

Michigan Office of Administrative Hearings and Rules

Administrative Rules Division (ARD)

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**REGULATORY IMPACT STATEMENT
and COST-BENEFIT ANALYSIS (RIS)**

Agency Information:

Department name:

Licensing and Regulatory Affairs

Bureau name:

Bureau of Professional Licensing

Name of person filling out RIS:

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Rule Set Information:

ARD assigned rule set number:

2019-86 LR

Title of proposed rule set:

Board of Pharmacy - Animal Euthanasia and Sedation Rules

Comparison of Rule(s) to Federal/State/Association Standard

1. Compare the proposed rules to parallel federal rules or standards set by a state or national licensing agency or accreditation association, if any exist.

Each state establishes its own requirements for sedation and euthanasia of animals in animal control shelters, animal protection shelters, and Class B dealers so there are no parallel federal rules or standards set by a state or national licensing agency or accreditation association that the proposed rules can be compared to. However, there are multiple state laws and federal laws and rules that regulate some aspect of animal control shelters, animal protection shelters, Class B dealers, or the euthanasia of animals.

The Pet Shops, Dog Pounds, and Animal Shelters Act, 1969 PA 287, MCL 287.331 to 287.340, and administrative rules promulgated by the Animal Industry Division of the Michigan Department of Agriculture and Rural Development, pursuant to this Act, regulate aspects of pet shops, animal control shelters, and animal protection shelters. However, neither the Act nor the administrative rules aforementioned regulate the use of controlled substances for sedation and euthanasia of animals in an animal control shelter, animal protection shelter, and Class B dealer.

The Animal Welfare Act (AWA), 7 USC sections 2131 to 2159 (2013), and federal regulations, 9 CFR Parts 1 to 4 (2021), require minimum standards of care and treatment for certain animals bred for commercial sale, used in research, transported commercially, and exhibited to the public. Although the AWA requires humane handling of animals to minimize pain and distress, including the use of tranquilizing drugs and euthanasia, the AWA and regulations do not regulate the sedation and euthanasia of animals with specificity as to the medications used.

A facility that handles controlled substances must obtain a Drug Enforcement Agency (DEA) certificate of registration pursuant to 21 CFR 1301.11 (2020); shall record receipt of controlled substances on forms pursuant to 21 CFR 1305 (2020); and shall maintain records consistent with 21 CFR 1304 (2020).

Section 7333 of the Public Health Code (Code), MCL 333.7333, mandates that the required training for use of sodium pentobarbital and animal tranquilizers to perform euthanasia on animals must comply with the American Veterinary Medical Association's (AVMA) guidelines for the euthanasia of animals. Consistent with the Code, the proposed rules require that training be approved by the state veterinarian. The state veterinarian requires that training complies with the current AVMA's Guidelines for the Euthanasia of Animals.

A. Are these rules required by state law or federal mandate?

Yes, section 7333 of the Code, MCL 333.7333, requires rules for storage, handling, use, and training for animal tranquilizers and the commercially prepared, premixed solution of sodium pentobarbital to perform euthanasia on animals.

The following provisions authorize rule making: MCL 333.16145, MCL 333.7333, MCL 333.16148, MCL 338.3501, MCL 445.2001, MCL 445.2011, and MCL 445.2030.

B. If these rules exceed a federal standard, please identify the federal standard or citation, describe why it is necessary that the proposed rules exceed the federal standard or law, and specify the costs and benefits arising out of the deviation.

The rules do not exceed a federal standard. Although the AWA requires humane handling of animals to minimize pain and distress, including the use of tranquilizing drugs and euthanasia, the AWA and regulations do not regulate the sedation and euthanasia of animals with specificity as to the medications used.

2. Compare the proposed rules to standards in similarly situated states, based on geographic location, topography, natural resources, commonalities, or economic similarities.

Each state establishes its own requirements for sedation and euthanasia of animals in animal control shelters, animal protection shelters, and Class B dealers and they are not consistent. The proposed rules are comparable to the compliance requirements for animal euthanasia and sedation in the Great Lakes region. Most states in the Great Lakes region require individuals who will be working with controlled substances to sedate and euthanize animals to apply for a permit or similar limited license to store, handle, and use the controlled substances for animal euthanasia and sedation.

A. If the rules exceed standards in those states, please explain why and specify the costs and benefits arising out of the deviation.

The proposed rules are comparable to the compliance requirements for animal euthanasia and sedation in the Great Lakes region. Although the regulations across the Great Lakes region vary from state to state, overall, the purpose of the proposed rules are similar to those of the other states in the Great Lakes region.

3. Identify any laws, rules, and other legal requirements that may duplicate, overlap, or conflict with the proposed rules.

Each state establishes its own requirements for sedation and euthanasia of animals in animal control shelters, animal protection shelters, and Class B dealers so there are no parallel federal rules or standards set by a state or national licensing agency or accreditation association that the proposed rules can be compared to. However, there are multiple state laws, federal laws, and rules that regulate some aspect of animal control shelters, animal protection shelters, Class B dealers, or the euthanasia of animals.

Section 7333(9) to (20) of the Code, MCL 333.7333, regulates the sedation and euthanasia of animals by animal control shelters, animal protection shelters, and class B dealers.

The Pet Shops, Dog Pounds, and Animal Shelters Act, 1969 PA 287, MCL 287.331 to 287.340, and administrative rules promulgated by the Animal Industry Division of the Michigan Department of Agriculture and Rural Development, pursuant to this Act, regulate aspects of pet shops, animal control shelters, and animal protection shelters. However, neither the Act nor the administrative rules aforementioned regulate the use of controlled substances for sedation and euthanasia of animals in an animal control shelter, animal protection shelter, and Class B dealer.

AWA, 7 USC sections 2131 to 2159 (2013), and federal regulations, 9 CFR Parts 1 to 4 (2021), require minimum standards of care and treatment for certain animals bred for commercial sale, used in research, transported commercially, and exhibited to the public. Although the AWA requires humane handling of animals to minimize pain and distress, including the use of tranquilizing drugs and euthanasia, the AWA and regulations do not regulate the sedation and euthanasia of animals with specificity as to the medications used.

A facility that handles controlled substances must obtain a DEA certificate of registration pursuant to 21 CFR 1301.11 (2020); must record receipt of controlled substances on forms pursuant to 21 CFR 1305 (2020); and must maintain records consistent with 21 CFR 1304 (2020).

Section 7333 of the Public Health Code (Code), MCL 333.7333, mandates that the required training for use of sodium pentobarbital and animal tranquilizers to perform euthanasia on animals must comply with the American Veterinary Medical Association's (AVMA) guidelines for the euthanasia of animals. Consistent with the Code, the proposed rules require that training be approved by the state veterinarian. The state veterinarian requires that training complies with the current AVMA's Guidelines for the Euthanasia of Animals.

A. Explain how the rules have been coordinated, to the extent practicable, with other federal, state, and local laws applicable to the same activity or subject matter. This section should include a discussion of the efforts undertaken by the agency to avoid or minimize duplication.

The proposed rules have been coordinated with the state laws and federal laws that also regulate animal protection shelters, animal control shelters, and Class B dealers so as to not duplicate, overlap, or contradict regulations. Federal requirements for registration with the Department of Justice (DOJ) DEA, recording requirements, as well as record retention have been included in the proposed rules. The proposed rules also require the use of sodium pentobarbital and animal tranquilizers to be used consistent with the AVMA guidelines for euthanizing animals.

4. If MCL 24.232(8) applies and the proposed rules are more stringent than the applicable federally mandated standard, provide a statement of specific facts that establish the clear and convincing need to adopt the more stringent rules.

There is no applicable federally mandated requirement to promulgate rules. Consequently, MCL 24.232(8) is not applicable.

5. If MCL 24.232(9) applies and the proposed rules are more stringent than the applicable federal standard, provide either the Michigan statute that specifically authorizes the more stringent rules OR a statement of the specific facts that establish the clear and convincing need to adopt the more stringent rules.

The federal government has not mandated that Michigan promulgate rules, and although the AWA requires humane handling of animals to minimize pain and distress, including the use of tranquilizing drugs and euthanasia, the AWA and regulations do not regulate the sedation and euthanasia of animals with specificity as to the medications used.

Purpose and Objectives of the Rule(s)

6. Identify the behavior and frequency of behavior that the proposed rules are designed to alter.

The proposed rules are designed to ensure that animals are not treated inhumanely when they are tranquilized or euthanized by animal control shelters, animal protection shelters, or Class B dealers. The proposed rules are designed to ensure that managers and employees of animal control shelters, animal protection shelters, or Class B dealers who acquire, store, and administer tranquilizing or euthanizing drugs are not doing so without additional training in the humane use of tranquilizers and sodium pentobarbital. The proposed rules are designed to ensure that an animal control shelter is sedating and immobilizing an animal that is running at large or is dangerous or difficult to capture with appropriate training and drugs. The proposed rules also require recording keeping as the drugs used in these procedures are controlled substances.

A. Estimate the change in the frequency of the targeted behavior expected from the proposed rules.

The proposed rules are expected to alter the frequency of the targeted behavior as follows: as of January 1, 2022, animal control shelters, animal protection shelters, and Class B dealers must treat animals as humanely as possible when they are administering tranquilizers and euthanizing animals; managers and employees of animal control shelters, animal protection shelters, and Class B dealers who acquire, store, and administer tranquilizing or euthanizing drugs must receive additional training in administering tranquilizers and euthanizing animals; and an animal control shelter will sedate or immobilize an animal that is running at large or is dangerous or difficult to capture with specific drugs and with specific training and drugs. The proposed rules also require recording keeping as the drugs used in these procedures are controlled substances.

B. Describe the difference between current behavior/practice and desired behavior/practice.

Currently, there is concern that animals are not treated as humanely as possible when they are tranquilized or euthanized by animal control shelters, animal protection shelters, or Class B dealers. The proposed rules will ensure with additional training that the employees and those in charge will more humanely tranquilize and euthanize animals. The proposed rules will require increased recording keeping as the drugs used in these procedures are controlled substances.

C. What is the desired outcome?

The desired outcome of the proposed rules is to increase training of employees and those in charge of animal control shelters, animal protection shelters, and Class B dealers to ensure that they more humanely tranquilize and euthanize animals. The proposed rules also require recording keeping as the drugs used in these procedures are controlled substances.

7. Identify the harm resulting from the behavior that the proposed rules are designed to alter and the likelihood that the harm will occur in the absence of the rule.

Currently, there is concern that animals are not treated as humanely as possible when they are tranquilized or euthanized by animal control shelters, animal protection shelters, or Class B dealers because employees and those in charge do not have adequate training.

A. What is the rationale for changing the rules instead of leaving them as currently written?

The harm that will result from the behavior that the proposed rules are designed to alter will continue in the absence of the proposed rules.

8. Describe how the proposed rules protect the health, safety, and welfare of Michigan citizens while promoting a regulatory environment in Michigan that is the least burdensome alternative for those required to comply.

The proposed rules provide a regulatory mechanism for animal control shelters, animal protection shelters, and Class B dealers who administer tranquilizers and euthanize animals. The proposed rules will require managers and employees of animal control shelters, animal protection shelters, and Class B dealers who acquire, store, and administer tranquilizing or euthanizing drugs to receive additional training in administering tranquilizers and euthanizing animals. This additional knowledge in the use of these drugs protects the health, safety, and welfare of Michigan citizens.

9. Describe any rules in the affected rule set that are obsolete or unnecessary and can be rescinded.

R 338.3508 and R 335.3519 are is being rescinded as the subject matter of these rules has been added to other rules.

Fiscal Impact on the Agency

Fiscal impact is an increase or decrease in expenditures from the current level of expenditures, i.e. hiring additional staff, higher contract costs, programming costs, changes in reimbursements rates, etc. over and above what is currently expended for that function. It does not include more intangible costs for benefits, such as opportunity costs, the value of time saved or lost, etc., unless those issues result in a measurable impact on expenditures.

10. Please provide the fiscal impact on the agency (an estimate of the cost of rule imposition or potential savings for the agency promulgating the rule).

The proposed rules are not expected to have a fiscal impact on the agency.

11. Describe whether or not an agency appropriation has been made or a funding source provided for any expenditures associated with the proposed rules.

No agency appropriation has been made nor has a funding source been provided for expenditures associated with implementing these rules.

12. Describe how the proposed rules are necessary and suitable to accomplish their purpose, in relationship to the burden(s) the rules place on individuals. Burdens may include fiscal or administrative burdens, or duplicative acts.

The rules are required to provide a mechanism for permitting an animal control shelter, animal protection shelter, and Class B dealer to safely and humanely use drugs for tranquilizing and euthanizing animals. The rules are not any more restrictive than is allowed by statute. Despite the cost-related burden of training, the rules and regulations are necessary in order to provide safe and humane tranquilizing and euthanasia of animals by an animal control shelter, animal protection shelter, and Class B dealer. The estimated cost for additional training is \$150.00.

A. Despite the identified burden(s), identify how the requirements in the rules are still needed and reasonable compared to the burdens.

The rules are required to provide a mechanism for permitting an animal control shelter, animal protection shelter, and Class B dealer to use drugs for tranquilizing and euthanasia. The rules are not any more restrictive than is allowed by statute. Despite the cost-related burden of training, the rules and regulations are necessary in order to provide safe and humane tranquilizing and euthanasia of animals by an animal control shelter, animal protection shelter, and Class B dealer.

Impact on Other State or Local Governmental Units

13. Estimate any increase or decrease in revenues to other state or local governmental units (i.e. cities, counties, school districts) as a result of the rule. Estimate the cost increases or reductions for other state or local governmental units (i.e. cities, counties, school districts) as a result of the rule. Include the cost of equipment, supplies, labor, and increased administrative costs in both the initial imposition of the rule and any ongoing monitoring.

There are no anticipated increases or decreases in revenues to state or local governmental units as a result of the proposed rules. If a shelter is owned by a city, county, township, or village the proposed rules will require additional training of employees and those in charge of the shelter as well as record keeping.

14. Discuss any program, service, duty, or responsibility imposed upon any city, county, town, village, or school district by the rules.

If a shelter is owned by a city, county, township, or village the proposed rules will require additional training of employees and those in charge of the shelter as well as record keeping. There are no other anticipated or intended programs, services, duties, or responsibilities imposed on any city, county, township, village, or school district as a result of these proposed rules.

A. Describe any actions that governmental units must take to be in compliance with the rules. This section should include items such as record keeping and reporting requirements or changing operational practices.

If a shelter is owned by a city, county, township, or village the proposed rules will require additional training of employees and those in charge of the shelter as well as record keeping. The training must be consistent with MCL 333.7333 of the code and approved by the state veterinarian. The training must be given by a veterinarian who is currently licensed in this state and who is in good standing. There are no other anticipated or intended programs, services, duties, or responsibilities imposed on any city, county, township, village, or school district as a result of these proposed rules.

15. Describe whether or not an appropriation to state or local governmental units has been made or a funding source provided for any additional expenditures associated with the proposed rules.

No appropriations have been made to any governmental units as a result of these rules.

Rural Impact

16. In general, what impact will the rules have on rural areas?

Animal control shelters, animal protection shelters, and Class B dealers may be located in rural areas. However, the proposed rules will apply to all animal control shelters, animal protection shelters, and Class B dealers, so the impact of the proposed rules will be the same wherever they are located.

A. Describe the types of public or private interests in rural areas that will be affected by the rules.

No disparate impact of public or private interests is anticipated on rural areas because of the proposed rules.

Environmental Impact

17. Do the proposed rules have any impact on the environment? If yes, please explain.

The proposed rules do not have an environmental impact.

Small Business Impact Statement

18. Describe whether and how the agency considered exempting small businesses from the proposed rules.

The agency did not consider exempting small businesses from the proposed rules as the proposed rules impose requirements on all animal control shelters, animal protection shelters, and Class B dealers as required pursuant to section 7333 of the Code, MCL 333.7333.

19. If small businesses are not exempt, describe (a) the manner in which the agency reduced the economic impact of the proposed rules on small businesses, including a detailed recitation of the efforts of the agency to comply with the mandate to reduce the disproportionate impact of the rules upon small businesses as described below (in accordance with MCL 24.240(1)(a-d)), or (b) the reasons such a reduction was not lawful or feasible.

The agency did not exempt small businesses from the proposed rules and was unable to reduce the economic impact of the cost of training on small businesses, as the proposed rules impose requirements on all animal control shelters, animal protection shelters, and Class B dealers as required pursuant to section 7333 of the Code, MCL 333.7333.

A. Identify and estimate the number of small businesses affected by the proposed rules and the probable effect on small businesses.

There are approximately 68 animal control shelters, animal protection shelters, and Class B dealers currently permitted pursuant to section 7333 of the Code, MCL 333.7333.

The probable effect on small businesses is an increase in the cost of training and record keeping.

B. Describe how the agency established differing compliance or reporting requirements or timetables for small businesses under the rules after projecting the required reporting, record-keeping, and other administrative costs.

The agency did not establish separate compliance or reporting requirements for small businesses. The proposed rules impose requirements on all animal control shelters, animal protection shelters, and Class B dealers pursuant to section 7333 of the Code, MCL 333.7333.

C. Describe how the agency consolidated or simplified the compliance and reporting requirements for small businesses and identify the skills necessary to comply with the reporting requirements.

The agency did not consolidate or simplify compliance and reporting requirements in the proposed rules. The proposed rules impose requirements on all animal control shelters, animal protection shelters, and Class B dealers pursuant to section 7333 of the Code, MCL 333.7333.

D. Describe how the agency established performance standards to replace design or operation standards required by the proposed rules.

The agency did not establish performance standards to replace design or operation standards required by these rules. The proposed rules impose requirements on all animal control shelters, animal protection shelters, and Class B dealers pursuant to section 7333 of the Code, MCL 333.7333.

20. Identify any disproportionate impact the proposed rules may have on small businesses because of their size or geographic location.

The proposed rules will not have a disproportionate impact on small businesses because of their size or geographic location.

21. Identify the nature of any report and the estimated cost of its preparation by small businesses required to comply with the proposed rules.

Records regarding the receipt and administration of sodium pentobarbital and animal tranquilizers must be maintained and recorded and all controlled substances must be recorded on order forms pursuant to 21 CFR parts 1304 and 1305 (2019).

22. Analyze the costs of compliance for all small businesses affected by the proposed rules, including costs of equipment, supplies, labor, and increased administrative costs.

There are approximately 68 animal control shelters, animal protection shelters, and Class B dealers currently permitted pursuant to section 7333 of the Code, MCL 333.7333. The estimated cost for additional training is \$150.00.

23. Identify the nature and estimated cost of any legal, consulting, or accounting services that small businesses would incur in complying with the proposed rules.

There are no expected costs for legal, consulting, or accounting services that a small business would incur in complying with the proposed rules.

24. Estimate the ability of small businesses to absorb the costs without suffering economic harm and without adversely affecting competition in the marketplace.

There are no expected costs to a small business that will cause economic harm to a small business or the marketplace as a result of the proposed rules.

25. Estimate the cost, if any, to the agency of administering or enforcing a rule that exempts or sets lesser standards for compliance by small businesses.

There would be no additional cost to the agency to administer the proposed rule if small businesses were exempt or were subject to a lesser standard. The proposed rules impose requirements on all animal control shelters, animal protection shelters, and Class B dealers pursuant to section 7333 of the Code, MCL 333.7333.

26. Identify the impact on the public interest of exempting or setting lesser standards of compliance for small businesses.

If an animal control shelter, animal protection shelter, or Class B dealer qualified as a small business, and the Department determined to set lesser standards for compliance, the impact on the public interest would be less training for individuals tranquilizing and euthanizing animals and less oversight in the use of controlled substances.

Therefore, exempting or setting lesser standards of compliance for a small business is not in the best interest of the public.

27. Describe whether and how the agency has involved small businesses in the development of the proposed rules.

The Department worked with multiple stakeholders at work group sessions, that included members from the Board of Pharmacy, educational institutions, large and small businesses, and other members of the public in the development of the proposed rules. The Board is composed of members of the profession and public members who work in small and large businesses in Michigan.

A. If small businesses were involved in the development of the rules, please identify the business(es).

Representatives from businesses were involved in the development of the rules. However, the Department is not aware if they meet the definition of a "small business."

Cost-Benefit Analysis of Rules (independent of statutory impact)

28. Estimate the actual statewide compliance costs of the rule amendments on businesses or groups.

The estimated compliance cost would be the cost of entities to obtain additional training and maintain record keeping.

A. Identify the businesses or groups who will be directly affected by, bear the cost of, or directly benefit from the proposed rules.

There are approximately 68 animal control shelters, animal protection shelters, and Class B dealers currently permitted pursuant to section 7333 of the Code, MCL 333.7333.

Employees and those in charge of animal control shelters, animal protection shelters, and Class B dealers who tranquilize or euthanize animals are also affected by the proposed rules.

B. What additional costs will be imposed on businesses and other groups as a result of these proposed rules (i.e. new equipment, supplies, labor, accounting, or recordkeeping)? Please identify the types and number of businesses and groups. Be sure to quantify how each entity will be affected.

There are no additional costs other than those previously discussed that will be imposed on any businesses or groups.

29. Estimate the actual statewide compliance costs of the proposed rules on individuals (regulated individuals or the public). Include the costs of education, training, application fees, examination fees, license fees, new equipment, supplies, labor, accounting, or recordkeeping.

Employees and those in animal control shelters, animal protection shelters, and Class B dealers who tranquilize or euthanize animals must receive training at an estimated cost of \$150.00.

A. How many and what category of individuals will be affected by the rules?

Employees and those in animal control shelters, animal protection shelters, and Class B dealers who tranquilize or euthanize animals must receive training at an estimated cost of \$150.00.

B. What qualitative and quantitative impact do the proposed changes in rules have on these individuals?

Employees and those in animal control shelters, animal protection shelters, and Class B dealers who tranquilize or euthanize animals must receive training at an estimated cost of \$150.00. The training and use of tranquilizers may reduce the anxiety of the individuals administering the tranquilizers when the end result is euthanasia of an animal.

30. Quantify any cost reductions to businesses, individuals, groups of individuals, or governmental units as a result of the proposed rules.

There are no cost reductions for businesses, individuals, groups of individuals, or governmental units as a result of the proposed rules.

31. Estimate the primary and direct benefits and any secondary or indirect benefits of the proposed rules. Please provide both quantitative and qualitative information, as well as your assumptions.

The direct benefits of the proposed rules include better record keeping of controlled substances, increased use of sedation in euthanasia of animals, fewer animals injuring themselves or those persons attempting to immobilize the animal, and more humane, less painful treatment of animals.

The indirect benefits of the proposed rules include better trained employees and managers of animal control shelters, animal protection shelters, and Class B dealers, and less diversion of controlled substances to unlawful uses.

32. Explain how the proposed rules will impact business growth and job creation (or elimination) in Michigan.

The rules are not expected to have an impact on business growth or job creation.

33. Identify any individuals or businesses who will be disproportionately affected by the rules as a result of their industrial sector, segment of the public, business size, or geographic location.

Animal control shelters, animal protection shelters, and Class B dealers will be affected by the proposed rules. There are no other individuals or businesses expected to be a disproportionately affected due to industrial sector, segment of the public, business size, or geographic location.

34. Identify the sources the agency relied upon in compiling the regulatory impact statement, including the methodology utilized in determining the existence and extent of the impact of the proposed rules and a cost-benefit analysis of the proposed rules.

AWA

https://www.aphis.usda.gov/animal_welfare/downloads/AC_BlueBook_AWA_508_comp_version.pdf

<https://www.govinfo.gov/content/pkg/USCODE-2015-title7/html/USCODE-2015-title7-chap54.htm>

<https://www.law.cornell.edu/cfr/text/9/2.31>

<https://www.nal.usda.gov/awic/animal-welfare-act>

https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare/sa_publications/ct_publications_and_guidance_documents

<https://www.federalregister.gov/topics/animal-welfare>

AVMA

<https://jobs.avma.org/>

Great Lakes Region

<https://www.animallaw.info/statute/il-dogs-consolidated-dog-laws#s510>

<https://www.animallaw.info/statute/pa-euthanasia-animal-destruction-method-authorization-law>

[https://www.revisor.mn.gov/search/doc_result.php?](https://www.revisor.mn.gov/search/doc_result.php?keyword=animal+control+shelter&keyword_type=all&search=rule&rule=1&rule_year1=2021&rule_year2=2021&rule_chapter=&rule_agency=)

[keyword=animal+control+shelter&keyword_type=all&search=rule&rule=1&rule_year1=2021&rule_year2=2021&rule_chapter=&rule_agency=](https://www.revisor.mn.gov/search/doc_result.php?keyword=animal+control+shelter&keyword_type=all&search=rule&rule=1&rule_year1=2021&rule_year2=2021&rule_chapter=&rule_agency=)

<http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-47/1609.html&search=1&searchunitkeywords=animal,euthanasia>

<http://codes.ohio.gov/orc/4729.531>

<https://agriculture.ny.gov/business/licensing-registration>

A. How were estimates made, and what were your assumptions? Include internal and external sources, published reports, information provided by associations or organizations, etc., that demonstrate a need for the proposed rules.

The cost of the additional training was estimated at \$150.00. This estimation was made after discussing the costs of such training with trainers who currently offer similar training.

Alternative to Regulation

35. Identify any reasonable alternatives to the proposed rules that would achieve the same or similar goals.

The rules are required by statute; there is no reasonable alternative to enacting the proposed rules.

A. Please include any statutory amendments that may be necessary to achieve such alternatives.

There is no reasonable alternative to the proposed rules.

36. Discuss the feasibility of establishing a regulatory program similar to that proposed in the rules that would operate through private market-based mechanisms. Please include a discussion of private market-based systems utilized by other states.

Since the rules are required by statute, private market-based systems cannot serve as an alternative.

37. Discuss all significant alternatives the agency considered during rule development and why they were not incorporated into the rules. This section should include ideas considered both during internal discussions and discussions with stakeholders, affected parties, or advisory groups.

Since the rules are specifically required by statute, there are no alternatives to the proposed rules that the agency could consider. They are necessary for the administration and enforcement of the permitting process.

Additional Information

38. As required by MCL 24.245b(1)(c), please describe any instructions regarding the method of complying with the rules, if applicable.

All instructions for permitting and the training will be included in the applications and the Department's website. The proposed rules inform an applicant of the permitting, training, and recording requirements.