

THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

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ATTORNEY GENERAL

(617) 727-2200
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Notice of Public Hearing and Comment Period

Notice is hereby given pursuant to M.G.L. c. 30A, §2-3, that the Office of the Attorney General (AGO) will hold a public hearing and comment period on the proposed rescission of the following regulation, filed on October 1st, 2021:

940 C.M.R. 36.00 (promulgated pursuant to *St. 2016, c. 333*)

This regulation is intended to address animal cruelty by phasing out extreme methods of farm animal confinement. *St. 2021, c. 108* amended *St. 2016, c. 333* and transferred regulatory authority from the AGO to the Massachusetts Department of Agricultural Resources (MDAR). As such, the regulations promulgated by the AGO are obsolete and thus the AGO seeks to withdraw the existing regulations.

The hearing will be held virtually on **March 12th, 2024 at 12p.m.** To attend the hearing, please visit: <http://tinyurl.com/yknfy8ps>.

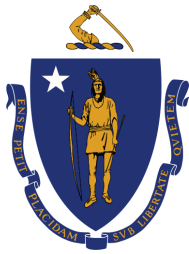
Individuals who provide notice of their intent to testify will be afforded an earlier opportunity to speak. Speakers are strongly encouraged to provide notice of their intent to testify by emailing the address below with the subject line: "*Regulation Rescission Hearing Comment – 940 CMR 36.00.*" Written comments will be accepted starting February 20th, 2024 until 5:00 p.m. on March 12th, 2024. All comments received may be released in response to a public records request.

Email: Robert.Fernandez@mass.gov

Postal Mail: Massachusetts Office of the Attorney General
Attn: Policy & Government Affairs Division
One Ashburton Place, 20th Floor
Boston, MA 02108

A copy of the proposed rescission of 940 CMR 36.00 may be obtained by contacting the above address or email address or by visiting: <https://www.mass.gov/info-details/attorney-generals-policy-government-affairs-division>.

To request interpretive services, please submit your request at least three (3) business days prior to the public hearing.



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Small Business Impact Statement <i>(As required by M.G.L. c. 30A §§ 2, 3 & 5)</i>		
940 CMR 36.00 Rescission		
Estimate of the Number of Small Businesses Impacted by the Regulation: None.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to create, file, or issue additional reports?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to provide additional administrative oversight?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to hire additional employees in order to comply with the proposed regulation?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are performance standards more appropriate than design or operational standards to accomplish the regulatory objective?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses?