



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ADMINISTRATION

OFFICE of REGULATORY REFORM

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TO: Governor Gina M. Raimondo
House Speaker Nicholas A. Mattiello
Senate President Dominick J. Ruggerio
FROM: Erik Godwin, Director of the Office of Regulatory Reform
SUBJECT: Office of Regulatory Reform Quarterly Report: FY 2016 Q3

FY 2016 Quarter 3 Report: January 1, 2016 – March 31, 2016

Quarterly Summary Data

Total Submissions by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 30
- Regular Rulemaking, Post-Comment Review: 30
- Emergency Rulemaking: 4

Unique Regulations by Type of Action

- Adoption: 7
- Amendment: 21
- Repeal: 6
- Technical Revisions: 0

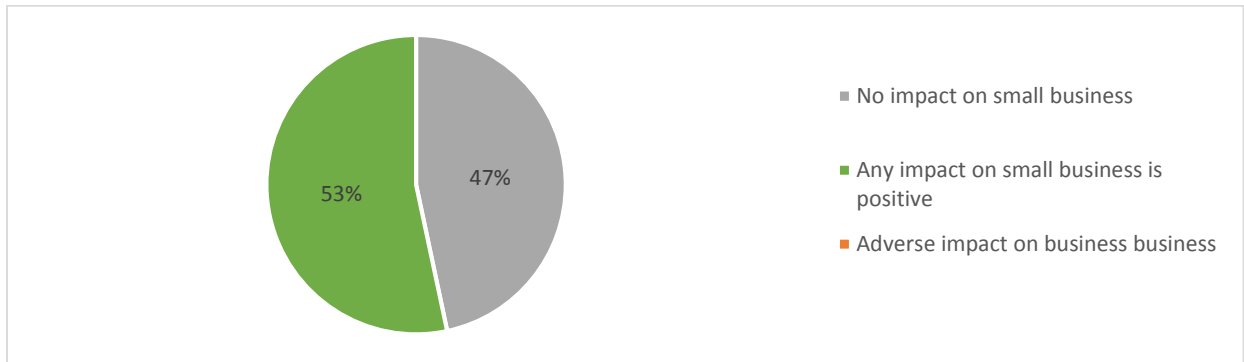
ORR Review Time by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 15.7 days
- Regular Rulemaking, Post-Comment Review: 4.2 days
- Emergency Rulemaking: 5.8 days

ORR Interventions

- Submissions where analysis was changed: 12.5%
- Submissions where regulatory language was changed: 7.8%

Small Business Impact Analysis



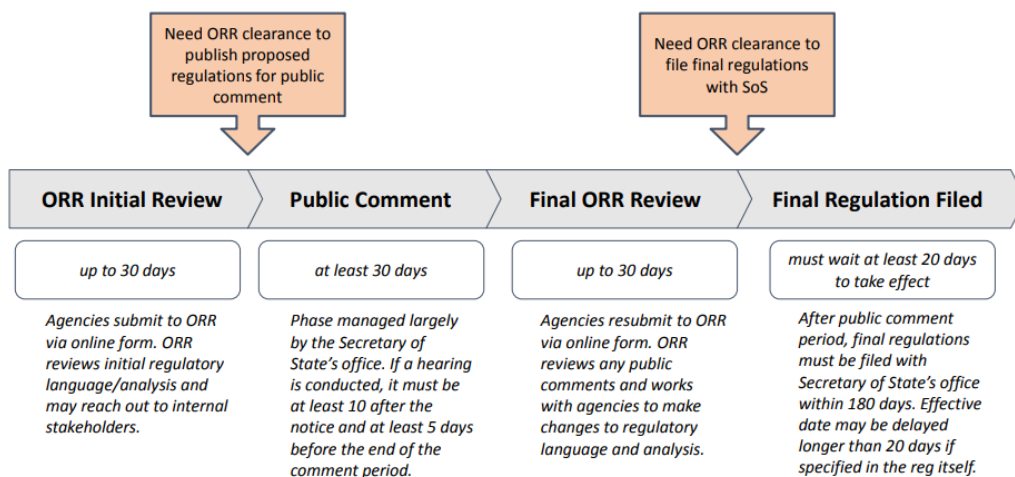
Regulatory Oversight

As part of the Office of Management and Budget, the Office of Regulatory Reform’s (ORR) mission is to review new and amended regulations with a focus on minimizing adverse impacts on Rhode Island businesses, large and small. Since February 2015, ORR has been operating under [Executive Order 15-07](#), which requires all Executive Branch regulations to be reviewed by ORR using a model similar to the federal regulatory model. EO 15-07 outlines a process to ensure regulations are not imposing unnecessary burdens on businesses and citizens.

Prior to EO 15-07 the Director of Regulatory Reform had the authority to intervene on any individual regulatory or permitting issue. With the new process dictated by Executive Order agencies must submit all of their proposed regulatory actions to ORR providing a systematic way to address regulatory issues. ORR reviews an agency’s regulatory package, and if approved, those proposed rules and impact statements go through a public comment process. Any input from that process goes directly back to ORR for final consideration. Below is an outline of the ORR’s role in the regulatory review process. The second round of review is primarily to ensure the agencies take into consideration public comments and amend the regulation as necessary.

Regular Rulemaking and ORR Review

While this is the official process outlined in Executive Order 15-07, ORR frequently works with agencies early by reviewing draft regulations and assisting with the development of regulatory analysis.





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Regulatory Submissions Reviewed By ORR

The following regulatory submissions were cleared by ORR during the fiscal year quarter covered by this report. Regulations cleared by ORR are not immediately effective, regulations must go through the formal rulemaking process administered by the Secretary of State’s Office (SOS). In some cases regulations cleared by ORR are not filed with SOS.

The information in this table (except “Days Under Review” and “Clearance Date”) is self-reported by regulatory agencies with their submissions, although ORR can suggest changes to agency’s submissions. Please note that for any post-comment entries with empty cells, the agency was not required to resubmit this information because the regulation received no public comment and no changes were made to the proposed regulation. Emergency regulations might also have missing data because these submissions are exempt from some reporting requirements.

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Housing and Mortgage Finance Corp (RI Housing)	Repeal of Rules and Regulations of the Corporation Applicable to the HOME Investment Partnership Program	Repeal	1			2016-01-05
Preliminary Draft	Taxation	Rules and Regulations for the Wavemaker Fellowship Program	Adoption	5	The rules and regulations are promulgated to set forth the principles, policies, and practices of the Rhode Island Commerce Corporation in implementing and administering the Wavemaker Fellowship Program.	NO, this regulation DOES NOT IMPACT small business	2016-01-05
Post-Comment Draft	Human Services	Supplemental Nutrition Assistance Program	Amendment	1	To update/align rules with current federal regulations, eliminate inconsistencies, remove redundancies and obsolete rules. More substantive changes include aligning the determination of voluntary quit rules with federal regulations regarding a thirty (30) or	NO, this regulation DOES NOT IMPACT small business	2016-01-07

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					more hours per week employment requirement as opposed to twenty (20) or more hours per week; adding more detail regarding the eligibility and certification procedure for disaster SNAP benefits; clarifying and detailing the SNAP benefit replacement rules; adding rules relating to the EBT adjustment process; re-defining "discovery date" as it relates to the collection of a claim; and adding language to state that claims include only those months of overissuance that have occurred within at least twelve (12) months of prior to the date the agency becomes aware of the overissuance.		
Post-Comment Draft	Commerce Corporation	Rules and Regulations for the I-195 Redevelopment Project Fund	Adoption	2	These rules and regulations (the "Rules") are promulgated to set forth the principles, policies, and practices of the I-195 Redevelopment District Commission in providing financing pursuant to Chapter 64.24 of Title 42 of the Rhode Island General Laws, the I-195 Redevelopment Project Fund Act (the "Act").	NO, this regulation DOES NOT IMPACT small business	2016-01-07
Post-Comment Draft	Human Services	Rhode Island Works Program	Amendment	8	1. Recipients of cash assistance are able to make a total of two (2) free cash withdrawals per month from ATM's. This is a change from the previously contracted four (4) free cash withdrawals per month from ATM's. Each additional ATM withdrawal within that month incurs a fee. This fee has decreased from of eighty-five (85¢) cents to	NO, this regulation DOES NOT IMPACT small business	2016-01-07

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					forty-five (45¢) cents. 2. A change to the Rhode Island Works Program work participation requirements is being proposed to replace the six (6) month time limit on adult education with an "unlimited" time limit on adult education as a stand-alone and full-time activity in the context of an intensive work readiness program. 3. The Department has received approval to combine the work hours of both parents in a two parent household to provide a more accurate view of the work participation rate for these families.		
Preliminary Draft	Environmental Management	Fish/Shellfish Dealer Regulations	Amendment	27	Re-structuring and clarifications only.	NO, this regulation DOES NOT IMPACT small business	2016-01-07
Preliminary Draft	Taxation	Corporate Income Tax: Combined Reporting	Adoption	0	Legislation approved by the General Assembly and signed into law by then-Governor Lincoln D. Chafee on June 19, 2014, amended Rhode Island General Laws Chapter 44-11 ("Business Corporation Tax") to make unitary combined reporting mandatory for tax years beginning on or after January 1, 2015. The legislation also required that entities treated as C corporations for federal income tax purposes must use single sales factor apportionment – and the market-based sourcing method for apportionment purposes. The regulation would implement the statutory changes in time for the filing season beginning January 2015, when a number of C	NO, this regulation DOES NOT IMPACT small business	2016-01-14

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					corporations will be involved in filing their first combined reporting return or Rhode Island corporate income tax purposes. (The Division of Taxation is filing separate regulations regarding the issues of apportionment and nexus.)		
Post-Comment Draft	Environmental Management	Rules & Regulations Governing the Prevention, Control and Suppression of Rabies within the State Of Rhode Island	Amendment	21	RIDEM is proposing minor amendments to the regulations. The proposed changes come at the request of RI licensed veterinarians in an effort to make the regulations less burdensome their clients (pet owners). The proposed amendment will redefine the term “currently vaccinated” to allow that animals that have an established history of being properly vaccinated, but that are overdue for a booster vaccination, will be allowed to receive a booster vaccination that will cause that animal to be compliant with the statutory requirement for vaccination for a period of three years instead of one year as the regulations currently exist. This will mean that fewer vaccinations will be required to be given to dogs, cats, and ferrets as long as they present for vaccination booster within six months of the expiration date on a previously issued three year rabies vaccination certificate.	NO, this regulation DOES NOT IMPACT small business	2016-01-25
Post-Comment Draft	Environmental Management	Rules and Regulations Governing Importation and Possession of Wild Animals	Adoption	12	Currently there are two different sets of regulations within the Department of Environmental Management that address wild animal importation. These	NO, any small business impact is POSITIVE	2016-01-27

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					regulations are administered by the Division of Agriculture for exotic wild animals and by the Division of Fish and Wildlife related to native wild animals. The existence of two sets of regulations means that there is inherent incongruity that can result in agency overlap and ultimately confusion by both the regulatory agencies and the regulated public. This proposal is meant to combine both sets of regulations into a single, streamlined, and clear document that will benefit the public.		
Post-Comment Draft	Coastal Resources Management Council	RI Coastal Resources Management Program – Red Book (Section 145)	Adoption	0			2016-01-28
Post-Comment Draft	Environmental Management	Rules and Regulations for the Agricultural, Recreation Acquisition and Development, Roger Williams Park, and Roger Williams Zoo Grant Programs	Adoption	1	No written or oral comments were received but, upon review, the staff found several minor typographical errors and therefore slight edits have been made to the final regulations.	NO, any small business impact is POSITIVE	2016-01-28
Preliminary Draft	Environmental Management	RULES AND REGULATIONS GOVERNING ANIMAL CARE FACILITIES	Amendment	11	These regulations govern the welfare of animals that are kept in state licensed animal care facilities. The regulated entities generally are supportive of these regulations, however there are technical aspects that prevent a significant number of those entities from compliance. These technical changes, reviewed by the Department, include modification of spatial requirements, language clarification, the removal of transport exemptions, and the	NO, this regulation DOES NOT IMPACT small business	2016-01-28

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					removal of several bedding types from prohibition. The changes that are proposed will facilitate compliance for the regulated entities without having any detrimental effect on animal welfare or burdensome effect on regulated entities.		
Preliminary Draft	Environmental Management	RIMFR Part XIV Fish Traps	Repeal	21	Proposed repeal of regulation in conjunction with proposed repeal of 3 other regulations and adoption of new single regulation in their place for improved clarity and readability of the regulation.	NO, any small business impact is POSITIVE	2016-01-28
Preliminary Draft	Environmental Management	RIMFR Part XIII Gill Net Regulations	Repeal	21	Proposed repeal in conjunction with repeal of 3 other RIMFR regulations and proposed adoption of new single regulation for improved clarity and readability of regulation.	NO, any small business impact is POSITIVE	2016-01-28
Preliminary Draft	Environmental Management	RIMFR Part XI Commercial Fisheries	Repeal	21	Repeal of regulation in conjunction with repeal of 3 other RIMFR regulations and proposed adoption of new regulation to improve clarity and readability of RIMFR regulations.	NO, any small business impact is POSITIVE	2016-01-28
Preliminary Draft	Environmental Management	RIMFR Part X Equipment Restrictions	Repeal	21	Repeal of regulation in conjunction of proposed adoption of new regulation that will contain all information from repealed regulation; purpose is to improved clarity and readability of regulation.	NO, any small business impact is POSITIVE	2016-01-28
Preliminary Draft	Environmental Management	RIMFR Part 6 - General Equipment Provisions	Adoption	21	Repeal of 4 regulations in conjunction with adoption of new single regulation for improved clarity. Removal and/or clarification of redundant, inaccurate, and non-regulatory language. Removal of inaccurate statutory references.	NO, any small business impact is POSITIVE	2016-01-28

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Administration	Rules and Standards of the State Planning Council - Rule Four: Comprehensive Plan Reviews	Amendment	15	The regulation is needed to ensure that all municipalities have sufficient information to properly create and adopt Community Comprehensive Plans as required by RIGL 45-22.2, the Comprehensive Planning Act (Act). The adoption and publication of standards is also intended to assure that State reviews of municipal plans are conducted in a consistent and fair manner. The regulation is being adopted at this time to provide appropriate direction in advance of June 1, 2016, the date by which all municipalities are required to bring their plans into conformance with the Act as it was amended in 2011.	NO, this regulation DOES NOT IMPACT small business	2016-01-29
Post-Comment Draft	Motor Vehicles	Amended Rules and Regulations Relative to Compulsory Insurance or Financial Responsibility	Amendment	0	The reason for the Regulatory Action is that the Division of Motor Vehicles had made the determination that electronic insurance cards should be a viable means of proving insurance/financial responsibility. There is a trend amongst the states allowing for motorists to prove their insured status via an electronic format. The Division has noted this trend and has determined that it would be in the best interest of both the Division and the general populace to allow for insurance information to be proven in an electronic format in addition to the paper format currently permitted.	NO, this regulation DOES NOT IMPACT small business	2016-02-02
Post-Comment Draft	Clean Water Finance Agency	RI Clean Water State Revolving Fund - Affordability Criteria	Adoption	0			2016-02-03

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Resource Recovery Corporation	Municipal Solid Waste Disposal Fee Pricing Structure and Procedure	Adoption	1	Establish a pricing mechanism to determine, biennially, the solid waste disposal fee paid by municipalities, based on the Corporation's audited, actual cost of landfilling.	NO, this regulation DOES NOT IMPACT small business	2016-02-04
Preliminary Draft	Business Regulation	Commercial Licensing Regulation 7 – Salvage Vehicle Repair	Repeal	17	While drafting major changes to Commercial Licensing Regulation 4, DBR and its Auto Collision Repair Licensing Advisory Board revisited some companion regulations. In that review, several reasons were identified to repeal C.L. Reg. 7 and incorporate its main aspects into C.L. Reg. 4.	NO, any small business impact is POSITIVE	2016-02-04
Preliminary Draft	Business Regulation	Insurance Regulation 21 - Medical Malpractice Insurance	Amendment	25	To address two issues. The funds in the Stabilization Reserve Fund are in the process of being distributed to policyholders. Therefore, the separation of investments that existed prior to distribution no longer seems necessary. The changes would give the Director discretion to allow additional investment alternatives. The amendments would also eliminate the advisory board which is no longer necessary now that the funds are being distributed. The second change makes it easier for physicians, dentists and health care facilities that are required to have medical malpractice insurance by the terms of R.I. Gen. Laws § 42-14-2.3. The change allows purchase from approved surplus lines carriers. We have been informed by various constituencies that for certain facilities the only market	NO, any small business impact is POSITIVE	2016-02-04

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					available for these policies is the surplus lines market. We have informally been allowing purchase from surplus lines carriers and this would memorialize that policy position.		
Post-Comment Draft	Environmental Management	Rules & Regulations Governing the Priority Determination System for Federal and State Assistance to Local Governmental Units for Construction of Water Pollution Abatement Projects	Amendment	0			2016-02-08
Post-Comment Draft	Human Services	Office of Rehabilitation Services Policy Manual	Amendment	1	The purpose for the amendment is to revise the following sections effective February, 2016: Post Secondary Education and Vocational Training - Section 115.28. This amended rule reflects revised definitions used regarding training based on Workforce Investment Opportunity Act of 2014 and removal of procedures from manual. Order of Selection/Waitlist - Section 115.22. This amended rule reflects revised Workforce Investment Opportunity Act of 2014 legal authority, additional information used to determine what each category of Order of Selection is, as well as removal of procedures from manual.	NO, this regulation DOES NOT IMPACT small business	2016-02-09
Post-Comment Draft	Commerce Corporation	Rules and Regulations for the First Wave Closing Fund	Adoption	4			2016-02-09

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Human Services	Office of Rehabilitation Services Policy Manual	Amendment	16	The purpose for the amendment is to revise Section 115.13 - Business Enterprises Program (outdated) requiring update inclusive all sections to reflect current program staffing and Administrative structure of agency; vendor training and selection; include in entire document addition of term "vendor/licensee". Various edits to Sections II through XVII for updating outdated language pursuant to regulations and program structure as is consistent with the scope of §34 CFR 395; addition of process for awarding secondary and satellite locations, removal of Attachment XI-A – outdated.	NO, this regulation DOES NOT IMPACT small business	2016-02-10
Preliminary Draft	Health	Rules and Regulations for Licensing Adult Supportive Care Homes [R23-17.24-SCH]	Adoption	22	The purpose of the proposed regulations is to define the minimum standards for: licensing adult supportive care homes in Rhode Island; care of residents in an adult supportive care home; and maintenance & operation of adult supportive care homes.	NO, this regulation DOES NOT IMPACT small business	2016-02-11
Post-Comment Draft	Coastal Resources Management Council	RI Coastal Resources Management Program - Management Procedures	Amendment	0			2016-02-12
Post-Comment Draft	Commerce Corporation	Rules and Regulations for the Wavemaker Fellowship Program	Adoption	1	The rules and regulations are promulgated to set forth the principles, policies, and practices of the Rhode Island Commerce Corporation in implementing and administering the Wavemaker Fellowship Program	NO, this regulation DOES NOT IMPACT small business	2016-02-12

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Turnpike and Bridge Authority	Procurement Rules	Amendment	1	The current procurement policy is being: (i) updated to ensure that RITBA, as a body corporate and politic of the State of Rhode Island, adheres to the general principles, policies, and practices of the State Purchases Act, R. I. Gen. Laws §§ 37-2-1 et seq., and the rules and regulations promulgated pursuant to the State Purchases Act, as in effect from time to time; and (ii) simplified to be readily understood by, and accessible to, all potential qualified vendors within the parameters of applicable law.	NO, any small business impact is POSITIVE	2016-02-18
Post-Comment Draft	Turnpike and Bridge Authority	Bylaws	Amendment	1	The bylaws of RITBA are being amended and restated to reflect significant changes in Rhode Island law applicable to quasi-public corporations, including without limitation: (i) the provisions of the "Open Meetings Act," the Rhode Island Code of Ethics," and the "Quasi-Public Corporations Accountability and Transparency Act."	NO, any small business impact is POSITIVE	2016-02-18
Post-Comment Draft	Taxation	Rules and Regulations for the Wavemaker Fellowship Program	Adoption	0	The rules and regulations are promulgated to set forth the principles, policies, and practices of the Rhode Island Commerce Corporation in implementing and administering the Wavemaker Fellowship Program.	NO, this regulation DOES NOT IMPACT small business	2016-02-19
Post-Comment Draft	Business Regulation	Insurance Regulation 21 - Medical Malpractice Insurance	Amendment	4	To address two issues. The funds in the Stabilization Reserve Fund are in the process of being distributed to policyholders. Therefore, the separation of investments that existed prior to distribution no	NO, any small business impact is POSITIVE	2016-02-19

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					longer seems necessary. The changes would give the Director discretion to lower costs to allow additional investment alternatives. The amendments would also eliminate the advisory board which is no longer necessary now that the funds are being distributed. The second change makes it easier for physicians, dentists and health care facilities that are required to have medical malpractice insurance by the terms of R.I. Gen. Laws § 42-14-2.3. The change allows purchase from approved surplus lines carriers. We have been informed by various constituencies that for certain facilities the only market available for these policies is the surplus lines market. We have informally been allowing purchase from surplus lines carriers and this would memorialize that policy position		
Preliminary Draft	Environmental Management	Rules and Regulations GOVERNING THE TAKING, POSSESSION, HOLDING, BARTERING AND TRADING OF SHELLFISH	Repeal	8	Regulation is a duplication of language as found in RI Marine Fisheries Regulations "Part XIX - FISH/SHELLFISH DEALER REGULATIONS", "Commercial and Recreational Saltwater Fishing Licensing Regulations", and/or "Shellfish"	NO, this regulation DOES NOT IMPACT small business	2016-02-19
Post-Comment Draft	Business Regulation	Insurance Regulation 108 – Auto Body Labor Rate Survey	Amendment	3	Amendment to statute	NO, this regulation DOES NOT IMPACT small business	2016-02-22
Post-Comment Draft	Business Regulation	[REPEAL OF] Commercial Licensing Regulation 7 – Salvage Vehicle Repair	Repeal	0			2016-02-23

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Post-Comment Draft	Business Regulation	Commercial Licensing Regulation 16 – Motor Vehicle Body Repair Technician Certification	Amendment	0			2016-02-23
Post-Comment Draft	Business Regulation	Commercial Licensing Regulation 4 - Motor Vehicle Body Repair	Amendment	4	Some amendments are based on major statutory changes mandating changes to C.L. Reg. 4. Requirement of Corrosion Protection training is on recommendation of Auto Collision Repair Licensing Advisory Board for consumer safety purposes.	NO, any small business impact is POSITIVE	2016-02-23
Emergency	Executive Office of Health and Human Services	Medicaid Code of Administrative Rules, Section #0362, "Income Generally"	Amendment	6	Effective March 1, 2016, this Medicaid rule (#0362) will be amended to reflect the 2016 changes in the Federal Poverty Limit (FPL) guidelines that were cited in the February 10, 2016 State Agency Regional Bulletin from the Centers for Medicare and Medicaid Services.	NO, any small business impact is POSITIVE	2016-02-24
Preliminary Draft	Executive Office of Health and Human Services	Medicaid Code of Administrative Rules, Section 0372, "Special Treatment Coverage Groups"	Amendment	6	EOHHS proposes to amend this rule in order to clarify that for persons enrolled in Medicare Part B on or before December 31, 2015, the premium will remain at \$104.90/month. For persons enrolling in Medicare Part B for the first time on and after January 1, 2016, the premium will be \$121.80/month.	NO, this regulation DOES NOT IMPACT small business	2016-02-24
Preliminary Draft	Executive Office of Health and Human Services	Medicaid Code of Administrative Rules, Section 0370	Amendment	8	This rule was filed as an emergency rule on January 1, 2016. The purpose of the rule is to reflect that there will be no cost-of-living adjustments (COLAs) for beneficiaries in 2016.	NO, this regulation DOES NOT IMPACT small business	2016-02-24
Preliminary Draft	Clean Water Finance Agency	Rhode Island Infrastructure Bank Commercial Property	Adoption	20	In accordance with RIGL 39-26.5-11 RIIB shall promulgate rules and regulations which shall include, but	NO, any small business impact is POSITIVE	2016-02-25

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
		Assessed Clean Energy Program Guidelines			are not limited to the following: (1) The necessary application requirements, (2) qualifications and requirements for PACE projects, (3) underwriting criteria in determining property eligibility, (4) requirements that all existing lien holders be notice prior to a PACE assessment being filed and all commercial property owners receive consent of the primary mortgage holder.		
Emergency	Human Services	Child Care Assistance Program	Amendment	5	Removal of the sunset date regarding the Back to Work RI Pilot, now called Child Care for Training. Updated Provider Rates along with reorganizing CCAP Maximum Weekly Reimbursement Rates by provider type. Application of the 2016 Federal Poverty Level guidelines along with the revision of the CCAP Eligibility and Cost-Sharing levels by Gross Income Adjusted for Family Size.	NO, this regulation DOES NOT IMPACT small business	2016-02-26
Preliminary Draft	Coastal Resources Management Council	RI Coastal Resources Management Program – Red Book (Shoreline Change Maps)	Amendment	16	The intended purpose of the proposed amendment to the Coastal Resources Management Plan (CRMP) is to update the Shoreline Change Map page to reflect the addition of new maps for Washington County communities and reference the user to the CRMC web page to view and download maps of interest. The CRMC at this time is not proposing to amend existing language for regulatory setback requirements in CRMP Section 140. The new shoreline change maps will provide applicants and consulting professionals with	NO, this regulation DOES NOT IMPACT small business	2016-02-29

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					more accurate and updated accretion and erosion rates for Washington County communities and aid in appropriate project design, where applicable.		
Preliminary Draft	Environmental Management	State Pilotage Commission Rules and Regulations	Amendment	7	The Commission proposes to post on the Secretary of State and DEM websites for submittal of written comment and receipt comment at public comment hearing on April 7, 2016 the following proposed regulatory amendments; (1) Proposed amendment of Rule 12.03(B) (2) to expand the authority of a probationary pilot to pilot vessels weighing 33,000 gross tons as opposed to the current limitation of 30,000 gross tons; (2) Incorporation by reference of the Fatigue Policy adopted by the Northeast Marine Pilots Association; and (3) Proposed amendment of Rule 15.13 to increase the annual pilotage rate over a three year pursuant to the following schedule: a 2% increase commencing on January 1, 2017; a second 2% increase commencing on January 1, 2018; and the third 2% increase commencing on January 1, 2019.	NO, any small business impact is POSITIVE	2016-03-04
Post-Comment Draft	Taxation	Corporate Income Tax: Combined Reporting	Adoption	1	Legislation approved by the General Assembly and signed into law by then-Governor Lincoln D. Chafee on June 19, 2014, amended Rhode Island General Laws Chapter 44-11 ("Business Corporation Tax") to make unitary combined reporting mandatory for tax years beginning	NO, this regulation DOES NOT IMPACT small business	2016-03-08

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					on or after January 1, 2015. The legislation also required that entities treated as C corporations for federal income tax purposes must use single sales factor apportionment – and the market-based sourcing method for apportionment purposes. The regulation would implement the statutory changes in time for the filing season beginning January 2015, when a number of C corporations will be involved in filing their first combined reporting return or Rhode Island corporate income tax purposes. (The Division of Taxation is filing separate regulations regarding the issues of apportionment and nexus.)		
Emergency	Executive Office of Health and Human Services	Medicaid Code of Administrative Rules, Section 1310, "Rhody Health Partners"	Amendment	6	The purpose of this amendment is to include provisions related to home stabilization services for Medicaid beneficiaries eligible under MCAR 1301 who are homeless or at-risk for homelessness or transitioning to the community from institutional settings and do not qualify for such services through any other federally-funded program administered by the State.		2016-03-14
Emergency	Executive Office of Health and Human Services	Medicaid Code of Administrative Rules, Section 1309 "Rlte Care"	Amendment	6	To insert provisions related to home stabilization services for eligible Medicaid beneficiaries		2016-03-14
Preliminary Draft	Environmental Management	Rhode Island Air Pollution Control General Definitions Regulation	Amendment	16	The Department is proposing to revise this regulation to amend the definition of "volatile organic compound" to be consistent with the current, federal definition. The	NO, any small business impact is POSITIVE	2016-03-14

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					proposed change does not impose any new requirements for the entities covered by the air pollution control regulations.		
Preliminary Draft	Environmental Management	Air Pollution Control Regulation No. 36, "Control of Emissions from Organic Solvent Cleaning"	Amendment	16	The Department is proposing to revise this regulation to: • provide an exemption from certain requirements for small cold cleaners (internal volume less than 1 liter) • provide an alternative means of compliance for spray gun cleaning operations • clarify the performance standard when an air pollution control system is used as an alternative to low vapor pressure solvents, and • Revise recordkeeping requirements to allow users of certain machines additional time to compile monthly records to be consistent with the requirements we impose in other regulations and permits. The proposed changes do not impose any new requirements for the entities covered by this regulation.	NO, any small business impact is POSITIVE	2016-03-14
Preliminary Draft	Environmental Management	Air Pollution Control Regulation No. 35, "Control of Volatile Organic Compounds and Volatile Hazardous Air Pollutants from Wood Products Manufacturing Operations"	Amendment	16	The Department is proposing to revise this regulation to revise the applicability threshold. Currently this regulation applies to any wood products facility which has the potential to emit 25 tons per year or more of volatile organic compounds (VOC) from wood products manufacturing operations or which is located at a major source of Hazardous Air Pollutants (HAP). Under the proposed revisions, this regulation would change the applicability threshold	NO, any small business impact is POSITIVE	2016-03-14

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					with respect to HAPs. To be subject to the regulation a facility would have to be a major source of Hazardous Air Pollutants (HAP) from wood products manufacturing operations as opposed to all operations at the facility. Currently the regulation applies to several facilities that are major sources of HAPs, however, their wood products manufacturing operations are a very small part of the business. The non-wood product manufacturing operations still need to comply with other regulations regarding HAPs, if applicable.		
Preliminary Draft	Environmental Management	Air Pollution Control Regulation No. 27, "Control of Nitrogen Oxide Emissions"	Amendment	16	The Department is proposing to revise this regulation to: <ul style="list-style-type: none"> • reduce the frequency of compliance testing required under the regulation from annually to once every five years; • reduce the frequency of tune-ups required for industrial-commercial-institutional boilers from annually to biennially ; • allow the tune-up procedure for boilers specified in federal regulations (40 CFR 63, Subpart JJJJJ) as an acceptable substitute procedure for the procedure specified in Appendix A of the regulation; • revise the method for determining compliance with the emission limits to allow compliance be demonstrated based upon the average results of three-one hour test runs, rather than demonstrating compliance with each individual test run to be consistent with federal 	NO, any small business impact is POSITIVE	2016-03-14

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					requirements; • Update/eliminate some outdated provisions of the regulation; • Add Figures 1 and 2 back into Appendix A, as they were inadvertently omitted from the regulation.		
Preliminary Draft	Environmental Management	Air Pollution Control Regulation No. 19, "Control of Volatile Organic Compounds from Surface Coating operations"	Amendment	16	The emission limits in this regulation and Air Pollution Control Regulation No. 44 "Control of Volatile Organic Compounds from Adhesives and Sealants" can apply to the same processes. Regulatory language is being added to clarify that the emission limitations in this regulation do not apply if you are subject to the requirements in APC Regulation No. 44. The registration requirements in this regulation are being revised to be consistent with the requirements in our Air Pollution Control Regulation No. 14 "Record Keeping and Reporting.	NO, any small business impact is POSITIVE	2016-03-14
Preliminary Draft	Environmental Management	Air Pollution Control Regulation No. 8, Sulfur Content of Fuels"	Amendment	16	The proposed amendment will correct a mistake that was made when this regulation was revised in 2014. This regulation was revised in 2014 to lower the allowable sulfur content of fuels. Prior to that revision, the allowable sulfur content of alternative fuels was the same as that for residual fuel oils. In the 2014 revision, the allowable sulfur content of alternative fuels was changed to be the same as that for distillate fuel oils. This was a mistake and evidence has been provided to the Department to show that it is impossible to achieve those limits for waste oils. The	NO, any small business impact is POSITIVE	2016-03-14

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					change will restore the allowable sulfur content for alternative fuels to be the same as that for residual fuel oils as it was prior to 2014.		
Preliminary Draft	Elections - Board	Rules and Regulations for Polling Place Conduct	Amendment	18	Amendments to allow for bake sales at polling places on primary and election days, pursuant to R.I. Gen. Laws 17-19-21.1 and to amend and add terms and definitions to regulate polling place conduct.	NO, this regulation DOES NOT IMPACT small business	2016-03-14
Preliminary Draft	Human Services	RHODE ISLAND VETERANS MEMORIAL CEMETERY	Amendment	22	Proposed revisions to update/align rules with current federal regulations, eliminate inconsistencies, remove redundancies and obsolete rules. More substantive changes include removing war eras as part of eligibility and replacing it with the award of a campaign or expeditionary medal; increasing the eligible age for unmarried dependent children who are full-time students from 22 to 23; adding common-law spouses and parents of children who were killed in action; eliminating eligibility for divorced spouses; establishing set hours of operation; making contingent compliance with cemetery rules to do business at RIVMC; clarifying and detailing graveside adornment policy; clarifying appropriate conduct within the cemetery; and adding that unauthorized flags will be removed and retired.	NO, this regulation DOES NOT IMPACT small business	2016-03-18
Preliminary Draft	Environmental Management	RI Fish and Wildlife Freshwater and	Adoption	12	The purpose for this regulatory action / change is to update the upcoming Freshwater Fishing	NO, this regulation DOES NOT IMPACT small business	2016-03-22

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
		Diadromous Fishing Regulations			season with the correct season dates and bag limits. New bait restrictions were added, and a new trout water area was added.		
Preliminary Draft	Environmental Management	Hunting Regulations for the 2016 - 2017 Season	Adoption	12	To set season and bag limits for the 2016 - 2017 season and to combine to sets of hunting regulations (Waterfowl and Hunting) into one combined document.	NO, this regulation DOES NOT IMPACT small business	2016-03-22
Preliminary Draft	Coastal Resources Management Council	RI Coastal Resources Management Program - Management Procedures	Amendment	19	The purpose of the proposed regulatory action to modify Section 4.3.2 Schedule of Fees of the CRMC Management Procedures is to provide more beach vehicle permit options for both in-state and out-of-state residents with the addition of new 7-day and 14-day permits. Additionally, the proposed fee increase for Buffer Zone Alterations or Management Plan applications is to better account for the CRMC staff review time necessary to process such applications.	NO, any small business impact is POSITIVE	2016-03-25
Post-Comment Draft	Environmental Management	Rules and Regulations Governing Collector's Permits	Adoption	19	There was no Rules and Regulations in regards to the Collector's Permits.	NO, this regulation DOES NOT IMPACT small business	2016-03-28
Post-Comment Draft	Environmental Management	Solid Waste Regulation No 8 Rhode Island Organics Waste Recycling Facilities	Amendment	13	DEM had two goals in revising Solid Waste Regulation No. 8. Our first goal was to encourage and simplify composting requirements for Small-Scale Composting Operations and Medium-Scale Composting Facilities. Our second goal was to create Anaerobic Digestion Rules as to encourage the development of these types of facilities in the State of Rhode Island since the Refuse Disposal Act was revised to include a ban on disposing food residuals	NO, any small business impact is POSITIVE	2016-03-29

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					for large generators (great than 104 tons per year). The Food Waste Ban (R.I.G.L. Section 23-18.9-7) went into effect on January 1, 2016.		
Post-Comment Draft	Environmental Management	Rules and Regulations for Solid Waste Management Facilities and Organic Waste Recycling Facilities	Amendment	13	Several definitions were added for the different new classifications of compost facilities (i.e. Small-Scale Composting Operations, Medium-Scale Composting Facilities, etc...) and those definitions that were related to anaerobic digestion facilities (Anaerobic Digestion Facility, Biogas, Digestate, etc...). Definitions were revised for clarification purposes or to make them consistent with recent changes to the Refuse Disposal Act (i.e. Construction and Demolition Debris Processing Facility). Rule 1.13.01 was revised to reflect the changes to the frequency of registration renewal for composting facilities. The proposed regulation has reduced the frequency for composting registration renewals from annually to once every three years. Rule 1.13.02, Additional Compost Fees, we have removed all fees except for the \$50.00 Product Registration Fees. Agricultural and municipal facilities are exempt from these fees and there is no fee for leaf and yard waste composting facilities, so therefore no fees have been collected.	NO, any small business impact is POSITIVE	2016-03-29
Post-Comment Draft	Clean Water Finance Agency	Rhode Island Infrastructure Bank Commercial Property	Adoption	0			2016-03-31

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
		Assessed Clean Energy Program Guidelines					