

CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, Section § 42-35-2.6 of the General Laws of Rhode Island, following is a concise explanatory statement:

AGENCY: Department of Environmental Management

DIVISION: AGRICULTURE & FOREST ENVIRONMENT

RULE IDENTIFIER: 250-RICR-40-05-4

RULE TITLE: Rules and Regulations Governing Animal Care Facilities

REASON FOR RULEMAKING: The purpose of this amendment is to address defects in the current regulations by requiring entities that provide animal care to keep certain records related to the care of the animals and to produce those records. The amendments also provide for the electronic keeping of certain records. Finally, they make explicit that the standards set forth in these regulations are applicable to sub-registrants.

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE

EFFECTIVENESS OF THE RULE: *(if any) None*

TESTIMONY, COMMENTS AND OBJECTIONS: The Department received 7 comments; 1 oral and 7 written. Two of the comments were completely supportive of the proposed amendment. One commenter objected to the amendment that clearly states the Department recommends, but does not require, that a ratio of one attendant to 15 dogs be utilized when dogs are exercised in groups. This commenter argued that his facility safely uses a higher ratio. Since this is clearly a recommendation in the regulations, and since other stakeholders requested the 1:15 ratio appear in regulations, DEM will not further amend the regulations. Three commenters had questions about how the amended regulations would impact their businesses. DEM determined that the proposed regulations would not have a negative impact on their businesses because the proposed amendment would not be applicable to their particular business. Finally, one commenter expressed that the language could be made more clear and suggested language. This section of the regulations was further amended and made more clear, and incorporated much of the language this commenter proposed.

CHANGE TO TEXT OF THE RULE: This is an amendment of 250-RICR-40-05-4. The following sections were amended: 4.4 (A), 4.5 (A)(23), 4.6 (A), 4.6 (D), 4.6 (E), 4.6 (F), 4.8 (A)(3), 4.8 (A)(7), 4.8 (B)(3), 4.8 (C)(3), 4.8 (D)(3), 4.8 (E)(3), and 4.10 (F).

REGULATORY ANALYSIS:

In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

DATE THE FINAL RULE WAS SIGNED BY THE AGENCY HEAD: