

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

AGENCY: Department of Environmental Management
DIVISION: Law Enforcement
RULE IDENTIFIER: ERLID #: 598
REGULATION TITLE: Rules and Regulations Governing the Suspension/Revocation of Licenses Issued Pursuant to Title 20 of R.I.G.L."Fish and Wildlife"
RULEMAKING ACTION: Direct Final

Direct Final: If no formal objection is received on or before Monday, July 30, 2018 the Department of Environmental Management will file the amendment without opportunity for public comment.

TYPE OF FILING: Repeal

TIMETABLE FOR ACTION ON THE PROPOSED RULE:

Public Notice: Thursday, June 28, 2018.

End of Comment Period Date: Monday, July 30, 2018.

SUMMARY OF PROPOSED RULE: The purpose of these rules and regulations is to govern the suspension/revocation of licenses issued pursuant to R.I. Gen. Laws Title 20.

COMMENTS INVITED:

All interested parties are invited to submit written or oral comments concerning the proposed regulations by **Monday, July 30, 2018**, to the addresses listed below.

ADDRESSES FOR PUBLIC COMMENT SUBMISSIONS:

Mailing Address: Jo-Anne Scorpio
Department of Environmental Management
Division of Law Enforcement
235 Promenade Street
Providence, RI 02908
Email Address: joanne.scorpio@dem.ri.gov

WHERE COMMENTS AND PROPOSED REGULATION MAY BE INSPECTED:

Mailing Address: Department of Environmental Management

Office of Customer and Technical Assistance, 2nd Floor
235 Promenade Street
Providence, RI 02908
(401) 222-6822

FOR FUTHER INFORMATION CONTACT:

Jo-Anne Scorpio
Department of Environmental Management
Division of Law Enforcement
235 Promenade Street
Providence, RI 02908

joanne.scorpio@dem.ri.gov

SUPPLEMENTARY INFORMATION:

Regulatory Analysis Summary and Supporting Documentation: The Department has determined that small businesses will not be adversely impacted by the proposed repeal.

Authority for This Rulemaking: R.I. Gen. Laws Chapters 42-35, 42-17.1, 20-2, 20-4, 20-5, 20-6, and 20-7

Regulatory Findings:

In the development of the proposed repeal consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

The Proposed Amendment: The purpose of this amendment is to repeal the regulation in full because it has been merged into the Rules and Regulations Governing the Suspension/Revocation of Commercial and Recreational Fishing Licenses.

The Department of Environmental Management proposes to repeal the Rules and Regulations Governing the Suspension/Revocation of Licenses Issued Pursuant to Title 20 OF R.I.G.L."Fish and Wildlife."

Electronic copies of the proposed rulemaking are available at the Secretary of State and DEM's website at the following web addresses:

<http://sos.ri.gov/ProposedRules/>

<http://www.dem.ri.gov/documents/regulations/index.php>

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

Division of Fish and Wildlife

Division of Law Enforcement

RULES AND REGULATIONS

**RULES AND REGULATIONS GOVERNING THE SUSPENSION/REVOCATION
OF LICENSES ISSUED PURSUANT TO TITLE 20 OF R.I.G.L. "FISH
AND WILDLIFE".**



10/18/83

**Regulations Short Title:
License Suspension and Revocation Regulations**

AUTHORITY: These regulations are adopted pursuant to Chapters 42-35, 42-17.1, and 20-2, of the Rhode Island General laws of 1956, as amended.

RI DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

ADOPTION OF REGULATIONS

The Department of Environmental Management, State of Rhode Island, acting through its Director, promulgates the following rules, pursuant to Section 42-35-1 et seq. And Section 20-2-13, of the General Laws of 1956, as amended.

Any person who is convicted of violating any provision of Title 20 of the General Laws of Rhode Island, or any rule or regulation issued pursuant thereto, and who holds a license to fish, hunt, or trap or to engage in any other activity other than Commercial Marine Fisheries, Shellfish buyers, Lobster dealers, Finfish dealers and Multi-purpose dealers, pursuant to the provisions of Title 20, and its implementing regulations, shall have such license revoked by order of the Director, or his designee, for the period set forth in the following schedule:

1st violation - revocation for a period of 1 year

2nd violation - revocation for a period of 2 years

3rd violation and succeeding violations - revocation for a period of 3 years

No new license shall be issued to any person whose license has been revoked during the period set forth. Any person aggrieved by an order of revocation may appeal therefrom in accordance with the provisions of the Administrative Procedures Act, Chapter 35 of Title 42 of the General Laws of Rhode Island.