

MINUTES

MARYLAND HORSE INDUSTRY BOARD

Special Meeting: the HB 162 Discussion-- Breeding Stables and Horse Establishments Bill
Tuesday, January 21, 10am, 2025

Meeting held by teleconference via Google Meets.

The meeting started at 10:06 AM

Present: Sheila Curry (MHIB Chair), Genevieve H.R. Macfarlane, Dr. Kathy Anderson, Lisa Watts, Jennifer Sulin, Connie Swayer(left at 10:30am), Erin Ochoa, Carolyn Mackintosh, Cassie Shirk, Rachel Jones , Cynthia Spirt, Britney Branch, Tonya Kendrick, Steve Connelly , Peggy Morgan, Ellen James, Anne Litz

Call to Order: Sheila Curry - MHIB Chair

Introductions: Roll Call by Anne Litz

HISTORY

HB 162 -- Breeding Stables and Horse Establishments Bill,
Anne Litz, MHIB - Rachel Jones -MDA-Director of Government Relations & Cassie Shirk -MDA-
Assistant Secretary of Agriculture

Anne Litz:

Gratitude for Guidance and support to the MDA Staff.

House Bill 162, created by the Maryland Horse Council, which aims to add breeding stables to the Maryland Horse Industry Board's licensing requirements. The bill, supported and filled by Senators Love and Delegate Ziegler, would define a breeding stable as

“BREEDING STABLE” MEANS AN ESTABLISHMENT IN CONNECTION WITH WHICH ONE OR MORE HORSES ARE OFFERED FOR SALE TO THE PUBLIC FOR BREEDING OR AS THE PRODUCT OF BREEDING.

Meetings have been held with Maryland Horse Council, Senators Love and Delegate Ziegler to request clarity on definition of what a Breeding Establishment is. Requests were made to revise this definition of a breeding establishment to ensure it becomes an enforceable standard. The current enforcement challenges highlight the need for clearer definitions

Rachel Jones:

Provided history of when a concept for a Bill is presented. Legislators approached MDA with bill concepts, seeking advice on impacts such as staffing, registration fees, and licensing for horse breeders. The speaker highlights concerns that regulating breeding might set a precedent, as the Maryland Department of Agriculture (MDA) currently does not regulate animal breeding. They discuss the need for additional resources, such as inspectors or veterinarians, and clarify the distinction between licensed stables providing public services and the breeding process. It was noted that while there are breeding standards set by various horse associations, the MDA lacks the expertise to regulate breeding. They mention comparisons to dog breeding regulations and emphasize that Kentucky does not regulate any horse breeding, raising concerns about Maryland's competitive position in the industry.

Seeks feedback from the board on the bill, expressing uncertainty about MDA's role in regulating horse breeding and advocating for thoughtful consideration before proceeding with discussions with bill sponsors.

Anne Litz:

Explained the current process of licensing stables under the Maryland Horse Industry Board. The Maryland Horse Industry Board (MHIB) serves under the Maryland Department of Agriculture (The Department) as the licensing body for Maryland stables that are horse establishments. "Horse establishment" means an establishment that solicits or offers to the public any of the following services: (1) a boarding stable; (2) a lesson or rental stable; or (3) a rescue or sanctuary stable." Horse racing and Standardbred stables are exempt from regulation by the board, and the MHIB does not license any establishment whose sole business is sales. It would cost an estimated \$2,000 to update Salesforce and OneStop to add Breeding. The MHIB current shares two inspectors with the Vet Board and would potentially need additional staff to implement this addition.

Comparison to the 2020 similar Bill that suggested there would be 100-200 Breeding Stables to License. The Maryland Horse Council suggests there would be 24. The Staff at the Horse Board and MDA said this number is difficult to determine under this vague definition of a Breeding Stable.

Cynthia Sprit:

Attorney to the Vet board. She expressed the need for understanding the fundamental nature of the proposed bill: whether it strictly addresses animal welfare or extends to regulating breeding practices. She suggests that if the latter is the case, this should be included in the bill for clarity. Ms. Sprit mentions her efforts to gather information about kennel licenses, noting that these are issued at the local level and may only involve the Department of Labor. Questions regarding the scope of the bill, specifically whether it applies to all breeders or only those involved in commercial breeding. She questions the anticipated role of the MHIB, questioning whether its responsibility will be limited to inspecting premises or will include overseeing the breeding process itself, in regards to consumer confidence and herd protection.

Rachel Jones:

The bill being discussed is unclear about what exactly would be regulated in horse breeding facilities. Normally, a bill would clearly state the requirements, such as mandating a registration process and specifying what it covers. However, this bill only provides a broad definition of a breeding stable but does not detail which aspects of breeding should be regulated. This lack of detail creates uncertainty, as it leaves the agency responsible for implementing the law without clear guidance.

Cynthia Sprit:

Brought up the supreme court case that was decided around 2015 called NC Dental and implications of a licensing board and the implications of this bill if it is seen as taking action or enacting regulations that are restrained on competition.

UPDATES & DISCUSSION:

Concerns were discussed about the board's capacity to regulate breeding practices, the need for additional staff and funding, and the potential impact on the industry's competitive edge. The bill's vagueness on specific regulations and the administrative burden of identifying and licensing breeding stables were highlighted. The board expressed skepticism about the feasibility of implementing the bill as proposed.

Connie Sawyer:

Expressed concern about managing additional stables to current workload, especially with the definition not being clear of what a public breeding facility is defined as. Regulating breeding is something entirely different than what the board was intended for.

Susie Husk: Impact of Bill on Staffing

The Vet Board and Horse Board have two part-time inspectors who cover different areas of the state for efficiency, conducting inspections of stables and veterinary hospitals. Licensing involves more than just inspections; it also includes administrative tasks such as processing applications and renewing licenses annually. Inspectors often revisit facilities to ensure compliance, especially in problematic cases. Questions defining which establishments require licensing and clarifying aspects such as advertising and outreach. A clearer definition is needed to understand the impact on resources, as both boards have limited staff and must balance their existing responsibilities.

Cassie Shirk:

Concerned about what potential workload could look like, as there are two inspectors that service two different programs here at the Department of Agriculture, the vet board and the horse board. Potential need for additional support staff for this effort and know how that position could be funded, as the MHIB is specially funded. Could the Sponsor try to get General Funds?

Rachel Jones:

How will one prove a stable is a breeding stable with the purpose of sale? Would the MHIB staff need to research and monitor advertising sites? What is the definition of advertising breeding stock for sale? When is this a one-time sale, without a set timeline and when is this a continual basis. Reiterated restraints on the state's budget and that there are not any General Funds.

Sheila Curry:

Concern over the board's ability to take on the proposed responsibilities, stating that it falls outside their current scope. She appreciates the research done but find the proposal overwhelming and unrealistic. A key concern is the expectation to "assure consumer confidence" in breeding establishments, which is believed to be beyond the board's capacity. The current inspection process, which focuses on basic facility conditions, does not cover the complexities of breeding operations, which would require specialized professionals such as veterinarians. States that the MHIB lacks the necessary resources and staff to take on such a significant expansion of duties.

Erin Ochoa:

Ms. Ochoa believes the intent behind the bill is to address severe horse hoarding cases that damage Maryland's reputation. She preferred the earlier version of the bill, which applied to facilities with five or more horses, rather than the current focus on a single horse, as this can get into private ownership rather than commercial operations. She states the bill should focus on facility conditions rather than the breeding process itself. Believes the bill could be beneficial for animal welfare and law enforcement by providing additional oversight but there is question if this is in the MHIB's role. The MHIB does not inspect the practices of rescues or training, just the facilities and horses' welfare. Ms. Ochoa supports the initiative but advocates for a clearer regulation.

Rachel Jones:

Suggested that this bill might be more related to the role of Animal Control and Consumer Protection than the department of Agriculture

From the discussed a proposed bill to regulate horse breeding in Maryland, focusing on the scope, potential liabilities, and resource implications. Concerns included the bill's vagueness, potential overreach beyond the board's scope, and the need for additional resources and staff. The senators and delegates will ask the MDA to weigh in on the bill and the MDA is asking for the MHIB's position.

Ellen James:

Stable Inspector explained the hoarding case in Wicomico was not offered horses bred for sale. She discussed what is currently inspected at horse establishments and what is private and what is public. Ms. James also reiterated it would cost and take to add a staff member. Continued discussion to make sure the ask of adding breeding to licensing could be handled with the current resources.

Erin Ochoa:

Raised concerns if the MHIB's current scope is sustainable with the current resources if the industry continues to grow.

Lisa Watts:

Questioned the intent to grow and protect the horse industry and that this bill is not written to do that. Could force breeders out of the state.

Jennifer Sulin:

Noted if MHIB would license the boarding of a pregnancy mare. Yes, Boarding is covered but not the breeding.

Board Chair Sheila Curry called for a Vote with an established Quorum of 7 Board Members on the call.**MHIB Position**

The board voted 6-1, with one vote of No Position and 6 Opposed against supporting the bill as it stands, emphasizing the need for further discussion and potential amendments. The next steps involve meetings with bill sponsors and the horse council to address these concerns.

MDA Position – Will take the boards position into account to their next meeting with the Senator, Delegate and Maryland Horse Council**Current State of the Bill /Calendar**

- Delegate Ziegler, Filed in the House Environment and Transportation committee
Hearing is Feb 5 2pm
- Senator Love Filed the Senate SB 380 in the Education, Energy and Environment Committee DTBD
- Process
 - Since the Horse Council asked for this Bill, they will bring membership to testify in favor and anyone who opposed the bill will be allowed to testify
 - MDA is gaging what position as an agency they will take
 - Anne will prepare a Letter of Information for Rachel Jones
 - Rachel Jones will give official testimony at the Hearing on Feb 5th, with Anne Litz on hand to answer technical questions

- Individual members can testify as an individual but not as a member of the board

Action Items

Rachel to provide update son the upcoming meetings with the bill sponsors and any proposed amendments to the legislation.

Anne to follow up with Rachel and keep the board informed of any changes to the bill or the board's position.

MEETING ADJOURNED 11:25am

Respectfully submitted,
Anne Litz, MHIB