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## Development regulations in the reform process

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While there's much left to do, progress is being made toward slimming down Rhode Island's regulatory systems and thereby giving small business a boost.

At least that's the message in the 2013 Annual Report to governor Lincoln Chafee and the general assembly, released on May 15th by the state's Office of Regulatory Reform (ORR). The 22-page report gives special emphasis to ORR's efforts to increase the ease and timeliness of permitting, and to establishing a statewide e-permitting system. It also outlines ORR's progress in working with 50 state regulatory agencies.

As we went to press, it was learned that the General Assembly has taken a step to further regulatory reform. Previously, regulations related to development have been exempt from the Regulatory Fairness in Administrative Procedures Act. This law requires that any regulating agency submit to the governor's office and the ORR a statement on the economic impact on small businesses before any new regulations are promulgated.

Lawmakers have passed RIBA-supported H-7520, Sub A, which includes development activities in this requirement.

Among the agencies listed in the ORR report as working with that agency are the Building Code Standards Committee, the Coastal Resources Management Council, the Dept. of Environmental Management, the Fire Safety Code Board of Appeal and Review, the Dept. of Health, the Housing Appeals Board, and Rhode Island Housing, which the report refers to by its old name of the Housing and Mortgage Finance Corp. ORR also has been working with businesses, trade associations and other stakeholders.

Inquiries by The Rhode Island Builder Report in May found that former ORR director Leslie Taito, who left the agency for the private sector on January 9th, had not been replaced and that ORR staff were covering day-to-day operations.

"My hunch as a political realist...is that the issue will probably be in flux until we have a new governor," said Scott Wolf, executive director of Grow Smart Rhode Island, which, along with the Rhode Island Builders Association, is considered an ORR stakeholder.

Specifically, the report states that ORR in 2013:

- \* Reviewed and classified the economic impact of 1,089 (66.2% of 1,646) regulations,
- \* Identified 14 regulations to repeal, 57 to amend and 16 for business accommodations,
- \* Issued 12 recommendations toward improving Rhode Island's regulatory environment, and
- \* Surveyed and met with hundreds of businesses regarding regulatory issues.

In its role as a business ombudsman, the report states that ORR:

- \* Provided over 40 businesses with on-demand guidance through the regulatory system,
- \* Reviewed 45 proposed regulations for their impact on small business and studied areas of flexibility,

\* Provided on- and off-site training and support to 10 regulatory agencies regarding the Administrative Procedures Act (APA) process, and

\* Worked to troubleshoot specific regulatory issues between agencies and businesses.

ORR also reported progress toward statewide e-permitting. The agency:

\* "Mapped" all permits from the state building code commissioner and state fire marshal,

\* Secured \$50,000 in support from the Rhode Island Foundation to upgrade technology for those offices, and

\* Coordinated a comprehensive request for proposals with those offices and the Office of Digital Excellence.

ORR was created in 2010 by an executive order of gov. Chafee. It operates within the Office of Management and Budgets. For more information and a full copy of the 2013 Annual Report to governor Lincoln Chafee and the general assembly in pdf. format, visit [www.OMB.ri.gov/reform](http://www.OMB.ri.gov/reform).

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