CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, Section §42-35-2.6 of the General Laws of Rhode Island, following is a concise explanatory statement for the below identified regulation.

AGENCY: Department of Environmental Management

DIVISION: Marine Fisheries

RULE TITLE: Part 7 – Dealers

RULE IDENTIFIER: 250-RICR-90-00-7

REASONS FOR NOT ACCEPTING ARGUMENTS MADE IN TESTIMONY AND COMMENTS: N/A

CHANGE TO TEXT FROM PROPOSED TO FINAL RULE (identify any changes between the text of the rule as proposed and the text of the final rule and explain why these changes were made to the final text):

- Section 7.10 A. 1. modified (clarified) to read "Authorizes the sale, purchase, barter or trade of allowable species of finfish, live lobsters, live crabs, live whelk, live shrimp, and processed (shucked adductor meat only) scallops, (includes bay and sea scallops) direct to consumers and/or licensed seafood retailers dockside from the vessel on which they were harvested". This language change was recommended by the RI Marine Fisheries Council to provide clarification to the meaning of "shucked" as used in the rule, and was subsequently approved by the Dept. of Health.

REGULATORY ANALYSIS: In the development of the proposed amendment 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.