



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
**OFFICE OF REGULATORY REFORM**  
 OFFICE OF MANAGEMENT & BUDGET  
 DEPARTMENT OF ADMINISTRATION

One Capitol Hill  
 Providence, RI 02908-5890  
 Office: (401) 574-8430  
 www.omb.ri.gov

## Executive Order 15-07: Submission Form

AGENCY AND REGULATION INFORMATION			
<b>1. Title of Regulation</b>			
<b>2. Agency Name</b>		<b>3. Date Submitted (mm/dd/yy)</b>	
<b>4. Agency Contact Name</b>		<b>5. Telephone (include Area Code)</b>	
<b>6. Email</b>			
<b>7. Rulemaking Action</b>	<input type="checkbox"/> Amendment <input type="checkbox"/> Adoption <input type="checkbox"/> Repeal <input type="checkbox"/> Emergency Rulemaking		
<b>8. State Statutory Authority</b>			
<b>9. Federal or other Statutory Authority (please describe)</b>			
<b>10. Is there a legal deadline for this action?</b>	<input type="checkbox"/> None <input type="checkbox"/> Statutory deadline: _____ <input type="checkbox"/> Court-ordered deadline: _____ Describe:		
<b>11. Current ERLID #</b>	_____ OR <input type="checkbox"/> No current ERLID # assigned		

AGENCY CERTIFICATIONS			
<b>12. Regulatory Flexibility Analysis/Small Business Regulatory Fairness in Administrative Procedures</b> By signature in item 13, the agency Rules Coordinator or authorized designee deems that this regulation: <input type="checkbox"/> <b>DOES have impact on small business</b> <input type="checkbox"/> <b>DOES NOT have impact on small business,</b> and that if such small business impact exists, the agency has completed the additional documentation for further Regulatory Flexibility Analysis, in order to consider, without limitation, all methods of reducing the impact of this regulation on small business.			
<b>Executive Order 15-07</b> By signature in item 13, the agency Rules Coordinator or authorized designee certifies that the agency has complied with the requirements of E.O 15-07 and any applicable policy directives.			
<b>13. Signature of Rules Coordinator or Authorized Designee</b>		<b>14. Date (mm/dd/yy)</b>	
I understand that my typed name shall have the same force and effect as my written signature.			
<b>15. Position</b>			

## **EXECUTIVE SUMMARY OF REGULATION**

**16. Briefly summarize the purpose of this regulation.**

**17. Briefly summarize the societal costs and benefits of this regulation on Rhode Island.**



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## Executive Order 15-07: Submission Guidance

Contact ORR with any further questions on EO 15-07 requirements.

AGENCY AND REGULATION INFORMATION	
<b>Item 1: Title of Regulation</b>	<ul style="list-style-type: none"> <li>For amendments or repeals, provide the exact title as in the SOS database.</li> <li>For adoptions, choose a title not easily confused with another regulation.</li> </ul>
<b>Item 2: Agency Name</b>	<ul style="list-style-type: none"> <li>Provide the full name of the agency.</li> </ul>
<b>Item 3: Date</b>	<ul style="list-style-type: none"> <li>Provide the date submitted to ORR.</li> </ul>
<b>Items 4-6: Agency Contact</b>	<ul style="list-style-type: none"> <li>Provide name, telephone, and email.</li> </ul>
<b>Item 7: Rulemaking Action</b>	<ul style="list-style-type: none"> <li>Choose one of Amendment, Adoption, or Repeal (including repeal of a regulation that will be replaced by a new regulation), AND</li> <li>If applicable, choose Emergency Rulemaking in addition to Amendment/Adoption/Repeal.</li> </ul>
<b>Item 8: State Statutory Authority</b>	<ul style="list-style-type: none"> <li>Cite the agency's enabling RIGL statute that authorizes the agency to promulgate the regulation.</li> </ul>
<b>Item 9: Federal or other Statutory Authority</b>	<ul style="list-style-type: none"> <li>Cite any federal or other legal authority that influences this regulation, and describe that influence.</li> <li>Provide all information necessary so that ORR can easily locate and identify the authority (particularly for federal codes or other complex sources).</li> </ul>
<b>Item 10: Legal Deadline</b>	<ul style="list-style-type: none"> <li>Provide any legal deadline for this action. Select Statutory or Court-Ordered, and provide whatever description needed to convey any legal time constraints that the agency must meet.</li> </ul>
<b>Item 11: Current ERLID Number</b>	<ul style="list-style-type: none"> <li>Provide the current (at time of submission) ERLID identification number.</li> <li>If none, check "No current ERLID #."</li> </ul>

AGENCY CERTIFICATIONS	
<p><b><u>Item 12: Regulatory Flexibility/Small Business Regulatory Fairness in Administration Procedures</u></b></p> <p>RIGL § 42-35.1 requires Regulatory Flexibility Analysis for all rulemaking actions. Agencies must confirm that they have considered, without limitation, all methods of reducing the impact of this regulation on small businesses.</p> <p>To complete this regulation's Regulatory Flexibility Analysis, <b>first consult the "ORR Small Business Impact Model: Three Types of Impact" on page 4</b>, then check the appropriate box based on this impact model.</p> <ul style="list-style-type: none"> <li>If you believe the regulation <b>DOES have any type of small business impact</b>, check that box. Complete the "Regulatory Flexibility Analysis" form (use previous form; contact ORR if needed) to confirm that you have considered all methods of minimizing impact on small businesses.</li> <li>If you believe the regulation <b>has NO IMPACT on any small business</b>, check that box. This completes your Regulatory Flexibility Analysis at this time. However, please note that ORR may contact you for further detail if it identifies potential small business impact.</li> </ul>	
<b>Items 13-15: Certification Signature, Date, and Position</b>	<ul style="list-style-type: none"> <li>Confirm (with your agency head or legal counsel, if needed) that the agency has complied with all requirements of EO 15-07 and any applicable policy directives, as well as the Regulatory Flexibility Analysis described above. Contact ORR if you have any questions on requirements.</li> <li>Enter your name, title, and the date. Your typed signature will have the same force and effect as a written signature.</li> </ul>

**ORR Small Business Impact Model: Three Types Of Impact**

If the Proposed Regulation has any of these types of impact, further Regulatory Flexibility Analysis is required (it is not necessary to identify the type of impact). Use the previous forms provided by Small Business Ombudsman, or contact ORR.

**DIRECT IMPACT:** Regulations that a small business must adhere to in order to operate. Examples:

- Those requiring that small business do or not do something
- Those requiring small business to be held accountable for understanding something

**DECISION-BASED IMPACT:** Regulations that are triggered by a business decision. Examples:

- Those addressing incentive programs (e.g. grants; tax credits)
- Those governing legal proceedings (e.g. hearings; petitions; appeals; penalties)
- Those where small business chooses to interact with the state (e.g. bidding for state contracts; participating in state-funded programs; requesting public records)

**INDIRECT IMPACT:** Regulations whose impacts reach small businesses indirectly. Examples:

- Those that impact small business via municipalities or other government agencies
- Those that impact small business via individuals
- Those that impact small business via industries statutorily not considered small business

**EXECUTIVE SUMMARY OF THE REGULATION**

**Item 16:  
Regulatory  
Purpose**

**Briefly summarize the purpose of this regulation.**

This section should, at a minimum, include:

- The regulatory action
- The normative goal (intended societal outcome) of the regulatory change
- The impacts of the regulation on each category of affected entities
- The timeframe over which the regulatory impacts will occur

**Item 17:  
Regulatory  
Impact**

**Briefly summarize the societal costs and benefits of this regulation on Rhode Island.**

“Societal Impact” refers to the net costs and benefits of the regulation to the State. ORR will issue full guidance and training on how to conduct appropriate cost-benefit analyses for Rhode Island.

In the interim, agencies should (to the extent possible) quantify all costs and benefits of the regulatory action to entities within the state’s borders, and generate a net present value of the regulation.

In doing so, agencies should keep in mind the following principles:

- All costs and benefits must be measured against a specific baseline – the agency’s best assessment of the state of the world in the absence of the regulation’s effects.
- The costs must include both direct costs and opportunity costs of the proposed action.
- The intergenerational discount rate for future social costs and benefits is 3.0%.
- The intergenerational discount rate for future capital costs is 7.0% (unless the agency can justify an alternative rate).
- The value of a statistical life should, unless otherwise approved by ORR, be \$9.1 million per life saved.

These principles are to help guide agencies in their economic analysis. For the purposes of this document, please include the summary of the analysis based on these principles.