



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ADMINISTRATION

OFFICE of REGULATORY REFORM

One Capitol Hill
Providence, RI 02908-5890

Office: (401) 574-8430

Fax: (401) 222-6410

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 2017 Q3

FY 2017 Quarter 3 Report: January 1, 2017 – March 31, 2017

Quarterly Summary Data

Total Submissions by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 26
- Regular Rulemaking, Post-Comment Review: 18
- Direct Final Rulemaking: 28
- Emergency Rulemaking: 1
- Codifications: 34

Unique Regulations by Type of Action

- Adoption: 8
- Amendment: 9
- Repeal: 10
- Technical Revisions: 34

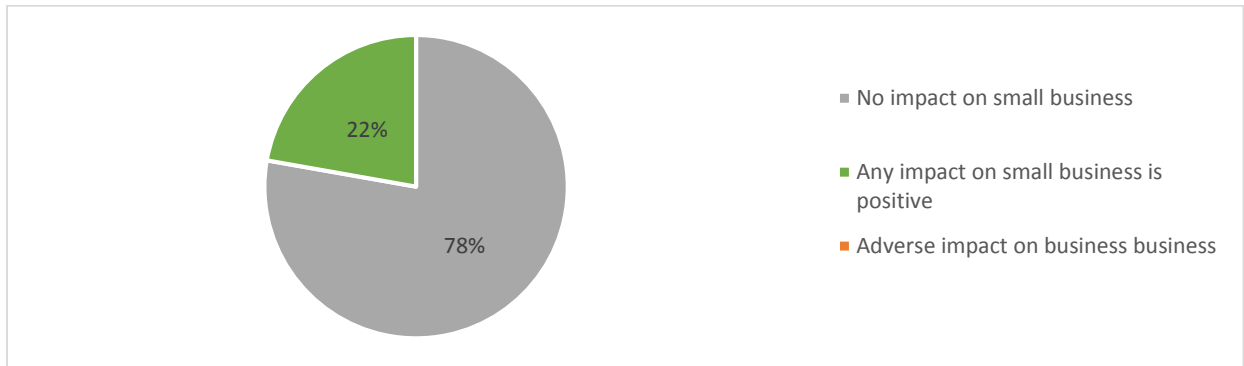
ORR Review Time by Type of Rulemaking

- Regular Rulemaking, Pre-Comment Review: 12.5 days
- Regular Rulemaking, Post-Comment Review: 5.8 days
- Direct Final Rulemaking: 3.8 days
- Emergency Rulemaking: 0.0 days

ORR Interventions

- Submissions where analysis was changed: 6.8%
- Submissions where regulatory language was changed: 12.3%

Small Business Impact Analysis



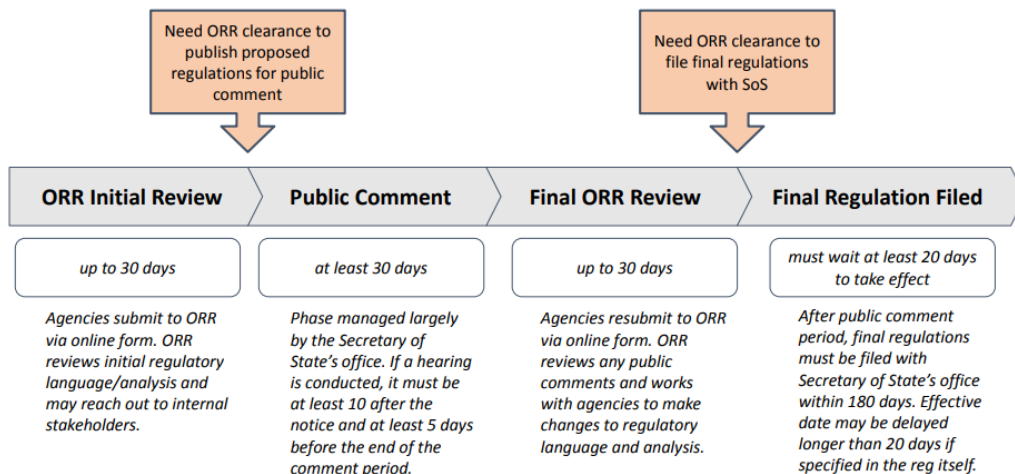
Regulatory Oversight

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.





STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ADMINISTRATION

OFFICE of REGULATORY REFORM
 One Capitol Hill
 Providence, RI 02908-5890

Office: (401) 574-8430
 Fax: (401) 222-6410

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
Direct Final	Higher Education Assistance Authority	Purchasing Rules and Regulations	Repeal	0	RIHEAA ceased to exist as an agency as a result for FY 16 budget legislation that went into effect on July 1, 2015. RIHEAA had originally been a quasi-public agency, and had set up its own purchasing rules and regulations. Former RIHEAA personnel and some programs were absorbed into the RI Office of the Postsecondary Commissioner (RIOPC) which adheres to official state purchasing rules and regulations.	NO, this regulation DOES NOT IMPACT small business	2017-01-03
Direct Final	Higher Education Assistance Authority	The Rhode Island State Grant and Scholarship Programs	Repeal	0	RIHEAA ceased to exist as an agency as a result for FY 16 budget legislation that went into effect on July 1, 2015. RIHEAA’s board of directors was dissolved, and the old state scholarship and grant program that RIHEAA administered was	NO, this regulation DOES NOT IMPACT small business	2017-01-03

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					likewise terminated. The Rhode Island State grant and Scholarship Programs (ERLID 6483) applied to the aforementioned state scholarship program that ceased to exist along with RIHEAA. (The state created a new scholarship program but this set of regs is 100% obsolete and has no application to that new program.)		
Direct Final	Labor and Training	ADMINISTRATIVE REGULATIONS FOR THE GOVERNOR'S WORKFORCE BOARD RHODE ISLAND'S NON-TRADE APPRENTICESHIP INCENTIVE PROGRAM	Adoption	16	The Rhode Island Department of Labor and Training is promulgating these regulations as authorized and required by the general assembly under RIGL 42-102-13.	NO, any small business impact is POSITIVE	2017-01-04
Post-Comment Draft	Commerce Corporation	Rules and Regulations for the Renewable Energy Development Fund Programs	Amendment	7	The new House bill H8354A and Senate bill S2450B extended the REF program until 2022. Within the bill, a new addition to the renewable energy sector was implemented, called community solar. The REF program will be implementing this new option for the eligible citizens of Rhode Island. In addition, the REF is due for in update to keep up with the fast changing renewable energy technologies and market. Also, the current loan programs would benefit businesses more with the amendments made in order to stay up to date with the market and stay economically advantageous in RI.	NO, any small business impact is POSITIVE	2017-01-05
Post-Comment Draft	Environmental Management	Part 6 General Equipment Provisions	Amendment	23	Correction of language regarding an inaccurate fish trap location	YES, there is ADVERSE IMPACT on small business (continue on to	2017-01-05

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
						complete the requirements of RIGL § 42-35.1-3 and 1-4).	
Post-Comment Draft	Environmental Management	RHODE ISLAND MARINE FISHERIES REGULATIONS PART 4 Shellfish	Amendment	23	1. Section 4.2.7 Transiting: The amendment is needed to include gear used in the harvest of shellfish. As written, which was taken from the Finfish regulations, the regulation includes the use of nets, rather than dredges and other shellfish harvest gear. 2. Section 4.3.13 Dredging of surf clams and ocean quahaugs: As written, the regulation omits ocean quahaugs in areas allowed for dredging. Areas allowed for such activity is necessary for ocean quahaugs in addition to surf clams. 3. Section 4.63(F) Daily possession limits of Ocean quahaugs: Regulation is archaic and unsupported by data. Management in federal waters is quota based. 4. Section 4.7.3(D) Temporary Shellfish Limit: Not needed to specify as the temporary possession limit as written is the same as the current possession limit – is one in the same already. Director also has very broad authority to effectuate management changes in Shellfish Management Areas, so indication of a specific management approach is unnecessary. 5. Section 4.7.4 - Clarification of process to amend commercial boat harvest schedule in Shellfish Management Areas: Proposed amendment seeks to	NO, any small business impact is POSITIVE	2017-01-05

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					broaden scope of the language and apply to other Shellfish Management Areas where such process for changes to harvest schedules is not currently provided.		
Post-Comment Draft	Public Utilities Commission	Rules Governing the Acceptance of Credit Cards by Utility Companies	Repeal	1	There is no longer a justification for the rule because the rule is no longer being consistently applied. These rules require utilities who accept credit cards to charge the processing fee directly to the credit card user. The cost justification may or may not exist any longer. The PUC will review the cost justification of including/excluding credit card processing fees from all customers' rates in the utilities' next rate cases as it does with costs related to all other payment options.	NO, this regulation DOES NOT IMPACT small business	2017-01-06
Post-Comment Draft	Public Utilities Commission	New England Telephone Collections Procedures	Repeal	1	These rules only apply to one telephone carrier in RI. Given the fact that Verizon (formerly New England Telephone) is no longer the dominant telecommunications carrier in Rhode Island, most Verizon customers receive service through FiOS (unregulated), and the Division of Public Utilities and Carriers has applied the rules minimally in the past year, the rationale for continuing the mandated payment plans and collections procedures to only one company arguably no longer seems to apply. Repeal of the rule would put Verizon in the same competitive position as other telecommunications carriers. Verizon currently has only 14% of	NO, this regulation DOES NOT IMPACT small business	2017-01-06

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					the lines in service to which these rules apply.		
Preliminary Draft	Environmental Management	RHODE ISLAND MARINE FISHERIES REGULATIONS PART 4 Shellfish	Amendment	22	Proposal is to create additional shellfish management areas (SMA) to manage harvest and/or restoration efforts pursuant to RIGL 20-3-4. It is particularly necessary to create the Providence River SMA as the lower portion of this proposed area may be opened to harvest in 2017 due to anticipated changes to pollution status. In order to protect broodstock from excessive harvest as that which took place in 2010 in the Conimicut Point SMA. Other areas created mainly to manage restoration efforts. The creation of SMAs provides the Director with the necessary broad authority to properly manage in these areas	NO, any small business impact is POSITIVE	2017-01-06
Post-Comment Draft	Public Utilities and Carriers Division	Rules and regulations Establishing Non-Profit Affordable Housing Certification Application Process and Eligibility Criteria as Required Under Rhode Island General Laws, Section 39-262(19)	Repeal	0			2017-01-09
Post-Comment Draft	Children, Youth and Families	FOSTER CARE AND ADOPTION REGULATIONS FOR LICENSURE	Amendment	2	To comply with the amended provisions of the RIGL 42-35 and the federal Preventing Sex Trafficking and Strengthening Families Act (PL 113-183). The regulations were also updated to reflect current national best practices for foster care. Non-regulatory language was removed and will be captured in	NO, this regulation DOES NOT IMPACT small business	2017-01-13

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					accompanying Guidance Document or Department Operating Procedure.		
Direct Final	Executive Office of Health and Human Services	210-RICR-40 Medicaid Integrated Health Care Coverage	Amendment	4	These proposed regulations are being amended to reflect the 0.3% cost of living adjustment (COLA) for Social Security and Supplemental Security Income (SSI) beneficiaries in 2017. (See: 2017 SSI and Spousal Impoverishment Standards).	NO, this regulation DOES NOT IMPACT small business	2017-01-14
Post-Comment Draft	Human Services	Rhode Island Veterans' Home: Administrative Procedures for the Billing and Collection of Maintenance Fees	Amendment	1			2017-01-17
Direct Final	Housing and Mortgage Finance Corp (RI Housing)	Rules and Regulations of the Corporation Applicable to the Neighborhood Revitalization Program	Repeal	1	The purpose of this repeal is to eliminate an obsolete rule. The above captioned-rule describes a program, the primary purpose of which was to spur revitalization efforts in Rhode Island neighborhoods through a process of community planning and involvement. The program provided planning and targeted assistance grants. After a period of several years, the program ceased to operate. As a result, the rule no longer serves a practical purpose.	NO, this regulation DOES NOT IMPACT small business	2017-01-19
Direct Final	Housing and Mortgage Finance Corp (RI Housing)	Rules and Regulations of the Corporation Applicable to the Rental Housing Capital Improvement Program	Repeal	1	The purpose of this repeal is to eliminate an obsolete rule. The Rental Housing Capital Improvement Program was originally intended to fund certain capital improvement work in Rhode Island Housing-financed developments. The program has ceased to operate. As a result, the	NO, this regulation DOES NOT IMPACT small business	2017-01-20

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					rule no longer serves a practical purpose.		
Direct Final	Housing and Mortgage Finance Corp (RI Housing)	Rules and Regulations of the Corporation Applicable to the Home Repair Program and Accessory Apartment Program	Repeal	1	The purpose of this repeal is to eliminate an obsolete rule. The above-captioned rule describes a program through which Rhode Island Housing previously provided financing for (i) the rehabilitation of existing housing for persons and families of low and moderate income and the elderly; (ii) the completion of accessibility improvements to existing housing for persons and families of low and moderate income; and (iii) the creation of additional units in existing dwellings for persons of low and moderate income. After a period of several years, the program ceased to operate. As a result, the rule no longer serves a practical purpose.	NO, this regulation DOES NOT IMPACT small business	2017-01-20
Direct Final	Housing and Mortgage Finance Corp (RI Housing)	Regulations Governing the Reverse Equity Mortgage Loan Programs	Repeal	1	The purpose of this repeal is to eliminate an obsolete rule. The above-captioned rule describes loan programs through which Rhode Island Housing previously provided financing for Rhode Island residents who satisfy certain age, residency and income criteria to borrow against the equity in their homes to assist in meeting living, medical and other miscellaneous expenses. Rhode Island Housing no longer offers the loan products described in the rule. As a result, the rule no longer serves a practical purpose.	NO, this regulation DOES NOT IMPACT small business	2017-01-20

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Direct Final	Housing and Mortgage Finance Corp (RI Housing)	Rhode Island Housing American Dream Downpayment Initiative	Repeal	1	The purpose of this repeal is to eliminate an obsolete rule. The Rhode Island Housing American Dream Initiative was intended to make homeownership affordable to low and moderate income Rhode Islanders by providing closing cost, down payment assistance, and home repair funds to income-qualified homebuyers. After a period of several years, the program ceased to operate. As a result, the rule no longer serves a practical purpose.	NO, this regulation DOES NOT IMPACT small business	2017-01-20
Direct Final	Housing and Mortgage Finance Corp (RI Housing)	State of Rhode Island 2016 Qualified Allocation Plan	Repeal	1	The purpose of this repeal is to eliminate an obsolete rule. The State of Rhode Island 2016 Qualified Allocation Plan governed the agency's allocation of federal low income housing tax credits in 2016. The plan was replaced by the 2017–2018 State of Rhode Island Qualified Allocation Plan, which was adopted by the Rhode Island Housing Board of Commissioners and signed by the Governor. As a result, the rule no longer serves a practical purpose.	NO, this regulation DOES NOT IMPACT small business	2017-01-20
Direct Final	Housing and Mortgage Finance Corp (RI Housing)	Rules and Regulations of the Corporation Applicable to the Special Housing Needs Program	Repeal	1	The purpose of this repeal is to eliminate an obsolete rule. The Special Needs Housing Program was created as a research and demonstration effort to address the special housing needs of persons with long-term disabilities and persons in crisis. After a period of several years, the program ceased to operate. As a result, the rule no longer serves a practical purpose.	NO, this regulation DOES NOT IMPACT small business	2017-01-20

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Direct Final	Housing and Mortgage Finance Corp (RI Housing)	Second Amendment to and Restatement of Rules Governing the Emergency Housing Assistance Program	Repeal	1	The purpose of this repeal is to eliminate an obsolete rule. The above-captioned rule describes a program through which Rhode Island Housing provided temporary financial assistance to eligible residents of the State of Rhode Island for short-term emergency housing needs. After a period of several years, the program ceased to operate. As a result, the rule no longer serves a practical purpose.	NO, this regulation DOES NOT IMPACT small business	2017-01-20
Direct Final	Housing and Mortgage Finance Corp (RI Housing)	Rhode Island Housing Foundations of Senior Health Program	Repeal	1	The purpose of this repeal is to eliminate an obsolete rule. The Foundations of Senior Health Program subsidized the cost of homemaker and home health aid assistance to enable frail elderly, handicapped, and disabled persons living in Rhode Island Housing-financed developments to remain in the least restrictive environment. After a period of several years, the program ceased to operate. As a result, the rule no longer serves a practical purpose.	NO, this regulation DOES NOT IMPACT small business	2017-01-20
Direct Final	Housing and Mortgage Finance Corp (RI Housing)	Rules and Regulations of the Corporation Applicable to the Homeless Facility Improvement and Operating Deficit Fund Program	Repeal	1	The purpose of this repeal is to eliminate an obsolete rule. The Homeless Facility Improvement and Operating Deficit Fund Program was originally intended to provide grant funding for facilities serving homeless single adults and homeless families. The program has ceased to operate. As a result, the rule no longer serves a practical purpose.	NO, this regulation DOES NOT IMPACT small business	2017-01-20

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Coastal Resources Management Council	RI Coastal Resources Management Program - Management Procedures	Amendment	0	To reformat CRMC Management Procedures into the RICR specified format and eliminate some existing text and notations or codify existing notations	NO, this regulation DOES NOT IMPACT small business	2017-01-20
Direct Final	Environmental Management	Guidelines for the Distribution of Alternative Forest Use Challenge Grants	Repeal	2	The subject regulations are proposed to be repealed because they were designed to establish the process for award of challenge grants for implementing alternative forest based businesses, and the entirety of the grant allocation has been expended.	NO, any small business impact is POSITIVE	2017-01-25
Direct Final	Environmental Management	Assessment of Fees for Forestry Services	Repeal	2	The public appears to be inclined to utilize private resources to accomplish the tasks that may be performed by means of this program of assessed governmental services and the program has not been used for over twenty (20) years. Thus, consistent with the Governor's mandate to repeal unnecessary regulations, the Department proposes the repeal of the subject regulations.	NO, any small business impact is POSITIVE	2017-01-25
Post-Comment Draft	Human Services	218-RICR-20-00-05 Supplemental Security Income and State Supplemental Payments Rules and Regulations	Amendment	1			2017-01-30
Direct Final	Turnpike and Bridge Authority	Rules and Regulations Governing Disputes Involving The Nonpayment of Tolls, Administrative Fees, and Fines	Amendment	7	The adoption of this amendment is to harmonize RITBA's existing Rules and Regulations Governing the Nonpayment of Tolls with the recent amendments to R.I. Gen. Laws §§ 24-12-37, 31-3-5, and 24-12-37.1.	NO, this regulation DOES NOT IMPACT small business	2017-01-31

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	Amendment	1	The intent of the proposed changes is to reform the process by which the State Planning Council undertakes the development of the State's Transportation Improvement Program (TIP).	NO, this regulation DOES NOT IMPACT small business	2017-02-08
Post-Comment Draft	Health	Rules and Regulations Pertaining to the Rhode Island Birth Defects Registry [R23-13.3-BD]	Amendment	1	These specific amendments update the unified procedure for the reporting of birth defects of newborns and spontaneous fetal deaths to the Rhode Island Birth Defects Registry by requiring the use of the "International Classifications of Diseases, 10th Revision, Clinical Modification". Due to increasingly timely and accurate detecting methods in the prenatal stages, the amendments also require the reporting of every case up to sixty (60) months [five (5) years] of age.	NO, this regulation DOES NOT IMPACT small business	2017-02-10
Preliminary Draft	Health and Educational Building Corporation	ResponsibleContractor Regulation	Adoption	0	To assist borrowers avoid irresponsible contractors on RIHEBC financed projects	NO, this regulation DOES NOT IMPACT small business	2017-02-10
Post-Comment Draft	Labor and Training	RULES AND REGULATIONS RELATING TO PREVAILING WAGES	Amendment	1	The proposed amendment clarifies the definition of public works contracts by defining the exception to a public works contract.	NO, any small business impact is POSITIVE	2017-02-17
Post-Comment Draft	Health	Rules and Regulations for Licensing of Hospitals [R23-17-HOSP]	Amendment	3	Implementation of PL 2015-095 & PL 2015-115 and "housekeeping" amendments	NO, this regulation DOES NOT IMPACT small business	2017-02-20
Post-Comment Draft	Environmental Management	Air Pollution Control Regulation No. 50; 250-RICR-120-00-50	Adoption	0	The purpose of this regulation is to fulfill the requirement pursuant to R.I. Gen. Laws § 31-47.3-5.1, the Establishment of the Rhode Island Clean Diesel Fund. The Clean Diesel Fund was created in order to enable the Department of Environmental	NO, any small business impact is POSITIVE	2017-02-21

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					Management to receive annually appropriated monies and provide reimbursement grants to companies for the purpose of reducing emissions from heavy-duty diesel vehicles operating on Rhode Island roads and improving supply chain efficiency. The Department will solicit projects that undertake eligible clean diesel measures and award grants from the fund to reimburse applicants for undertaking these measures.		
Direct Final	Public Transit Authority (RIPTA)	Rhode Island Public Transit Authority Charter Policy	Repeal	3	The policy should not be a regulation. It should be stated as an internal policy document.	NO, this regulation DOES NOT IMPACT small business	2017-02-24
Post-Comment Draft	Health	Rules and Regulations for Pain Management, Opioid Use and the Registration of Distributors of Controlled Substances in Rhode Island [R21-28-CSD]	Amendment	2	PL 2016-199 required the Director of Health to promulgate regulations for appropriate training in best prescribing practices needed for license renewal by January 1, 2017.	NO, this regulation DOES NOT IMPACT small business	2017-02-27
Preliminary Draft	Human Services	218-RICR-20-00-03 General Public Assistance Program	Amendment	14	To clarify the types of assistance provided under GPA; remove internal procedures and processes from the rule as well as outdated or irrelevant information; to change the time period for providing an eligibility decision and for providing verifying documentation from thirty (30) days to (45) forty-five days; to add clarifying language; to remove the section relating to earned income from wages; to reformat and renumber the rules as required by RI General Laws, Section 42-35-2.11.	NO, this regulation DOES NOT IMPACT small business	2017-03-01

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Direct Final	Public Transit Authority (RIPTA)	ELIGIBILITY FOR RIPTA'S AMERICANS WITH DISABILITIES ACT (ADA) PARATRANSIT SERVICES	Amendment	0	Making minor edits to clarify amenities provided by RIPTA vehicles, and to identify the appropriate RIPTA department who handles administration of the regulation	NO, this regulation DOES NOT IMPACT small business	2017-03-02
Direct Final	Public Safety	Rhode Island State Police Civilian Employees Rules and Regulations	Repeal	1	The purpose of this repeal is to remove the rules and regulations for civilian staff members of the Rhode Island State Police. The rule will be repealed in its entirety.	NO, this regulation DOES NOT IMPACT small business	2017-03-09
Direct Final	Public Safety	Department of Public Safety Civilian Employees Rules and Regulations	Repeal	0	The purpose of this repeal is to remove the rules and regulations for civilian staff members of the Department of Public Safety. The rule will be repealed in its entirety.	NO, this regulation DOES NOT IMPACT small business	2017-03-09
Preliminary Draft	Public Utilities and Carriers Division	Nonregulated Power Producer Consumer Bill of Rights	Adoption	16	The Division is directed by statute (RI Gen. Laws 39-26.7) to adopt NPP Consumer Protection rules in accordance with the chapter.	NO, any small business impact is POSITIVE	2017-03-09
Preliminary Draft	Public Utilities and Carriers Division	Rules Applicable to Nonregulated Power Producers ("NPP")	Amendment	17	In 2016, the General Assembly approved legislation to amend RIGL 39-1-27.1 - Retail electric licensing commission plan requirements and nonregulated power producer registration requirements - to include a requirement that Nonregulated power producers which are Obligated Entities (As defined in RIGL 39-26-2) provide the Division with evidence of financial security. The Division is directed by statute to set the level of financial security between \$25,000 and \$500,000.	NO, this regulation DOES NOT IMPACT small business	2017-03-09
Direct Final	Health	Pertaining to Acquiring and Stocking Epinephrine Auto-	Amendment	7	Changes were needed to comply with RI's new APA statute	NO, this regulation DOES NOT IMPACT small business	2017-03-10

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
		Injectors for Emergency Administration					
Preliminary Draft	Infrastructure Bank	Policies and Procedures for the Brownfields Revolving Loan Fund	Adoption	21	In the FY 2015 Budget, the Rhode Island Infrastructure Bank was given the statutory authority to implement a Brownfields Revolving Loan Fund to finance the remediation and redevelopment of contaminated brownfield sites throughout Rhode Island.	NO, any small business impact is POSITIVE	2017-03-10
Preliminary Draft	Taxation	Cigarette Tax - Vending Machine Operators	Repeal	13	Consolidation with several related regulation into a single comprehensive regulation.	NO, this regulation DOES NOT IMPACT small business	2017-03-15
Preliminary Draft	Taxation	Cigarette Tax - Minimum Pricing of Cigarettes	Repeal	13	Consolidation with several related regulation into a single comprehensive regulation.	NO, this regulation DOES NOT IMPACT small business	2017-03-15
Preliminary Draft	Taxation	Cigarette Tax - Tax Exempt Cigarette Sales	Repeal	13	Consolidation with several related regulation into a single comprehensive regulation.	NO, this regulation DOES NOT IMPACT small business	2017-03-15
Preliminary Draft	Taxation	Cigarette Tax - Distribution of Sample Packages	Repeal	13	Consolidation with several related regulation into a single comprehensive regulation.	NO, this regulation DOES NOT IMPACT small business	2017-03-15
Preliminary Draft	Taxation	Cigarette Tax - Reports and Records of Carriers, Bailers and Warehousemen	Repeal	13	Consolidation with several related regulation into a single comprehensive regulation.	NO, this regulation DOES NOT IMPACT small business	2017-03-15
Preliminary Draft	Taxation	Cigarette Tax - Physical Inventorise of Cigarettes and Indicia	Repeal	13	Consolidation with several related regulation into a single comprehensive regulation.	NO, this regulation DOES NOT IMPACT small business	2017-03-15
Preliminary Draft	Taxation	Cigarette Tax - Refunds and Redemptions	Repeal	13	Consolidation with several related regulation into a single comprehensive regulation.	NO, this regulation DOES NOT IMPACT small business	2017-03-15
Preliminary Draft	Taxation	Cigarette Tax - Licenses	Repeal	13	Consolidation with several related regulation into a single comprehensive regulation.	NO, this regulation DOES NOT IMPACT small business	2017-03-15
Preliminary Draft	Taxation	Cigarette Tax - Purchasing and Applying Indicia	Repeal	13	Consolidation with several related regulation into a single comprehensive regulation.	NO, this regulation DOES NOT IMPACT small business	2017-03-15

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Taxation	Cigarette Tax - Dealers' & Distributors' Reports and Records	Repeal	13	Consolidation of several regulation into a single comprehensive regulation	NO, this regulation DOES NOT IMPACT small business	2017-03-15
Preliminary Draft	Taxation	Cigarette Tax	Adoption	13	Reformatting in the new Rhode Island code of Regulations format. Consolidating several regulations in a single comprehensive regulation.	NO, this regulation DOES NOT IMPACT small business	2017-03-15
Direct Final	Public Transit Authority (RIPTA)	Rhode Island Public Transit Authority Procurement Statement	Repeal	0	The current policy has been determined not to be a regulation within the meaning of the Administrative Procedures Act.	NO, this regulation DOES NOT IMPACT small business	2017-03-16
Preliminary Draft	Health	216-RICR-50-10-6 - PROCESSING AND DISTRIBUTION OF SHELLFISH	Amendment	19	Adopt procedures consistent with the 2015 National Shellfish Sanitation Program Modal Ordinance.	NO, any small business impact is POSITIVE	2017-03-17
Preliminary Draft	Environmental Management	Air Pollution Control Regulation No. 16, "Operation of Air Pollution Control Systems"	Amendment	15	The Department is proposing to revise Air Pollution Control Regulation No. 16 to respond to the USEPA's finding that section 16.3 of the regulation, which addresses malfunctions, does not meet the requirements of the Clean Air Act (CAA). Section 16.3 of the current APC Regulation No. 16 allows sources to petition for a variance from air pollution control requirements in the event of a malfunction of its air pollution control equipment that is expected to last more than 24 hours.	NO, any small business impact is POSITIVE	2017-03-20
Emergency	Business Regulation	230-RICR-800-05-2.1 entitled "Tag Order Receipts Emergency Regulation"	Adoption	0	The Department finds that there is imminent peril to the public health, safety or welfare in that if those registered patients and primary caregivers who are required to have medical marijuana plant tags by April 1, 2017, pursuant to § 21-28.6-15(a) of the Edward O. Hawkins and Thomas C. Slater Medical Marijuana		2017-03-21

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					Act, R.I. Gen. Laws § 21-28.6-1 et seq. (the “Act”) have ordered their tags prior to that deadline but not in sufficient time to receive the tags by that deadline, there could be a disruption in supply of medical marijuana to registered patients. Therefore, this Emergency Regulation is required in order to: (i) facilitate registered patients’ and caregivers’ ability to continue to grow medical marijuana in accordance with the terms of the Act and the Regulations promulgated thereunder, (ii) prevent a disruption in supply of medical marijuana to registered patients, and (iii) facilitate program participants’ compliance with the Act and the Regulations.		
Post-Comment Draft	Environmental Management	Rules and Regulations for the NARRAGANSETT BAY AND WATERSHED RESTORATION BOND FUND	Amendment	11	To amend rules governing a current financial assistance program in order make available \$3 million in voter approved bond funds for flood prevention through ecological restoration and certain other projects. The funds will be awarded as matching grants following a future competitive solicitation. The amendments add a new sub-fund entitled “Flood Prevention and Mitigation Fund” and specify the eligibility of projects for projects which reduce or eliminate the long-term risk of flooding and enhance ecological functioning of natural ecosystems. DEM needs to move forward expeditiously with the rules in order to ensure RI derives the	NO, this regulation DOES NOT IMPACT small business	2017-03-21

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
					benefit of projects being carried out during the 2017 construction season.		
Preliminary Draft	Environmental Management	User Fees at State Beaches, Parks and Recreational Areas	Amendment	20	In June 2016, the RI General Assembly enacted Budget Article 13 which amended R.I. Gen. Laws Section 42-17.1-9.1 in order to require that the DEM reduce the fees that the agency charged for those parking at State beaches from July 1 through and including October 15, 2016. The Department promulgated emergency rulemaking to implement this mandate. The Department has recently been advised that the Governor wishes to extend the reduced parking fee schedule at the State beaches throughout the 2017 season which begins on May 13, 2017. The attached proposed amendments accomplish this task.	NO, any small business impact is POSITIVE	2017-03-21
Direct Final	Human Services	General Public Assistance Medical Coverage Policy/Provider Reference Manual	Repeal	2	Since the implementation of the Affordable Care Act, individuals previously eligible for GPA medical are eligible to enroll in Medicaid through Rhode Island's Health Insurance Exchange. As a result, the GPA Provider Reference Manual for GPA Medical Coverage is no longer necessary.	NO, this regulation DOES NOT IMPACT small business	2017-03-22
Post-Comment Draft	Administration	REGULATIONS GOVERNING PARTICIPATION BY SMALL BUSINESS ENTERPRISES IN STATE PURCHASES OF GOODS AND SERVICES AND	Amendment	17	The reason for this regulatory action is to adopt a criterion and formula to be used by State agencies when evaluating responses to Request for Proposals for State goods and services that will measure the utilization of businesses owned and controlled by	YES, there is ADVERSE IMPACT on small business (continue on to complete the requirements of RIGL § 42-35.1-3 and 1-4).	2017-03-22

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
		PUBLIC WORKS PROJECTS			individuals who are minorities, individuals who are women, and individuals with disabilities. In addition the regulatory action is being taken to update the rules regarding participation of businesses owned and controlled by individuals who are minorities and individuals who are women in State public works projects.		
Post-Comment Draft	Environmental Management	RHODE ISLAND MARINE FISHERIES REGULATIONS PART 4 Shellfish	Amendment	10	1. Proposed new Shellfish Management Areas (SMA) 2. Amendment to boundary/location of Bristol Harbor SMA	NO, this regulation DOES NOT IMPACT small business	2017-03-27
Preliminary Draft	Environmental Management	State Pilotage Commission Rules and Regulations	Amendment	6	The proposed amendments are intended to assist the Commission in assuring the safe operation of the marine pilots who are licensed by the State to pilot vessels in the territorial waters of the State.	NO, this regulation DOES NOT IMPACT small business	2017-03-27
Direct Final	Business Regulation	Insurance Regulation 79 – Independent Medical Examinations	Repeal	15	In reviewing its regulations DBR has determined that the provisions of R.I. Gen. Laws §§ 27-9.2 are self executing and this regulation is not necessary.	NO, any small business impact is POSITIVE	2017-03-28
Direct Final	Business Regulation	Insurance Regulation 36 – Insurance Producer Prelicensing	Repeal	15	The statutory requirement that insurance producers pass prelicensing prior to taking the insurance producer exam has been repealed and this regulation is not necessary.	NO, any small business impact is POSITIVE	2017-03-28
Direct Final	Business Regulation	Racing and Athletics Regulation 2- Greyhound Racing	Repeal	15	In reviewing its regulations DBR has determined that the provisions of R.I. Gen. Laws § 41-3.1 and this regulation is not necessary. Greyhound racing ceased August 2009 in Rhode Island and it will no longer take place in the future	NO, any small business impact is POSITIVE	2017-03-28

Review Stage	Agency	Regulation Title	Rulemaking Action	Days Under Review	Reason for Regulatory Action	Small Business Impact Determination	Clearance Date
Preliminary Draft	Environmental Management	Fishing Regulations for the Season	Adoption	12	The purpose for this regulatory action / change is to update the upcoming Freshwater Fishing season with the correct season dates and bag limits.	NO, this regulation DOES NOT IMPACT small business	2017-03-28
Direct Final	Human Services	Division of Elderly Affairs Rules, Regulations, and Standards Governing Security for Housing for the Elderly	Amendment	7	To update language to reflect that the Division of Elderly Affairs is now housed with the Department of Human Services; to remove language of the old process for appeals and replace with language referencing appeals through the Executive Office of Health and Human Services; Remove Appendix A; Reformatting and renumbering rules	NO, this regulation DOES NOT IMPACT small business	2017-03-30
Preliminary Draft	Turnpike and Bridge Authority	Rules and Regulations Governing Disputes Involving The Nonpayment of Tolls, Administrative Fees, and Fines	Amendment	4	The adoption of this amendment is to harmonize RITBA's existing Rules and Regulations Governing the Nonpayment of Tolls with the recent amendments to R.I. Gen. Laws §§ 24-12-37, 31-3-5, and 24-12-37.1.	NO, this regulation DOES NOT IMPACT small business	2017-03-31
Preliminary Draft	Environmental Management	R.I. Hunting Regulations for the Season	Adoption	8	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	2017-03-31
Preliminary Draft	Environmental Management	RI Falconry Regulations for the Season	Adoption	8	The reason for this regulatory change is to make a minor change to make an exemption for Licensed Falconers able to possess Native Wildlife, Falcons without violating the regulations.	NO, this regulation DOES NOT IMPACT small business	2017-03-31