



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Virginia Department of Agriculture and Consumer Services
<b>Virginia Administrative Code (VAC) citation</b>	2 VAC 5-100
<b>Regulation title</b>	Rules and Regulations Governing the Qualifications for Humane Investigators
<b>Action title</b>	Repealing 2 VAC 5-100, Rules and Regulations Governing the Qualifications for Humane Investigators
<b>Final agency action date</b>	March 19, 2009
<b>Document preparation date</b>	March 20, 2009

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

The Virginia Department of Agriculture and Consumer Services (VDACS) proposes the repeal of 2 VAC 5-100, Rules and Regulations Governing the Qualifications for Humane Investigators. Humane investigators are volunteer animal welfare investigators. The regulation was promulgated in order to fulfill the statutory requirements of the State Veterinarian as listed in §§ 3.1-796.106, 3.1-796.106:1, and 3.1-796.106:2 of the Code of Virginia. In 2003, these sections of the Code were amended and reenacted in Chapter 858 of the 2003 Acts of Assembly, removing the direct authority of the State Veterinarian over humane investigators. VDACS' Office of the State Veterinarian proposes to repeal the regulation governing the qualifications for humane investigators because the regulation is no longer authorized by law.

**Statement of final agency action**

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

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Final action was taken on March 19, 2009, by the Board of Agriculture and Consumer Services to repeal 2 VAC 5-100, Rules and Regulations Governing the Qualifications for Humane Investigators.

**Family impact**

*Assess the impact of this regulatory action on the institution of the family and family stability.*

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This action will have no impact on the institution of the family and family stability.