tigers especially have very little room.”<sup>23</sup> • “We saw a bear that appeared half-dead -- it was very thin, appeared to have skin problems and was not moving. Pacing and lethargic animals were also very common.”<sup>24</sup> • “[M]any of the enclosures seemed too confining for the animals ...”<sup>25</sup> • “[T]he habitats for a good many of them are just substandard if not criminal. A lot of the cages have concrete floors and just chain link fence ... the pacing bear is still pacing.”<sup>26</sup> • “The bear was pacing the cage and I felt that it was all it had to do.”<sup>27</sup> • “Most of the exhibits in this small zoo are too small and completely unlike the natural habitats of the animals within them. We found ourselves just feeling sorry for the animals!”<sup>28</sup>

16 U.S. Department of Agriculture, Inspection Report, License #34-C-0123, November 9, 2010.

17 Garret Mathews, “Tender moment with cuddly cub almost unbearable,” Evansville Courier & Press, July 20, 2005.

18 Tripadvisor, Comment by meeta4 regarding Oswald’s Bear Ranch (July 9, 2012) (“You can no longer take pictures with the bear cubs!”), [http://www.tripadvisor.com/ShowUserReviews-g42519-d619119-r133721944-Oswald\\_s\\_Bear\\_RanchNewberrv\\_Michigan.html](http://www.tripadvisor.com/ShowUserReviews-g42519-d619119-r133721944-Oswald_s_Bear_RanchNewberrv_Michigan.html).

19 U.S. Department of Agriculture, Inspection Report, Customer #323804, Prelicense #1, September 8, 2011.

20 U.S. Department of Agriculture, Official Warning, Violation of Federal Regulations, Case #MI-11090, September 19, 2011.

21 U.S. Department of Agriculture, Inspection Report, License #34-C-0297, July 27, 2011.

22 U.S. Department of Agriculture, Consent Decision and Order, Docket #11-0223, March 8, 2012.

23 Tripadvisor, Comment by Amanda S regarding Wilderness Trails Zoo (September 13, 2012) (“Dirty”), [http://www.tripadvisor.com/ShowUserReviews-g41995-d2303436-r140182517-Wilderness\\_Trails\\_Zoo-Birch\\_Run\\_Michigan.html](http://www.tripadvisor.com/ShowUserReviews-g41995-d2303436-r140182517-Wilderness_Trails_Zoo-Birch_Run_Michigan.html).

24 Tripadvisor, Comment by HomeSweetHome regarding Wilderness Trails Zoo (July 26, 2012) (“Would never go back”), [http://www.tripadvisor.com/ShowUserReviews-g41995-d2303436-r135457275-Wilderness\\_Trails\\_Zoo-Birch\\_Run\\_Michigan.html](http://www.tripadvisor.com/ShowUserReviews-g41995-d2303436-r135457275-Wilderness_Trails_Zoo-Birch_Run_Michigan.html).

25 Tripadvisor, Comment by MichiganMrs regarding Wilderness Trails Zoo (July 20, 2012) (“Seemed too Confining”), [http://www.tripadvisor.com/ShowUserReviews-g41995-d2303436-r134936496-Wilderness\\_Trails\\_Zoo-Birch\\_Run\\_Michigan.html](http://www.tripadvisor.com/ShowUserReviews-g41995-d2303436-r134936496-Wilderness_Trails_Zoo-Birch_Run_Michigan.html).

26 Tripadvisor, Comment by jwax67 regarding Wilderness Trails Zoo (June 17, 2012) (“The poor animals!!!!”), [http://www.tripadvisor.com/ShowUserReviews-g41995-d2303436-r132187453-Wilderness\\_Trails\\_Zoo-Birch\\_Run\\_Michigan.html](http://www.tripadvisor.com/ShowUserReviews-g41995-d2303436-r132187453-Wilderness_Trails_Zoo-Birch_Run_Michigan.html).

27 Tripadvisor, Comment by cricketnest regarding Wilderness Trails Zoo (May 28, 2012) (“Very Disappointing Zoo”), [http://www.tripadvisor.com/ShowUserReviews-g41995-d2303436-r130780906-Wilderness\\_Trails\\_Zoo-Birch\\_Run\\_Michigan.html](http://www.tripadvisor.com/ShowUserReviews-g41995-d2303436-r130780906-Wilderness_Trails_Zoo-Birch_Run_Michigan.html).

28 Tripadvisor, Comment by Migrammi regarding Wilderness Trails Zoo (September 28, 2012) (“Disappointing”), [http://www.tripadvisor.com/ShowUserReviews-g41995-d2303436-r118699400-Wilderness\\_Trails\\_Zoo-Birch\\_Run\\_Michigan.html](http://www.tripadvisor.com/ShowUserReviews-g41995-d2303436-r118699400-Wilderness_Trails_Zoo-Birch_Run_Michigan.html).