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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

MAKING REVISED APPROPRIATIONS FOR THE SUPPORT OF THE STATE FOR THE
FISCAL YEAR ENDING JUNE 30, 2010

Introduced By: Representative Robert A. Watson

Date Introduced: January 13, 2010

Referred To: House Finance

It is enacted by the General Assembly as follows:

- ARTICLE 1 RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF
FY 2010
- ARTICLE 2 RELATING TO MOTOR VEHICLE REIMBURSEMENTS
- ARTICLE 3 RELATING TO BUDGET RESERVE FUND
- ARTICLE 4 RELATING TO PUBLIC UTILITIES COMMISSION
- ARTICLE 5 RELATING TO CHILD CARE SUBSIDIES
- ARTICLE 6 RELATING TO ADMINISTRATIVE MANAGEMENT
OF FOOD AND NUTRITIONAL SERVICES
- ARTICLE 7 RELATING TO HOSPITAL PAYMENTS
- ARTICLE 8 RELATING TO VIOLENT FUGITIVE TASK FORCE
- ARTICLE 9 RELATING TO EDUCATION AID
- ARTICLE 10 RELATING TO RESTRICTED RECEIPT ACCOUNTS
- ARTICLE 11 RELATING TO TELECOMMUNICATIONS EDUCATION ACCESS FUND
AND TDD
- ARTICLE 12 RELATING TO POLICE OFFICERS AND FIREFIGHTERS – INJURED ON
DUTY
- ARTICLE 13 RELATING TO MUNICIPAL RETIREMENT
- ARTICLE 14 RELATING TO MEDICAL INSURANCE COVERAGE

- ARTICLE 15 RELATING TO RHODE ISLAND CONVENTION CENTER AUTHORITY
DEBT MANAGEMENT ACT JOINT RESOLUTION
- ARTICLE 16 RELATING TO PENSION REFORM
- ARTICLE 17 RELATING TO RHODE ISLAND RESOURCE RECOVERY CORPORATION
- ARTICLE 18 RELATING TO STATEWIDE PURCHASING SYSTEM AND PROGRAMS
FOR PUBLIC SCHOOLS
- ARTICLE 19 RELATING TO THE AMERICAN RECOVERY AND REINVESTMENT ACT
BONDS
- ARTICLE 20 RELATING TO SCHOOL REALIGNMENT COMMISSION
- ARTICLE 21 RELATING TO FIREFIGHTERS' AND MUNICIPAL POLICE MANNING
- ARTICLE 22 RELATING TO MUNICIPAL HEALTH INSURANCE COST SHARING
- ARTICLE 23 RELATING TO A UNIFORM PUBLIC SCHOOL EMPLOYEE
HEALTH CARE BENEFITS PROGRAM
- ARTICLE 24 RELATING TO EFFECTIVE DATE

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ARTICLE 1

RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF FY 2010

SECTION 1. Subject to the conditions, limitations and restrictions hereinafter contained in this article, the following general revenue amounts are hereby appropriated out of any money in the treasury not otherwise appropriated to be expended during the fiscal year ending June 30, 2010. The amounts identified for federal funds and restricted receipts shall be made available pursuant to Section 35-4-22 and Chapter 42-41 of the Rhode Island General Laws. For the purposes and functions hereinafter mentioned, the state controller is hereby authorized and directed to draw his or her orders upon the general treasurer for the payment of such sums or such portions thereof as may be required from time to time upon receipt by him or her of properly authenticated vouchers.

	FY 2010	FY 2010	FY 2010
	<u>Enacted</u>	<u>Change</u>	<u>Final</u>
Administration			
<i>Central Management</i>			
General Revenues	1,653,123	(288,266)	1,364,857
Federal Funds	41,246	(41,246)	0
Total - Central Management	1,694,369	(329,512)	1,364,857
<i>Legal Services</i>			
General Revenue	1,088,274	515,775	1,604,049

1	Other Funds			
2	Legal Support/DOT	25,595	12,919	38,514
3	Other Funds Total	25,595	12,919	38,514
4	Total - Legal Services	1,113,869	528,694	1,642,563
5	<i>Accounts and Control</i>			
6	General Revenues	3,814,166	(202,311)	3,611,855
7	Stimulus - Accounts and Control	140,000	(140,000)	0
8	Total – Accounts and Control	3,954,166	(342,311)	3,611,855
9	<i>Budgeting</i>			
10	General Revenues	2,003,345	(201,136)	1,802,209
11	Total - Budgeting	2,003,345	(201,136)	1,802,209
12	<i>Purchasing</i>			
13	General Revenues	2,050,754	53,800	2,104,554
14	Federal Funds	0	37,717	37,717
15	Stimulus - Purchasing	570,000	(570,000)	0
16	Restricted Receipts	0	88,740	88,740
17	Total – Purchasing	2,620,754	(389,743)	2,231,011
18	<i>Auditing</i>			
19	General Revenues	1,465,588	(233,367)	1,232,221
20	Stimulus - Auditing	70,000	(70,000)	0
21	Restricted Receipts	0	91,144	91,144
22	Total – Auditing	1,535,588	(212,223)	1,323,365
23	<i>Human Resources</i>			
24	General Revenues	9,872,296	(1,261,653)	8,610,643
25	Federal Funds	726,665	(135,772)	590,893
26	Restricted Receipts	437,675	(81,055)	356,620
27	Other Funds	1,379,919	(44,371)	1,335,548
28	Total - Human Resources	12,416,555	(1,522,851)	10,893,704
29	<i>Personnel Appeal Board</i>			
30	General Revenues	84,090	(3,027)	81,063
31	Total – Personnel Appeal Board	84,090	(3,027)	81,063
32	<i>Facilities Management</i>			
33	General Revenues	37,680,174	(4,558,449)	33,121,725
34	Federal Funds	1,214,588	(279,433)	935,155

1	Restricted Receipts	1,038,271	(134,731)	903,540
2	Other Funds	4,443,003	(160,523)	4,282,480
3	Total – Facilities Management	44,376,036	(5,133,136)	39,242,900
4	<i>Capital Projects and Property Management</i>			
5	General Revenues	2,613,613	816	2,614,429
6	Stimulus - Capital Projects	80,000	45,625	125,625
7	Restricted Receipts	1,113,397	(105,417)	1,007,980
8	Total – Capital Projects and Property Mgmt	3,807,010	(58,976)	3,748,034
9	<i>Information Technology</i>			
10	General Revenues	18,637,302	(153,851)	18,483,451
11	Federal Funds	6,458,209	(1,363,091)	5,095,118
12	Stimulus - Information Technology	390,000	(242,386)	147,614
13	Restricted Receipts	985,163	(119,760)	865,403
14	Other Funds	1,698,714	(26,970)	1,671,744
15	Total – Information Technology	28,169,388	(1,906,058)	26,263,330
16	<i>Library and Information Services</i>			
17	General Revenues	884,607	(51,224)	833,383
18	Federal Funds	1,025,116	254,137	1,279,253
19	Restricted Receipts	6,000	(3,000)	3,000
20	Total - Library and Information Services	1,915,723	199,913	2,115,636
21	<i>Planning</i>			
22	General Revenues	3,466,719	(151,153)	3,315,566
23	Federal Funds	14,196,840	(5,772,842)	8,423,998
24	Stimulus - Planning	3,681,730	(997,172)	2,684,558
25	Other Funds			
26	Federal Highway - PL Systems Planning	2,002,192	706,822	2,709,014
27	Air Quality Modeling	10,000	0	10,000
28	Other Funds Total	2,012,192	706,822	2,719,014
29	Total - Planning	23,357,481	(6,214,345)	17,143,136
30	<i>General</i>			
31	General Revenues			
32	Economic Development Corporation	5,500,807	(82,435)	5,418,372
33	EDC – RI Airport Corporation Impact Aid	1,025,000	0	1,025,000
34	Sixty percent (60%) of the first \$1,000,000 appropriated funds shall be distributed to each			

1 airport serving more than 1,000,000 passengers based upon its percentage of the total passengers
 2 served by all airports serving more than 1,000,000 passengers. Forty percent (40%) of the first
 3 \$1,000,000 shall be distributed to North Central Airport, Newport-Middletown Airport, Block
 4 Island Airport, Quonset Airport, TF Green Airport, and Westerly Airport based on the share of
 5 landings during the calendar year ~~2006~~ 2009, respectively. No airport shall receive less than
 6 \$25,000. Each airport receiving any portion of the amount appropriated shall make an impact
 7 payment to the towns or cities in which the airport is located in the full amounts received from the
 8 Corporation within thirty (30) days of the payment from the Corporation.

9 Each community upon which any parts of the above airports are located shall receive at
 10 least \$25,000.

11	EDC – EPScore (Research Alliance)	1,500,000	(200,000)	1,300,000
12	Miscellaneous Grants	395,956	0	395,956
13	Slater Centers of Excellence	2,000,000	0	2,000,000
14	Torts – Courts	400,000	0	400,000
15	Transfer to RICAP	22,000,000	(22,000,000)	0
16	State Employees/Teachers Retiree Health Subsidy	2,344,502	0	2,344,502
17	Motor Vehicle Excise Tax Payment	135,306,888	(65,111,680)	70,195,208
18	Property Valuation	1,843,500	0	1,843,500
19	Payment in Lieu of Tax Exempt Properties	27,580,409	0	27,580,409
20	Distressed Communities Relief Program	10,384,458	0	10,384,458
21	Station Fire	10,000,000	(10,000,000)	0
22	Resource Sharing and State Library Aid	8,773,398	0	8,773,398
23	Library Construction Aid	2,844,547	0	2,844,547
24	General Revenue Total	231,899,465	(97,394,115)	134,505,350
25	Restricted Receipts Total	1,378,997	0	1,378,997
26	Rhode Island Capital Plan Funds			
27	Statehouse Renovations	2,500,000	(500,000)	2,000,000
28	Lead Mitigation Group Homes	85,338	(85,338)	0
29	Cranston Street Armory	300,000	(250,000)	50,000
30	Cannon Building	275,000	285,000	560,000
31	Pastore Center Rehab. DOA	800,000	422,755	1,222,755
32	Zambarano Building Rehabilitation	900,000	691,462	1,591,462
33	Old State House	250,000	0	250,000
34	State Office Building	1,350,000	(300,000)	1,050,000

1	Old Colony House	270,000	75,000	345,000
2	Neighborhood Opportunities Program	2,500,000	0	2,500,000
3	William Powers Building	500,000	700,000	1,200,000
4	Fire Code Compliance State Buildings	400,000	444,348	844,348
5	Pastore Center Fire Code Compliance	550,000	226,299	776,299
6	Pastore Center Water Tanks	415,000	102,608	517,608
7	Ladd Center Water System	350,000	50,000	400,000
8	Pastore Center Power Plant	1,000,000	6,602	1,006,602
9	Replacement of Fueling Tanks	725,000	85,000	810,000
10	Environmental Compliance	250,000	0	250,000
11	Pastore Utilities Upgrade	1,500,000	149,335	1,649,335
12	Pastore Center Building Demolition	200,000	(200,000)	0
13	McCoy Stadium	407,500	847,987	1,255,487
14	Washington County Government Center	75,000	978,000	1,053,000
15	Hazard Building Renovations	650,000	300,532	950,532
16	DOIT Computer Center	3,968,224	4,888,057	8,856,281
17	Forand Building Exterior Shell	0	216,972	216,972
18	Adolph Meyer Renovations (DCYF Girl's Facility)	0	100,000	100,000
19	Chapin Health Laboratory	0	100,000	100,000
20	Rhode Island Capital Plan Funds Total	20,221,062	9,334,619	29,555,681
21	Total – General	253,499,524	(88,059,496)	165,440,028
22	<i>Debt Service Payments</i>			
23	General Revenues	157,553,100	(7,941,254)	149,611,846
24	Federal Funds	809,471	0	809,471
25	Restricted Receipts	6,309,696	(254,552)	6,055,144
26	Other Funds			
27	RIPTA Debt Service	826,370	(1,573)	824,797
28	Transportation Debt Service	41,350,022	(1,015,585)	40,334,437
29	RIRBA - DLT – Temporary Disability Insurance	45,586	0	45,586
30	Investment Receipts – Bond Funds	100,000	0	100,000
31	COPS - DLT Building – TDI	279,166	0	279,166
32	Other Funds Total	42,601,144	(1,017,158)	41,583,986
33	Total - Debt Service Payments	207,273,411	(9,212,964)	198,060,447
34	<i>Energy Resources</i>			

1	Federal Funds	41,107,828	10,093,551	51,201,379
2	Federal Funds – Stimulus	6,800,000	12,398,777	19,198,777
3	Restricted Receipts			
4	American Electric Power – Weatherization	0	240,000	240,000
5	Overcharge Interest Earnings	222,040	(40)	222,000
6	Energy Efficiency and Resources Mgmt. Council	58,801	(14,107)	44,694
7	Regional Greenhouse Gas Initiative	4,900,000	6,507,013	11,407,013
8	Renewable Energy Fund Administration	123,804	(123,804)	0
9	Demand Side Management Grants	2,026,726	1,783,274	3,810,000
10	Restricted Receipts Total	7,331,371	8,392,336	15,723,707
11	Total – Energy Resources	55,239,199	30,884,664	86,123,863
12	<i>Personnel Savings</i>			
13	General Revenues			
14	Pension Reform	5,474,761	(5,474,761)	0
15	Pension Reform FY 2010	0	(12,060,735)	(12,060,735)
16	General Revenues Total	5,474,761	(17,535,496)	(12,060,735)
17	Federal Funds			
18	Pension Reform	2,862,204	(2,862,204)	0
19	Pension Reform FY 2010	0	(4,866,763)	(4,866,763)
20	Federal Funds Total	2,862,204	(7,728,967)	(4,866,763)
21	Restricted Receipts			
22	Pension Reform	337,944	(337,944)	0
23	Pension Reform FY 2010	0	(915,191)	(915,191)
24	Restricted Receipts Total	337,944	(1,253,135)	(915,191)
25	Other Funds			
26	Pension Reform	769,799	(769,799)	0
27	Pension Reform FY 2010	0	(2,282,099)	(2,282,099)
28	Other Funds Total	769,799	(3,051,898)	(2,282,099)
29	Total – Personnel Savings	9,444,708	(29,569,496)	(20,124,788)
30	<i>Operational Savings</i>			
31	General Revenues	(67,881,345)	67,881,345	0
32	Total – Operational Savings	(67,881,345)	67,881,345	0
33	<i>Sheriffs</i>			
34	General Revenues	17,240,788	(1,781,846)	15,458,942

1	Total - Sheriffs	17,240,788	(1,781,846)	15,458,942
2	Grand Total – General Revenues	429,600,820	(63,305,412)	366,295,408
3	Grand Total – Administration	601,864,659	(45,442,504)	556,422,155
4	Business Regulation			
5	<i>Central Management</i>			
6	General Revenues	1,084,422	99,673	1,184,095
7	Total - Central Management	1,084,422	99,673	1,184,095
8	<i>Banking Division</i>			
9	General Revenues	1,749,677	(231,021)	1,518,656
10	Restricted Receipts Total	125,000	0	125,000
11	Total - Banking Division	1,874,677	(231,021)	1,643,656
12	<i>Securities Division</i>			
13	General Revenues	823,110	(106,889)	716,221
14	Restricted Receipts Total	15,000	0	15,000
15	Total - Securities Division	838,110	(106,889)	731,221
16	<i>Commercial Licensing, Racing & Athletics</i>			
17	General Revenues	795,557	(14,226)	781,331
18	Restricted Receipts	449,196	(2,014)	447,182
19	Total - Commercial Licensing, Racing			
20	& Athletics	1,244,753	(16,240)	1,228,513
21	<i>Insurance Regulation</i>			
22	General Revenues	4,645,367	(532,727)	4,112,640
23	Restricted Receipts	1,165,615	(18,899)	1,146,716
24	Total - Insurance Regulation	5,810,982	(551,626)	5,259,356
25	<i>Board of Accountancy</i>			
26	General Revenues	164,526	(7,072)	157,454
27	Total - Board of Accountancy	164,526	(7,072)	157,454
28	<i>Board for Design Professionals</i>			
29	General Revenues	314,575	(13,090)	301,485
30	Total - Boards for Design Professionals	314,575	(13,090)	301,485
31	Grand Total - General Revenue Funds	9,577,234	(805,352)	8,771,882
32	Grand Total - Business Regulation	11,332,045	(826,265)	10,505,780
33	Labor and Training			
34	<i>Central Management</i>			

1	General Revenues	310,311	(239,337)	70,974
2	Restricted Receipts	832,687	(260,997)	571,690
3	Rhode Island Capital Plan Funds			
4	Center General Roof	793,001	(395,543)	397,458
5	Rhode Island Capital Plan Funds Total	793,001	(395,543)	397,458
6	Total - Central Management	1,935,999	(895,877)	1,040,122
7	<i>Workforce Development Services</i>			
8	General Revenues	95,409	(17,962)	77,447
9	Federal Funds	18,189,313	11,083,009	29,272,322
10	Federal Funds – Stimulus	12,836,684	(768,203)	12,068,481
11	Restricted Receipts	11,793,736	(1,612,468)	10,181,268
12	Total - Workforce Development Services	42,915,142	8,684,376	51,599,518
13	<i>Workforce Regulation and Safety</i>			
14	General Revenues	2,254,033	(200,914)	2,053,119
15	Total - Workforce Regulation and Safety	2,254,033	(200,914)	2,053,119
16	<i>Income Support</i>			
17	General Revenues	3,581,636	362,035	3,943,671
18	Federal Funds	19,170,615	699,957	19,870,572
19	Federal Funds – Stimulus	1,520,000	150,683	1,670,683
20	Federal Funds - Stimulus - UI	162,650,000	59,550,000	222,200,000
21	Restricted Receipts	1,301,331	368,595	1,669,926
22	Other Funds			
23	Temporary Disability Insurance Fund	182,191,509	(19,368,876)	162,822,633
24	Employment Security Fund	500,700,000	(9,687,080)	491,012,920
25	Other Funds Total	682,891,509	(29,055,956)	653,835,553
26	Total - Income Support	871,115,091	32,075,314	903,190,405
27	<i>Injured Workers Services</i>			
28	Restricted Receipts	11,387,196	(1,791,410)	9,595,786
29	Total - Injured Workers Services	11,387,196	(1,791,410)	9,595,786
30	<i>Labor Relations Board</i>			
31	General Revenues	426,605	(40,013)	386,592
32	Total - Labor Relations Board	426,605	(40,013)	386,592
33	Grand Total - General Revenue Funds	6,667,994	(136,191)	6,531,803
34	Grand Total - Labor and Training	930,034,066	37,831,476	967,865,542

1	Department of Revenue			
2	<i>Director of Revenue</i>			
3	General Revenues	562,988	(127,246)	435,742
4	Total - Director of Revenue	562,988	(127,246)	435,742
5	<i>Office of Revenue Analysis</i>			
6	General Revenues	598,055	(193,675)	404,380
7	Total - Office of Revenue Analysis	598,055	(193,675)	404,380
8	<i>Lottery Division</i>			
9	Other Funds			
10	Lottery Funds	187,710,749	3,773,181	191,483,930
11	Other Funds Total	187,710,749	3,773,181	191,483,930
12	Total - Lottery Division	187,710,749	3,773,181	191,483,930
13	<i>Municipal Finance</i>			
14	General Revenues	1,173,544	(68,448)	1,105,096
15	Total – Municipal Finance	1,173,544	(68,448)	1,105,096
16	<i>Taxation</i>			
17	General Revenues	17,028,276	(1,697,534)	15,330,742
18	Federal Funds	1,292,658	(178,250)	1,114,408
19	Restricted Receipts	830,192	(105,340)	724,852
20	Other Funds			
21	Motor Fuel Tax Evasion	105,149	(23,064)	82,085
22	Temporary Disability Insurance	948,004	(128,182)	819,822
23	Other Funds Total	1,053,153	(151,246)	901,907
24	Total – Taxation	20,204,279	(2,132,370)	18,071,909
25	<i>Registry of Motor Vehicles</i>			
26	General Revenues	16,828,201	(221,874)	16,606,327
27	Federal Funds	1,312,271	(23,797)	1,288,474
28	Restricted Receipts	15,100	0	15,100
29	Rhode Island Capital Plan Funds			
30	Registry of Motor Vehicles – Forand	11,400,000	(12,320)	11,387,680
31	Rhode Island Capital Plan Funds Total	11,400,000	(12,320)	11,387,680
32	Total – Registry of Motor Vehicles	29,555,572	(257,991)	29,297,581
33	Grand Total – General Revenue	36,191,064	(2,308,777)	33,882,287
34	Grand Total – Revenue	239,805,187	993,451	240,798,638

1	Legislature			
2	General Revenues	35,874,012	(1,692,847)	34,181,165
3	Restricted Receipts	1,556,712	(53,681)	1,503,031
4	Grand Total – Legislature	37,430,724	(1,746,528)	35,684,196
5	Lieutenant Governor			
6	General Revenues	973,262	(74,773)	898,489
7	Grand Total - Lieutenant Governor	973,262	(74,773)	898,489
8	State			
9	<i>Administration</i>			
10	General Revenues	1,904,137	(62,473)	1,841,664
11	Total - Administration	1,904,137	(62,473)	1,841,664
12	<i>Corporations</i>			
13	General Revenues	1,782,133	(32,160)	1,749,973
14	Total - Corporations	1,782,133	(32,160)	1,749,973
15	<i>State Archives</i>			
16	General Revenues	80,084	0	80,084
17	Restricted Receipts	474,338	22,587	496,925
18	Total - State Archives	554,422	22,587	577,009
19	<i>Elections & Civics</i>			
20	General Revenues	878,262	(168,876)	709,386
21	Federal Funds	500,000	(91,600)	408,400
22	Total – Elections and Civics	1,378,262	(260,476)	1,117,786
23	<i>State Library</i>			
24	General Revenues	575,937	(22,242)	553,695
25	Total - State Library	575,937	(22,242)	553,695
26	<i>Office of Public Information</i>			
27	General Revenues	300,688	216	300,904
28	Total - Office of Public Information	300,688	216	300,904
29	Grand Total - General Revenue Funds	5,521,241	(285,535)	5,235,706
30	Grand Total – State	6,495,579	(354,548)	6,141,031
31	General Treasurer			
32	<i>Treasury</i>			
33	General Revenues	2,367,841	(189,227)	2,178,614
34	Federal Funds	249,523	4,516	254,039

1	Other Funds			
2	Temporary Disability Insurance Fund	202,290	11,884	214,174
3	Other Funds Total	202,290	11,884	214,174
4	Total – Treasury	2,819,654	(172,827)	2,646,827
5	<i>State Retirement System</i>			
6	Restricted Receipts			
7	Admin Expenses - State Retirement System	9,097,737	238,042	9,335,779
8	Retirement - Treasury Investment Operations	1,109,132	4,041	1,113,173
9	Restricted Receipts Total	10,206,869	242,083	10,448,952
10	Total - State Retirement System	10,206,869	242,083	10,448,952
11	<i>Unclaimed Property</i>			
12	Restricted Receipts	15,051,045	326,101	15,377,146
13	Total - Unclaimed Property	15,051,045	326,101	15,377,146
14	<i>RI Refunding Bond Authority</i>			
15	General Revenues	41,641	(9,159)	32,482
16	Total - RI Refunding Bond Authority	41,641	(9,159)	32,482
17	<i>Crime Victim Compensation Program</i>			
18	General Revenues	90,817	(2,230)	88,587
19	Federal Funds	858,017	(21,076)	836,941
20	Federal Funds - Stimulus	186,000	(375)	185,625
21	Restricted Receipts	1,482,589	20,628	1,503,217
22	Total - Crime Victim Compensation Program	2,617,423	(3,053)	2,614,370
23	Grand Total - General Revenue Funds	2,500,299	(200,616)	2,299,683
24	Grand Total – General Treasurer	30,736,632	383,145	31,119,777
25	<i>Board of Elections</i>			
26	General Revenues	1,600,141	(438,545)	1,161,596
27	Federal Funds	250,000	(29,419)	220,581
28	Grand Total - Board of Elections	1,850,141	(467,964)	1,382,177
29	<i>Rhode Island Ethics Commission</i>			
30	General Revenues	1,437,730	(20,898)	1,416,832
31	Grand Total - RI Ethics Commission	1,437,730	(20,898)	1,416,832
32	Office of Governor			
33	General Revenues	4,856,754	(376,313)	4,480,441
34	Contingency Fund	250,000	0	250,000

1 From the appropriation for contingency shall be paid such sums as may be required at the
2 discretion of the Governor to fund expenses for which appropriations may not exist. Such
3 contingency funds may also be used for expenditures in departments and agencies where
4 appropriations are insufficient, or where such requirements are due to unforeseen conditions or
5 are non-recurring items of an unusual nature. Said appropriation may also be used for the
6 payment of bills incurred due to emergencies or to any offense against public peace and property,
7 in accordance with the provisions of Titles 11 and 45 of the General Laws of 1956, as amended.

8 All expenditures and transfers from this account shall be approved by the Governor.

9	Federal Stimulus - OERR	630,630	(630,630)	0
10	Restricted Receipts - OERR	0	1,257,414	1,257,414
11	Grand Total – Office of Governor	5,737,384	250,471	5,987,855

12 **Commission for Human Rights**

13	General Revenues	1,016,242	(54,368)	961,874
14	Federal Funds	408,505	(51,890)	356,615
15	Grand Total - Commission for Human Rights	1,424,747	(106,258)	1,318,489

16 **Public Utilities Commission**

17	Federal Funds	103,600	(4,770)	98,830
18	Restricted Receipts	7,308,931	(140,314)	7,168,617
19	Grand Total - Public Utilities Commission	7,412,531	(145,084)	7,267,447

20 **Rhode Island Commission on Women**

21	General Revenues	109,462	(40,192)	69,270
22	Grand Total - RI Commission on Women	109,462	(40,192)	69,270

23 **Office of Health and Human Services**

24	General Revenues	3,621,896	(298,068)	3,323,828
25	Federal Funds	4,484,003	(630,584)	3,853,419
26	Restricted Receipts	1,284,790	(424,144)	860,646
27	Grand Total – Health and Human Services	9,390,689	(1,352,796)	8,037,893

28 **Children, Youth, and Families**

29 *Central Management*

30	General Revenues	5,077,434	(539,207)	4,538,227
31	Federal Funds	2,274,715	(460,577)	1,814,138
32	Total - Central Management	7,352,149	(999,784)	6,352,365

33 *Children's Behavioral Health Services*

34	General Revenues	10,687,390	807,364	11,494,754
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1	Federal Funds	9,494,176	4,238,545	13,732,721
2	Federal Funds – Stimulus	758,871	379,138	1,138,009
3	Rhode Island Capital Plan Funds			
4	Groden Center Mt. Hope	50,000	(33,545)	16,455
5	NAFI Center	584,224	(534,224)	50,000
6	Rhode Island Capital Plan Funds Total	634,224	(567,769)	66,455
7	Total - Children's Behavioral Health Services	21,574,661	4,857,278	26,431,939
8	<i>Juvenile Correctional Services</i>			
9	General Revenues	34,117,789	(2,403,738)	31,714,051
10	Federal Funds	1,706,512	497,290	2,203,802
11	Federal Funds – Stimulus	310,257	114,285	424,542
12	Restricted Receipts	23,059	(23,059)	0
13	Total - Juvenile Correctional Services	36,157,617	(1,815,222)	34,342,395
14	<i>Child Welfare</i>			
15	General Revenues			
16	General Revenues	99,526,633	(2,447,973)	97,078,660
17	18 to 21 Year Olds	9,213,181	(110,997)	9,102,184
18	General Revenue Total	108,739,814	(2,558,970)	106,180,844
19	Federal Funds			
20	Federal Funds	60,045,770	(4,900,714)	55,145,056
21	18 to 21 Year Olds	3,495,672	688,925	4,184,597
22	Federal Funds Total	63,541,442	(4,211,789)	59,329,653
23	Federal Funds – Stimulus	7,418,972	(1,117,663)	6,301,309
24	Restricted Receipts	2,180,000	(174,207)	2,005,793
25	Rhode Island Capital Plan Funds			
26	Camp E-Hun-Tee	85,000	0	85,000
27	Fire Code Upgrades	500,000	(12,636)	487,364
28	Rhode Island Capital Plan Funds Total	585,000	(12,636)	572,364
29	Total - Child Welfare	182,465,228	(8,075,265)	174,389,963
30	<i>Higher Education Incentive Grants</i>			
31	General Revenues	200,000	0	200,000
32	Total - Higher Education Incentive Grants	200,000	0	200,000
33	Grand Total - General Revenue Funds	158,822,427	(4,694,551)	154,127,876
34	Grand Total - Children, Youth, and Families	247,749,655	(6,032,993)	241,716,662

1	Elderly Affairs			
2	General Revenue			
3	General Revenues	8,776,624	(98,085)	8,678,539
4	RIPAE	1,142,763	(314,948)	827,815
5	Safety and Care of the Elderly	1,300	0	1,300
6	General Revenue Total	9,920,687	(413,033)	9,507,654
7	Federal Funds	13,842,956	3,036,428	16,879,384
8	Federal Funds – Stimulus	1,367,408	(5)	1,367,403
9	Restricted Receipts	392,115	400,000	792,115
10	Grand Total – General Revenues	9,920,687	(413,033)	9,507,654
11	Grand Total - Elderly Affairs	25,523,166	3,023,390	28,546,556
12	Health			
13	<i>Central Management</i>			
14	General Revenues	1,811,914	30,702	1,842,616
15	Federal Funds	9,260,272	9,693,934	18,954,206
16	Restricted Receipts	2,504,304	85,432	2,589,736
17	Total - Central Management	13,576,490	9,810,068	23,386,558
18	<i>State Medical Examiner</i>			
19	General Revenues	2,439,972	287,769	2,727,741
20	Federal Funds	135,017	100,108	235,125
21	Total - State Medical Examiner	2,574,989	387,877	2,962,866
22	<i>Environmental and Health Services Regulation</i>			
23	General Revenues	8,914,730	(707,437)	8,207,293
24	Federal Funds	3,811,915	620,537	4,432,452
25	Restricted Receipts	3,332,067	322,101	3,654,168
26	Total - Environmental and Health Services			
27	Regulation	16,058,712	235,201	16,293,913
28	<i>Health Laboratories</i>			
29	General Revenues	7,079,007	21,733	7,100,740
30	Federal Funds	900,905	405,013	1,305,918
31	Total - Health Laboratories	7,979,912	426,746	8,406,658
32	<i>Public Health Information</i>			
33	General Revenues	1,945,787	(140,662)	1,805,125
34	Federal Funds	2,348,236	(652,946)	1,695,290

1	Total – Public Health Information	4,294,023	(793,608)	3,500,415
2	<i>Community and Family Health and Equity</i>			
3	General Revenues	5,089,737	(563,858)	4,525,879
4	Federal Funds	56,830,511	2,720,074	59,550,585
5	Federal Stimulus – Medicaid	2,343,752	(1,732,824)	610,928
6	Restricted Receipts	18,857,066	33,277	18,890,343
7	Other Funds			
8	Walkable Communities Initiative	46,263	(33,172)	13,091
9	RI Airport Corporation Funds	185,149	(91,979)	93,170
10	Other Funds Total	231,412	(125,151)	106,261
11	Total – Community and Family Health			
12	& Equity	83,352,478	331,518	83,683,996
13	<i>Infectious Disease and Epidemiology</i>			
14	General Revenues	2,273,425	19,593	2,293,018
15	Federal Funds	2,200,762	(68,335)	2,132,427
16	Total – Infectious Disease and Epidemiology	4,474,187	(48,742)	4,425,445
17	Grand Total - General Revenue Funds	29,554,572	(1,052,160)	28,502,412
18	Grand Total – Health	132,310,791	10,349,060	142,659,851
19	Human Services			
20	<i>Central Management</i>			
21	General Revenues	5,980,973	(914,125)	5,066,848
22	Federal Funds	5,255,506	(163,010)	5,092,496
23	Federal Funds – Stimulus	3,176,247	1,015,686	4,191,933
24	Restricted Receipts	601,715	198,286	800,001
25	Total - Central Management	15,014,441	136,837	15,151,278
26	<i>Child Support Enforcement</i>			
27	General Revenues	2,373,898	(157,968)	2,215,930
28	Federal Funds	5,924,700	(135,567)	5,789,133
29	Federal Funds – Stimulus	2,300,000	0	2,300,000
30	Total – Child Support Enforcement	10,598,598	(293,535)	10,305,063
31	<i>Individual and Family Support</i>			
32	General Revenues	22,152,850	(1,606,091)	20,546,759
33	Federal Funds	57,876,042	990,789	58,866,831
34	Federal Funds – Stimulus	2,350,000	948,896	3,298,896

1	Restricted Receipts	134,150	45,850	180,000
2	Other Funds			
3	Food Stamp Bonus Funding	0	150,000	150,000
4	Intermodal Surface Transportation Fund	4,400,000	(342,962)	4,057,038
5	Other Funds Total	4,400,000	(192,962)	4,207,038
6	Rhode Island Capital Plan Funds			
7	RICAP – Blind Vending Facilities	125,000	(50,000)	75,000
8	Rhode Island Capital Plan Funds Total	125,000	(50,000)	75,000
9	Total - Individual and Family Support	87,038,042	136,482	87,174,524
10	<i>Veterans' Affairs</i>			
11	General Revenues	17,852,470	(100,631)	17,751,839
12	Federal Funds	5,933,514	769,281	6,702,795
13	Restricted Receipts	2,273,637	(609,037)	1,664,600
14	Total - Veterans' Affairs	26,059,621	59,613	26,119,234
15	<i>Health Care Quality, Financing and Purchasing</i>			
16	General Revenues	21,771,668	(2,251,045)	19,520,623
17	Federal Funds	44,871,085	(602,452)	44,268,633
18	Restricted Receipts	60,000	0	60,000
19	Total - Health Care Quality,			
20	Financing & Purchasing	66,702,753	(2,853,497)	63,849,256
21	<i>Medical Benefits</i>			
22	General Revenues			
23	Managed Care	205,075,368	1,735,708	206,811,076
24	Hospitals	97,221,709	(1,122,375)	96,099,334
25	Long Term Care			
26	Nursing Facilities	105,152,488	7,056,492	112,208,980
27	Home and Community Based Services	24,491,324	(6,675,020)	17,816,304
28	Other	28,303,764	6,516,507	34,820,271
29	Pharmacy	48,704,880	328,280	49,033,160
30	Rhody Health	53,398,400	0	53,398,400
31	General Revenue Total	562,347,933	7,839,592	570,187,525
32	Federal Funds			
33	Managed Care	307,580,071	(5,563,853)	302,016,218
34	Hospitals	117,144,752	2,952,064	120,096,816

1	Long Term Care			
2	Nursing Facilities	153,952,160	9,696,303	163,648,463
3	Home and Community Based Services	35,718,777	(9,735,021)	25,983,756
4	Other	47,823,829	10,920,468	58,744,297
5	Pharmacy	5,840,820	1,499,670	7,340,490
6	Rhody Health	77,877,600	0	77,877,600
7	Special Education	20,733,240	0	20,733,240
8	Federal Funds Total	766,671,249	9,769,631	776,440,880
9	Federal Funds – Stimulus	138,618,537	7,519,110	146,137,647
10	Restricted Receipts	5,246,911	568,089	5,815,000
11	Total - Medical Benefits	1,472,884,630	25,696,422	1,498,581,052
12	<i>Supplemental Security Income Program</i>			
13	General Revenues	20,706,354	1,185,966	21,892,320
14	Total – Supplemental Security Income Program	20,706,354	1,185,966	21,892,320
15	<i>Family Independence Program</i>			
16	General Revenues			
17	Child Care	6,500,000	(791,996)	5,708,004
18	General Revenue Total	6,500,000	(791,996)	5,708,004
19	Federal Funds	85,172,800	(4,020,374)	81,152,426
20	Federal Funds – Stimulus	4,700,000	(157,856)	4,542,144
21	Total - Family Independence Program	96,372,800	(4,970,226)	91,402,574
22	<i>State Funded Programs</i>			
23	General Revenues			
24	General Public Assistance	2,395,456	77,205	2,472,661
25	General Revenue Total	2,395,456	77,205	2,472,661
26	Federal Funds	130,737,444	60,428,292	191,165,736
27	Federal Funds – Stimulus	35,000,000	0	35,000,000
28	Total - State Funded Programs	168,132,900	60,505,497	228,638,397
29	Grand Total - General Revenue Funds	662,081,602	3,280,907	665,362,509
30	Grand Total - Human Services	1,963,510,139	79,603,559	2,043,113,698
31	Mental Health, Retardation, and Hospitals			
32	<i>Central Management</i>			
33	General Revenues	1,035,453	(58,249)	977,204
34	Federal Funds	131,287	0	131,287

1	Total - Central Management	1,166,740	(58,249)	1,108,491
2	<i>Hospital and Community System Support</i>			
3	General Revenues	2,655,402	(676,254)	1,979,148
4	Federal Funds	849,939	0	849,939
5	Federal Funds – Stimulus	182,290	0	182,290
6	Rhode Island Capital Plan Funds			
7	Medical Center Rehabilitation	1,000,000	233,745	1,233,745
8	Community Facilities Fire Code	1,050,000	281,067	1,331,067
9	DD Private Waiver Com Facilities-Fire Code	965,669	(274,307)	691,362
10	Rhode Island Capital Plan Funds Total	3,015,669	240,505	3,256,174
11	Total - Hospital & Community System Support	6,703,300	(435,749)	6,267,551
12	<i>Services for the Developmentally Disabled</i>			
13	General Revenues	80,278,072	5,004,550	85,282,622
14	Federal Funds	118,998,274	7,688,486	126,686,760
15	Federal Funds – Stimulus	25,799,627	726,543	26,526,170
16	Restricted Receipts	2,813,044	(803,714)	2,009,330
17	Rhode Island Capital Plan Funds			
18	Regional Center Repair/Rehabilitation	500,000	833,196	1,333,196
19	MR Community Facilities	770,000	0	770,000
20	Developmental Disability Group Homes	860,000	210,421	1,070,421
21	Rhode Island Capital Plan Funds Total	2,130,000	1,043,617	3,173,617
22	Total - Svcs for the Developmentally Disabled	230,019,017	13,659,482	243,678,499
23	<i>Integrated Mental Health Services</i>			
24	General Revenues	28,312,837	(40,058)	28,272,779
25	Federal Funds	45,139,838	(3,074,972)	42,064,866
26	Federal Funds – Stimulus	8,200,103	(1,094,527)	7,105,576
27	Rhode Island Capital Plan Funds			
28	MH Community Facilities Repair	200,000	70,600	270,600
29	MH Housing Development-Thresholds	500,000	0	500,000
30	MH Residence Furniture	26,000	0	26,000
31	Rhode Island Capital Plan Funds Total	726,000	70,600	796,600
32	Total - Integrated Mental Health Services	82,378,778	(4,138,957)	78,239,821
33	<i>Hospital and Community Rehabilitative Services</i>			
34	General Revenues	40,770,397	(2,097,095)	38,673,302

1	Federal Funds	50,477,112	(5,515,774)	44,961,338
2	Federal Funds – Stimulus	10,798,682	(1,217,171)	9,581,511
3	Restricted Receipts	2,300,000	105,000	2,405,000
4	Rhode Island Capital Plan Funds			
5	Zambarano Buildings and Utilities	500,000	572,000	1,072,000
6	Hospital Consolidation	4,470,000	(3,920,000)	550,000
7	Eleanor Slater HVAC	555,000	0	555,000
8	Rhode Island Capital Plan Funds Total	5,525,000	(3,348,000)	2,177,000
9	Total - Hospital & Community Rehab Svcs	109,871,191	(12,073,040)	97,798,151
10	<i>Substance Abuse</i>			
11	General Revenues	12,963,619	(53,067)	12,910,552
12	Federal Funds	18,807,689	1,177,063	19,984,752
13	Federal Funds – Stimulus	673,397	(180,544)	492,853
14	Restricted Receipts	90,000	0	90,000
15	Rhode Island Capital Plan Funds			
16	Asset Protection	200,000	0	200,000
17	Rhode Island Capital Plan Funds Total	200,000	0	200,000
18	Total - Substance Abuse	32,734,705	943,452	33,678,157
19	Grand Total - General Revenue Funds	166,015,780	2,079,827	168,095,607
20	Grand Total – M. H., Retardation, & Hosp	462,873,731	(2,103,061)	460,770,670
21	Office of the Child Advocate			
22	General Revenues	547,048	(34,783)	512,265
23	Federal Funds	41,100	4,794	45,894
24	Grand Total – Office of the Child Advocate	588,148	(29,989)	558,159
25	Commission on the Deaf and Hard of Hearing			
26	General Revenues	370,146	(20,476)	349,670
27	Grand Total – Commission on the Deaf & Hard of Hearing			
28		370,146	(20,476)	349,670
29	Governor's Commission on Disabilities			
30	General Revenues	366,450	(22,223)	344,227
31	Federal Funds	174,949	23,380	198,329
32	Restricted Receipts	10,001	3,558	13,559
33	Rhode Island Capital Plan Funds			
34	Facility Renovation – Handicapped	175,000	15,151	190,151

1	Rhode Island Capital Plan Funds Total	175,000	15,151	190,151
2	Grand Total - Governor's Commission			
3	on Disabilities	726,400	19,866	746,266
4	Mental Health Advocate			
5	General Revenues	448,423	(56,814)	391,609
6	Grand Total – Mental Health Advocate	448,423	(56,814)	391,609
7	Elementary and Secondary Education			
8	<i>Administration of the Comprehensive Education Strategy</i>			
9	General Revenues	20,387,006	(1,010,400)	19,376,606
10	Federal Funds	192,228,874	(630,211)	191,598,663
11	Federal Funds – Stimulus – Title I	47,202,040	24,858,462	72,060,502
12	Restricted Receipts			
13	Restricted Receipts	878,114	121,808	999,922
14	HRIC Adult Education Grants	4,640,000	435,000	5,075,000
15	Restricted Receipts Total	5,518,114	556,808	6,074,922
16	Other Funds			
17	Statewide Transportation - RIPTA Grant	0	200,000	200,000
18	Other Funds Total	0	200,000	200,000
19	Rhode Island Capital Plan Funds			
20	Shepards Building Air Quality	0	146,388	146,388
21	State-owned Chariho Repairs	200,000	1,580,747	1,780,747
22	Rhode Island Capital Plan Funds Total	200,000	1,727,135	1,927,135
23	Total – Administration of the Comprehensive			
24	Education Strategy	265,536,034	25,701,794	291,237,828
25	<i>Davies Career and Technical School</i>			
26	General Revenues	14,056,193	(551,709)	13,504,484
27	Federal Funds	1,379,313	112,324	1,491,637
28	Federal Funds – Stimulus	718,226	394,036	1,112,262
29	Restricted Receipts	0	376	376
30	Rhode Island Capital Plan Funds			
31	Davies HVAC	925,000	(276,823)	648,177
32	Davies Asset Protection	125,000	0	125,000
33	Davies Roof Repair	1,000,000	0	1,000,000
34	Rhode Island Capital Plan Funds Total	2,050,000	(276,823)	1,773,177

1	Total - Davies Career and Technical School	18,203,732	(321,796)	17,881,936
2	<i>RI School for the Deaf</i>			
3	General Revenues	5,947,646	(261,844)	5,685,802
4	Federal Funds	319,863	56,245	376,108
5	Federal Funds – Stimulus	348,107	45,852	393,959
6	Restricted Receipts	603,540	117,401	720,941
7	Total - RI School for the Deaf	7,219,156	(42,346)	7,176,810
8	<i>Metropolitan Career and Technical School</i>			
9	General Revenues	12,187,381	(326,809)	11,860,572
10	Federal Funds – Stimulus	571,386	80,050	651,436
11	Rhode Island Capital Plan Funds			
12	MET School East Bay	4,000,000	(2,900,000)	1,100,000
13	Rhode Island Capital Plan Funds Total	4,000,000	(2,900,000)	1,100,000
14	Total – Metropolitan Career and Technical			
15	School	16,758,767	(3,146,759)	13,612,008
16	<i>Education Aid</i>			
17	General Revenues	623,428,385	(41,860,315)	581,568,070
18	Federal Funds – Stimulus	33,410,743	8,947,823	42,358,566
19	Restricted Receipts	1,379,423	8,855,021	10,234,444
20	Total – Education Aid	658,218,551	(24,057,471)	634,161,080
21	<i>Central Falls School District</i>			
22	General Revenues	42,428,937	(2,020,569)	40,408,368
23	Federal Funds – Stimulus	2,167,539	1,345,852	3,513,391
24	Permanent School Fund – Central Falls	183,624	0	183,624
25	Total - Central Falls School District	44,780,100	(674,717)	44,105,383
26	<i>Housing Aid</i>			
27	General Revenues	61,538,663	(3,182,767)	58,355,896
28	Total - Housing Aid	61,538,663	(3,182,767)	58,355,896
29	<i>Teachers' Retirement</i>			
30	General Revenues			
31	General Revenues	77,752,559	(13,800,044)	63,952,515
32	Total – Teachers' Retirement	77,752,559	(13,800,044)	63,952,515
33	Grand Total - General Revenue Funds	857,726,770	(63,014,457)	794,712,313
34	Grand Total - Elementary and Secondary Ed	1,150,007,562	(19,524,106)	1,130,483,456

1	Public Higher Education			
2	<i>Board of Governors/Office of Higher Education</i>			
3	General Revenues	7,364,037	(441,582)	6,922,455
4	Federal Funds	3,757,508	(348,469)	3,409,039
5	Restricted Receipts	0	112,577	112,577
6	Total - Board of Governors/Office of			
7	Higher Education	11,121,545	(677,474)	10,444,071
8	<i>University of Rhode Island</i>			
9	General Revenue			
10	General Revenues	61,485,106	(3,806,013)	57,679,093
11	Debt Service	14,299,321	(80,580)	14,218,741
12	General Revenue Total	75,784,427	(3,886,593)	71,897,834
13	Federal Funds			
14	RI Developmental Disabilities Council	474,013	(474,013)	0
15	Stabilization Funds - Fire Safety	7,171,090	0	7,171,090
16	Federal Funds Total	7,645,103	(474,013)	7,171,090
17	Other Funds			
18	University and College Funds	478,515,279	22,145,373	500,660,652
19	Debt – Dining Services	1,141,724	(2,415)	1,139,309
20	Debt – Education and General	5,136,539	(2,117,224)	3,019,315
21	Debt – Health Services	130,411	100	130,511
22	Debt – Housing Loan Funds	7,605,889	1,155,995	8,761,884
23	Debt – Memorial Union	150,716	(2,859)	147,857
24	Debt – Ryan Center	2,797,945	(1,302)	2,796,643
25	Debt – Alton Jones Services	149,425	(2)	149,423
26	Debt - Parking Authority	1,257,596	(2,400)	1,255,196
27	Debt – Sponsored Research	100,589	1,799	102,388
28	Debt – URI Vehicle Lease Payments	71,080	0	71,080
29	Debt – URI Energy Conservation	2,133,127	0	2,133,127
30	Superfund Site Remediation	0	46,911	46,911
31	Other Funds Total	499,190,320	21,223,976	520,414,296
32	Rhode Island Capital Plan Funds			
33	Asset Protection	4,444,640	0	4,444,640
34	New Chemistry Building	0	300,000	300,000

1	Nursing & Assoc. Health Building	0	300,000	300,000
2	URI Biotechnology Center	0	2,765,090	2,765,090
3	Rhode Island Capital Plan Funds Total	4,444,640	3,365,090	7,809,730
4	Total – University of Rhode Island	587,064,490	20,228,460	607,292,950
5	Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or			
6	unencumbered balances as of June 30, 2010 relating to the University of Rhode Island are hereby			
7	reappropriated to fiscal year 2011.			
8	<i>Rhode Island College</i>			
9	General Revenues	40,818,151	(2,885,208)	37,932,943
10	Debt Service	1,368,648	362,190	1,730,838
11	General Revenue Total	42,186,799	(2,523,018)	39,663,781
12	Federal Funds			
13	Stabilization Funds - Fire Safety	5,695,093	0	5,695,093
14	Other Funds			
15	University and College Funds	101,997,361	(6,354,695)	95,642,666
16	Debt – Education and General	295,196	0	295,196
17	Debt – Housing	3,629,430	(1,608,426)	2,021,004
18	Debt – Student Center and Dining	172,639	0	172,639
19	Debt – Student Union	231,856	0	231,856
20	Debt – RIC Vehicle Lease Payments	12,002	0	12,002
21	Debt – G.O. Debt Service	0	2,500,536	2,500,536
22	Other Funds Total	106,338,484	(5,462,585)	100,875,899
23	Rhode Island Capital Plan Funds			
24	Asset Protection	1,929,010	1,293,646	3,223,556
25	Rhode Island Capital Plan Funds Total	1,929,010	1,293,646	3,223,556
26	Total – Rhode Island College	156,150,286	(6,691,957)	149,458,329
27	Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or			
28	unencumbered balances as of June 30, 2010 relating to Rhode Island College are hereby			
29	reappropriated to fiscal year 2011.			
30	<i>Community College of Rhode Island</i>			
31	General Revenues			
32	General Revenues	46,527,444	(3,490,237)	43,037,207
33	Debt Service	1,444,137	1,071	1,445,208
34	General Revenue Total	47,971,581	(3,489,166)	44,482,415

1	Federal Funds			
2	Stabilization Funds - Fire Safety	3,240,712	0	3,240,712
3	Federal Funds Total	3,240,712	0	3,240,712
4	Restricted Receipts	667,543	(25,543)	642,000
5	University and College Funds			
6	University and College Funds	77,374,247	653,332	78,027,579
7	Debt – Bookstore	102,718	0	102,718
8	Other Funds Total	77,476,965	653,332	78,130,297
9	Rhode Island Capital Plan Funds			
10	Asset Protection	1,228,125	558,609	1,786,734
11	Fire Code and HVAC	1,848,485	1,457,368	3,305,853
12	Rhode Island Capital Plan Funds Total	3,076,610	2,015,977	5,092,587
13	Total – Community College of RI	132,433,411	(845,400)	131,588,011
14	Notwithstanding the provisions of section 35-3-15 of the general laws, all unexpended or			
15	unencumbered balances as of June 30, 2010 relating to the Community College of Rhode Island			
16	are hereby reappropriated to fiscal year 2011.			
17	Grand Total – General Revenue Funds	173,306,844	(10,340,359)	162,966,485
18	Grand Total – Public Higher Education	886,769,732	12,013,629	898,783,361
19	RI State Council on the Arts			
20	General Revenues			
21	Operating Support	663,261	(26,112)	637,149
22	Grants	1,320,725	(18,000)	1,302,725
23	General Revenue Total	1,983,986	(44,112)	1,939,874
24	Federal Funds	855,840	47,936	903,776
25	Federal Funds Stimulus	0	291,500	291,500
26	Restricted Receipts	0	100,000	100,000
27	Other Funds			
28	Arts for Public Facilities	435,000	0	435,000
29	Other Funds Total	435,000	0	435,000
30	Grand Total - RI State Council on the Arts	3,274,826	395,324	3,670,150
31	RI Atomic Energy Commission			
32	General Revenues	775,346	13,653	788,999
33	Federal Funds	107,000	193,159	300,159
34	URI Sponsored Research	284,769	(31,086)	253,683

1	Rhode Island Capital Plan Funds			
2	RINSC Asset Protection	50,000	0	50,000
3	Rhode Island Capital Plan Funds Total	50,000	0	50,000
4	Grand Total - RI Atomic Energy Commission	1,217,115	175,726	1,392,841
5	RI Higher Education Assistance Authority			
6	General Revenues			
7	Needs Based Grants and Work Opportunities	6,382,700	(7,631)	6,375,069
8	Authority Operations and Other Grants	923,041	(59,960)	863,081
9	General Revenue Total	7,305,741	(67,591)	7,238,150
10	Federal Funds	14,575,320	(2,719,400)	11,855,920
11	Other Funds			
12	Tuition Savings Pgm. – Needs Based Grants	6,017,300	(267,300)	5,750,000
13	Tuition Savings Program – Administration	732,977	(20,258)	712,719
14	Other Funds Total	6,750,277	(287,558)	6,462,719
15	Grand Total – RI Higher Ed Assistance			
16	Authority	28,631,338	(3,074,549)	25,556,789
17	RI Historical Preservation and Heritage Commission			
18	General Revenues	1,285,100	(22,862)	1,262,238
19	Federal Funds	819,367	0	819,367
20	Restricted Receipts	509,037	(29,968)	479,069
21	Grand Total – RI Historical Preservation			
22	and Heritage Commission	2,613,504	(52,830)	2,560,674
23	RI Public Telecommunications Authority			
24	General Revenues	1,142,702	(133,150)	1,009,552
25	Other Funds			
26	Corporation for Public Broadcasting	765,656	(151,627)	614,029
27	Other Funds Total	765,656	(151,627)	614,029
28	Grand Total – RI Public Telecommunications			
29	Authority	1,908,358	(284,777)	1,623,581
30	Attorney General			
31	<i>Criminal</i>			
32	General Revenues	13,010,243	(736,522)	12,273,721
33	Federal Funds	1,218,040	34,292	1,252,332
34	Federal Funds – Stimulus	0	606,770	606,770

1	Restricted Receipts	344,298	57,329	401,627
2	Total – Criminal	14,572,581	(38,131)	14,534,450
3	<i>Civil</i>			
4	General Revenues	4,385,190	(242,097)	4,143,093
5	Restricted Receipts	588,632	99,876	688,508
6	Total – Civil	4,973,822	(142,221)	4,831,601
7	<i>Bureau of Criminal Identification</i>			
8	General Revenues	1,000,244	25,333	1,025,577
9	Federal Funds	56,500	5,550	62,050
10	Total - Bureau of Criminal Identification	1,056,744	30,883	1,087,627
11	<i>General</i>			
12	General Revenues	2,704,066	(37,991)	2,666,075
13	Rhode Island Capital Plan Funds			
14	RICAP Building Renovations and Repairs	200,000	526,847	726,847
15	Rhode Island Capital Plan Funds Total	200,000	526,847	726,847
16	Total – General	2,904,066	488,856	3,392,922
17	Grand Total - General Revenue Funds	21,099,743	(991,277)	20,108,466
18	Grand Total - Attorney General	23,507,213	339,387	23,846,600
19	Corrections			
20	<i>Central Management</i>			
21	General Revenues	8,021,430	(1,066,870)	6,954,560
22	Total - Central Management	8,021,430	(1,066,870)	6,954,560
23	<i>Parole Board</i>			
24	General Revenues	1,269,396	24,449	1,293,845
25	Federal Funds	24,300	15,700	40,000
26	Total - Parole Board	1,293,696	40,149	1,333,845
27	<i>Institutional Corrections</i>			
28	General Revenues	153,293,213	174,682	153,467,895
29	Federal Funds	1,948,122	279,017	2,227,139
30	Federal Funds – Stimulus	0	256,666	256,666
31	Rhode Island Capital Plan Funds			
32	General Renovations – Maximum	434,705	15,400	450,105
33	Women's Bathroom Renovations	650,000	0	650,000
34	Bernadette Guay Building Roof	1,290,000	(862,733)	427,267

1	Asset Protection	2,500,000	551,400	3,051,400
2	Reintegration Center match	188,571	1,497,818	1,686,389
3	General Renovations - Women	705,000	963,363	1
4	Rhode Island Capital Plan Funds Total	5,768,276	2,165,248	7,933,524
5	Total - Institutional Corrections	161,009,611	2,875,613	163,885,224
6	<i>Community Corrections</i>			
7	General Revenues	14,806,523	(1,671,901)	13,134,622
8	Federal Funds	224,246	294,828	519,074
9	Federal Funds - Stimulus	0	359,167	359,167
10	Total – Community Corrections	15,030,769	(1,017,906)	14,012,863
11	Grand Total - General Revenue Funds	177,390,562	(2,539,640)	174,850,922
12	Grand Total – Corrections	185,355,506	830,986	186,186,472
13	Judiciary			
14	<i>Supreme Court</i>			
15	General Revenues			
16	General Revenues	24,678,116	(452,180)	24,225,936
17	Defense of Indigents	3,365,689	0	3,365,689
18	General Revenue Total	28,043,805	(452,180)	27,591,625
19	Federal Funds	102,440	402,761	505,201
20	Federal Funds – Stimulus	0	43,428	43,428
21	Restricted Receipts	1,302,005	184,674	1,486,679
22	Rhode Island Capital Plan Funds			
23	Judicial HVAC	300,000	0	300,000
24	Judicial Complexes Asset Protection	525,000	4,466	529,466
25	Rhode Island Capital Plan Funds Total	825,000	4,466	829,466
26	Total - Supreme Court	30,273,250	183,149	30,456,399
27	<i>Superior Court</i>			
28	General Revenues	19,861,308	(410,474)	19,450,834
29	Federal Funds	90,000	0	90,000
30	Federal Funds – Stimulus	0	85,000	85,000
31	Restricted Receipts	287,000	0	287,000
32	Total - Superior Court	20,238,308	(325,474)	19,912,834
33	<i>Family Court</i>			
34	General Revenues	18,151,560	(2,218,548)	15,933,012

1	Federal Funds	1,253,012	1,463,392	2,716,404
2	Federal Funds – Stimulus	0	128,180	128,180
3	Total - Family Court	19,404,572	(626,976)	18,777,596
4	<i>District Court</i>			
5	General Revenues	10,175,958	(399,785)	9,776,173
6	Restricted Receipts	639,193	(231,035)	408,158
7	Total - District Court	10,815,151	(630,820)	10,184,331
8	<i>Traffic Tribunal</i>			
9	General Revenues	7,545,676	(177,641)	7,368,035
10	Total - Traffic Tribunal	7,545,676	(177,641)	7,368,035
11	<i>Workers' Compensation Court</i>			
12	Restricted Receipts Total	7,578,922	(250,544)	7,328,378
13	Total - Workers' Compensation Court	7,578,922	(250,544)	7,328,378
14	<i>Judicial Tenure and Discipline</i>			
15	General Revenues	128,922	(22,519)	106,403
16	Total - Judicial Tenure and Discipline	128,922	(22,519)	106,403
17	Grand Total - General Revenue Funds	83,907,229	(3,681,147)	80,226,082
18	Grand Total – Judiciary	95,984,801	(1,850,825)	94,133,976
19	Military Staff			
20	<i>National Guard</i>			
21	General Revenues	1,517,828	(134,149)	1,383,679
22	Federal Funds	11,008,369	(402,802)	10,605,567
23	Federal Funds – Stimulus	0	605,000	605,000
24	Restricted Receipts	190,000	0	190,000
25	Rhode Island Capital Plan Funds			
26	AMC – Roof Replacement	1,100,000	847,045	1,947,045
27	State Armories Fire Code Comp.	50,000	169,496	219,496
28	Federal Armories Fire Code	12,500	66,232	78,732
29	Asset Protection	250,000	153,482	403,482
30	Quonset Point Hangar	0	501,675	501,675
31	Logistics/Maint Facilities Fire Code	6,250	57,500	63,750
32	Woonsocket Building Demolition	63,340	0	63,340
33	Rhode Island Capital Plan Funds Total	1,482,090	1,795,430	3,277,520
34	Total - National Guard	14,198,287	1,863,479	16,061,766

1	<i>Emergency Management</i>			
2	General Revenues	1,762,151	116,959	1,879,110
3	Federal Funds	10,933,246	11,869,361	22,802,607
4	Restricted Receipts	147,449	9,460	156,909
5	Total - Emergency Management	12,842,846	11,995,780	24,838,626
6	Grand Total - General Revenue Funds	3,279,979	(17,190)	3,262,789
7	Grand Total - Military Staff	27,041,133	13,859,259	40,900,392
8	Public Safety			
9	<i>Central Management</i>			
10	General Revenues	770,605	(96,686)	673,919
11	Federal Funds	4,531,428	287,630	4,819,058
12	Federal Funds – Stimulus	0	1,252,029	1,252,029
13	Restricted Receipts	133,000	0	133,000
14	Total – Central Management	5,435,033	1,442,973	6,878,006
15	<i>E-911 Emergency Telephone System</i>			
16	General Revenues	4,831,572	(47,603)	4,783,969
17	Federal Funds	0	266,347	266,347
18	Rhode Island Capital Plan Funds			
19	E-911 PSAP Building Renovations	55,000	0	55,000
20	Rhode Island Capital Plan Funds Total	55,000	0	55,000
21	Total - E-911 Emergency Telephone			
22	System	4,886,572	218,744	5,105,316
23	<i>State Fire Marshal</i>			
24	General Revenues	2,631,162	(194,663)	2,436,499
25	Federal Funds	376,000	634,612	1,010,612
26	Restricted Receipts	0	10,900	10,900
27	Total - State Fire Marshal	3,007,162	450,849	3,458,011
28	<i>Capitol Police</i>			
29	General Revenues	3,310,591	(109,013)	3,201,578
30	Total - Capitol Police	3,310,591	(109,013)	3,201,578
31	<i>Municipal Police Training Academy</i>			
32	General Revenues	349,696	(29,020)	320,676
33	Federal Funds	186,505	22,584	209,089
34	Federal Funds – Stimulus	0	110,487	110,487

1	Total - Municipal Police Training			
2	Academy	536,201	104,051	640,252
3	<i>State Police</i>			
4	General Revenues	42,852,283	461,642	43,313,925
5	Federal Funds	2,133,313	2,222,593	4,355,906
6	Federal Funds – Stimulus	0	385,190	385,190
7	Federal Funds – Stimulus – State Fiscal Stabilization	10,000,000	111,475	10,111,475
8	Restricted Receipts	476,000	94,694	570,694
9	Rhode Island Capital Plan Funds			
10	Barracks & Training	750,000	394,490	1,144,490
11	State Police New Headquarters	13,000,000	3,334,316	16,334,316
12	Parking Area Improvements	225,000	0	225,000
13	Statewide Microwave Upgrade	2,300,000	2,257,860	4,557,860
14	Headquarters Repairs/Rehabilitation	50,000	50,150	100,150
15	Headquarters Sewer Project	0	293,049	293,049
16	Rhode Island Capital Plan Funds Total	16,325,000	6,329,865	22,654,865
17	Other Funds			
18	Traffic Enforcement - Municipal Training	107,150	159,467	266,617
19	Lottery Commission Assistance	170,708	(9,811)	160,897
20	Airport Corporation	167,171	17,147	184,318
21	Road Construction Reimbursement	2,020,300	152,954	2,173,254
22	Other Funds Total	2,465,329	319,757	2,785,086
23	Total - State Police	74,251,925	9,925,216	84,177,141
24	Grand Total - General Revenue Funds	54,745,909	(15,343)	54,730,566
25	Grand Total – Public Safety	91,427,484	12,032,820	103,460,304
26	Office of Public Defender			
27	General Revenues	9,583,189	(378,764)	9,204,425
28	Federal Funds	225,898	78,864	304,762
29	Federal Funds – Stimulus	0	76,561	76,561
30	Grand Total - Office of Public Defender	9,809,087	(223,339)	9,585,748
31	Environmental Management			
32	<i>Office of the Director</i>			
33	General Revenues	5,185,950	(769,913)	4,416,037
34	Federal Funds	791,315	(135,000)	656,315

1	Restricted Receipts	2,668,020	(124,495)	2,543,525
2	Total – Office of the Director	8,645,285	(1,029,408)	7,615,877
3	<i>Natural Resources</i>			
4	General Revenues	18,222,294	(902,636)	17,319,658
5	Federal Funds	18,203,843	2,140,290	20,344,133
6	Restricted Receipts	3,586,240	(23,456)	3,562,784
7	Other Funds			
8	DOT Recreational Projects	71,354	1,213,698	1,285,052
9	Blackstone Bikepath Design	980,601	(830)	979,771
10	Transportation MOU	0	78,737	78,737
11	Other Funds Total	1,051,955	1,291,605	2,343,560
12	Rhode Island Capital Plan Funds			
13	Dam Repair	1,910,000	(810,000)	1,100,000
14	Recreational Facilities Improvement	1,100,000	838,044	1,938,044
15	Fort Adams Rehabilitation	250,000	0	250,000
16	Galilee Piers Upgrade	750,000	(50,000)	700,000
17	Newport Piers	500,000	228,386	728,386
18	Rhode Island Capital Plan Funds Total	4,510,000	206,430	4,716,430
19	Total - Natural Resources	45,574,332	2,712,233	48,286,565
20	<i>Environmental Protection</i>			
21	General Revenues	12,076,125	(999,892)	11,076,233
22	Federal Funds	12,660,714	537,127	13,197,841
23	Federal Funds – Stimulus	2,025,000	1,580,031	3,605,031
24	Restricted Receipts	8,991,789	(1,248,056)	7,743,733
25	Other Funds			
26	Transportation MOU	0	116,698	116,698
27	Retrofit Heavy-Duty Diesel Vehicles	1,000,000	1,560,000	2,560,000
28	Other Funds Total	1,000,000	1,676,698	2,676,698
29	Rhode Island Capital Plan Funds			
30	Rose Hill Superfund Site	0	21,670	21,670
31	Rhode Island Capital Plan Funds Total	0	21,670	21,670
32	Total - Environmental Protection	36,753,628	1,567,578	38,321,206
33	Grand Total - General Revenue Funds	35,484,369	(2,672,441)	32,811,928
34	Grand Total - Environmental Mgmt	90,973,245	3,250,403	94,223,648

1	Coastal Resources Management Council			
2	General Revenues	2,027,574	(82,528)	1,945,046
3	Federal Funds	1,608,438	1,556,183	3,164,621
4	Federal Funds - Stimulus	0	3,030,564	3,030,564
5	Restricted Receipts	250,000	0	250,000
6	Rhode Island Capital Plan Funds			
7	RICAP – Providence River Dredging	1,655,509	0	1,655,509
8	Rhode Island Capital Plan Funds Total	1,655,509	0	1,655,509
9	Grand Total - Coastal Resources Mgmt			
10	Council	5,541,521	4,504,219	10,045,740
11	State Water Resources Board			
12	General Revenues	1,370,785	(270,849)	1,099,936
13	Rhode Island Capital Plan Funds			
14	RICAP - Big River Management Area	103,000	74,458	177,458
15	RICAP – Big River Well Development	0	376,520	376,520
16	Rhode Island Capital Plan Funds Total	103,000	450,978	553,978
17	Grand Total – General Revenue	1,370,785	(270,849)	1,099,936
18	Grand Total - State Water Resources Brd	1,473,785	180,129	1,653,914
19	Transportation			
20	<i>Central Management</i>			
21	Federal Funds	17,203,537	(2,712,231)	14,491,306
22	Other Funds			
23	Gasoline Tax	1,905,734	(721,492)	1,184,242
24	Other Funds Total	1,905,734	(721,492)	1,184,242
25	Total - Central Management	19,109,271	(3,433,723)	15,675,548
26	<i>Management and Budget</i>			
27	Other Funds			
28	Gasoline Tax	1,186,330	170,662	1,356,992
29	Other Funds Total	1,186,330	170,662	1,356,992
30	Total - Management and Budget	1,186,330	170,662	1,356,992
31	<i>Infrastructure Engineering</i>			
32	Federal Funds	266,742,846	(29,884,555)	236,858,291
33	Federal Funds – Stimulus	97,402,000	(31,958,545)	65,443,455
34	Restricted Receipts	1,500,000	(500,000)	1,000,000

1	Other Funds			
2	Gasoline Tax	56,395,537	(5,998,731)	50,396,806
3	State Infrastructure Bank	1,387,984	16	1,388,000
4	Land Sale Revenue	3,199,768	(1,199,768)	2,000,000
5	Highway Logo Program	100,000	0	100,000
6	Other Funds Total	61,083,289	(7,198,483)	53,884,806
7	Rhode Island Capital Plan Funds			
8	RICAP - RIPTA - Land and Buildings	2,602,609	1,328,591	3,931,200
9	RICAP – Pawtucket/Central Falls Train Station	40,267	0	40,267
10	Rhode Island Capital Plan Funds Total	2,642,876	1,328,591	3,971,467
11	Total - Infrastructure Engineering	429,371,011	(68,212,992)	361,158,019
12	<i>Infrastructure Maintenance</i>			
13	Other Funds			
14	Gasoline Tax	36,749,879	(3,448,054)	33,301,825
15	Non-Land Surplus Property	25,000	15,000	40,000
16	Outdoor Advertising	200,000	125,000	325,000
17	Other Funds Total	36,974,879	(3,308,054)	33,666,825
18	Rhode Island Capital Plan Funds			
19	Cherry Hill/Lincoln Facility	950,000	(950,000)	0
20	Maintenance Facilities Improvements	325,000	80,445	405,445
21	East Providence Facility	0	1,017,190	1,017,190
22	Salt Storage Facilities	1,000,000	300,000	1,300,000
23	Maintenance Facility Fire Alarm	150,000	0	150,000
24	Rhode Island Capital Plan Funds Total	2,425,000	447,635	2,872,635
25	Total - Infrastructure Maintenance	39,399,879	(2,860,419)	36,539,460
26	Grand Total – Transportation	489,066,491	(74,336,472)	414,730,019
27	Statewide Totals			
28	General Revenues	3,000,341,114	(155,229,250)	2,845,111,864
29	Federal Funds	2,828,214,952	160,857,078	2,989,072,030
30	Restricted Receipts	162,397,115	12,366,306	174,763,421
31	Other Funds	1,823,784,957	3,874,125	1,827,659,082
32	Statewide Grand Total	7,814,738,138	21,868,259	7,836,606,397

33 SECTION 2. Each line appearing in Section 1 of this Article shall constitute an
34 appropriation.

1 SECTION 3. The general assembly authorizes the state controller to establish the
2 internal service accounts shown below, and no other, to finance and account for the operations of
3 state agencies that provide services to other agencies, institutions and other governmental units on
4 a cost reimbursed basis. The purpose of these accounts is to ensure that certain activities are
5 managed in a businesslike manner, promote efficient use of services by making agencies pay the
6 full costs associated with providing the services, and allocate the costs of central administrative
7 services across all fund types, so that federal and other non-general fund programs share in the
8 costs of general government support. The controller is authorized to reimburse these accounts for
9 the cost of work or services performed for any other department or agency subject to the
10 following expenditure limitations:

	FY 2010	FY 2010	FY 2010
<u>Account</u>	<u>Enacted</u>	<u>Change</u>	<u>Final</u>
13 State Assessed Fringe Benefit Internal Service Acct	31,824,722	1,671,458	33,496,180
14 Administration Central Utilities Internal Service Acct	24,525,696	(2,806,179)	21,719,517
15 State Central Mail Internal Service Account	5,582,779	(323,958)	5,258,821
16 State Telecommunications Internal Service Account	3,508,119	(79,439)	3,428,680
17 State Automotive Fleet Internal Service Account	14,408,646	(1,264,436)	13,144,210
18 State Fleet Replacement Revolving Loan Fund	2,500,000	0	2,500,000
19 Capital Police Internal Service Account	763,874	(127,326)	636,548
20 Health Insurance Internal Service Fund	306,132,044	0	306,132,044
21 Corrections General Svcs & Warehouse Internal			
22 Service Acct	6,766,198	219,330	6,985,528
23 Correctional Industries Internal Service Account	7,205,297	76,838	7,282,135
24 Secretary of State Record Center Internal Service Account	814,696	(11,296)	803,400

25 SECTION 4. Departments and agencies listed below may not exceed the number of full-
26 time equivalent (FTE) positions shown below in any pay period. Full-time equivalent positions do
27 not include seasonal or intermittent positions whose scheduled period of employment does not
28 exceed twenty-six consecutive weeks or whose scheduled hours do not exceed nine hundred and
29 twenty-five (925) hours, excluding overtime, in a one-year period. Nor do they include
30 individuals engaged in training, the completion of which is a prerequisite of employment.
31 Provided, however, that the Governor or designee, Speaker of the House of Representatives or
32 designee, and President of the Senate or designee may authorize an adjustment to any limitation.
33 Prior to the authorization, the State Budget Officer shall make a detailed written recommendation
34 to the Governor, the Speaker of the House, and the President of the Senate. A copy of the

1 recommendation and authorization to adjust shall be transmitted to the chairman of the House
2 Finance Committee, the chairman of the Senate Finance Committee, the House Fiscal Advisor
3 and the Senate Fiscal Advisor.

4 No agency or department may employ contracted employees or employee services where
5 the contracted employees would work under state employee supervisors without determination of
6 need by the Director of Administration acting upon positive recommendations of the Budget
7 Officer and the Personnel Administrator and 15 days after a public hearing.

8 Nor may any agency or department contract for services replacing work done by state
9 employees at that time without determination of need by the Director of Administration acting
10 upon the positive recommendations of the Budget Officer and the Personnel Administrator and 30
11 days after a public hearing.

12 State employees whose funding is from non-state general revenue funds that are time
13 limited shall receive limited term appointment with the term limited to the availability of non-
14 state general revenue funding source.

15 FTE POSITION AUTHORIZATION

16 <u>Departments and Agencies</u>	<u>Full-Time Equivalent</u>
17 Administration	895.6 <u>881.6</u>
18 Business Regulation	91.0
19 Labor and Training	436.3 <u>475.1</u>
20 Revenue	424.0 <u>428.0</u>
21 Legislature	297.9
22 Office of the Lieutenant Governor	8.0
23 Secretary of State	57.0
24 General Treasurer	83.0
25 Board of Elections	12.0
26 Rhode Island Ethics Commission	12.0
27 Office of the Governor	43.0 <u>46.0</u>
28 Commission for Human Rights	14.5
29 Public Utilities Commission	44.0
30 Rhode Island Commission on Women	1.0
31 Office of Health and Human Services	74.1 <u>75.6</u>
32 Children, Youth, and Families	700.0
33 Elderly Affairs	31.0
34 Health	414.6 <u>428.7</u>

1	Human Services	954.6
2	Mental Health, Retardation, and Hospitals	1,398.4 <u>1,396.2</u>
3	Office of the Child Advocate	5.7 5.8
4	Commission on the Deaf and Hard of Hearing	3.0
5	Governor's Commission on Disabilities	4.0
6	Office of the Mental Health Advocate	3.7
7	Elementary and Secondary Education	134.4
8	School for the Deaf	60.0
9	Davies Career and Technical School	133.0
10	Office of Higher Education	20.4
11	Provided that 1.0 of the total authorization would be available only for a position that is	
12	supported by third-party funds.	
13	University of Rhode Island	2,453.5
14	Provided that 602.0 of the total authorization would be available only for positions that	
15	are supported by third-party funds.	
16	Rhode Island College	895.1
17	Provided that 82.0 of the total authorization would be available only for positions that are	
18	supported by third-party funds.	
19	Community College of Rhode Island	813.1
20	Provided that 100.0 of the total authorization would be available only for positions that	
21	are supported by third-party funds.	
22	Rhode Island State Council on the Arts	8.6
23	RI Atomic Energy Commission	8.6
24	Higher Education Assistance Authority	42.6
25	Historical Preservation and Heritage Commission	16.6
26	Public Telecommunications Authority	18.0 <u>16.0</u>
27	Office of the Attorney General	231.1
28	Corrections	1,423.0
29	Judicial	729.3
30	Military Staff	111.0 <u>112.0</u>
31	Public Safety	432.1 <u>430.1</u>
32	Office of the Public Defender	91.0 <u>93.0</u>
33	Environmental Management	417.0 <u>414.0</u>
34	Coastal Resources Management Council	30.0

1	Water Resources Board	6.0
2	Transportation	780.2
3	Total	14,863.0 <u>14,904.3</u>

4 SECTION 5. This article shall take effect upon passage.

5 **ARTICLE 2**

6 RELATING TO MOTOR VEHICLE REIMBURSEMENTS

7 SECTION 1. Sections 44-34.1-1 and 44-34.1-2 of the General Laws in Chapter 44-34.1
8 entitled "Motor Vehicle and Trailer Excise Tax Elimination Act of 1998" are hereby amended to
9 read as follows:

10 **44-34.1-1. Excise tax phase-out.** -- (a) Notwithstanding the provisions of chapter 34 of
11 this title or any other provisions to the contrary, the motor vehicle and trailer excise tax
12 established by § 44-34-1 may be phased out. The phase-out shall apply to all motor vehicles and
13 trailers, including leased vehicles.

14 (2) Lessors of vehicles that pay excise taxes directly to municipalities shall provide
15 lessees, at the time of entering into the lease agreement, an estimate of annual excise taxes
16 payable throughout the term of the lease. In the event the actual excise tax is less than the
17 estimated excise tax, the lessor shall annually rebate to the lessee the difference between the
18 actual excise tax and the estimated excise tax.

19 (b) Pursuant to the provisions of this section, all motor vehicles shall be assessed a value
20 by the vehicle value commission. That value shall be assessed according to the provisions of §
21 44-34-11(c)(1) and in accordance with the terms as defined in subsection (d) of this section;
22 provided, however, that the maximum taxable value percentage applicable to model year values
23 as of December 31, 1997, shall continue to be applicable in future year valuations aged by one
24 year in each succeeding year.

25 (c) The motor vehicle excise tax phase-out shall commence with the excise tax bills
26 mailed to taxpayers for the fiscal year 2000. The phase-out, beyond fiscal year 2003, shall be
27 subject to annual review and appropriation by the general assembly. The tax assessors of the
28 various cities and towns and fire districts shall reduce the average retail value of each vehicle
29 assessed by using the prorated exemptions from the following table:

30	Local Fiscal Year		State fiscal year
31	Exempt from value	Local Exemption	Reimbursement
32	fiscal year 1999	0	\$1,500
33	fiscal year 2000	\$1,500	\$2,500
34	fiscal year 2001	\$2,500	\$3,500

1	fiscal year 2002	\$3,500	\$4,500
2	fiscal years 2003, 2004		
3	and 2005	\$4,500	\$4,500
4	for fiscal year 2006 and	\$5,000	\$5,000
5	for fiscal year 2007	\$6,000	\$6,000

6 for fiscal years 2008, 2009, and 2010 ~~and each year thereafter the exemption and the~~
7 ~~state fiscal year reimbursement shall be increased, at a minimum, to the maximum amount to the~~
8 ~~nearest two hundred and fifty dollar (\$250) increment within the allocation of one and twenty two~~
9 ~~hundredths percent (1.22%) of net terminal income derived from video lottery games pursuant to~~
10 ~~the provisions of § 42-61-15, and in no event shall the exemption in any fiscal year be less than~~
11 ~~the prior fiscal year~~ \$6,000.

12 For fiscal year 2011 and each year thereafter there shall be no exemption unless an
13 exemption is specified in the annual appropriations act.

14 ~~(2) The excise tax phase-out shall provide levels of assessed value reductions until the tax~~
15 ~~is eliminated or reduced as provided in this chapter.~~

16 ~~(3) Current exemptions shall remain in effect as provided in this chapter.~~

17 ~~(4) The excise tax rates and ratios of assessment shall be maintained at a level identical to~~
18 ~~the level in effect for fiscal year 1998 for each city, town, and fire district; provided, in the town~~
19 ~~of Johnston the excise tax rate and ratios of assessment shall be maintained at a level identical to~~
20 ~~the level in effect for fiscal year 1999 levels and in no event shall the final taxable value of a~~
21 ~~vehicle be higher than assessed in the prior fiscal year, and the levy of a city, town, or fire district~~
22 ~~shall be limited to the lesser of the maximum taxable value or net assessed value for purposes of~~
23 ~~collecting the tax in any given year.~~

24 (1) "Maximum taxable value" means the value of vehicles as prescribed by § 44-34-11
25 reduced by the percentage of assessed value applicable to model year values as determined by the
26 Rhode Island vehicle value commission as of December 31, 1997, for the vehicles valued by the
27 commission as of December 31, 1997. For all vehicle value types not valued by the Rhode Island
28 vehicle value commission as of December 31, 1997, the maximum taxable value shall be the
29 latest value determined by a local assessor from an appropriate pricing guide, multiplied by the
30 ratio of assessment used by that city, town, or fire district for a particular model year as of
31 December 31, 1997.

32 (2) "Net assessed value" means the motor vehicle values as determined in accordance
33 with § 44-34-11 less all personal exemptions allowed by cities, towns, fire districts, and the state
34 of Rhode Island exemption value as provided for in § 44-34.1-1(c)(1).

1 (e) If any provision of this chapter shall be held invalid by any court of competent
2 jurisdiction, the remainder of this chapter and the applications of the provisions hereof shall not
3 be effected thereby.

4 **44-34.1-2. City and town and fire district reimbursement.** -- (a) In fiscal years 2000
5 and thereafter, cities and towns and fire districts shall receive reimbursements, as set forth in this
6 section, from state general revenues equal to the amount of lost tax revenue due to the phase out
7 or reduction of the excise tax. Cities and towns and fire districts shall receive advance
8 reimbursements through state fiscal year 2002. In the event the tax is phased out, cities and towns
9 and fire districts shall receive a permanent distribution of sales tax revenue pursuant to § 44-18-
10 18 in an amount equal to any lost revenue resulting from the excise tax elimination. Lost revenues
11 must be determined using a base tax rate fixed at fiscal year 1998 levels for each city, town, and
12 fire district, except that the Town of Johnston's base tax rate must be fixed at a fiscal year 1999
13 level.

14 (b) The director of administration shall determine the amount of general revenues to be
15 distributed to each city and town and fire district for the fiscal years 1999 and thereafter so that
16 every city and town and fire district is held harmless from tax loss resulting from this chapter,
17 assuming that tax rates are indexed to inflation through fiscal year 2003.

18 (2) The director of administration shall index the tax rates for inflation by applying the
19 annual change in the December Consumer Price Index – All Urban Consumers (CPI-U),
20 published by the Bureau of Labor Statistics of the United States Department of Labor, to the
21 indexed tax rate used for the prior fiscal year calculation; provided, that for state reimbursements
22 in fiscal years 2004 and thereafter, the indexed tax rate shall not be subject to further CPI-U
23 adjustments. The director shall apply the following principles in determining reimbursements:

24 (i) Exemptions granted by cities and towns and fire districts in the fiscal year 1998 must
25 be applied to assessed values prior to applying the exemptions in § 44-34.1-1(c)(1). Cities and
26 towns and fire districts will not be reimbursed for these exemptions.

27 (ii) City, town, and fire districts shall be reimbursed by the state for revenue losses
28 attributable to the exemptions provided for in § 44-34.1-1 and the inflation indexing of tax rates
29 through fiscal 2003. Reimbursement for revenue losses shall be calculated based upon the
30 difference between the maximum taxable value less personal exemptions and the net assessed
31 value.

32 (iii) Inflation reimbursements shall be the difference between:

33 (A) The levy calculated at the tax rate used by each city and town and fire district for
34 fiscal year 1998 after adjustments for personal exemptions but prior to adjustments for

1 exemptions contained in § 44-34.1-1(c)(1); provided, that for the town of Johnston the tax rate
2 used for fiscal year 1999 must be used for the calculation; and

3 (B) The levy calculated by applying the appropriate cumulative inflation adjustment
4 through state fiscal 2003 to the tax rate used by each city and town and fire district for fiscal year
5 1998; provided, that for the town of Johnston the tax rate used for fiscal year 1999 shall be used
6 for the calculation after adjustments for personal exemptions but prior to adjustments for
7 exemptions contained in § 44-34.1-1.

8 (c) Funds shall be distributed to the cities and towns and fire districts as follows:

9 (i) On October 20, 1998, and each October 20 thereafter through October 20, 2001,
10 twenty-five percent (25%) of the amount calculated by the director of administration to be the
11 difference for the upcoming fiscal year.

12 (ii) On February 20, 1999, and each February 20 thereafter through February 20, 2002,
13 twenty-five percent (25%) of the amount calculated by the director of administration to be the
14 difference for the upcoming fiscal year.

15 (iii) On June 20, 1999, and each June 20 thereafter through June 20, 2002, fifty percent
16 (50%) of the amount calculated by the director of administration to be the difference for the
17 upcoming fiscal year.

18 (iv) On August 1, 2002, and each August 1 thereafter, twenty-five percent (25%) of the
19 amount calculated by the director of administration to be the difference for the current fiscal year.

20 (v) On November 1, 2002, and each November 1 thereafter, twenty-five percent (25%) of
21 the amount calculated by the director of administration to be the difference for the current fiscal
22 year.

23 (vi) On February 1, 2003, and each February 1 thereafter, twenty-five percent (25%) of
24 the amount calculated by the director of administration to be the difference for the current fiscal
25 year; provided, however, the payment for February 1, 2010 shall be eliminated and the previous
26 quarterly payments made during Fiscal Year 2009-10 shall constitute total payments for the year
27 to each city and town. East Providence shall be paid an additional quarterly payment on February
28 1 equal to the payment made on November 1.

29 (vii) On May 1, 2003, and each May 1 thereafter, twenty-five percent (25%) of the
30 amount calculated by the director of administration to be the difference for the current fiscal year;
31 provided, however, the payment for May 1, 2010 shall be eliminated and the previous quarterly
32 payments made during Fiscal Year 2009-10 shall constitute total payments for the year to each
33 city and town.

34 Provided, however, the February and May payments shall be subject to submission of

1 final certified and reconciled motor vehicle levy information [except in FY 2009-10](#).

2 (2) Each city, town, or fire district shall submit final certified and reconciled motor
3 vehicle levy information by August 30 of each year. Any adjustment to the estimated amounts
4 paid in the previous fiscal year shall be included or deducted from the payment due November 1.

5 (3) On any of the payment dates specified in paragraphs (1)(i) through (vii) of this
6 subsection, the director is authorized to deduct previously made over-payments or add
7 supplemental payments as may be required to bring the reimbursements into full compliance with
8 the requirements of this chapter.

9 (4) For the city of East Providence, the payment schedule is twenty-five percent (25%) on
10 February 20, 1999, and each February 20 thereafter through February 20, 2002, twenty-five
11 percent (25%) on June 20, 1999, and each June 20 thereafter through June 20, 2002, which
12 includes final reconciliation of the previous year's payment, and fifty percent (50%) on October
13 20, 1999, and each October 20 thereafter through October 20, 2002. For local fiscal years 2003
14 and thereafter, the payment schedule is twenty-five percent (25%) on each November 1, twenty-
15 five percent (25%) on each February 1, twenty-five percent (25%) on each May 1, which includes
16 final reconciliation of the previous year's payment, and twenty-five percent (25%) on each
17 August 1; provided, the May and August payments shall be subject to submission of final
18 certified and reconciled motor vehicle levy information.

19 (5) When the tax is phased out, funds distributed to the cities, towns, and fire districts for
20 the following fiscal year shall be calculated as the funds distributed in the fiscal year of the phase-
21 out. Twenty-five percent (25%) of the amounts calculated shall be distributed to the cities and
22 towns and fire districts on August 1, in the fiscal year of the phase-out, twenty-five percent (25%)
23 on the following November 1, twenty-five percent (25%) on the following February 1, and
24 twenty-five percent (25%) on the following May 1. The funds shall be distributed to each city and
25 town and fire district in the same proportion as distributed in the fiscal year of the phase-out.

26 (6) When the tax is phased out to August 1, of the following fiscal year the director of
27 administration shall calculate to the nearest tenth of one cent (\$.001) the number of cents of sales
28 tax received for the fiscal year ending June 30, of the year following the phase-out equal to the
29 amount of funds distributed to the cities, towns, and fire districts under this chapter during the
30 fiscal year following the phase-out and the percent of the total funds distributed in the fiscal year
31 following the phase-out received by each city, town, and fire district, calculated to the nearest
32 one-hundredth of one percent (0.01%). The director of the department of administration shall
33 transmit those calculations to the governor, the speaker of the house, the president of the senate,
34 the chairperson of the house finance committee, the chairperson of the senate finance committee,

1 the house fiscal advisor, and the senate fiscal advisor. The number of cents, applied to the sales
2 taxes received for the prior fiscal year, shall be the basis for determining the amount of sales tax
3 to be distributed to the cities and towns and fire districts under this chapter for second fiscal year
4 following the phase-out and each year thereafter. The cities and towns and fire districts shall
5 receive that amount of sales tax in the proportions calculated by the director of administration as
6 that received in the fiscal year following the phase-out.

7 (7) When the tax is phased out, twenty-five percent (25%) of the funds shall be
8 distributed to the cities, towns, and fire districts on August 1, of the following fiscal year and
9 every August 1 thereafter; twenty-five percent (25%) shall be distributed on the following
10 November 1, and every November 1 thereafter; twenty-five percent (25%) shall be distributed on
11 the following February 1, and every February 1 thereafter; and twenty-five percent (25%) shall be
12 distributed on the following May 1, and every May 1 thereafter.

13 (8) For the city of East Providence, in the event the tax is phased out, twenty-five percent
14 (25%) shall be distributed on November 1, of the following fiscal year and every November 1
15 thereafter, twenty-five percent (25%) shall be distributed on the following February 1, and every
16 February 1 thereafter; twenty-five percent (25%) shall be distributed on the following May 1, and
17 every May 1 thereafter; and twenty-five percent (25%) of the funds shall be distributed on the
18 following August 1, and every August 1 thereafter.

19 (9) As provided for in § 44-34-6, the authority of fire districts to tax motor vehicles is
20 eliminated effective with the year 2000 tax roll and the state reimbursement for fire districts shall
21 be based on the provisions of § 44-34-6. All references to fire districts in this chapter do not apply
22 to the year 2001 tax roll and thereafter.

23 (10) For reimbursements payable in the year ending June 30, 2008 and thereafter, the
24 director of administration shall discount the calculated value of the exemption to ninety-eight
25 percent (98%) in order to establish a collection rate that is comparable to the collection rate
26 achieved by municipalities in the levy of the motor vehicle excise tax.

27 (11) For FY 2010, based upon the motor vehicle values as of December 31, 2008, cities
28 and towns with the approval of their city or town council or financial town meeting may levy a
29 supplemental motor vehicle tax to replace the lost revenue resulting from the suspension of the
30 February 1, 2010 and May 1, 2010 payments. Such authority to levy said supplemental tax shall
31 also require that the department of revenue certify that the city or town qualifies for an exemption
32 from the tax cap based upon the provisions of § 44-5-2 (d)(1) and supermajority approval may
33 apply pursuant to § 44-5-2(e) when applicable. Such supplemental tax shall be calculated so as to
34 recover the reduced state exemption tax equivalent resulting from suspended state payments as

1 estimated by the department of revenue and such supplemental tax shall be applied to each motor
2 vehicle at the current motor vehicle tax rate to recover reduced exemption reimbursement. The
3 department of revenue may establish regulations governing any supplemental tax.

4 (12) For FY 2011 based upon the values as of December 31, 2009, cities and towns with
5 the approval of their city or town council or financial town meeting may levy an additional motor
6 vehicle tax to replace the lost revenue resulting from the reduced state exemption amount
7 provided for in § 44-34.1 (c) at the existing motor vehicle tax rate. Such authority to levy an
8 additional motor vehicle tax shall also require that the department of revenue certify that the city
9 or town qualifies for an exemption from the tax cap based upon the provisions of § 44-5-2 (d)(1)
10 and supermajority approval may apply pursuant to § 44-5-2(e) when applicable. Such tax shall be
11 in addition to the regular motor vehicle tax applying to values in excess of \$6,000.

12 SECTION 2. This article shall take effect upon passage.

13 ARTICLE 3

14 RELATING TO BUDGET RESERVE FUND

15 SECTION 1. Section 35-3-20 of the General Laws in Chapter 35-3 entitled "State
16 Budget" is hereby amended to read as follows:

17 **35-3-20. State budget reserve and cash stabilization account.** -- (a) There is hereby
18 created within the general fund a state budget reserve and cash stabilization account, which shall
19 be administered by the state controller and which shall be used solely for the purpose of providing
20 such sums as may be appropriated to fund any unanticipated general revenue deficit caused by a
21 general revenue shortfall.

22 (b) In carrying out the provisions of § 35-3-20.1, the state controller shall, based on that
23 fiscal years estimate, transfer the amounts needed to fund cash requirements during the fiscal
24 year; the transfer shall be adjusted at the end of the fiscal year in order to conform to the
25 requirements of § 35-3-20.1. To the extent that funds so transferred are not needed by the Rhode
26 Island Capital Plan fund the funds may be loaned back to the general fund.

27 (c) For the fiscal year ending June 30, 2009, whenever the aggregate of the monies and
28 securities held for the credit of the state budget reserve and cash stabilization account exceeds
29 three and four tenths of one percent (3.4%) of total fiscal year resources, consisting of the
30 aggregate of (1) actual revenues from taxes and other departmental general revenue sources; and
31 (2) the general revenue balance available for appropriations at the beginning of the fiscal year; the
32 excess shall be transferred to the Rhode Island Capital Plan fund, to be used solely for capital
33 projects. Provided further, the applicable percentage shall increase by four-tenths of one percent
34 (.4%) for the succeeding four (4) fiscal years as follows:

1	Fiscal year ending June 30, 2010	3.8%
2	Fiscal year ending June 30, 2011	4.2%
3	Fiscal year ending June 30, 2012	4.6%
4	Fiscal years ending June 30, 2013 and thereafter	5.0%

5 (d) At any time after the third quarter of a fiscal year, that it is indicated that total
6 resources which are defined to be the aggregate of estimated general revenue, general revenue
7 receivables, and available free surplus in the general fund will be less than the estimates upon
8 which current appropriations were based, the general assembly may make appropriations from the
9 state budget reserve and cash stabilization account for the difference between the estimated total
10 resources and the original estimates upon which enacted appropriations were based, but only in
11 the amount of the difference based upon the revenues projected at latest state revenue estimating
12 conference pursuant to chapter 16 of title 35 as reported by the chairperson of that conference.

13 (e) Whenever a transfer has been made pursuant to subsection (d), that transfer shall be
14 considered as estimated general revenues for the purposes of determining the amount to be
15 transferred to the Rhode Island Capital Plan fund for the purposes of subsection 35-3-20.1(b).

16 (f) Whenever a transfer has been made pursuant to subsection (d), the amount of the
17 transfer shall be transferred to the Rhode Island Capital Plan fund from funds payable into the
18 general revenue fund pursuant to § 35-3-20.1 in the fiscal year following the fiscal year in which
19 the transfer was made, except that in fiscal year 2010 there shall be no repayment of the amount
20 transferred, and the repayment shall be made in fiscal year 2011.

21 SECTION 2. This article shall take effect upon passage.

22 **ARTICLE 4**

23 **RELATING TO PUBLIC UTILITIES COMMISSION**

24 SECTION 1. Sections 39-1-4 and 39-1-8 of the General Laws in Chapter 39-1 entitled
25 “Public Utilities Commission” are hereby amended to read as follows:

26 **39-1-4. Composition of commission -- Terms -- Vacancies.** -- (a) The public utilities
27 commission shall consist of ~~five (5)~~ three (3) electors selected with regard to their qualifications
28 and experience in law and government, energy matters, economics and finance, engineering and
29 accounting, and appointed by the governor with the advice and consent of the senate. ~~At least~~
30 ~~three (3) of the five (5) commissioners shall not be, nor shall have been within the previous five~~
31 ~~(5) years, an employee, officer or director of any business whose activities are subject to~~
32 ~~regulation by the commission, or any affiliate of it.~~ The term of each commissioner shall be six
33 (6) years. The director of administration, with the approval of the governor, shall allocate the
34 position of each commissioner to one of the grades established by the pay plan for unclassified

1 employees.

2 (b) ~~Within thirty (30) days after January 1, 2004, the governor, with the advice and~~
3 ~~consent of the senate, shall appoint one commissioner to serve until the first day of March, 2010,~~
4 ~~and until his or her successor is appointed and qualified, and one commissioner to serve until the~~
5 ~~first day of March, 2008, and until his or her successor is appointed and qualified.~~ During the
6 month prior to the expiration of the term of a commissioner the governor, with the advice and
7 consent of the senate shall appoint a commissioner to succeed the commissioner whose term will
8 then next expire, to serve for a term of six (6) years commencing on the first day of March then
9 next following, and until his or her successor is appointed and qualified. A commissioner shall be
10 eligible to succeed him or herself. Upon the expiration of the term of the chairperson, the
11 governor may designate any commissioner as chairperson.

12 (c) A vacancy in the office of a commissioner, other than by expiration, shall be filled in
13 like manner as an original appointment, but only for the unexpired portion of the term. If a
14 vacancy occurs when the senate is not in session, the governor shall appoint a person to fill the
15 vacancy, but only until the senate shall next convene and give its advice and consent to a new
16 appointment.

17 **39-1-8. Quorum -- Meetings.** -- ~~A majority of the~~ Two (2) commissioners shall
18 constitute a quorum for the transaction of any business, except as provided in § 39-1-11.
19 Meetings of the commission may be held at any time or place upon the call of any member, after
20 a reasonable notice by mail or ~~telegraph~~ telephone to the other members, and shall be held at such
21 times and places as in the judgment of the commission will best serve the convenience of all
22 parties in interest.

23 SECTION 2. This article shall take effect upon passage.

24 ARTICLE 5

25 RELATING TO CHILD CARE SUBSIDIES

26 SECTION 1. Section 40-6.2-1.1 of the General Laws in Chapter 40-6.2 entitled "Child
27 Care-State Subsidies" is hereby amended to read as follows:

28 **40-6.2-1. 1. Rates Established.** -- (a) Subject to the payment limitations in section (b),
29 the maximum reimbursement rates to be paid by the departments of human services and children,
30 youth and families for licensed child care centers and certified family-child care providers shall
31 be based on the following schedule of the 75th percentile of the 2002 weekly market rates
32 adjusted for the average of the 75th percentile of the 2002 and the 2004 weekly market rates:

33 LICENSED CHILD CARE CENTERS	75 th PERCENTILE OF WEEKLY
	34 MARKET RATE

1	INFANT	\$182.00
2	PRESCHOOL	\$150.00
3	SCHOOL-AGE	\$135.00
4	CERTIFIED FAMILY CHILD CARE PROVIDERS	75th PERCENTILE OF
5		WEEKLY MARKET RATE
6	INFANT	\$150.00
7	PRESCHOOL	\$150.00
8	SCHOOL-AGE	\$135.00

9 (b) The department shall pay child care providers based on the lesser of the applicable
10 rate specified in subsection (a), or the lowest rate actually charged by the provider to any of its
11 public or private child care customers with respect to each of the rate categories, infant, preschool
12 and school-age.

13 (c)(1) By June 30, 2004 and biennially thereafter, the department of labor and training
14 shall conduct an independent survey or certify an independent survey of the then current weekly
15 market rates for child care in Rhode Island and shall forward such weekly market rate survey to
16 the department of human services. The departments of human services and labor and training will
17 jointly determine the survey criteria including, but not limited to, rate categories and sub-
18 categories. The 75th percentile of weekly market rates in the table in subsection (a) shall be
19 adjusted by the surveys conducted under this subsection, beginning January 1, 2006 and for the
20 purposes of this section, and until adjusted in accordance with this subsection, the 75th percentile
21 of weekly market rate shall be the average of the 2002 and 2004 weekly market rate surveys.

22 (2) Beginning January 1, 2010 the rates paid to child care providers by the departments of
23 human services and children, youth and families shall be ninety-five percent (95%) of the
24 reimbursement rates in effect on December 31, 2009.

25 (d) In order to expand the accessibility and availability of quality child care, the
26 department of human services is authorized to establish by regulation alternative or incentive
27 rates of reimbursement for quality enhancements, innovative or specialized child care and
28 alternative methodologies of child care delivery, including non-traditional delivery systems and
29 collaborations.

30 (e) On or before January 1, 2007, all child care providers have the option to be paid every
31 two (2) weeks and have the option of automatic direct deposit and/or electronic funds transfer of
32 reimbursement payments.

33 SECTION 2. This article shall take effect as of January 1, 2010.

34 **ARTICLE 6**

1 RELATING TO ADMINISTRATIVE MANAGEMENT OF FOOD AND NUTRITIONAL
2 SERVICES

3 SECTION 1. Section 42-7.2-6.1 of the General Laws in Chapter 42-7.2 entitled “Office
4 of Health and Human Services” is hereby amended to read as follows:

5 **42-7.2-6.1. Transfer of powers and functions.** -- (a) There are hereby transferred to the
6 executive office of health and human services the powers and functions of the departments with
7 respect to the following:

8 (1) By July 1, 2007, fiscal services including budget preparation and review, financial
9 management, purchasing and accounting and any related functions and duties deemed necessary
10 by the secretary;

11 (2) By July 1, 2007, legal services including applying and interpreting the law, oversight
12 to the rule-making process, and administrative adjudication duties and any related functions and
13 duties deemed necessary by the secretary;

14 (3) By September 1, 2007, communications including those functions and services related
15 to government relations, public education and outreach and media relations and any related
16 functions and duties deemed necessary by the secretary;

17 (4) By March 1, 2008, policy analysis and planning including those functions and
18 services related to the policy development, planning and evaluation and any related functions and
19 duties deemed necessary by the secretary;

20 (5) By June 30, 2008, information systems and data management including the financing,
21 development and maintenance of all data-bases and information systems and platforms as well as
22 any related operations deemed necessary by the secretary;

23 (6) By October 1, 2009, assessment and coordination for long-term care including those
24 functions related to determining level of care or need for services, development of individual
25 service/care plans and planning, identification of service options, the pricing of service options
26 and choice counseling; and

27 (7) By October 1, 2009, program integrity, quality control and collection and recovery
28 functions including any that detect fraud and abuse or assure that beneficiaries, providers, and
29 third-parties pay their fair share of the cost of services, as well as any that promote alternatives to
30 publicly financed services, such as the long-term care health insurance partnership.

31 (8) By January 1, 2011, client protective services including any such services provided to
32 children, elders and adults with developmental and other disabilities;

33 (9) By ~~March 1, 2010~~ October 1, 2010, administrative management of food and
34 nutritional services including food stamps, WIC and any other such programs or initiatives in

1 which operational efficiencies that improve access may be achieved through greater consolidation
2 or coordination of functions.

3 (b) The secretary shall determine in collaboration with the department directors whether
4 the officers, employees, agencies, advisory councils, committees, commissions, and task forces of
5 the departments who were performing such functions shall be transferred to the office.

6 (c) In the transference of such functions, the secretary shall be responsible for ensuring:

7 (1) Minimal disruption of services to consumers;

8 (2) Elimination of duplication of functions and operations;

9 (3) Services are coordinated and functions are consolidated where appropriate;

10 (4) Clear lines of authority are delineated and followed;

11 (5) Cost-savings are achieved whenever feasible;

12 (6) Program application and eligibility determination processes are coordinated and,
13 where feasible, integrated; and

14 (7) State and federal funds available to the office and the entities therein are allocated and
15 utilized for service delivery to the fullest extent possible.

16 (d) Except as provided herein, no provision of this chapter or application thereof shall be
17 construed to limit or otherwise restrict the departments of children, youth and families, human
18 services, elderly affairs, health, and mental health, retardation, and hospitals from fulfilling any
19 statutory requirement or complying with any regulation deemed otherwise valid.

20 (e) The secretary shall prepare and submit to the leadership of the house and senate
21 finance committees, by no later than January 1, 2010, a plan for restructuring functional
22 responsibilities across the departments to establish a consumer centered integrated system of
23 health and human services that provides high quality and cost-effective services at the right time
24 and in the right setting across the life-cycle.

25 SECTION 2. This article shall take effect upon passage.

26 ARTICLE 7

27 RELATING TO HOSPITAL PAYMENTS

28 SECTION 1. Section 40-8.3-5 of the General Laws in Chapter 40-8.3 entitled
29 "Uncompensated Care" is hereby amended to read as follows:

30 **40-8.3-5. Hospital payments.** -- Due to the high ratio of unqualified uncompensated
31 care expenses to qualified uncompensated care expenses, the department of human services is
32 hereby authorized and directed to pay during state fiscal ~~years~~ year 2009 ~~and 2010~~ from revenues
33 derived from taxes imposed in accordance with § 44-17-1: (1) acute care hospitals in Washington
34 County the amount of five hundred thousand dollars (\$500,000) to South County Hospital, and

1 seven hundred and fifty thousand dollars (\$750,000) to The Westerly Hospital; (2) any acute care
2 hospital in Kent County the amount of eight hundred thousand dollars (\$800,000); and (3)
3 Miriam Hospital the amount of one million six hundred thousand dollars (\$1,600,000).

4 SECTION 2. This article shall take effect upon passage.

5 **ARTICLE 8**

6 RELATING TO VIOLENT FUGITIVE TASK FORCE

7 SECTION 1. Section 11-47-9 of the General Laws in Chapter 11-47 entitled “Weapons”
8 is hereby amended to read as follows:

9 **11-47-9. Persons exempt from restrictions.** -- The provisions of § 11-47-8 shall not
10 apply to sheriffs, deputy sheriffs, the superintendent and members of the state police, members of
11 the Rhode Island airport police department, members of the Rhode Island state marshals, Rhode
12 Island state fire marshal, chief deputy state fire marshals, deputy state fire marshals assigned to
13 the bomb squad, and those assigned to the investigation unit, correctional officers, all within the
14 department of corrections, members of the city or town police force, capitol police investigators
15 of the department of attorney general appointed pursuant to § 42-9-8.1, the witness protection
16 coordinator for the witness protection review board as set forth in chapter 30 of title 12 and
17 subject to the minimum qualifications of § 42-9-8.1, the director, assistant director, ~~and other~~
18 ~~inspectors and agents at the Rhode Island state fugitive task force appointed pursuant to § 12-6-~~
19 ~~7.2;~~ investigators of the department of public safety employment integrity unit pursuant to 42-7.3-
20 3.1 and automobile theft investigators of the Rhode Island state police pursuant to 31-50-1,
21 railroad police while traveling to and from official assignments or while on assignments,
22 conservation officers, or other duly appointed law enforcement officers, nor to members of the
23 Army, Navy, Air Force, and Marine Corps of the United States, the National Guard, or organized
24 reserves, when on duty, nor to members of organizations by law authorized to purchase or receive
25 firearms from the United States or this state, provided these members are at or going to or from
26 their places of assembly or target practice, nor to officers or employees of the United States
27 authorized by law to carry a concealed firearm, nor to any civilian guard or criminal investigator
28 carrying sidearms or a concealed firearm in the performance of his or her official duties under the
29 authority of the commanding officer of the military establishment in the state of Rhode Island
30 where he or she is employed by the United States, nor to any civilian guard carrying sidearms or a
31 concealed firearm in the performance of his or her official duties under the authority of the
32 adjutant general where he or she is employed guarding a national guard facility, provided, that the
33 commanding officer of the military establishment shall have on file with the attorney general of
34 this state a list of the names and addresses of all civilian guards and criminal investigators so

1 authorized, nor to duly authorized military organizations when on duty, nor to members when at
2 or going to or from their customary places of assembly, nor to any individual employed in the
3 capacity of warden, associate warden, major, captain, lieutenant, sergeant, correctional officer or
4 investigator at any project owned or operated by a municipal detention facility corporation,
5 including the Donald W. Wyatt Detention Facility, nor to the regular and/or ordinary
6 transportation of pistols or revolvers as merchandise, nor to any person while transporting a
7 pistol, or revolvers, unloaded from the place of purchase to their residence, or place of business,
8 from their residence to their place of business or from their place of business to their residence, or
9 to a Federal Firearms licensee for the purpose of sale, to or from a bona fide gunsmith, or
10 firearms repair facility, to any police station or other location designated as a site of a bona fide
11 "gun buy-back" program but only if said pistol or revolver is unloaded and any ammunition for
12 said pistol or revolver is not readily or directly accessible from the passenger compartment of
13 such vehicle while transporting same and further provided that in the case of a vehicle without a
14 compartment separate from the passenger compartment the firearm or the ammunition shall be
15 stored in a locked container. Persons exempted by the provisions of this section from the
16 provisions of § 11-47-8 shall have the right to carry concealed firearms everywhere within this
17 state; provided, that this shall not be construed as giving the right to carry concealed firearms to a
18 person transporting firearms as merchandise or as household or business goods.

19 SECTION 2. Section 12-6-72 of the General Laws in Chapter 12-6 entitled "Warrants
20 for Arrest" is hereby repealed.

21 ~~**12-6-7.2. Warrant squad.** (a) There is established a statewide warrant squad which shall
22 be known as the Rhode Island state fugitive task force, whose purpose is to arrest individuals for
23 whom arrest warrants have been issued and remain outstanding.~~

24 ~~(b) The warrant squad shall consist of a director, assistant director, additional members,
25 whose title shall be task force agents, and the sheriffs and police officers that are provided for in
26 this section.~~

27 ~~(c) All state, county, local law enforcement and criminal justice agencies may assign
28 personnel to be members of the warrant squad to assist the director or assistant director. All
29 personnel assigned to the warrant squad during their normal work hours shall be paid their regular
30 salary by their respective departments and there shall be no reimbursement for these payments.
31 The warrant squad shall be responsible for supervising the conduct of all law enforcement
32 officers employed by it pursuant to this chapter and the state, and not the city or town, shall be
33 liable for the actions of any municipal police officer which are committed on behalf of and under
34 the direction and supervision of the warrant squad.~~

1 ~~(d) Federal, state and local officers assigned to the Rhode Island state fugitive task force~~
2 ~~as fugitive investigators shall exercise the same authority as the statutory agents appointed under~~
3 ~~this section as long as the officer is under the direct supervision of the warrant squad. The~~
4 ~~authorization for local police officers acting under the authority of this statute shall be on file at~~
5 ~~the office of the Rhode Island state fugitive task force.~~

6 ~~(e) The superintendent of the state police shall appoint the director, assistant director, and~~
7 ~~the members of the warrant squad. The salary of the director and the assistant director shall be set~~
8 ~~by the department of administration in accordance with chapter 4 of title 36. The fees collected in~~
9 ~~the amount of one hundred twenty five dollars (\$125) assessed to the arrestee when apprehended~~
10 ~~and brought to court shall be deposited as general revenues. Each arrestee who has been~~
11 ~~apprehended shall be assessed the fee in the amount of one hundred twenty five dollars (\$125) in~~
12 ~~addition to any other court costs imposed. All fees collected shall be deposited as general~~
13 ~~revenues, and distributed consistent with the provisions of § 12-6-7.1.~~

14 ~~(f) The Providence county sheriff shall make suitable office facilities available to the~~
15 ~~squad until the state police make suitable space available. The police departments of every city~~
16 ~~and town and the state police shall make available to the squad temporary detention facilities. All~~
17 ~~fees collected shall be deposited as general revenues.~~

18 ~~(g) The warrant squad shall be under the authority of, and report to, the superintendent of~~
19 ~~the state police.~~

20 ~~(h) The statewide warrant squad shall commence on September 1, 1989, and all state and~~
21 ~~local police, law enforcement and criminal justice agencies shall cooperate with the Rhode Island~~
22 ~~state fugitive task force in carrying out the provisions of this chapter.~~

23 ~~(i) The Rhode Island state fugitive task force shall adopt and implement standards,~~
24 ~~policies, and regulations applicable to its scope and purpose of locating and arresting fugitives~~
25 ~~from justice.~~

26 ~~(j) Persons appointed as director, assistant director, and inspectors must have completed a~~
27 ~~basic course for police or law enforcement officers at a certified federal (including military),~~
28 ~~state, or local law enforcement training academy or must document a record of equivalent~~
29 ~~qualifying experience in an on-the-job training program. Persons appointed to be either director~~
30 ~~or assistant director, must, in addition to the preceding, have three (3) years of law enforcement~~
31 ~~experience and three (3) years of law enforcement management or command experience or the~~
32 ~~equivalent.~~

33 ~~(k) The director, the assistant director, and inspectors and officers assigned on temporary~~
34 ~~duty to the Rhode Island state fugitive task force may carry firearms, apply for and execute search~~

1 ~~and arrest warrants and subpoenas, serve summonses, and apply for court or grand jury process,~~
2 ~~and will have statewide authority to serve warrants to locate and arrest persons who are fugitives~~
3 ~~or who have failed to appear in state court for violations of Rhode Island general laws or court~~
4 ~~orders or who are fugitives located in Rhode Island from jurisdictions outside the state of Rhode~~
5 ~~Island, and may make arrests without a warrant in the execution of court orders for any offenses~~
6 ~~committed in their presence if they have reasonable grounds to believe that the person to be~~
7 ~~arrested has committed or is committing a crime cognizable under Rhode Island general laws.~~

8 SECTION 3. Section 12-7-21 of the General Laws in Chapter 12-7 entitled "Arrest" is
9 hereby amended to read as follows:

10 **12-7-21. "Peace officer" defined.** -- "Peace officer", as used within this chapter, means
11 the following individuals or members of:

- 12 (1) Rhode Island state police;
- 13 (2) Any member of a municipal or local police department;
- 14 (3) Rhode Island marshals,
- 15 (4) Rhode Island airport corporation police;
- 16 (5) Rhode Island park police;
- 17 (6) Rhode Island capitol police;
- 18 (7) Rhode Island conservation officers;
- 19 (8) Rhode Island department of environmental management officers;
- 20 (9) Rhode Island fire marshals;
- 21 (10) Brown University police officers;
- 22 (11) University of Rhode Island campus police officers;
- 23 (12) Rhode Island College campus security;
- 24 (13) Campus security at the Community College of Rhode Island;
- 25 (14) Rhode Island sheriff's department;
- 26 (15) Rhode Island drug enforcement officers;
- 27 (16) The investigators of the department of attorney general appointed pursuant to § 42-
28 9-8.1;
- 29 ~~(17) The director, assistant director, and other inspectors and agents of the Rhode Island~~
30 ~~state fugitive task force appointed pursuant to § 12-6-7.2;~~
- 31 ~~(18)~~ (17) Any federal law enforcement officer;
- 32 ~~(19)~~ (18) Correctional investigators and correctional officers of the Rhode Island
33 department of corrections;
- 34 ~~(20)~~ (19) The witness protection coordinator of the department of attorney general;

1 ~~(21)~~ (20) The warden, associate wardens, majors, captains, lieutenants, sergeants,
2 correctional officers and investigators employed by a project operated by a municipal detention
3 facility corporation, including, but not limited to, the Donald W. Wyatt Detention Facility;
4 provided, such parties listed in this subsection (21) herein shall be deemed to be peace officers
5 while in performance of their duties for the municipal detention facility only, and shall not be
6 deemed to be peace officers at any time when they are not in performance of said duties; and

7 ~~(22)~~ (21) Retired non-permanent sworn members of any municipal police department
8 shall be deemed to be peace officers only while in the performance of their duties for any
9 municipal police department, and shall be permitted to carry their firearm while in the
10 performance of their duties for the municipal police department, and shall be subject to in-service
11 training requirements of title 42, chapter 28.

12 SECTION 4. Chapter 42-7.3 of the General Laws entitled “Department of Public Safety”
13 is hereby amended by adding thereto the following section:

14 **42-7.3-3.1. Employment Integrity Unit – Powers and duties of investigators. -- (a)**
15 There is established an employment integrity unit, the purpose of which shall be to prevent and
16 detect fraud, waste, abuse, and mismanagement in the expenditure of public funds, whether state
17 or local, relating to any and all state programs and operations by agencies, bureaus, divisions,
18 sections, departments, offices, commissions, institutions and activities of the state of Rhode
19 Island, including those districts, authorities, or political subdivisions created by the general
20 assembly, the governor, and any city or town within the state of Rhode Island.

21 (b) The employment integrity unit shall be under the jurisdiction of the commissioner of
22 public safety/superintendent of the state police.

23 (c) No person shall be appointed as an investigator in the office unless he or she has
24 successfully completed the basic course of instruction for police officers at the Providence Police
25 Training Academy, the Rhode Island Municipal Police Training Academy, or the Rhode Island
26 State Police Training Academy, and has at least three (3) years of active law enforcement
27 experience, or has served as a member of the United States Marshal's Service or as a special agent
28 of the Federal Bureau of Investigation, a criminal law enforcement agency of the United States
29 Department of Justice, the United States Department of State, the United States Department of the
30 Treasury or the United States Postal Inspection Service and has at least three (3) years of active
31 law enforcement experience, or has been certified as a police officer by the duly-constituted state
32 commission on police officer standards and training of another state, and has at least three (3)
33 years of active law enforcement experience. Prior to the appointment of any qualified individual,
34 a background examination shall be conducted utilizing federal, state and local law enforcement

1 agencies, bureau of criminal identification, national crime information center, and any and all
2 relevant records existing within the federal and state court systems.

3 (d) The director and the investigators shall have the following powers:

4 (1) To arrest in conjunction with state or federal law enforcement agencies;

5 (2) To apply for and execute search warrants; and

6 (3) To serve civil and criminal process.

7 (f) The director and investigators shall be indemnified to the extent provided under § 9-
8 31-12 for acts committed within the scope of their employment.

9 SECTION 5. This article shall take effect as of January 1, 2010.

10 ARTICLE 9

11 RELATING TO EDUCATION AID

12 SECTION 1. Section 16-2-21.4 of the General Laws in Chapter 16-2 entitled “School
13 Committees and Superintendents” is hereby amended to read as follows:

14 **16-2-21.4. School budgets – Compliance with certain requirements.** -- (a)

15 Notwithstanding any provision of the general or public laws to the contrary, whenever a city,
16 town, or regional school committee determines that its budget is insufficient to comply with the
17 provisions of § 16-2-21, 16-7-23, or 16-7-24, the city, town, or regional school committee shall
18 adhere to the appropriated budget or the provisions of § 16-2-23 in the absence of an appropriated
19 budget. The chairperson of the city, town, or regional school committee, in accordance with the
20 provisions of § 16-2-9, shall be required to petition the commissioner, in writing, to seek
21 alternatives for the district to comply with state regulations and/or provide waivers to state
22 regulations and, in particular, those which are more restrictive than federal regulations that allow
23 the school committee to operate with a balanced budget. Waivers which affect the health and
24 safety of students and staff or which violate the provisions of chapter 24 of this title shall not be
25 granted. The commissioner must consider alternatives for districts to comply with regulations
26 and/or provide waivers to regulations in order that the school committee may operate with a
27 balanced budget within the previously authorized appropriation. In the petition to the
28 commissioner, the school committee shall be required to identify the alternatives to meet
29 regulations and/or identify the waivers it seeks in order to provide the commissioner with the
30 revised budget which allows it to have a balanced budget within the previously authorized
31 appropriation. The commissioner shall respond within fifteen (15) calendar days from the date of
32 the written petition from the school committee. If the commissioner does not approve of the
33 alternatives to meet regulations or the waivers from regulations which are sought by the school
34 committee, or if the commissioner does not approve of the modified expenditure plan submitted

1 by the school committee, then: (1) within ten (10) days of receiving the commissioner's response,
2 the school committee may submit a written request to the city or town council for the council of
3 the municipality to decide whether to increase the appropriation for schools to meet expenditures.
4 The decision to increase any appropriations shall be conducted pursuant to the local charter or the
5 public law controlling the approval of appropriations within the municipality; or (2) in a regional
6 school district, the chairperson of the school committee may, within ten (10) days of receiving the
7 commissioner's response, submit a written request to the chief elected official of each of the
8 municipalities to request that the city or town council in each of their respective towns meet to
9 decide whether or not to increase the appropriation for schools to meet expenditures. The decision
10 to increase any appropriations shall be conducted pursuant to the local charter or the public law
11 controlling the approval of appropriations within the municipality.

12 (b) In the event of a negative vote by the appropriating authority, the school committee
13 shall have the right to seek additional appropriations by bringing an action in the superior court
14 for the county of Providence and shall be required to demonstrate that the school committee lacks
15 the ability to adequately run the schools for that school year with a balanced budget within the
16 previously authorized appropriation or in accordance with §§ 16-2-21, 16-2-23, 16-7-23, and 16-
17 7-24. In no event shall any court order obtained by the school committee have force and effect for
18 any period longer than the fiscal year for which the litigation is brought. Any action filed
19 pursuant to this section shall be set down for a hearing at the earliest possible time and shall be
20 given precedence over all matters except older matters of the same character. The court shall
21 render its decision within thirty (30) days of the close of the hearings. Upon the bringing of an
22 action in the superior court by the school committee to increase appropriations, the chief
23 executive officer of the municipality, or in the case of a regional school district the chief elected
24 officials from each of the member municipalities, shall cause to have a financial and performance
25 audit in compliance with the generally acceptable governmental auditing standards of the school
26 department conducted by the auditor general, the bureau of audits, or a certified public accounting
27 firm qualified in performance audits. The results of the audit shall be made public upon
28 completion and paid for by the school committee to the state or private certified public
29 accounting firm.

30 (c) The auditor general shall select the auditor if the audit is not directly performed by his
31 or her office.

32 (d) Notwithstanding any provision of general or public laws to the contrary, when a
33 category of state aid to education or general revenue sharing is reduced or suspended to any local
34 school district or municipal government after July 1, 2009, the provisions of subsections 16-2-

1 21.4(a), 16-2-21.4(b), and 16-2-21.4(c) shall be abated for the fiscal year in which the reduction
2 or suspension of any aid is implemented. In the event of such a reduction in state aid in the
3 enacted budget the Governor shall convene a three (3) member panel to create a remedy, or a
4 municipality or school committee may petition the Governor to convene a three (3) member
5 panel. The three (3) member panel shall act as binding arbitrators and shall consist of the
6 commissioner of education or his/her designee, the director of revenue or his/her designee, and
7 the auditor general or his/her designee. The panel shall select a chairperson. A corrective action
8 plan shall be developed by the panel within sixty (60) days of convening. The plan may include
9 the suspension of any contracts or non-contractual provisions to the extent that state aid has been
10 reduced and to the extent legally permissible. Should the suggested alterations to the terms of a
11 contract not be permissible until the expiration of the bargaining agreement, such alterations and
12 terms should be considered in upcoming contractual negotiations. The corrective action plan must
13 be monitored and enforced by the department of education.

14 SECTION 2. Section 16-7.1-15 of the General Laws in Chapter 16-7.1 entitled “The Paul
15 W. Crowley Rhode Island Student Investment Initiative” is hereby amended to read as follows:

16 **16-7.1-15. The Paul W. Crowley Rhode Island student investment initiative.**

17 ~~Effective July 1, 2010.~~ (a) Each locally or regionally operated school district shall receive as
18 a base the same amount of school aid as each district received in fiscal year 1997-1998, adjusted
19 to reflect the increases or decreases in aid enacted to meet the minimum and maximum funding
20 levels established for FY 2000 through FY 2008. Each school district shall also receive school aid
21 through each investment fund for which that district qualifies pursuant to §§ 16-7.1-8, 16-7.1-9,
22 16-7.1-10, 16-7.1-11, 16-7.1-12, 16-7.1-16 and 16-7.1-19. These sums shall be in addition to the
23 base amount described in this section. For FY 2009 and FY 2010, the reference year for the data
24 used in the calculation of aid pursuant to § 16-7.1-8, § 16-7.1-9, § 16-7.1-10, § 16-7.1-11, § 16-
25 7.1-11.1, § 16-7.1-12, § 16-7.1-16, § 16-7.1-19 and 16-77.1-2(b) shall be FY 2004. Calculation
26 and distribution of education aid under §§ 16-5-31, 16-5-32, 16-7-20, 16-7-20.5, 16-7-34.2, 16-7-
27 34.3, 16-24-6, 16-54-4, and 16-67-4 is hereby suspended. Provided, however, calculation and
28 distribution of education aid under § 16-7.1-10 is suspended for FY 2009 and FY 2010. School
29 districts may continue to maintain professional development programs and may reduce other
30 education programs to achieve savings during FY 2009 and FY 2010. The funding of the
31 purposes and activities of chapter 67 of this title, the Rhode Island Literacy and Dropout
32 Prevention Act of 1967, shall be the same amount of the base amount of each district funded for
33 that purpose in fiscal year 1997-1998. In addition each district shall expend three percent (3%) of
34 its student equity and early childhood funds under the provisions of chapter 67 of this title.

1 (b) Funding for full day kindergarten programs in accordance with § 16-7.1-11.1 shall be
2 in addition to funding received under this section.

3 (c) Funding distributed under §§ 16-77.1-2(b) and 16-64-1.1 shall be in addition to
4 funding distributed under this section.

5 (d) For FY 2009, aid to school districts shall be reduced by the equivalent savings that are
6 realized due to a reduction of payments to the teachers' retirement system. The reduction for the
7 Chariho regional school district shall be prorated among the member communities. In addition,
8 for FY 2009 aid to school districts shall be reduced by any amount of previously appropriated
9 school housing aid determined to be ineligible for reimbursement in accordance with § 16-7-44.2.
10 For FY 2009 aid shall also be reduced by the amount of projected revenue for the period
11 December 1, 2008 through June 30, 2009 from the permanent school fund. The projected revenue
12 shall be determined by annualizing actual earnings from the period May 12, 2008 through
13 November 30, 2008. The department of elementary and secondary education shall reduce aid in
14 two equal installments, payable in May and June; provided however, that East Providence shall
15 receive one payment of reduced aid in May.

16 For FY 2009, aid to school districts shall include thirty eight million, three hundred
17 twenty-four thousand, eight hundred twenty-two dollars (\$38,324,822) from federal fiscal
18 stabilization funds offset by a like reduction from general revenues. The distribution shall be in
19 the same proportion as general operating aid.

20 (e) (1) For FY 2010, aid to school districts shall be reduced by the equivalent savings that
21 are realized due to a reduction of payments to the teachers' retirement system. The reduction for
22 the Chariho regional school district shall be prorated among the member communities. For FY
23 2010, aid to school districts shall be reduced by thirty-three million nine hundred twenty-eight
24 thousand two hundred sixteen dollars (\$33,928,216) based on the school district's share of total
25 FY 2009 enacted education aid, including state schools and charter schools. For FY 2010, a
26 distribution of stabilization funds per the American Recovery and Reinvestment Act (ARRA)
27 totaling thirty-four million one hundred seven thousand one hundred ninety-five dollars
28 (\$34,107,195) shall be allocated to school districts proportionately based on their share of total
29 FY 2009 enacted education aid, including state schools and charter schools.

30 (2) For FY 2010, aid to school districts shall be further reduced by twenty-three million
31 four hundred seventy-four thousand three hundred seventy-one dollars (\$23,474,371) based on
32 the school district's share of total FY 2010 originally enacted education aid, including state
33 schools and charter schools. For FY 2010, an additional distribution of stabilization funds per the
34 American Recovery and Reinvestment Act (ARRA) totaling four million five hundred eighty-

1 four thousand eight hundred ninety-five dollars (\$4,584,895) shall be allocated to school districts
 2 proportionately based on their share of total FY 2010 originally enacted education aid, including
 3 state schools and charter schools.

4 (3) Districts shall comply with the assurances and reporting requirements provided in the
 5 federal guidance for the (ARRA) allocation and by the commissioner of elementary and
 6 secondary education.

7 (f) There shall be an appropriation to ensure that total aid distributed to communities in
 8 FY 2010 under this section and §§ 16-7.1-11.1, 16-64-1.1 and 16-77.1-2(b) and excluding any FY
 9 2009 Stabilization reappropriations shall be as follows:

			<u>FY 2010</u>	<u>Stimulus Fiscal</u>
	<u>General Revenues</u>		<u>Stabilization</u>	<u>Allocation</u>
12	Barrington	1,863,090 <u>1,364,122</u>	128,427	<u>145,691</u>
13	Burrillville	12,928,167 <u>12,179,624</u>	684,478	<u>776,490</u>
14	Charlestown	1,697,497 <u>1,570,740</u>	98,948	<u>112,249</u>
15	Coventry	18,056,601 <u>16,664,620</u>	991,787	<u>1,125,109</u>
16	Cranston	31,662,364 <u>29,117,509</u>	1,752,647	<u>1,988,248</u>
17	Cumberland	11,829,002 <u>10,876,120</u>	654,948	<u>742,990</u>
18	East Greenwich	1,503,975 <u>1,117,609</u>	96,326	<u>109,275</u>
19	East Providence	24,499,858 <u>22,919,707</u>	1,328,384	<u>1,506,953</u>
20	Foster	1,286,565 <u>1,198,279</u>	69,979	<u>79,386</u>
21	Glocester	2,927,940 <u>2,738,669</u>	158,776	<u>180,120</u>
22	Hopkinton	5,677,786 <u>5,256,848</u>	308,347	<u>349,797</u>
23	Jamestown	398,901 <u>314,678</u>	26,278	<u>29,810</u>
24	Johnston	9,596,568 <u>8,803,524</u>	531,110	<u>602,505</u>
25	Lincoln	6,363,969 <u>5,638,678</u>	365,750	<u>414,916</u>
26	Little Compton	296,650 <u>240,885</u>	18,221	<u>20,670</u>
27	Middletown	9,533,084 <u>8,824,045</u>	518,598	<u>588,311</u>
28	Narragansett	1,467,137 <u>1,169,339</u>	93,727	<u>106,326</u>
29	Newport	10,744,683 <u>10,041,256</u>	586,477	<u>665,315</u>
30	New Shoreham	64,987 <u>27,298</u>	5,254	<u>5,960</u>
31	North Kingstown	10,631,113 <u>9,702,979</u>	592,155	<u>671,756</u>
32	North Providence	12,081,507 <u>11,135,656</u>	661,166	<u>750,044</u>
33	North Smithfield	4,344,329 <u>3,967,671</u>	238,830	<u>270,935</u>
34	Pawtucket	62,176,676 <u>58,855,629</u>	3,311,223	<u>3,756,338</u>

1	Portsmouth	5,923,071 <u>5,354,104</u>	331,008 <u>375,504</u>
2	Providence	178,309,944 <u>168,783,145</u>	9,577,917 <u>10,865,439</u>
3	Richmond	5,652,344 <u>5,233,458</u>	305,742 <u>346,842</u>
4	Scituate	2,926,243 <u>2,613,860</u>	168,328 <u>190,956</u>
5	Smithfield	4,992,643 <u>4,480,671</u>	283,754 <u>321,898</u>
6	South Kingstown	9,224,287 <u>8,313,355</u>	521,147 <u>591,203</u>
7	Tiverton	5,271,861 <u>4,820,549</u>	293,067 <u>332,463</u>
8	Warwick	33,468,879 <u>30,619,554</u>	1,858,870 <u>2,108,750</u>
9	Westerly	5,774,932 <u>5,053,977</u>	338,074 <u>383,520</u>
10	West Warwick	18,738,108 <u>17,551,591</u>	1,009,842 <u>1,145,591</u>
11	Woonsocket	44,074,702 <u>41,765,456</u>	2,342,811 <u>2,657,746</u>
12	Bristol-Warren	18,764,456 <u>17,625,285</u>	1,009,726 <u>1,145,459</u>
13	Exeter-West Greenwich	6,814,331 <u>6,274,706</u>	374,779 <u>425,159</u>
14	Charlho	378,758 <u>364,750</u>	19,679 <u>22,324</u>
15	Foster-Glocester	5,194,804 <u>4,833,882</u>	283,077 <u>321,130</u>
16	Central Falls	42,507,399 <u>40,486,830</u>	2,167,539 <u>2,458,913</u>

17 In addition to the amounts listed above, the department of elementary and secondary
18 education shall allocate monthly to each school district all funds received into the permanent
19 school fund pursuant to § 42-61.2-7, as amended by chapter 13 of the 2008 Public Laws entitled
20 "An Act Relating to State Affairs and Government", up to \$14.1 million, in the same proportion
21 as the aid distribution in the FY 2009 enacted appropriations act.

22 This special provision shall not limit entitlements as determined by application of other
23 formula provisions in this section.

24 (g) For FY 2009 payments to charter public schools shall be reduced by the equivalent
25 savings that are realized due to a reduction of payments to the teachers' retirement system. The
26 reduction for district sponsored charter schools shall be incorporated in the sponsoring school
27 district's aid as noted in subsection (f). Aid to charter public schools shall be reduced in the April
28 quarterly payment. For FY 2009, charter public school funding is as follows:

- 29 Beacon Charter School 1,512,785
- 30 Blackstone Academy 1,469,349
- 31 Compass 614,485
- 32 Paul Cuffee 4,449,006
- 33 CVS Highlander 2,596,782
- 34 International 2,863,818

1 Kingston Hill Academy 736,784
2 Learning Community 3,669,529
3 NE Laborer's 1,508,866
4 Textron 2,361,370
5 Times 2 Academy 6,870,410

6 (h) (1) For FY 2010, payments to charter public schools shall be reduced by the
7 equivalent savings that are realized due to a ~~deferral~~ reduction of payments to the teachers'
8 retirement system. The reduction for district sponsored charter schools shall be incorporated in
9 the sponsoring schools district's aid as noted in subsection (f). For FY 2010, payments to charter
10 public schools shall be reduced by one million four hundred sixty-three thousand three hundred
11 sixty-seven dollars (\$1,463,367) based on the charter schools' share of total FY 2009 enacted
12 education aid, including school districts and state schools. For FY 2010, a distribution of
13 stabilization funds per the American Recovery and Reinvestment Act (ARRA) totaling one
14 million four hundred seventy-one thousand eighty-seven dollars (\$1,471,087) shall be allocated to
15 charter public schools proportionately based on their share of total FY 2009 enacted education
16 aid, including school districts and state schools.

17 (2) For FY 2010, payments to charter public schools shall be further reduced by one
18 million one hundred fifty-eight thousand one dollars (\$1,158,001) based on the charter schools'
19 share of total FY 2010 originally enacted education aid. For FY 2010, an additional distribution
20 of stabilization funds per the American Recovery and Reinvestment Act (ARRA) totaling one
21 hundred ninety-seven thousand seven hundred fifty-two dollars (\$197,752) shall be allocated to
22 charter public schools proportionately based on their share of total FY 2010 originally enacted
23 education aid.

24 (3) Public charter schools shall comply with the assurances and reporting requirements
25 provided in the federal guidance for the (ARRA) allocation and by the commissioner of
26 elementary and secondary education.

27 (i) There shall be deducted from the final aid payment to each school district any amounts
28 owed to the state at the end of the fiscal year for transportation of the district's students under the
29 statewide transportation system established pursuant to R.I.G.L. 16-21.1-7 and 16-21.1-8.
30 Districts shall receive monthly invoices summarizing the basis of the transportation fees charged.
31 Any such deductions in aid shall be transferred to the statewide student transportation services
32 restricted receipt account.

33 (j) The provisions of R.I.G.L. 16-26-7.1 notwithstanding, districts shall be assessed
34 tuition to cover the costs of educational services that are additional to the core deaf and hard of

1 [hearing education program that is provided to resident students at the Rhode Island School for the](#)
2 [Deaf. This tuition shall be based on a graduated tuition schedule that is based on the varying](#)
3 [needs of students. The department of elementary and secondary education shall develop and](#)
4 [implement the schedule. Districts shall receive monthly invoices summarizing the basis for the](#)
5 [tuition charged. There shall be deducted from the final aid payment to each school district at the](#)
6 [end of the fiscal year any amounts owed to the state for these additional educational services.](#)

7 ~~(j)~~ [\(k\)](#) *Children with disabilities.* (1) Based on its review of special education within the
8 context of Rhode Island school reform, the general assembly recommends addressing the needs of
9 all children and preventing disability through scientific research based, as described in the No
10 Child Left Behind Act of 2001, Title 1, Part B, Section 1208 [20 U.S.C. § 6368], reading
11 instruction and the development of Personal Literacy Programs for students in the early grades
12 performing below grade level in reading and implement a system of student accountability that
13 will enable the state to track individual students over time. Additionally, the department of
14 elementary and secondary education must provide districts with rigorous criteria and procedures
15 for identifying students with learning disabilities and speech/language impairments. Additional
16 study is required of factors that influence programming for students with low incidence
17 disabilities; those with disabilities that severely compromise life functions; and programming for
18 students with disabilities through urban special education. Alternatives for funding special
19 education require examination.

20 (2) All departments and agencies of the state shall furnish any advice and information,
21 documentary and otherwise, to the general assembly and its agents that is deemed necessary or
22 desirable by the study to facilitate the purposes of this section.

23 SECTION 3. Section 16-2-21.6 of the General Laws in Chapter 16-2 entitled “School
24 Committees and Superintendents” is hereby amended to read as follows:

25 **16-2-21.6. Collective bargaining fiscal impact statements.** -- (a) Prior to executing any
26 collective bargaining agreement between a school committee and representatives of teachers
27 and/or other school employees, the school committee shall prepare or cause to be prepared a
28 collective bargaining fiscal impact statement. These statements shall set forth, in dollar amounts,
29 estimates of the fiscal impact, during the term of the proposed agreement. No comment or
30 opinion relative to the merits of the terms of the contract shall be included, except that technical
31 or mechanical errors or defects may be noted.

32 (b) The fiscal impact statement and the awarded contract shall be publicized and shall be
33 made immediately available upon ratification of the contract.

34 [\(c\) The final execution of a collective bargaining agreement between a School Committee](#)

1 [and representatives of teachers and/or other school employees shall require approval of the city or](#)
2 [town council\(s\) in which the school district is located.](#)

3 SECTION 4. Sections 1 and 2 of this article shall take effect upon passage and shall
4 apply retroactively to July 1, 2009. Section 3 of this article shall take effect upon passage.

5 **ARTICLE 10**

6 RELATING TO RESTRICTED RECEIPT ACCOUNTS

7 SECTION 1. Section 35-4-27 of the General Laws in Chapter 35-4 entitled “State
8 Funds” is hereby amended to read as follows:

9 **35-4-27. Indirect cost recoveries on restricted receipt accounts.** -- Indirect cost
10 recoveries of ten percent (10%) of cash receipts shall be transferred from all restricted receipt
11 accounts, to be recorded as general revenues in the general fund. However, there shall be no
12 transfer from cash receipts with restrictions received exclusively: (1) from contributions from
13 non-profit charitable organizations; (2) from the assessment of indirect cost recovery rates on
14 federal grant funds; or (3) through transfers from state agencies to the department of
15 administration for the payment of debt service. These indirect cost recoveries shall be applied to
16 all accounts, unless prohibited by federal law or regulation, court order, or court settlement. The
17 following restricted receipt accounts shall not be subject to the provisions of this section:

- 18 Department of Human Services
 - 19 Veterans' home – Restricted account
 - 20 Veterans' home – Resident benefits
 - 21 Organ transplant fund
 - 22 Veteran's Cemetery Memorial Fund
- 23 Department of Health
 - 24 Pandemic medications and equipment account
- 25 Department of Mental Health, Retardation and Hospitals
 - 26 Hospital Medicare Part D Receipts
 - 27 RICLAS Group Home Operations
 - 28 [Vigneron Memorial Fund grant](#)
- 29 Department of Environmental Management
 - 30 National heritage revolving fund
 - 31 Environmental response fund II
 - 32 Underground storage tank [registration fees](#)
 - 33 [Underground storage tank financial responsibility fund](#)
- 34 Rhode Island Council on the Arts

1 Art for public facilities fund
2 Rhode Island Historical Preservation and Heritage Commission
3 Historic preservation revolving loan fund
4 Historic Preservation loan fund – Interest revenue
5 ~~State Police~~ [Department of Public Safety](#)
6 Forfeited property – Retained
7 Forfeitures – Federal
8 Forfeited property – Gambling
9 Donation – Polygraph and Law Enforcement Training
10 [Rhode Island State Firefighter’s League Training Account](#)
11 Attorney General
12 Forfeiture of property
13 Federal forfeitures
14 Attorney General multi-state account
15 Department of Administration
16 Restore and replacement – Insurance coverage
17 Convention Center Authority rental payments
18 Investment Receipts – TANS
19 Car Rental Tax/Surcharge-Warwick Share
20 OPEB System Restricted Receipt Account
21 [ARRA Administrative Expenses – Bureau of Audits](#)
22 [ARRA Administrative Expenses – Purchasing](#)
23 Legislature
24 Audit of federal assisted programs
25 Department of Elderly Affairs
26 Pharmaceutical Rebates Account
27 Department of Children Youth and Families
28 Children's Trust Accounts – SSI
29 Military Staff
30 RI Military Family Relief Fund
31 Treasury
32 Admin. Expenses – State Retirement System
33 Retirement – Treasury Investment Options
34 Business Regulation

1 Banking Division Reimbursement Account
2 Office of the Health Insurance Commissioner Reimbursement Account
3 Securities Division Reimbursement Account
4 Commercial Licensing and Racing and Athletics Division Reimbursement Account
5 Insurance Division Reimbursement Account
6 Historic Preservation Tax Credit Account
7 Judiciary
8 Arbitration Fund Restricted Receipt Account

9 [Department of Elementary and Secondary Education](#)

10 [Statewide Student Transportation Services Account](#)

11 [Office of the Governor](#)

12 [ARRA Administrative Expenses – Office of Economic Recovery and ReInvestment](#)

13 SECTION 2. Section 16-21-1 of the General Laws in Chapter 16-21 entitled “Health and
14 Safety of Pupils” is hereby amended to read as follows:

15 **16-21-1. Transportation of public and private school pupils.** -- (a) The school
16 committee of any town or city shall provide suitable transportation to and from school for pupils
17 attending public and private schools of elementary and high school grades, except private schools
18 that are operated for profit, who reside so far from the public or private school which the pupil
19 attends as to make the pupil's regular attendance at school impractical and for any pupil whose
20 regular attendance would otherwise be impracticable on account of physical disability or
21 infirmity.

22 (b) For transportation provided to children enrolled in grades kindergarten through five
23 (5), school bus monitors, other than the school bus driver, shall be required on all school bound
24 and home bound routes. Variances to the requirement for a school bus monitor may be granted by
25 the commissioner of elementary and secondary education if he or she finds that an alternative
26 plan provides substantially equivalent safety for children. For the purposes of this section a
27 "school bus monitor" means any person sixteen (16) years of age or older.

28 (c) No school committee shall negotiate, extend, or renew any transportation contract
29 unless such contract enables the district to participate in the statewide transportation system,
30 without penalty to the district, upon implementation of the statewide transportation system
31 described in RIGL §§ 16-21.1-7 and 16-21.1-8. Notice of the implementation of the statewide
32 transportation system for in-district transportation shall be provided in writing by the department
33 of elementary and secondary education to the superintendent of each district upon
34 implementation. Upon implementation of the statewide system of transportation for all students,

1 each school committee shall purchase transportation services for their own resident students by
2 accessing the statewide system on a fee-for-service basis for each student; provided, however,
3 that any school committee that fulfills its transportation obligations primarily through the use of
4 district-owned buses or district employees may continue to do so. Variances to the requirement
5 for the purchase of transportation services through the statewide transportation system for non-
6 public and non shared routes may be granted by the commissioner of elementary and secondary
7 education if the commissioner finds that an alternative system is more cost effective. All fees paid
8 for transportation services provided to students under the statewide system shall be paid into a
9 statewide student transportation services restricted receipt account within the department of
10 elementary and secondary education. Payments from the account shall be limited to payments to
11 the transportation service provider and transportation system consultants. This restricted receipt
12 account shall not be subject to the indirect cost recoveries provision(s) set forth in § 35-4-27.

13 SECTION 3. Sections 16-21.1-7 and 16-21.1-8 of the General Laws in Chapter 16-21.1
14 entitled “Transportation of School Pupils Beyond City and Town Limits” are hereby amended to
15 read as follows:

16 **16-21.1-7. Statewide transportation of students with special needs.** -- Notwithstanding
17 the regional structure created in this chapter, and pursuant to the obligation of school committees
18 to transport children with special needs to and from school either within the school district or in
19 another school district of the state created by § 16-24-4, the department of elementary and
20 secondary education, in collaboration with the office of statewide planning of the department of
21 administration, and the Rhode Island public transit authority shall develop a plan for the creation
22 and implementation of a statewide system of transportation of students with special needs to and
23 from school. The statewide school transportation system for children with special needs shall be
24 provided through a competitive request for proposals to which vendors of transportation services
25 may respond. Effective upon the implementation of this statewide system of transportation for
26 students with special needs, each school committee shall purchase the transportation services for
27 their own resident students with special needs by accessing this integrated statewide system of
28 transportation for children with special needs on a fee-for-service basis for each child; provided,
29 however, that any school committee that fulfills its transportation obligations primarily through
30 the use of district-owned buses or district employees may continue to do so. All fees paid for
31 transportation services provided to students under the statewide system shall be paid into a
32 statewide student transportation services restricted receipt account within the department of
33 elementary and secondary education. Payments from the account shall be limited to payments to
34 the transportation service provider and transportation system consultants. This restricted receipt

1 [account shall not be subject to the indirect cost recoveries provisions set forth in § 35-4-27.](#) The
2 goal of the statewide system of transportation for students with special needs shall be the
3 reduction of duplication of cost and routes in transporting children from the various cities and
4 towns to the same special education program providers using different buses from each city and
5 town, the improvement of services to children through the development of shorter ride times and
6 more efficient routes of travel, and the reduction of cost to local school committees through
7 achieving efficiency in eliminating the need for each school district to contract for and provide
8 these specialized transportation services separately. The department of elementary and secondary
9 education shall submit a report of their findings and plans to the general assembly by March 30,
10 2008.

11 **16-21.1-8. Statewide transportation system for all students to be established.--**

12 Notwithstanding the regional structure created in this chapter, the department of elementary and
13 secondary education, in collaboration with the office of statewide planning of the department of
14 administration, and the Rhode Island public transit authority shall conduct a comprehensive study
15 of all current transportation services for students in Rhode Island school districts in order to
16 develop a plan for the creation and implementation of a statewide system of transportation of all
17 students to and from school. The statewide school transportation system for all students shall be
18 provided through a competitive request for proposals to which vendors of transportation services
19 may respond. Effective upon the implementation of this statewide system of transportation for all
20 students, each school committee shall purchase the transportation services for their own resident
21 students by accessing this integrated statewide system of transportation on a fee-for-service basis
22 or each child; provided, however, that any school committee that fulfills its transportation
23 obligations primarily through the use of district-owned buses or district employees may continue
24 to do so. [All fees paid for transportation services provided to students under the statewide system
25 shall be paid into a statewide student transportation services restricted receipt account within the
26 department of elementary and secondary education. Payments from the account shall be limited
27 to payments to the transportation service provider and transportation system consultants. This
28 restricted receipt account shall not be subject to the indirect cost recoveries provisions set forth in
29 § 35-4-27.](#) The goals of the statewide system of transportation for all students shall be the
30 reduction of duplication of cost and routes in transporting children from the various cities and
31 towns using different buses within and between each city and town, the improvement of services
32 to children through the development of shorter ride times and more efficient routes of travel, and
33 the reduction of cost to local school committees through achieving efficiency in eliminating the
34 need for each school district to contract for and provide these transportation services separately.

1 The comprehensive study of all current transportation services for students in Rhode Island
2 school districts and development of a plan for a statewide system of transportation of all students
3 to and from school shall be completed, with a report to the general assembly by March 30, 2008.

4 SECTION 4. Chapter 23-28.2 of the General Laws entitled "Division of Fire Safety" is
5 hereby amended by adding thereto the following section:

6 **23-28.2-28. Rhode Island state firefighter's league grant account.--** (a) There is hereby
7 created within the department of public safety a restricted receipt account to be known as the
8 Rhode Island state firefighter's league grant account. Donations received from the Rhode Island
9 state firefighter's league shall be deposited into this account, and shall be used solely to fund
10 education and training programs for firefighters in the state.

11 (b) All amounts deposited in the Rhode Island state firefighter's league grant account
12 shall be exempt from the indirect cost recovery provisions of § 35-4-27.

13 SECTION 5. Chapter 40.1-3 of the General Laws entitled "Curative Services" is hereby
14 amended by adding thereto the following section:

15 **40.1-3-16. Vigneron memorial fund grant account.--** (a) There is hereby created
16 within the department of mental health, retardation, and hospitals a restricted receipt account to
17 be known as the Vigneron memorial fund grant account. Donations deposited into the Vigneron
18 memorial fund grant account shall be used solely to provide material for the patients at
19 Zambarano hospital to improve their ability to express themselves, participate in motivating
20 activities, exert greater control over their daily environment, and increase their independence.

21 (b) All amounts deposited in the Vigneron memorial fund grant account on or after June
22 24, 2009, shall be exempt from the indirect cost recovery provisions of § 35-4-27.

23 SECTION 6. Chapter 42-7 of the General Laws entitled "Executive Department" is
24 hereby amended by adding thereto the following section:

25 **42-7-8. American Recovery and Reinvestment Act Administration Expenses.--** (a)
26 There is hereby created restricted receipt accounts, within the office of the governor for the office
27 of economic recovery and reinvestment, and within the department of administration for the
28 bureau of audits and the division of purchasing, to be known as ARRA administrative expense
29 accounts. Payments from the accounts shall be limited to expenses for administrative oversight
30 of American Recovery and Reinvestment Act (ARRA) funds. The governor's office of economic
31 recovery and reinvestment is authorized by OMB memorandum 09-18 to receive up to 0.5% of
32 stimulus funding to cover oversight expenses.

33 (b) All amounts deposited in the ARRA administration accounts shall be exempt from the
34 indirect cost recovery provisions of § 35-4-7.

1 SECTION 7. All sections of this article shall take effect upon passage and shall apply
2 retroactively to July 1, 2009, except as provided within.

3 **ARTICLE 11**

4 **RELATING TO TELECOMMUNICATIONS EDUCATION ACCESS FUND AND TDD**

5 SECTION 1. Sections 39-1-42 and 39-1-61 of the General Laws in Chapter 39-1 entitled
6 “Public Utilities Commission” are hereby amended to read as follows:

7 **39-1-42. Access to telephone information services for persons with disabilities. --**

8 (a) The public utilities commission shall establish, administer and promote an
9 information accessibility service that includes:

10 (1) A statewide telephone relay service and, through the competitive bidding process,
11 contract for the administration and operation of such a relay system for utilization of the
12 telecommunications network by deaf, hard of hearing and speech impaired persons;

13 (2) The adaptive telephone equipment loan program capable of servicing the needs of
14 persons who are deaf, hard of hearing, severely speech impaired, or those with neuromuscular
15 impairments for use with a single party telephone line, to any subscriber who is certified as deaf,
16 hard of hearing, severely speech impaired, or with neuromuscular impairments by a licensed
17 physician, audiologist, speech pathologist, or a qualified state agency, pursuant to chapter 23 of
18 this title; and

19 (3) A telephone access to the text of newspaper programs to residents who are blind, deaf
20 or blind, visually impaired, or reading impaired with a single party telephone line.

21 (b) The commission shall establish, by rule or regulation, an appropriate funding
22 mechanism to recover the costs of providing this service from each residence and business
23 telephone access line or trunk in the state, including PBX trunks and centrex equivalent trunks
24 and each service line or trunk, and upon each user interface number or extension number or
25 similarly identifiable line, trunk, or path to or from a digital network and upon each wireless
26 (cellular) line. Notwithstanding the foregoing, there shall not be any additional funding
27 mechanism used to charge each residence and business telephone access line or truck in the state,
28 including PBX trunks and centrex equivalent trunks and each service line or trunk, or upon each
29 user interface number or extension number or similarly identifiable line, trunk or path to or from
30 a digital network, to recover the costs of providing the services outlined in subsections (a)(1), (2)
31 or (3) above.

32 (c) The commission, with the assistance of the state commission on the deaf and hard of
33 hearing, shall also develop the appropriate rules, regulations and service standards necessary to
34 implement the provisions of subsection (a)(1) of this section. At a minimum, however, the

1 commission shall require, under the terms of the contract, that the relay service provider:

2 (1) Offer its relay services seven (7) days a week, twenty-four (24) hours a day, including
3 holidays;

4 (2) Hire only qualified salaried operators with deaf language skills; and

5 (3) Maintain the confidentiality of all communications.

6 (d) [Deleted by P.L. 2004, ch. 504, § 3.]

7 (e) The commission shall collect from the telecommunications service providers the
8 amounts of the surcharge collected from their subscribers and remit to the department of human
9 services an additional ten thousand dollars (\$10,000) annually commencing in fiscal year 2005
10 for the adaptive telephone equipment loan program and forty thousand dollars (\$40,000) to the
11 department of human services for the establishment of a new telephone access to the text of
12 newspaper programs. The surcharge referenced hereunder shall be generated from existing
13 funding mechanisms and shall not be generated as a result of any new funding mechanisms
14 charged to each residence and business telephone access line or trunk in the state, including PBX
15 trunks and centrex equivalent trunks and each service line or trunk, or upon each user interface
16 number or extension number or similarly identifiable line, trunk or path to or from a digital
17 network.

18 **39-1-61. Rhode Island telecommunications education access fund.** -- (a) *Preamble.*

19 For the past ten (10) years, the schools and libraries of Rhode Island have benefited from a
20 regulatory agreement with Verizon and its predecessor companies that has provided up to two
21 million dollars (\$2,000,000) annually for support of tele communications lines for internet access.
22 In addition, the funds provided for in the original regulatory agreement and every dollar
23 generated hereunder leverages a one dollar and twenty-seven cents (\$1.27) federal E-Rate match.
24 With the regulatory agreement approaching its termination and the advent of more advanced
25 technologies, it is the intent of this section to provide a continued source of funding for internet
26 access for eligible public and private schools and libraries.

27 (b) *Definitions.* As used in this section, the following terms have the following meanings:

28 (1) "Department" means the Rhode Island department of elementary and secondary
29 education.

30 (2) "Division" means the Division of Public Utilities and Carriers.

31 (3) "Telecommunications education access fund" means the programs and funding made
32 available to qualified libraries and schools to assist in paying the costs of acquiring, installing and
33 using telecommunications technologies to access the internet.

34 (c) *Purpose.* The purpose of the telecommunications education access fund shall be to

1 fund a basic level of internet connectivity for all of the qualified schools (kindergarten through
2 grade 12) and libraries in the state.

3 (d) *Authority.* The division shall establish, by rule or regulation, an appropriate funding
4 mechanism to recover from the general body of ratepayers the costs of providing
5 telecommunications technology to access the internet.

6 (1) The general assembly shall determine the amount of a monthly surcharge to be levied
7 upon each residence and business telephone access line or trunk in the state, including PBX
8 trunks and centrex equivalent trunks and each service line or trunk, and upon each user interface
9 number or extension number or similarly identifiable line, trunk, or path to or from a digital
10 network and upon each wireless (cellular) line. The department will provide the general assembly
11 with information and recommendations regarding the necessary level of funding to effectuate the
12 purposes of this article. The surcharge shall be billed by each telecommunications services
13 provider and shall be payable to the telecommunications services provider by the subscriber of
14 the telecommunications services. State, local and quasi-governmental agencies shall be exempt
15 from the surcharge. The surcharge shall be deposited in a restricted receipt account, hereby
16 created within the department of elementary and secondary education and known as the
17 telecommunications education access fund, to pay any and all costs associated with subsection
18 (b)(3). The amount of the surcharge shall not exceed thirty-five cents (\$.35) per access line or
19 trunk.

20 (2) The surcharge is hereby determined to be ~~twenty six cents (\$.26)~~ fifteen cents (\$.15)
21 per access line or trunk as specified in (d)(1) above.

22 (3) The amount of the surcharge shall not be subject to the sales and use tax imposed
23 under chapter 18 of title 44 nor be included within the gross earnings of the telecommunications
24 corporation providing telecommunications service for the purpose of computing the tax under
25 chapter 13 of title 44.

26 (e) *Administration.* The division, with input from the department, shall administer the
27 telecommunications education access fund consistent with the requirements of the Universal
28 Service (E-Rate) program. The division of taxation shall collect from the telecommunications
29 service providers the amounts of the surcharge collected from their subscribers. The department,
30 with the approval of the division, shall publish requests for proposals that do not favor any
31 particular technology, evaluate competitive bids, and select products and services that best serve
32 the internet access needs of schools and libraries. In doing so, the department shall endeavor to
33 obtain all available E-Rate matching funds. The department is further authorized and encouraged
34 to seek matching funds from all local, state, and federal public or private entities. The department

1 shall approve disbursement [disbursement] of funds under this section in accordance with the
2 division's directives. Unsuccessful bids may be appealed to the division. The division shall
3 annually review the department's disbursements from this account to ensure that the department's
4 decisions do not favor any competitor.

5 (f) *Eligibility.* All schools seeking support from the fund must be eligible for Universal
6 Service (E-Rate) support and meet the definition of "elementary school" or "secondary school" in
7 the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. § 8801). Schools
8 operating as a for-profit business or with endowments exceeding fifty million dollars
9 (\$50,000,000) are not eligible for support. All libraries seeking support from the fund must meet
10 the definition of "library" or "library consortium" in the Library Services and Technology Act,
11 P.L. 104-208, § 211 et seq., 110 Stat. 3009 (1996) and must be eligible for assistance from a state
12 library administrative agency under that act. Only libraries that have budgets that are completely
13 separate from any schools (including, but not limited to, elementary and secondary, colleges and
14 universities) shall be eligible to receive support. Libraries operating as a for-profit business shall
15 not be eligible for support.

16 (g) *Effective date.* The effective date of assessment for the telecommunications
17 education access fund shall be January 1, 2004.

18 SECTION 2. This article shall take effect as of February 1, 2010.

19 **ARTICLE 12**

20 **RELATING TO POLICE OFFICERS AND FIREFIGHTERS – INJURED ON DUTY**

21 SECTION 1. Section 45-19-1 of the General Laws in Chapter 45-19 entitled “Relief of
22 Injured and Deceased Firefighters and Police Officers” is hereby amended to read as follows:

23 **45-19-1. Salary payment during line of duty illness or injury.** -- (a) Whenever any
24 police officer of the Rhode Island Airport Corporation or whenever any police officer, fire
25 fighter, crash rescue crewperson, fire marshal, chief deputy fire marshal, or deputy fire marshal of
26 any city, town, fire district, or the state of Rhode Island is wholly or partially incapacitated by
27 reason of injuries received or sickness contracted in the performance of his or her duties or due to
28 their rendering of emergency assistance within the physical boundaries of the state of Rhode
29 Island at any occurrence involving the protection or rescue of human life which necessitates that
30 they respond in a professional capacity when they would normally be considered by their
31 employer to be officially off-duty, the respective city, town, fire district, state of Rhode Island or
32 Rhode Island Airport Corporation by which the police officer, fire fighter, crash rescue
33 crewperson, fire marshal, chief deputy fire marshal, or deputy fire marshal, is employed, shall,
34 during the period of the incapacity, pay the police officer, fire fighter, crash rescue crewperson,

1 fire marshal, chief deputy fire marshal, or deputy fire marshal, ~~the~~ eighty percent (80%) of the
2 salary or wage, together with the ~~and~~ benefits to which the police officer, fire fighter, crash rescue
3 crewperson, fire marshal, chief deputy fire marshal, or deputy fire marshal, would be entitled had
4 he or she not been incapacitated, and shall pay the medical, surgical, dental, optical, or other
5 attendance, or treatment, nurses, and hospital services, medicines, crutches, and apparatus for the
6 necessary period, except that if any city, town, fire district, the state of Rhode Island or Rhode
7 Island Airport Corporation provides the police officer, fire fighter, crash rescue crewperson, fire
8 marshal, chief deputy fire marshal, or deputy fire marshal, with insurance coverage for the related
9 treatment, services, or equipment, then the city, town, fire district, the state of Rhode Island or
10 Rhode Island Airport Corporation is only obligated to pay the difference between the maximum
11 amount allowable under the insurance coverage and the actual cost of the treatment, service, or
12 equipment. In addition, the cities, towns, fire districts, the state of Rhode Island or Rhode Island
13 Airport Corporation shall pay all similar expenses incurred by a member who has been placed on
14 a disability pension and suffers a recurrence of the injury or illness that dictated his or her
15 disability retirement.

16 (b) As used in this section, "police officer" means and includes any chief or other
17 member of the police department of any city or town regularly employed at a fixed salary or wage
18 and any executive high sheriff, sheriff, deputy sheriff, member of the fugitive task force, or
19 capitol police officer, permanent environmental police officer or criminal investigator of the
20 department of environmental management, or airport police officer.

21 (c) As used in this section, "fire fighter" means and includes any chief or other member of
22 the fire department or rescue personnel of any city, town, or fire district, and any person
23 employed as a member of the fire department of the town of North Smithfield, or fire department
24 or district in any city or town.

25 (d) As used in this section, "crash rescue crewperson" means and includes any chief or
26 other member of the emergency crash rescue section in the division of airports, or department of
27 transportation of the state of Rhode Island regularly employed at a fixed salary or wage.

28 (e) As used in this section, "fire marshal," "chief deputy fire marshal", and "deputy fire
29 marshal" mean and include the fire marshal, chief deputy fire marshal, and deputy fire marshals
30 regularly employed by the state of Rhode Island pursuant to the provisions of chapter 28.2 of title
31 23.

32 (f) Any person employed by the state of Rhode Island, except for sworn employees of
33 the Rhode Island State Police, who is otherwise entitled to the benefits of chapter 19 of this title
34 shall be subject to the provisions of chapters 29 – 38 of title 28 for all case management

1 procedures and dispute resolution for all benefits.

2 (g) In order to receive the benefits provided for under this section, a police officer or
3 firefighter must prove to their employer that he or she had reasonable grounds to believe that
4 there was an emergency which required an immediate need for their assistance for the protection
5 or rescue of human life.

6 (h) Any claims to the benefits provided for under this section resulting from the rendering
7 of emergency assistance in the state of Rhode Island at any occurrence involving the protection or
8 rescue of human life while off-duty, shall first require those covered by this section to submit a
9 sworn declaration to their employer attesting to the date, time, place and nature of the event
10 involving the protection or rescue of human life causing the professional assistance to be rendered
11 and the cause and nature of any injuries sustained in the protection or rescue of human life. Sworn
12 declarations shall also be required from any available witness to the alleged emergency involving
13 the protection or rescue of human life.

14 (i) All declarations required under this section shall contain the following language:

15 "Under penalty of perjury, I declare and affirm that I have examined this declaration,
16 including any accompanying schedules and statements, and that all statements contained herein
17 are true and correct."

18 SECTION 2. This article shall take effect upon passage.

19 ARTICLE 13

20 RELATING TO MUNICIPAL RETIREMENT

21 SECTION 1. Section 45-19-19 of the General Laws in Chapter 45-19 entitled "Relief of
22 Injured and Deceased Fire Fighters and Police Officers" is hereby amended to read as follows:

23 **45-19-19. City and town ordinances providing for retirement of sick or injured**
24 **police officers or fire fighters.** -- The city or town councils of the various cities and towns may
25 provide, by ordinance or through collective bargaining, for the retirement of the personnel of their
26 police and fire departments who have been on leave of absence from their employment due to
27 sickness contracted or injuries sustained in the performance of their duties; provided, that no
28 ordinance is contrary to any pension cost of living increase or escalator clause in a collective
29 bargaining agreement, and provided, further, that no ordinance provides for a disability retirement
30 allowance of less than ~~sixty six and two thirds percent (66 2/3%)~~ fifty percent (50%) of a retiree's
31 annual salary at the time of retirement nor more than one hundred percent (100%) of a retiree's
32 annual salary.

33 SECTION 2. Sections 45-21-16, 45-21-21, 45-21-22, 45-21-41 and 45-21-41.1 of the
34 General Laws in Chapter 45-21 entitled "Retirement of Municipal Employees" are hereby

1 amended to read as follows:

2 **45-21-16. Retirement on service allowance.** -- Retirement of a member on a service
3 retirement allowance shall be made by the retirement board as follows:

4 (1) Any member may retire upon the member's written application to the retirement board
5 as of the first day of the calendar month in which the application was filed, provided the member
6 was separated from service prior to the application, and provided, further, that if separation from
7 service occurs during the month in which application is filed, the effective date is the first day
8 following the separation from service, provided that the member at the time so specified for the
9 member's retirement has attained the applicable minimum retirement age and has completed at
10 least ten (10) years of total service or who, regardless of age, completed thirty (30) years of total
11 service, and notwithstanding that during the period of notification the member has separated from
12 service. The minimum ages for service retirement (except for employees completing thirty (30)
13 years of service) is fifty-eight (58) years for those employees who have completed at least ten
14 (10) years of contributory service before July 1, 2010. For those employees who have not
15 completed at least ten (10) years of contributory service before July 1, 2010, the minimum
16 requirements shall be attainment of age fifty-nine (59) with twenty-nine (29) or more years of
17 contributing service and attainment of age sixty-five (65) for those members with at least ten (10)
18 but less than twenty-nine (29) years of contributing service. Provided further, that any member
19 who has not completed at least ten (10) years of contributory service before July 1, 2010 may
20 retire upon attaining the age of fifty-five (55) and having completed twenty (20) years of
21 contributing service with an actuarial reduction in benefits for each month that the age of the
22 member is less than sixty-five (65) years.

23 (2) Except as specifically provided in §§ 45-21-19 through 45-21-22, no member is
24 eligible for pension benefits under this chapter unless the member has been a contributing
25 member of the employees' retirement system for at least ten (10) years.

26 (i) Provided, however, a person who has ten (10) years service credit on or before June
27 16, 1991 is vested.

28 (ii) Furthermore, any past service credits purchased in accordance with § 45-21-62 are
29 counted towards vesting.

30 (iii) Any person who becomes a member of the employees' retirement system pursuant to
31 § 45-21-4 shall be considered a contributing member for the purpose of this chapter.

32 (iv) Notwithstanding any other provision of law, no more than five (5) years of service
33 credit may be purchased by a member of the System. The five (5)-year limit does not apply to any
34 purchases made prior to the effective date of this provision. A member who has purchased more

1 than five (5) years of service credit maximum, before January 1, 1995, shall be permitted to apply
2 the purchases towards the member's service retirement. However, no further purchase will be
3 permitted. Repayment, in accordance with applicable law and regulation, of any contribution
4 previously withdrawn from the System is not deemed a purchase of service credit.

5 (3) No member of the municipal employees' retirement system is permitted to purchase
6 service credits for casual or seasonal employment, for employment as a page in the general
7 assembly, or for employment at any state college or university while the employee is a student or
8 graduate assistant of the college or university.

9 (4) A member does not receive service credit in this retirement system for any year or
10 portion of a year, which counts as service credit in any other retirement system in which the
11 member is vested or from which the member is receiving a pension and/or any annual payment
12 for life. This subsection does not apply to any payments received pursuant to the Federal Social
13 Security Act or to payments from a military pension earned prior to participation in state or
14 municipal employment, or to military service credits earned prior to participation in state or
15 municipal employment.

16 (5) A member who seeks to purchase or receive service credit in this retirement system
17 has the affirmative duty to disclose to the retirement board whether or not he or she is a vested
18 member in any other retirement system and/or is receiving a pension retirement allowance or any
19 annual payment for life. The retirement board has the right to investigate whether or not the
20 member has utilized the same time of service for credit in any other retirement system. The
21 member has an affirmative duty to cooperate with the retirement board including, by way of
22 illustration and not by way of limitation, the duty to furnish or have furnished to the retirement
23 board any relevant information which is protected by any privacy act.

24 (6) A member who fails to cooperate with the retirement board shall not have the time of
25 service counted toward total service credit until a time that the member cooperates with the
26 retirement board and until a time that the retirement board determines the validity of the service
27 credit.

28 (7) A member who knowingly makes a false statement to the retirement board regarding
29 service time or credit is not entitled to a retirement allowance and is entitled only to the return of
30 his or her contributions without interest.

31 **45-21-21. Retirement for accidental disability.** -- (a) Any member in active service,
32 regardless of length of service, is entitled to an accidental disability retirement allowance.
33 Application for the allowance shall be made by the member or on the member's behalf, stating
34 that the member is physically or mentally incapacitated for further service as the result of an

1 injury sustained while in the performance of duty and certifying the time, place, and conditions of
2 the duty performed by the member which resulted in the alleged disability, and that the alleged
3 disability was not the result of the willful negligence or misconduct on the part of the member,
4 and was not the result of age or length of service, and that the member has not attained the age of
5 sixty-five (65). The application may also state that the member is permanently and totally
6 disabled from any employment. The application shall be made within five (5) years of the alleged
7 accident from which the injury has resulted in the member's present disability and shall be
8 accompanied by an accident report and a physician's report certifying the disability. If a medical
9 examination made by three (3) physicians engaged by the retirement board, and other
10 investigations as the board may make, confirm the statements made by the member, the board
11 may grant the member an accidental disability retirement allowance.

12 (b) The retirement board shall establish uniform eligibility requirements, standards and
13 criteria for accidental disability which apply to all members who make application for accidental
14 disability benefits.

15 **45-21-22. Accidental disability allowance.** -- Upon retirement for accidental disability,
16 a member receives a retirement allowance equal to sixty-six and two-thirds percent (66 2/3%) of
17 the rate of the member's compensation at the date of the member's retirement subject to the
18 provisions of § 45-21-31. Upon retirement for accidental disability incurred on or after July 1,
19 2010, if the member has been found to be permanently and totally disabled from service but has
20 not been found by the board to be permanently and totally disabled from any employment as a
21 result of his/her accidental disability, a member receives a retirement allowance equal to fifty
22 percent (50%) of the rate of the member's compensation at the date of the member's retirement
23 subject to the provisions of § 45-21-31. The retiree shall, as a condition of continued receipt of a
24 disability retirement allowance, on or before a date fixed by the retirement board, annually
25 provide the board with such affidavits and accurate evidence of earnings, employment and gainful
26 activity as the board may require, including, but not limited to, joint and/or individual tax returns,
27 submitted under penalties of perjury. The employee shall be credited with service for his/her
28 period of disability and, upon reaching the earlier of age fifty-nine (59) with twenty-nine (29)
29 years of service or age sixty-five (65) with ten (10) years of service, his/her retirement shall
30 convert to a retirement on service allowance set forth in §§ 45-21-16 and 45-21-17, except that
31 for uniformed firefighters and sworn police officers who are subject to chapter 45-21.2, upon the
32 member reaching age fifty-five (55) with twenty-five (25) years of service his/her retirement shall
33 convert to a retirement on service allowance set forth in §§ 45-21.2-5 and subsection 45-21.2-
34 6(a).

1 (b) Upon retirement for accidental disability that has been found by the board to be
2 permanently and totally disabling from any employment, a member receives a retirement
3 allowance equal to sixty-six and two-thirds percent (66 2/3%) of the rate of the member's
4 compensation at the date of the member's retirement subject to the provisions of § 45-21-31. The
5 retirement board shall apply the terms of subsection 28-33-17(b) in determining total disability.

6 **45-21-41. Members' contributions -- Payroll deductions -- Certification to board. --**

7 (a) Each member shall contribute an amount equal to ~~six percent (6%)~~ seven percent
8 (7%) of salary or compensation earned and accruing to the member; provided, that contributions
9 by any member cease when the member has completed the maximum amount of service credit
10 attainable. Special compensation for additional fees shall not be considered as compensation for
11 contribution purposes.

12 (b) Each municipality shall deduct the previously stated rate from the compensation of
13 each member on each and every payroll of the municipality, and the deduction made during the
14 entire time a member is in service subject to termination as stated in the foregoing paragraph.

15 (c) The deductions provided for in this section shall be made notwithstanding that the
16 minimum compensation provided for by law for any member is reduced by the compensation.
17 Every member is deemed to consent and agree to the deductions made and provided for in this
18 section, and shall receipt for his or her full salary or compensation; and payment of salary or
19 compensation less those deductions are a full and complete discharge and acquittance of all
20 claims and demands for the services rendered by the person during the period covered by the
21 payment except as to the benefits provided under this chapter. Each participating municipality
22 shall certify to the retirement board the amounts deducted from the compensation of members.
23 Each of the amounts, when deducted, shall be credited to an individual account of the member
24 from whose compensation the deduction was made.

25 **45-21-41.1. Municipality payment of member contributions. --** (a) Each municipality,

26 pursuant to the provisions of 26 U.S.C. § 414(h)(2) of the United States Internal Revenue Code,
27 may, pursuant to appropriate legal action by the municipality, pick up and pay the contributions
28 which would be payable by the employees as members under § 45-21-41. The contributions so
29 picked up shall be treated as employer contributions in determining tax treatment under the
30 United States Internal Revenue Code; however, each municipality shall continue to withhold
31 federal and state income taxes based upon these contributions until the internal revenue service
32 rules that pursuant to 26 U.S.C. § 414(h)(2) of the United States Internal Revenue Code, these
33 contributions shall not be included as gross income of the employee until the time they are
34 distributed. Employee contributions which are picked up pursuant to this section shall be treated

1 and identified as member contributions for all purposes of the retirement system except as
2 specifically provided to the contrary in this section.

3 (b) Member contributions picked up by a municipality shall be paid from the same source
4 of funds used for the payment of compensation to a member. A deduction shall be made from a
5 member's compensation equal to the amount of the employee's contributions picked up by the
6 employee's municipal employer. This deduction, however, shall not reduce the employee's
7 compensation for purposes of computing benefits under the retirement system pursuant to this
8 chapter. Picked up contributions shall be submitted to the retirement system in accordance with
9 the provisions of § 45-21-41.

10 (c) Nothing in this provision shall authorize change or reduction of the minimum
11 employee contributions required by chapter 45-21.4.

12 SECTION 3. Sections 45-21.2-5, 45-21.2-6, 45-21.2-6.1, 45-21.2-6.2, 45-21.2-6.3, 45-
13 21.2-9, 45-21.2-14, 45-21.2-22 and 45-21.2-22.1 of the General Laws in Chapter 45-21.2 entitled
14 "Optional Retirement for Members of Police Force and Fire Fighters" are hereby amended to read
15 as follows:

16 **45-21.2-5. Retirement on service allowance.** -- Retirement of a member on a service
17 retirement allowance shall be made by the retirement board as follows:

18 (1) Any member who has attained or attains age seventy (70) shall be retired as stated in
19 § 45-21-16 subject to the discretions contained in that section; provided, that any member who is
20 a member of the Woonsocket fire department who has attained or attains an age of sixty-five (65)
21 years shall be retired. Retirement occurs on the first day of the next succeeding calendar month in
22 which the member has attained the age of sixty-five (65) years.

23 (2) Any member may retire pursuant to this subdivision upon written application to the
24 board stating at what time the member desires to retire; provided, that the member has completed
25 at least ten (10) years of contributory service before July 1, 2010 and at the specified time for
26 retirement has attained an age of fifty-five (55) years, or has completed at least ten (10) years of
27 contributory service on or after July 1, 2010 and has attained the age of sixty-five (65) years and
28 ~~has completed at least ten (10) years of total service~~, and notwithstanding that the member may
29 have separated from service.

30 (3) Any member may retire pursuant to this subdivision upon written application to the
31 board stating at what time the member desires to retire; provided, that the member at the specified
32 time for retirement has completed at least twenty-five (25) years of total service, and, for
33 employees who have not completed at least ten (10) years of contributory service before July 1,
34 2010, has attained the age of fifty-five (55) years, and notwithstanding that the member may have

1 separated from service.

2 (4) Any member may retire pursuant to this subdivision upon written application to the
3 board stating at what time the member desires to retire; provided, that the member at the specified
4 time for retirement has attained an age of fifty (50) years and has completed at least twenty (20)
5 years of total service, notwithstanding that the member may have separated from service;
6 provided, that for employees who have completed at least ten (10) years of contributory service
7 before July 1, 2010 the service retirement allowance, as determined according to the formula
8 provided in § 45-21.2-6, is reduced one-half of one percent (1/2%) for each month that the age of
9 the member is less than fifty-five (55) years and for employees who have not completed at least
10 ten (10) years of contributory service before July 1, 2010, the service retirement allowance as
11 determined according to the formula provided in § 45-21.2-6 is reduced by an actuarial reduction
12 in benefits for each month that the age of the member is less than age fifty-five (55).

13 (5) Any member of the South Kingstown police department may retire pursuant to this
14 subdivision upon written application to the board stating at what time the member desires to
15 retire; provided, that the member at the specified time for retirement has earned a service
16 retirement allowance of fifty percent (50%) of final compensation pursuant to § 45-21.2-6.1. This
17 subsection shall apply only to employees who have completed at least ten (10) years of
18 contributory service before the later of July 1, 2010 or the end of the day on the expiration date
19 set forth in any lawful collective bargaining agreement that was executed and in effect prior to
20 July 1, 2010.

21 (6) Any member of the Johnston police department may retire pursuant to this
22 subdivision upon written application to the board stating at what time the member desires to
23 retire; provided, that the member at the specified time for retirement has earned a service
24 retirement allowance of fifty percent (50%) of final compensation pursuant to § 45-21.2-6.2. This
25 subsection shall apply only to employees who have completed at least ten (10) years of
26 contributory service before the later of July 1, 2010 or the end of the day on the expiration date
27 set forth in any lawful collective bargaining agreement that was executed and in effect prior to
28 July 1, 2010.

29 (7) Any member of the Cranston fire department hired after July 1, 1995, or any member
30 of the Cranston fire department with five (5) years or less of service effective July 1, 1995, may
31 retire pursuant to this subdivision upon written application to the board stating at what time the
32 member desires to retire; provided, that the member at the specified time for retirement has
33 earned a service retirement allowance of fifty percent (50%) of final compensation for at least
34 twenty (20) years service; final compensation for Cranston fire department members is based on

1 the compensation components of weekly salary, longevity and holidays with longevity of the
2 members highest year of earnings and members shall receive a three percent (3%) escalation of
3 their pension payment compounded each year on January 1st following the year of retirement and
4 continuing on an annual basis on that date; further, any illness or injury not covered in title 45 of
5 the general laws relating to the presumption of disability is governed by the collective bargaining
6 agreement between the City of Cranston and members of the Cranston fire department. [This](#)
7 [subsection shall apply only to employees who have completed at least ten \(10\) years of](#)
8 [contributory service before the later of July 1, 2010 or the end of the day on the expiration date](#)
9 [set forth in any lawful collective bargaining agreement that was executed and in effect prior to](#)
10 [July 1, 2010.](#)

11 (8) Any member of the Cranston police department hired after July 1, 1995, or any
12 member of the Cranston police department with five (5) years or less of service effective July 1,
13 1995, may retire pursuant to this subdivision upon written application to the board stating at what
14 time the member desires to retire; provided, that the member at the specified time for retirement
15 has earned a service retirement allowance of fifty percent (50%) of final compensation for at least
16 twenty (20) years service; final compensation for Cranston police department members is based
17 on the compensation components of weekly salary, longevity and holidays with longevity of the
18 members highest year of earnings and members shall receive a three percent (3%) escalation of
19 their pension payment compounded each year on January 1st following the year of retirement and
20 continuing on an annual basis on that date; further, any illness or injury not covered in title 45 of
21 the general laws relating to the presumption of disability is governed by the collective bargaining
22 agreement between the City of Cranston and members of the Cranston police department. [This](#)
23 [subsection shall apply only to employees who have completed at least ten \(10\) years of](#)
24 [contributory service before the later of July 1, 2010 or the end of the day on the expiration date](#)
25 [set forth in any lawful collective bargaining agreement that was executed and in effect prior to](#)
26 [July 1, 2010.](#)

27 (9) Any member of the Hopkinton police department may retire pursuant to this
28 subdivision upon written application to the board stating at what time the member desires to
29 retire; provided, that the member at the specified time for retirement has earned a service
30 retirement allowance of fifty percent (50%) of final compensation for at least twenty (20) years
31 service; final compensation for Hopkinton police department members is based on the
32 compensation components of weekly salary, longevity and holidays with longevity of the
33 members highest year of earnings and members shall receive a three percent (3%) escalation of
34 their pension payment compounded each year on January 1st following the year of retirement and

1 continuing on an annual basis on that date. This subsection shall apply only to employees who
2 have completed at least ten (10) years of contributory service before the later of July 1, 2010 or
3 the end of the day on the expiration date set forth in any lawful collective bargaining agreement
4 that was executed and in effect prior to July 1, 2010.

5 (10) Any member of the Richmond police department may retire pursuant to this
6 subdivision upon written application to the board stating at what time the member desires to
7 retire; provided, that the member at the specified time for retirement has earned a service
8 retirement allowance of fifty percent (50%) of final compensation for at least twenty-two (22)
9 years' service pursuant to § 45-21.2-6.3. This subsection shall apply only to employees who have
10 completed at least ten (10) years of contributory service before the later of July 1, 2010 or the end
11 of the day on the expiration date set forth in any lawful collective bargaining agreement that was
12 executed and in effect prior to July 1, 2010.

13 **45-21.2-6. Service retirement allowance.** -- (a) Upon retirement from service pursuant
14 to subdivision (1), (2), or (3) of § 45-21.2-5, a member receives a retirement allowance which is a
15 life annuity terminable at the death of the annuitant and shall be an amount equal to two percent
16 (2%) of final compensation multiplied by the years of total service, but not to exceed seventy-five
17 percent (75%) of final compensation.

18 ~~(b) Upon retirement from service pursuant to subdivision (4) of § 45-21.2-5, a member~~
19 ~~receives a retirement allowance which is a life annuity terminable at the death of the annuitant~~
20 ~~computed in accordance with subsection (a) of this section, reduced by one half of one percent~~
21 ~~(1/2%) for each month that the member was under age fifty five (55) at his or her retirement.~~

22 ~~(e)~~(b) Upon retirement, the member may elect to receive the actuarial equivalent of his or
23 her retirement allowance in a lesser retirement allowance as determined by actuarial calculation,
24 which is payable throughout life with the provision that:

25 (1) Option 1. - A reduced retirement allowance payable during the member's life with the
26 provisions that after his or her death it shall continue during the life of and be paid to the person
27 that he or she nominated by written designation duly acknowledged and filed with the retirement
28 board at the time of retirement; or

29 (2) Option 2. - A reduced retirement allowance payable during the member's life with the
30 provision that after his or her death an allowance equal to one-half (1/2) of his or her reduced
31 allowance shall continue during the life of and be paid to the person that he or she nominated by
32 written designation duly acknowledged and filed with the board at the time of retirement.

33 **45-21.2-6.1. South Kingstown police department -- Retirement allowance.** -- Upon
34 retirement from service pursuant to subdivision (1), (2), or (5) of § 45-21.2-5, a member of the

1 South Kingstown police department receives a retirement allowance which is a life annuity
2 terminable at the death of the annuitant, and is an amount equal to the sum of two and one-half
3 percent (2.5%) of final compensation multiplied by the years of service accrued after July 1, 1993
4 and two percent (2%) of final compensation multiplied by the years of service accrued prior to
5 July 1, 1993. The annual retirement allowance in no event shall exceed seventy-five percent
6 (75%) of final compensation. [This section shall apply only to employees who have completed at
7 least ten \(10\) years of contributory service before the later of July 1, 2010 or the end of the day on
8 the expiration date set forth in any lawful collective bargaining agreement that was executed and
9 in effect prior to July 1, 2010.](#)

10 **45-21.2-6.2. Johnston police department retirement allowance.** -- Upon retirement
11 from service pursuant to subdivision (1), (2), or (6) of § 45-21.2-5, a member of the Johnston
12 police department receives a retirement allowance which is a life annuity terminable at the death
13 of the annuitant, and is an amount equal to the sum of two percent (2%) of final compensation
14 multiplied by the first twenty-five (25) years of service and four percent (4%) of final
15 compensation multiplied by the years of service in excess of twenty-five (25) years. The annual
16 retirement allowance in no event shall exceed seventy-five percent (75%) of final compensation.
17 [This section shall apply only to employees who have completed at least ten \(10\) years of
18 contributory service before the later of July 1, 2010 or the end of the day on the expiration date
19 set forth in any lawful collective bargaining agreement that was executed and in effect prior to
20 July 1, 2010.](#)

21 **45-21.2-6.3. Richmond police department -- Retirement allowance.** -- Upon
22 retirement from service pursuant to chapter 45-21.2-5, a member of the Richmond police
23 department shall receive a retirement allowance which shall be terminable at the death of the
24 annuitant, and shall be an amount equal to the sum of two and two thousand seven hundred
25 twenty-seven ten thousandths of a percent (2.2727%) of final compensation (average of final
26 three years' salary) multiplied by the years of service. The annual retirement allowance in no
27 event shall exceed seventy-five percent (75%) of final compensation. [This section shall apply
28 only to employees who have completed at least ten \(10\) years of contributory service before the
29 later of July 1, 2010 or the end of the day on the expiration date set forth in any lawful collective
30 bargaining agreement that was executed and in effect prior to July 1, 2010.](#)

31 **45-21.2-9. Retirement for accidental disability.** -- (a) Any member in active service,
32 regardless of length of service, is entitled to an accidental disability retirement allowance.
33 Application for the allowance is made by the member or on the member's behalf, stating that the
34 member is physically or mentally incapacitated for further service as the result of an injury

1 sustained while in the performance of duty and certifying to the time, place, and conditions of the
2 duty performed by the member which resulted in the alleged disability and that the alleged
3 disability was not the result of the willful negligence or misconduct on the part of the member,
4 and was not the result of age or length of service, and that the member has not attained the age of
5 sixty-five (65). The application shall be made within eighteen (18) months of the alleged accident
6 from which the injury has resulted in the member's present disability and shall be accompanied by
7 an accident report and a physician's report certifying to the disability. If the member was able to
8 return to his or her employment and subsequently reinjures or aggravates the same injury, the
9 member shall make another application within eighteen (18) months of the reinjury or
10 aggravation which shall be accompanied by a physician's report certifying to the reinjury or
11 aggravation causing the disability. If a medical examination made by three (3) physicians
12 engaged by the retirement board, and other investigations as the board may make, confirms the
13 statements made by the member, the board may grant the member an accidental disability
14 retirement allowance.

15 (b) For purposes of subsection (a), "reinjury" shall mean a recurrence of the original
16 work-related injury from a specific ascertainable event. The specific event must be the proximate
17 cause of the member's present condition of disability.

18 (c) For the purposes of subsection (a), "aggravation" shall mean an intervening work-
19 related trauma that independently contributes to a member's original injury that amounts to more
20 than the natural progression of the preexisting disease or condition and is not the result of age or
21 length of service. The intervening independent trauma causing the aggravation must be an
22 identifiable event or series of work-related events that are the proximate cause of the member's
23 present condition of disability.

24 (d) Any fire fighter, including one employed by the state, or a municipal firefighter
25 employed by a municipality that participates in the optional retirement for police officers and fire
26 fighters as provided in this chapter, who is unable to perform his or her duties in the fire
27 department by reason of a disabling occupational cancer which develops or manifests itself
28 during a period while the fire fighter is in the service of the department, and any retired member
29 of the fire force of any city or town who develops occupational cancer, is entitled to receive an
30 occupational cancer disability and he or she is entitled to all of the benefits provided for in this
31 chapter, chapters 19, 19.1, and 21 of this title and chapter 10 of title 36 if the fire fighter is
32 employed by the state.

33 (e) "Occupational cancer", as used in this section, means a cancer arising out of
34 employment as a fire fighter, due to injury due to exposures to smoke, fumes, or carcinogenic,

1 poisonous, toxic, or chemical substances while in the performance of active duty in the fire
2 department.

3 (f) Pursuant to §§ 45-21.2-10, 45-21-22 and subsection 45-21-24(a), the retiree shall, as a
4 condition of continued receipt of a disability retirement allowance, on or before a date fixed by
5 the retirement board, annually provide the board with such affidavits and accurate evidence of
6 earnings, employment and gainful activity as the board may require, including, but not limited to,
7 joint and/or individual tax returns, under penalties of perjury.

8 **45-21.2-14. Contributions.** -- (a) Each member shall contribute an amount equal to
9 ~~seven percent (7%)~~ eight percent (8%) of the salary or compensation earned or accruing to the
10 member. Special compensation or additional fees shall not be considered as compensation for
11 contribution purposes.

12 (b) Deductions are made in accordance with § 45-21-14 and credited in accordance with
13 § 45-21-43.

14 (c) Each municipality shall make contributions to the system to provide the remainder of
15 the obligation for retirement allowances, annuities, and other benefits provided in this section,
16 after applying the accumulated contribution of members, interest income on investments, and
17 other accrued income. The contribution shall be compiled in accordance with §§ 45-21-42 -
18 through 45-21-44, except that contributions for the first five (5) years of the system shall likewise
19 be determined by the board.

20 (d) Provided, that members of the South Kingstown police department, beginning July 1,
21 1985, contribute an amount equal to eight percent (8%) of salary or compensation or additional
22 fees are not considered as compensation for retirement purposes.

23 (e) Provided, further, that members of the City of Cranston fire department hired after
24 July 1, 1995, beginning July 1, 1995, contribute an amount equal to ten percent (10%) of their
25 weekly salary; and those members of the City of Cranston fire department with five (5) years or
26 less of service effective July 1, 1995, have the option to either remain in the City of Cranston
27 pension plan to which they belonged prior to the adoption of local ordinance by the Cranston city
28 council as stated in § 45-21.2-22 or contribute to the State of Rhode Island optional twenty (20)
29 year retirement on service allowance an amount equal to ten percent (10%) of their weekly salary
30 commencing July 1, 1995. The City of Cranston may request and the retirement board may
31 authorize additional members of the City of Cranston fire department hired after July 1, 1987, the
32 option to either remain in the City of Cranston pension plan to which they belonged prior to the
33 adoption of local ordinance by the Cranston city council as stated in § 45-21.2-22 or contribute to
34 the State of Rhode Island optional twenty (20) year retirement on service allowance an amount

1 equal to ten percent (10%) of their weekly salary beginning on a date specified by the retirement
2 board. This section shall apply only to employees who have completed at least ten (10) years of
3 contributory service before the later of July 1, 2010 or the end of the day on the expiration date
4 set forth in any lawful collective bargaining agreement that was executed and in effect prior to
5 July 1, 2010.

6 (f) Further, provided, that members of the City of Cranston police department hired after
7 July 1, 1995, beginning July 1, 1995, contribute an amount equal to ten percent (10%) of their
8 weekly salary; and those members of the City of Cranston police department with five (5) years
9 or less of service effective July 1, 1995, have the option to either remain in the City of Cranston
10 pension plan to which they belonged prior to the adoption of local ordinance by the Cranston city
11 council as stated in § 45-21.2-22 or contribute to the State of Rhode Island optional twenty (20)
12 year retirement on service allowance an amount equal to ten percent (10%) of their weekly salary
13 commencing July 1, 1995. The City of Cranston may request and the retirement board may
14 authorize additional members of the City of Cranston police department hired after July 1, 1987,
15 the option to either remain in the City of Cranston pension plan to which they belonged prior to
16 the adoption of local ordinance by the Cranston city council as stated in § 45-21.2-22 or
17 contribute to the State of Rhode Island optional twenty (20) year retirement on service allowance
18 an amount equal to ten percent (10%) of their weekly salary beginning on a date specified by the
19 retirement board. This section shall apply only to employees who have completed at least ten (10)
20 years of contributory service before the later of July 1, 2010 or the end of the day on the
21 expiration date set forth in any lawful collective bargaining agreement that was executed and in
22 effect prior to July 1, 2010.

23 **45-21.2-22. Optional twenty year retirement on service allowance.** -- The local
24 legislative bodies of the cities and towns may, by ordinance adopted, permit the retirement of a
25 member on a service retirement allowance as follows:

26 (1) Any member may retire pursuant to this section upon his or her written application to
27 the board stating at what time he or she desires to retire; provided, that the member, at the
28 specified time for his or her retirement, has completed at least twenty (20) years of total service,
29 and, notwithstanding that the member may have separated from service;

30 (2) Upon retirement from service pursuant to subdivision (a), a member receives a
31 retirement allowance which is a life annuity terminable at the death of the annuitant, and is equal
32 to two and one-half percent (2 1/2%) of final compensation multiplied by the years of total
33 service, but not to exceed seventy-five percent (75%) of final compensation;

34 (3) Upon the adoption of a service retirement allowance, pursuant to this subdivision,

1 each member contributes an amount equal to one percent (1%) more than that contribution
2 required under § 45-21.2-14;

3 (4) This section is exempt from the provisions of chapter 13 of this title.

4 [\(5\) This section shall apply only to employees who have completed at least ten \(10\) years](#)
5 [of contributory service before the later of July 1, 2010 or the end of the day on the expiration date](#)
6 [set forth in any lawful collective bargaining agreement that was executed and in effect prior to](#)
7 [July 1, 2010.](#)

8 **45-21.2-22.1. Burrillville police -- Optional twenty-year retirement on service**
9 **allowance.** -- Notwithstanding § 45-21.2-22, the town council of the town of Burrillville, may by
10 ordinance adopted, permit the retirement of a member on a service retirement allowance as
11 follows:

12 (1) Any member may retire pursuant to this section upon his or her written application to
13 the board stating at what time he or she desires to retire; provided, that the member, at the
14 specified time of his or her retirement, has completed at least twenty (20) years of total service;

15 (2) Upon retirement from service, pursuant to subdivision (1), a member receives a
16 retirement allowance that is a life annuity terminable at the death of the annuitant, and is equal to
17 three percent (3%) of final compensation multiplied by the years of total service, but not to
18 exceed sixty percent (60%) of final compensation;

19 (3) Upon retirement from service where member has in excess of twenty (20) years of
20 service, a member receives a retirement allowance that is a life annuity terminable at the death of
21 the annuitant, and is an amount equal to the sum of three percent (3%) of final compensation
22 multiplied by the first twenty (20) years of service and one and one-half percent (1.5%) of final
23 compensation multiplied by the years of service in excess of twenty (20) years. The annual
24 retirement allowance in no event shall exceed seventy-five percent (75%) of final compensation;

25 (4) Upon the adoption of a service retirement allowance, pursuant to this section, each
26 member shall contribute an amount equal to ten and two-tenths percent (10.2%) of the salary or
27 compensation earned or accrued to the member;

28 (5) Notwithstanding anything to the contrary hereinabove, any member who retires with
29 less than twenty (20) years of service shall be subject to § 45-21.2-6 for purposes of determining
30 any service retirement allowance;

31 (6) This section is exempt from the provisions of chapter 13 of this title;

32 (7) Except as specifically set forth hereinabove, all other provisions of chapter 21.2 of
33 this title shall be applicable to Burrillville police officers who make application to retire.

34 [\(8\) This section shall apply only to employees who have completed at least ten \(10\) years](#)

1 of contributory service before the later of July 1, 2010 or the end of the day on the expiration date
2 set forth in any lawful collective bargaining agreement that was executed and in effect prior to
3 July 1, 2010.

4 SECTION 4. Title 45 of the General Laws entitled "TOWNS and CITIES" is hereby
5 amended by adding thereto the following chapter:

6 CHAPTER 21.4

7 MUNICIPAL RETIREMENT PROGRAMS

8 **45-21.4-1. Purpose.** -- It is the intent of this chapter to ensure that retirement benefits
9 accorded to municipal employees by collective bargaining agreement are affordable to taxpayers,
10 and thus to ensure that municipal employees will enjoy these benefits in retirement without
11 interruption.

12 **45-21.4-2. Definitions.** -- Words used in this chapter shall be defined using the
13 definitions contained in section 45-21-2.

14 **45-21.4-3. Limits on retirement benefits.** -- Notwithstanding any general law or special
15 law of the state of Rhode Island, no collective bargaining agreement entered into and no interest
16 arbitration award issued, after the effective date of this chapter by a municipality, shall require or
17 permit employee retirement benefits in addition to or in excess of the following, or any of the
18 following individually, or employee contribution rates that are less than the following, for
19 employees retiring after the effective date of the chapter:

20 (a) For employees who have not already reached their vesting date in a pension plan
21 providing more generous benefits, and except as further limited by this chapter, benefits and
22 allowances shall not exceed those benefits and allowances provided by chapter 45-21, or, for
23 sworn police officers and uniformed firefighters only, those benefits and allowances provided by
24 chapter 45-21.2 (excluding provisions applicable to individual municipalities) of the general laws,
25 each chapter as it is in effect as of the effective date of this section. Contributions for employees
26 shall not be less than those required in section 45-21-41, or for sworn police officers and
27 uniformed firefighters only, as required in section 45-21.2-14, irrespective of vested status.

28 (b) Post-retirement health, dental, life or other insurance benefits ("Insurance Benefits")
29 under group plans covering the municipality's employees or supported in any way by funds from
30 the local taxing authority, shall not be wholly or partially provided by a municipality to a former
31 employee or retiree before the individual's fifty-fifth (55th) birthday and shall discontinue upon
32 the individual reaching Medicare eligibility; provided, however, that a former employee or retiree
33 may be permitted to continue under a municipality's group plan for any insurance benefits if
34 he/she pays one hundred percent (100%) of the premium or working rate, or for self-insured

1 municipalities' plans one hundred percent (100%) of the working rate, of the applicable insurance
2 plan.

3 (c) For those employees who have not vested before July 1, 2010 in a pension plan
4 providing more generous cost of living adjustment ("COLA"), or a pension escalator, shall not
5 exceed three percent (3%) non-compounded annually, commencing on the fifth anniversary of the
6 date on which the retiree commences receiving a retirement allowance.

7 (d) No retiree who has insurance benefits available to him/her, whether through
8 employment, social security, a spouse's employment or social security or from any other source,
9 shall be eligible for payment, in whole or in part, by the municipality or other entity for insurance
10 of the same kind. For example, a retiree whose spouse is employed by an employer that has a
11 group health insurance plan shall not be eligible for payment for health insurance coverage by a
12 municipality, unless that group plan does not permit a spouse to be covered.

13 (e) Each retiree who is afforded any insurance benefits shall contribute at least twenty
14 percent (20%) of the premium or working rate, or, for retirees of municipalities that self-insure,
15 twenty percent (20%) of the working rate, for such benefits, as a condition precedent to receipt of
16 benefits. Insurance benefits provided to retirees shall be no greater than the same plan or plans
17 provided to active employees.

18 (f) Post-retirement insurance benefits shall be limited to individual plans or individual-
19 plus-spouse plans. Only a spouse who is covered on the date of retirement shall be permitted
20 coverage.

21 **45-21.4-4. Implementing Regulations.** -- As part of a municipality's annual audit, a
22 report detailing compliance with the provisions of chapter 45-21.4 shall be submitted to the
23 auditor general no later than forty-five (45) days after the completion of the annual audit. The
24 auditor general shall validate the report for compliance. Any issues of non-compliance shall
25 invoke the provisions of section 45-21.4-9. For municipalities that have not accepted the
26 provisions of chapter 21 of title 45 and which do not participate in the municipal employees'
27 retirement system, the auditor general shall have the authority to secure the services of an actuary
28 to perform an actuarial audit of the municipality's pension plan. Such actuarial audit shall be
29 performed no less than every five (5) years and shall be paid for by the municipality. Any such
30 recommendations provided by the audit, which is deemed by the auditor general to be required
31 for proper actuarial funding, shall be implemented by the municipality and shall be enforced by
32 section 45-21.4-9.

33 **45-21.4-5. Enforcement.** -- Upon receipt of information from the auditor general, the
34 general treasurer or any other source, that a municipality, by contract, rule, regulation, practice,

1 resolution, ordinance or otherwise has failed to comply with the terms of this chapter, the attorney
2 general shall, or any person or public interest group may, file suit in the superior court and, if
3 he/she/it prevails in the litigation, shall be entitled to injunctive relief, reformation of any
4 conflicting contracts, attorneys' fees and costs, and such other and further relief as the court may
5 deem necessary in order to give full force and effect to the terms of this chapter, and to remedy
6 any damage done by reason of the violation.

7 **45-21.4-6. Actuarial cost required.** -- No person or committee shall recommend passage
8 of any bill or resolution having an effect of increasing employer contributions, decreasing
9 employee contributions, or increasing benefits or retirement allowances or limits thereon in
10 chapters 45-21, 45-21.2 or 45-21.4, unless the bill or resolution shall be accompanied by a
11 statement which shall set forth the costs and/or value of each change as determined by the
12 actuaries regularly employed by the municipal employees retirement system. The cost of such
13 analysis shall be borne by the committee or entity recommending the change.

14 **45-21.4-7. Severability.** -- Should any term or provision of this chapter be declared by a
15 court of competent jurisdiction to be unenforceable and/or void, the remaining provisions and
16 terms of this chapter shall continue in full force and effect.

17 SECTION 5. All provisions of Title 45 of the RI General Laws including but not limited
18 to 45-21-52, 45-21.1-5, and 45-21.2-5 authorizing or requiring cost of living adjustments for
19 retired municipal, fire, or police employees are eliminated for all such employees not eligible to
20 retire on the effective date of this Article.

21 SECTION 6. This article shall take effect as of July 1, 2010.

22 **ARTICLE 14**

23 **RELATING TO MEDICAL INSURANCE COVERAGE**

24 SECTION 1. Section 27-20.4-1 of the General Laws in Chapter 27-20.4 entitled
25 "Insurance Continuation Act" is hereby amended to read as follows:

26 **27-20.4-1. Continuation of health plan coverage for former spouse.** -- (a) In the event
27 of a final judgment of divorce entered into on or before March, 2010, whether absolute or
28 otherwise, where one party to the divorce was at the time of the entry of the judgment for divorce
29 a member of a health plan providing family coverage regulated under chapters 18, 19, 20, or 20.1
30 of this title and § 42-62-13, or a member of a health maintenance organization as defined in § 42-
31 62-4(5), or any similar health plan whether regulated under these chapters and sections or not, the
32 person who was the spouse of the party prior to the entry of judgment for divorce may remain
33 eligible for continuing benefits under the plan and health maintenance organization without
34 additional premium or examination if the order is included in the judgment when entered. The

1 eligibility shall continue as long as the original member is a participant in the plan or health
2 maintenance organization and until ~~either one of~~ any of the following shall take place: (1) the
3 remarriage of either party to the divorce, ~~or~~ (2) until a time as provided by the judgment for
4 divorce, or (3) until May 30, 2010. If the person who was the spouse of a member of a plan or
5 health maintenance organization as set forth in this subsection becomes eligible to participate in a
6 comparable plan or health maintenance organization through his or her own employment, the
7 continuation of the original plan coverage shall cease. Any final decree continuing family health
8 insurance shall require both the member and the spouse to notify the insurer promptly of any
9 remarriage.

10 (b) The person who was the spouse and remains eligible for continuing benefits under the
11 provisions of this section or any custodial guardian of an insured minor child of the original
12 member, having paid for covered medical costs subject to reimbursement, shall be reimbursed
13 directly by the insurer upon the filing of the claim. The insurer shall not require that the claim be
14 filed through the insured member, but must allow for direct filing.

15 SECTION 2. This article shall take effect as of March 1, 2010.

16 **ARTICLE 15**
17 **RELATING TO RHODE ISLAND CONVENTION CENTER AUTHORITY**
18 **DEBT MANAGEMENT ACT JOINT RESOLUTION**

19 SECTION 1. This article shall serve as a joint resolution required pursuant to Rhode
20 Island General Laws § 35-18-1, et seq.

21 WHEREAS, the Rhode Island Convention Center Authority (the “Authority”) is a public
22 corporation of the State of Rhode Island (the “State”), constituting a public instrumentality and
23 agency exercising public and essential governmental functions of the State, created by the
24 General Assembly pursuant to Rhode Island General Laws Section 42-99-1 et seq. (as enacted,
25 reenacted and amended, the “Act”); and

26 WHEREAS, the Authority is proposing a project to acquire, renovate, equip, improve and
27 redevelop the Veterans Memorial Auditorium (the “Project”); and

28 WHEREAS, the Act provides that the Authority shall have the power to purchase, take,
29 receive, lease or otherwise acquire, own, hold, improve, use and otherwise deal in and with, real
30 or personal property, or any interest therein, wherever situated; and

31 WHEREAS, the Act also provides that the Authority shall have the power to sell, convey,
32 mortgage, pledge, lease, exchange, transfer, and otherwise dispose of all or any part of its
33 property and assets, and to purchase, take, receive, subscribe for, or otherwise acquire, own, hold,
34 vote, use, employ, sell, mortgage, lend, pledge or otherwise dispose of, and otherwise use and

1 deal in and with, shares or other interests in, or obligations of, other domestic or foreign
2 corporations, associations, partnerships or individuals, direct or indirect obligations of the United
3 States or of any other government, state, territory, governmental district or municipality or of any
4 instrumentality thereof; and

5 WHEREAS, the Act authorizes the Authority to make and enter into all contracts,
6 agreements, and guarantees and incur liabilities, borrow money at those rates of interest that the
7 corporation may determine, issue its notes, bonds, and other obligations, and secure any of its
8 obligations by mortgage or pledge of all or any of its property, franchises, and income, necessary
9 or incidental to the performance of its duties and the execution of its powers; and

10 WHEREAS, in furtherance of its corporate purposes, the Authority is authorized to issue
11 from time to time its negotiable bonds and notes in one or more series in such principal amounts
12 as shall be necessary to provide sufficient funds for achieving its purposes, including the payment
13 of interest on the bonds and notes of the Authority, the establishment of reserves to secure the
14 bonds and notes, and the making of all other expenditures of the Authority incident to and
15 necessary or convenient to carrying out its purposes and powers; and

16 WHEREAS, pursuant to Rhode Island General Laws Sections 35-18-3 and 35-18-4 of the
17 Rhode Island Public Corporation Debt Management Act (as enacted, reenacted and amended, the
18 “Debt Management Act”), the Authority hereby requests the approval of the General Assembly of
19 the Authority’s issuance of not more than twenty-nine million seven hundred fifty thousand
20 dollars (\$29,750,000) Rhode Island Convention Center Authority Veterans Memorial Auditorium
21 Revenue Bonds (the “Bonds”) to be secured in part by a financing lease to be entered into by the
22 State, subject to annual budget appropriations by the General Assembly (the “State Financing
23 Lease”), for the purpose of providing funds to finance the Project and the costs of issuing and, if
24 beneficial, insuring the Bonds, and, if required, funding a debt service reserve fund; and

25 WHEREAS, the Project constitutes an essential public facility directly benefiting the
26 State and its citizens; and

27 WHEREAS, the Authority is authorized pursuant to Section 42-99-9 of the Act to secure
28 its bonds out of the revenues and receipts derived from the lease, mortgage, or sale by the
29 Corporation of its facilities, or of any part thereof or from any other financing arrangement with
30 respect to that; and

31 WHEREAS, the State shall directly benefit economically from the Project by the ability
32 of the Authority to attract additional performing arts, community events, business meetings,
33 popular entertainment, graduations, and other functions at the Veterans Memorial Auditorium,
34 through, among other things, increases in sales tax and income tax revenues and the creation of

1 jobs for its residents; and

2 WHEREAS, the financing of the Project will be accomplished through one or more bond
3 financings by the Authority supported in part by the State Financing Lease; and

4 WHEREAS, the State Financing Lease shall be for a period not to exceed twenty (20)
5 years; and

6 WHEREAS, the Authority, through payments to be received from the State under the
7 State Financing Lease, will pay debt service on the Bonds to the extent amounts received from
8 the operations of the Veterans Memorial Auditorium are insufficient to pay debt service on the
9 Bonds. The maximum fiscal year obligation of the Authority and the State is the total debt
10 service on the Bonds which is expected to be approximately two million six hundred thousand
11 dollars (\$2,600,000) per year over a twenty (20) year period; and

12 WHEREAS, the total bond issue is expected to be twenty-nine million seven hundred
13 fifty thousand dollars (\$29,750,000), of which twenty-five million seven hundred fifty thousand
14 dollars (\$25,750,000) will be available for project costs, two million six hundred fifty thousand
15 dollars (\$2,650,000) for a debt service reserve fund, if required, and one million three hundred
16 fifty thousand dollars (\$1,350,000) for cost of issuance.

17 WHEREAS, in the event that not all of the Bond proceeds are used to carry out the
18 specified Project, the Authority will use any remaining funds to pay debt service on the Bonds;
19 now, therefore, be it

20 RESOLVED, that this General Assembly finds that the Project is an essential public
21 facility and is of a type and nature consistent with the purposes and within the powers of the
22 Authority to undertake, and hereby approves the Authority's issuance of not more than twenty-
23 nine million seven hundred fifty thousand dollars (\$29,750,000) in Bonds and the State entering
24 into the State Financing Lease to secure the debt service on the Bonds, subject to annual budget
25 appropriation by the General Assembly; and be it further

26 RESOLVED, that the Bonds will be special obligations of the Authority payable from
27 funds received by the Authority from the operations of the Project and the State Financing Lease;
28 and be it further

29 RESOLVED, that the Bonds will not constitute indebtedness of the State or any of its
30 subdivisions or a debt for which the full faith and credit of the State or any of its subdivisions is
31 pledged, except to the extent that the State appropriates funds for the State Financing Lease
32 subject to annual budget appropriations.

33 SECTION 2. This Joint Resolution shall take effect upon passage.

34 **ARTICLE 16**

1 RELATING TO PENSION REFORM

2 SECTION 1. Sections 36-10-2 and 36-10-35 of the General Laws in Chapter 36-10
3 entitled "Retirement System Contribution and Benefits" are hereby amended to read as follows:

4 **36-10-2. State contributions.** -- (a) The State of Rhode Island shall make its contribution
5 for the maintenance of the system, including the proper and timely payment of benefits in
6 accordance with the provisions of this chapter and chapters 8, 16, 28, 31 and 42 of this title, by
7 annually appropriating an amount equal to a percentage of the total compensation paid to the
8 active membership. The percentage shall be computed by the actuary employed by the retirement
9 system and shall be certified by the retirement board to the director of administration on or before
10 the fifteenth day of October in each year. In arriving at the yearly employer contribution the
11 actuary shall determine the value of:

- 12 (1) The contributions made by the members;
13 (2) Income on investments; and
14 (3) Other income of the system.

15 (b) The Actuary shall thereupon compute the yearly employer contribution that will:

- 16 (1) Pay the actuarial estimate of the normal cost for the next succeeding fiscal year;
17 (2) Amortize the unfunded liability of the system as of June 30, 1999 utilizing a time
18 period not to exceed thirty (30) years.

19 (c) The State of Rhode Island shall remit to the general treasurer the employer's share of
20 the contribution for state employees, state police, and judges on a payroll frequency basis, and for
21 teachers in a manner pursuant to § 16-16-22.

22 (d) In accordance with the intent of § 36-8-20 that the retirement system satisfy the
23 requirements of § 401(a) of the Internal Revenue Code of 1986, the state shall pay to the
24 retirement system:

25 (i) By June 30, 1995, an amount equal to the sum of the benefits paid to state legislators
26 pursuant to § 36-10-10.1 in excess of ten thousand dollars (\$10,000) per member (plus accrued
27 interest on such amount at eight percent (8%)) for all fiscal years beginning July 1, 1991, and
28 ending June 30, 1995, but this amount shall be paid only if § 36-10-10.1(e) becomes effective
29 January 1, 1995; and

30 (ii) By December 31, 1994, twenty million seven hundred eighty eight thousand eight
31 hundred twelve dollars and nineteen cents (\$20,788,812.19) plus accrued interest on that amount
32 at eight percent (8%) compounded monthly beginning March 1, 1991, and ending on the date this
33 payment is completed (reduced by amortized amounts already repaid to the retirement system
34 with respect to the amounts withdrawn by the state during the fiscal year July 1, 1990 – June 30,

1 1991); and

2 (iii) By June 30, 1995, the sum of the amounts paid by the retirement system for retiree
3 health benefits described in § 36-12-4 for all fiscal years beginning July 1, 1989, and ending June
4 30, 1994, to the extent that the amounts were not paid from the restricted fund described in
5 subsection (c).

6 (2) Any and all amounts paid to the retirement system under this subsection shall not
7 increase the amount otherwise payable to the system by the state of Rhode Island under
8 subsection (a) for the applicable fiscal year. The actuary shall make such adjustments in the
9 amortization bases and other accounts of the retirement system as he or she deems appropriate to
10 carry out the provisions and intent of this subsection.

11 (e) In addition to the contributions provided for in subsection (a) through (c) and in order
12 to provide supplemental employer contributions to the retirement system, commencing in fiscal
13 year 2006, and each year thereafter:

14 (1) Except for fiscal year 2009, fiscal year 2010 and fiscal year 2011, For for each fiscal
15 year in which the actuarially determined state contribution rate for state employees is lower than
16 that for the prior fiscal year, the governor shall include an appropriation to that system equivalent
17 to twenty percent (20%) of the rate reduction for the state's contribution rate for state employees
18 to be applied to the actuarial accrued liability of the state employees' retirement system for state
19 employees for each fiscal year;

20 (2) Except for fiscal year 2009, fiscal year 2010 and fiscal year 2011, For for each fiscal
21 year in which the actuarially determined state contribution rate for teachers is lower than that for
22 the prior fiscal year, the governor shall include an appropriation to that system equivalent to
23 twenty percent (20%) of the rate reduction for the state's share of the contribution rate for
24 teachers to be applied to the actuarial accrued liability of the state employees' retirement system
25 for teachers for each fiscal year;

26 (3) The amounts to be appropriated shall be included in the annual appropriation bill and
27 shall be paid by the general treasurer into the retirement system.

28 (f) While the retirement system's actuary shall not adjust the computation of the annual
29 required contribution for the year in which supplemental contributions are received, such
30 contributions once made may be treated as reducing the actuarial liability remaining for
31 amortization in the next following actuarial valuation to be performed.

32 **36-10-35. Additional benefits payable to retired employees.** -- (a) All state employees
33 and all beneficiaries of state employees receiving any service retirement or ordinary or accidental
34 disability retirement allowance pursuant to the provisions of this title on or before December 31,

1 1967, shall receive a cost of living retirement adjustment equal to one and one-half percent
2 (1.5%) per year of the original retirement allowance, not compounded, for each calendar year the
3 retirement allowance has been in effect. For the purposes of computation, credit shall be given for
4 a full calendar year regardless of the effective date of the retirement allowance. This cost of living
5 adjustment shall be added to the amount of the retirement allowance as of January 1, 1968, and an
6 additional one and one-half percent (1.5%) shall be added to the original retirement allowance in
7 each succeeding year during the month of January, and provided further, that this additional cost
8 of living increase shall be three percent (3%) for the year beginning January 1, 1971, and each
9 year thereafter, through December 31, 1980. Notwithstanding any of the above provisions, no
10 employee receiving any service retirement allowance pursuant to the provisions of this title on or
11 before December 31, 1967, or the employee's beneficiary, shall receive any additional benefit
12 hereunder in an amount less than two hundred dollars (\$200) per year over the service retirement
13 allowance where the employee retired prior to January 1, 1958.

14 (b) All state employees and all beneficiaries of state employees retired on or after January
15 1, 1968, who are receiving any service retirement or ordinary or accidental disability retirement
16 allowance pursuant to the provisions of this title shall, on the first day of January next following
17 the third anniversary date of the retirement, receive a cost of living retirement adjustment, in
18 addition to his or her retirement allowance, in an amount equal to three percent (3%) of the
19 original retirement allowance. In each succeeding year thereafter through December 31, 1980,
20 during the month of January, the retirement allowance shall be increased an additional three
21 percent (3%) of the original retirement allowance, not compounded, to be continued during the
22 lifetime of the employee or beneficiary. For the purposes of computation, credit shall be given for
23 a full calendar year regardless of the effective date of the service retirement allowance.

24 (c) Beginning on January 1, 1981, for all state employees and beneficiaries of the state
25 employees receiving any service retirement and all state employees, and all beneficiaries of state
26 employees, who have completed at least ten (10) years of contributory service on or before July 1,
27 2005 pursuant to the provisions of this chapter, and for all state employees, and all beneficiaries
28 of state employees who receive a disability retirement allowance pursuant to §§ 36-10-12 – 36-
29 10-15, the cost of living adjustment shall be computed and paid at the rate of three percent (3%)
30 of the original retirement allowance or the retirement allowance as computed in accordance with
31 § 36-10-35.1, compounded annually from the year for which the cost of living adjustment was
32 determined to be payable by the retirement board pursuant to the provisions of subsection (a) or
33 (b) of this section. Such cost of living adjustments are available to members who retire before
34 October 1, 2009 or are eligible to retire as of September 30, 2009.

1 (2) The provisions of this subsection shall be deemed to apply prospectively only and no
2 retroactive payment shall be made.

3 (3) The retirement allowance of all state employees and all beneficiaries of state
4 employees who have not completed at least ten (10) years of contributory service on or before
5 July 1, 2005 or were not eligible to retire as of September 30, 2009, shall, on the month following
6 the third anniversary date of retirement, and on the month following the anniversary date of each
7 succeeding year be adjusted and computed by multiplying the retirement allowance by three
8 percent (3%) or the percentage of increase in the Consumer Price Index for all Urban Consumers
9 (CPI-U) as published by the United States Department of Labor Statistics determined as of
10 September 30 of the prior calendar year, whichever is less; the cost of living adjustment shall be
11 compounded annually from the year for which the cost of living adjustment was determined
12 payable by the retirement board; provided, that no adjustment shall cause any retirement
13 allowance to be decreased from the retirement allowance provided immediately before such
14 adjustment.

15 (d) Any state employees who are not eligible to retire in accordance with this chapter as
16 of September 30, 2009 and through the date of passage of this amendment, or their beneficiaries,
17 shall not receive a cost of living retirement allowance adjustment after retirement. Any state
18 employees, or their beneficiaries, who are eligible to retire on or before September 30, 2009 and
19 through the date of passage of this amendment, shall continue receive a cost of living retirement
20 adjustment, if eligible, in accordance with the provisions of this chapter, after retirement.
21 Nothing in this section shall prevent the General Assembly from annually reviewing and
22 providing an ad hoc cost of living adjustment to retired state employees not otherwise eligible up
23 to the maximum amount of three percent (3%) or the Consumer Price Index for all Urban
24 Consumers (CPI-U) as published by the United States Department of Labor Statistics, determined
25 as of September 30 of the prior calendar year, whichever is less.

26 ~~(d)~~ (e) All legislators and all beneficiaries of legislators who are receiving a retirement
27 allowance pursuant to the provisions of § 36-10-9.1 for a period of three (3) or more years, shall,
28 commencing January 1, 1982, receive a cost of living retirement adjustment, in addition to a
29 retirement allowance, in an amount equal to three percent (3%) of the original retirement
30 allowance. In each succeeding year thereafter during the month of January, the retirement
31 allowance shall be increased an additional three percent (3%) of the original retirement
32 allowance, compounded annually, to be continued during the lifetime of the legislator or
33 beneficiary. For the purposes of computation, credit shall be given for a full calendar year
34 regardless of the effective date of the service retirement allowance.

1 ~~(e)~~ (f) The provisions of §§ 45-13-7 – 45-13-10 shall not apply to this section.

2 SECTION 2. Section 16-16-40 of the General Laws in Chapter 16-16 entitled “Teacher
3 Retirement” is hereby amended to read as follows:

4 **16-16-40. Additional benefits payable to retired teachers.** -- (a) All teachers and all
5 beneficiaries of teachers receiving any service retirement or ordinary disability retirement
6 allowance pursuant to the provisions of this chapter and chapter 17 of this title, on or before
7 December 31, 1967, shall receive a cost of living retirement adjustment equal to one and one-half
8 percent (1.5%) per year of the original retirement allowance, not compounded, for each year the
9 retirement allowance has been in effect. For purposes of computation credit shall be given for a
10 full calendar year regardless of the effective date of the retirement allowance. This cost of living
11 retirement adjustment shall be added to the amount of the service retirement allowance as of
12 January 1, 1970, and payment shall begin as of July 1, 1970. An additional cost of living
13 retirement adjustment shall be added to the original retirement allowance equal to three percent
14 (3%) of the original retirement allowance on the first day of January, 1971, and each year
15 thereafter through December 31, 1980.

16 (b) All teachers and beneficiaries of teachers receiving any service retirement or ordinary
17 disability retirement allowance pursuant to the provisions of this title who retired on or after
18 January 1, 1968, shall, on the first day of January, next following the third (3rd) year on
19 retirement, receive a cost of living adjustment, in addition to his or her retirement allowance, an
20 amount equal to three percent (3%) of the original retirement allowance. In each succeeding year
21 thereafter, on the first day of January, the retirement allowance shall be increased an additional
22 three percent (3%) of the original retirement allowance, not compounded, to be continued through
23 December 31, 1980.

24 (c) Beginning on January 1, 1981, for all teachers and beneficiaries of teachers receiving
25 any service retirement and all teachers and all beneficiaries of teachers who have completed at
26 least ten (10) years of contributory service on or before July 1, 2005, pursuant to the provisions of
27 this chapter, and for all teachers and beneficiaries of teachers who receive a disability retirement
28 allowance pursuant to §§ 16-16-14 – 16-16-17, the cost of living adjustment shall be computed
29 and paid at the rate of three percent (3%) of the original retirement allowance or the retirement
30 allowance as computed in accordance with § 16-16-40.1, compounded annually from the year for
31 which the cost of living adjustment was determined to be payable by the retirement board
32 pursuant to the provisions of subsection (a) or (b) of this section. Such cost of living adjustments
33 are available to teachers who retire before October 1, 2009 or are eligible to retire as of
34 September 30, 2009.

1 (2) The provisions of this subsection shall be deemed to apply prospectively only and no
2 retroactive payment shall be made.

3 (3) The retirement allowance of all teachers and all beneficiaries of teachers who have
4 not completed at least ten (10) years of contributory service on or before July 1, 2005 or were not
5 eligible to retire as of September 30, 2009, shall, on the month following the third anniversary
6 date of the retirement, and on the month following the anniversary date of each succeeding year
7 be adjusted and computed by multiplying the retirement allowance by three percent (3%) or the
8 percentage of increase in the Consumer Price Index for all Urban Consumers (CPI-U) as
9 published by the United States Department of Labor Statistics, determined as of September 30 of
10 the prior calendar year, whichever is less; the cost of living adjustment shall be compounded
11 annually from the year for which the cost of living adjustment was determined payable by the
12 retirement board; provided, that no adjustment shall cause any retirement allowance to be
13 decreased from the retirement allowance provided immediately before such adjustment.

14 (d) Any teachers who are not eligible to retire in accordance with this chapter as of
15 September 30, 2009 and through the date of passage of this amendment, or their beneficiaries,
16 shall not receive a cost of living retirement allowance adjustment after retirement. Any teachers,
17 or their beneficiaries, who are eligible to retire on or before September 30, 2009 and through the
18 date of passage of this amendment, shall continue receive a cost of living retirement adjustment,
19 if eligible, in accordance with the provisions of this chapter, after retirement. Nothing in this
20 section shall prevent the General Assembly from annually reviewing and providing an ad hoc cost
21 of living adjustment to retired teachers not otherwise eligible up to the maximum amount of three
22 percent (3%) or the Consumer Price Index for all Urban Consumers (CPI-U) as published by the
23 United States Department of Labor Statistics, determined as of September 30 of the prior calendar
24 year, whichever is less.

25 ~~(d)~~ (e) The provisions of §§ 45-13-7 – 45-13-10 shall not apply to this section.

26 SECTION 3. Sections 8-3-15 of the General Laws in Chapter 8-3 entitled “Justices of
27 Supreme, Superior, and Family Courts” is hereby amended to read as follows:

28 **8-3-15. Cost of living allowance.** -- (a) All justices of the supreme court, superior court,
29 family court, or district court, or their surviving spouses or domestic partners, who retire after
30 January 1, 1970 and who receive a retirement allowance pursuant to the provisions of this title
31 shall, on the first day of January next following the third anniversary date of retirement, receive a
32 cost-of-living retirement adjustment in addition to his or her retirement allowance in an amount
33 equal to three percent (3%) of the original retirement allowance. In each succeeding year
34 thereafter during the month of January, the retirement allowance shall be increased an additional

1 three percent (3%) of the original allowance, not compounded, to be continued during the lifetime
2 of the justice or his or her surviving spouse or domestic partner. For the purpose of such
3 computation, credit shall be given for a full calendar year regardless of the effective date of the
4 retirement allowance.

5 (b) Any justice who retired prior to January 31, 1977 shall be deemed for the purpose of
6 this section to have retired on January 1, 1977.

7 (c) Any justice who is not eligible to retire as of September 30, 2009 and through the date
8 of passage of this amendment, or their beneficiaries, shall not receive a cost of living retirement
9 allowance adjustment after retirement. Any justice who is eligible to retire on or before
10 September 30, 2009, or their beneficiaries, shall continue to receive a cost of living retirement
11 adjustment, if eligible, in accordance with the provisions of this chapter, after retirement. Nothing
12 in this section shall prevent the General Assembly from annually reviewing and providing an ad
13 hoc cost of living adjustment to retired justices not otherwise eligible up to the maximum amount
14 of three percent (3%) or the Consumer Price Index for all Urban Consumers (CPI-U) as published
15 by the United States Department of Labor Statistics, determined as of September 30 of the prior
16 calendar year, whichever is less.

17 SECTION 4. Sections 8-8.2-12 of the General Laws in Chapter 8-8.2 entitled “Traffic
18 Tribunal” is hereby amended to read as follows:

19 **8-8.2-12. Additional benefits payable to retired judges and their surviving spouses**
20 **or domestic partners.** – (a) All judges of the administrative adjudication court and all judges of
21 the administrative adjudication court who have been reassigned to the traffic tribunal, or their
22 surviving spouses or domestic partners, who retire after January 1, 1970 and who receive a
23 retirement allowance pursuant to the provisions of this title, shall, on the first day of January, next
24 following the third anniversary of the retirement, receive a cost of living retirement adjustment in
25 addition to his or her retirement allowance in an amount equal to three percent (3%) of the
26 original retirement allowance. In each succeeding year thereafter during the month of January, the
27 retirement allowance shall be increased an additional three percent (3%) of the original
28 allowance, compounded annually from the year cost of living adjustment was first payable to be
29 continued during the lifetime of the judge or his or her surviving spouse or domestic partner. For
30 the purpose of such computation, credit shall be given for a full calendar year regardless of the
31 effective date of the retirement allowance.

32 (b) Any judge who retired prior to January 31, 1980, shall be deemed for the purpose of
33 this section to have retired on January 1, 1980.

34 (c) Any judge who is not eligible to retire as of September 30, 2009 and through the date

1 of passage of this amendment, or their beneficiaries, shall not receive a cost of living retirement
2 allowance adjustment after retirement. Any judge who is eligible to retire on or before September
3 30, 2009, or their beneficiaries, shall continue to receive a cost of living retirement adjustment, if
4 eligible, in accordance with the provisions of this chapter, after retirement. Nothing in this section
5 shall prevent the General Assembly from annually reviewing and providing an ad hoc cost of
6 living adjustment to retired judges not otherwise eligible up to the maximum amount of three
7 percent (3%) or the Consumer Price Index for all Urban Consumers (CPI-U) as published by the
8 United States Department of Labor Statistics, determined as of September 30 of the prior calendar
9 year, whichever is less.

10 SECTION 5. Sections 28-30-18 of the General Laws in Chapter 28-30-18 entitled
11 “Workers’ Compensation Court” is hereby amended to read as follows:

12 **28-30-18. Additional benefits payable to retired judges and their surviving spouses**
13 **or domestic partners.** -- (a) All judges of the workers' compensation court, or their surviving
14 spouses or domestic partners, who retire after January 1, 1970 and who receive a retirement
15 allowance pursuant to the provisions of this title, shall, on the first day of January next following
16 the third anniversary date of their retirement, receive a cost of living retirement adjustment in
17 addition to his or her retirement allowance in an amount equal to three percent (3%) of the
18 original retirement allowance. In each succeeding subsequent year during the month of January
19 the retirement allowance shall be increased an additional three percent (3%) of the original
20 allowance, compounded annually from the year the cost of living adjustment was first payable to
21 be continued during the lifetime of that judge or his or her surviving spouse or domestic partner.
22 For the purpose of that computation, credit shall be given for a full calendar year regardless of the
23 effective date of the retirement allowance.

24 (b) Any judge who retired prior to January 31, 1980, shall be deemed for the purpose of
25 this section to have retired on January 1, 1980.

26 (c) Any judge who is not eligible to retire as of September 30, 2009 and through the date
27 of passage of this amendment, or their beneficiaries, shall not receive a cost of living retirement
28 allowance adjustment after retirement. Any judge who is eligible to retire on or before September
29 30, 2009, or their beneficiaries, shall continue to receive a cost of living retirement adjustment, if
30 eligible, in accordance with the provisions of this chapter, after retirement. Nothing in this section
31 shall prevent the General Assembly from annually reviewing and providing an ad hoc cost of
32 living adjustment to retired judges not otherwise eligible up to the maximum amount of three
33 percent (3%) or the Consumer Price Index for all Urban Consumers (CPI-U) as published by the
34 United States Department of Labor Statistics, determined as of September 30 of the prior calendar

1 [year, whichever is less.](#)

2 SECTION 6 Sections 42-28-22 of the General Laws in Chapter 42-28 entitled "State
3 Police" is hereby amended to read as follows:

4 **42-28-22. Retirement of members.** -- (a) Whenever any member of the state police
5 hired prior to July 1, 2007 has served for twenty (20) years, he or she may retire therefrom or he
6 or she may be retired by the superintendent with the approval of the governor, and in either event
7 a sum equal to one-half (1/2) of the whole salary for the position from which he or she retired
8 determined on the date he or she receives his or her first retirement payment shall be paid him or
9 her during life.

10 (b) For purposes of this section, the term "whole salary" means:

11 (1) For each member who retired prior to July 1, 1966, "whole salary" means the base
12 salary for the position from which he or she retired as the base salary for that position was
13 determined on July 31, 1972;

14 (2) For each member who retired between July 1, 1966 and June 30, 1973, "whole salary"
15 means the base salary for the position from which he or she retired as the base salary,
16 implemented by the longevity increment, for that position was determined on July 31, 1972 or on
17 the date of his or her retirement, whichever is greater;

18 (3) For each member who retired or who retires after July 1, 1973 "whole salary" means
19 the base salary, implemented by the longevity increment, holiday pay, and clothing allowance, for
20 the position from which he or she retired or retires.

21 (c) Any member who retired prior to July 1, 1977 shall receive a benefits payment
22 adjustment equal to three percent (3%) of his or her original retirement, as determined in
23 subsection (b) of this section, in addition to his or her original retirement allowance. In each
24 succeeding year thereafter during the month of January, the retirement allowance shall be
25 increased an additional three percent (3%) of the original retirement allowance, not compounded,
26 to be continued until January 1, 1991. For the purposes of the computation, credit shall be given
27 for a full calendar year regardless of the effective date of the service retirement allowance. For
28 purposes of this subsection, the benefits payment adjustment shall be computed from January 1,
29 1971 or the date of retirement, whichever is later in time.

30 (2) Any member of the state police who retires pursuant to the provisions of this chapter
31 on or after January 1, 1977, shall on the first day of January, next following the third anniversary
32 date of the retirement receive a benefits payment adjustment, in addition to his or her retirement
33 allowance, in an amount equal to three percent (3%) of the original retirement allowance. In each
34 succeeding year thereafter during the month of January, the retirement allowance shall be

1 increased an additional three percent (3%) of the original retirement allowance, not compounded,
2 to be continued until January 1, 1991. For the purposes of the computation, credit shall be given
3 for a full calendar year regardless of the effective date of the service retirement allowance.

4 (3) Any retired member of the state police who is receiving a benefit payment adjustment
5 pursuant to subdivisions (1) and (2) of this section shall beginning January 1, 1991, receive a
6 benefits payment adjustment equal to fifteen hundred dollars (\$1,500). In each succeeding year
7 thereafter during the month of January, the retirement allowance shall be increased by fifteen
8 hundred dollars (\$1,500) to be continued during the lifetime of the member.

9 (4) Any member of the state police who is not eligible to retire as of September 30, 2009
10 and through the date of passage of this amendment, or their beneficiaries, shall not receive a
11 benefit payment adjustment after retirement. Any member of the state police who is eligible to
12 retire on or before September 30, 2009, or their beneficiaries, shall continue to receive a benefit
13 payment adjustment, if eligible, in accordance with the provisions of this chapter, after
14 retirement. Nothing in this section shall prevent the General Assembly from annually reviewing
15 and providing an ad hoc cost of living adjustment to retired members of the state police not
16 otherwise eligible up to the maximum amount of three percent (3%) or the Consumer Price Index
17 for all Urban Consumers (CPI-U) as published by the United States Department of Labor
18 Statistics, determined as of September 30 of the prior calendar year, whichever is less.

19 (d) The benefits payment adjustment as provided in this section shall apply to and be in
20 addition to the retirement benefits under the provisions of § 42-28-5, to the injury and death
21 benefits under the provisions of § 42-28-21, and to the death and disability payments as provided
22 in § 42-28-36.

23 (e) Any member who retires after July 1, 1972 and who has served beyond twenty (20)
24 years shall be allowed an additional amount equal to three percent (3%) for each completed year
25 served after twenty (20) years, but in no event shall the original retirement allowance exceed
26 sixty-five percent (65%) of his or her whole salary as defined in subsection (b) hereof or sixty-
27 five percent (65%) of his or her salary as defined in subsection (b) hereof in his or her twenty-
28 fifth (25th) year whichever is less.

29 (2) Each member who retired prior to July 1, 1975, shall be entitled to all retirement
30 benefits as set forth above or shall be paid benefits as set forth in subdivision (b)(1) with "whole
31 salary" meaning the base salary for the position from which he or she retired as the base salary for
32 the position was determined on July 1, 1975, whichever is greater.

33 (f) Any member who retires, has served as a member for twenty (20) years or more, and
34 who served for a period of six (6) months or more of active duty in the armed service of the

1 United States or in the merchant marine service of the United States as defined in § 2 of chapter
2 1721 of the Public Laws, 1946, may purchase credit for such service up to a maximum of two (2)
3 years; provided that any member who has served at least six (6) months or more in any one year
4 shall be allowed to purchase one year for such service and any member who has served a fraction
5 of less than six (6) months in his or her total service shall be allowed to purchase six (6) months'
6 credit for such service.

7 (2) The cost to purchase these credits shall be ten percent (10%) of the member's first
8 year salary as a state policeman multiplied by the number of years and/or fraction thereof of such
9 armed service up to a maximum of two (2) years. The purchase price shall be paid into the
10 general fund.

11 (3) There will be no interest charge provided the member makes such purchase during his
12 or her twentieth (20th) year or within five (5) years from May 18, 1981, whichever is later, but
13 will be charged regular rate of interest as defined in § 36-8-1 as amended to date of purchase from
14 the date of his or her twentieth (20th) year of state service or five (5) years from May 18, 1981,
15 whichever is later.

16 (4) In no event shall the original retirement allowance exceed sixty-five percent (65%) of
17 his or her whole salary as defined in subsection (b) hereof or sixty-five percent (65%) of his or
18 her salary as defined in subsection (b) hereof in his or her twenty-fifth (25th) year, whichever is
19 less.

20 (g) The provisions of this section shall not apply to civilian employees in the Rhode
21 Island state police; and, further, from and after April 28, 1937, chapters 8 – 10, inclusive, of title
22 36 shall not be construed to apply to the members of the Rhode Island state police, except as
23 provided by §§ 36-8-3, 36-10-1.1, 42-28-22.1, and 42-28-22.2.

24 (h) Any other provision of this section notwithstanding, any member of the state police
25 other than the superintendent of state police, who is hired prior to July 1, 2007 and who has
26 served for twenty-five (25) years or who has attained the age of sixty-two (62) years, whichever
27 shall first occur, shall retire therefrom.

28 (i) Any other provision of this section notwithstanding, any member of the state police,
29 other than the superintendent, who is hired on or after July 1, 2007 and who has served for
30 twenty-five (25) years, may retire therefrom or he or she may be retired by the superintendent
31 with the approval of the governor, and shall be entitled to a retirement allowance of fifty percent
32 (50%) of his or her "whole salary" as defined in subsection (b) hereof.

33 (2) Any member of the state police who is hired on or after July 1, 2007 may serve up to
34 a maximum of thirty (30) years, and shall be allowed an additional amount equal to three percent

1 (3.0%) for each completed year served after twenty-five (25) years, but in no event shall the
2 original retirement allowance exceed sixty-five percent (65%) of his or her "whole salary" as
3 defined in subsection (b) hereof.

4 (j) In calculating the retirement benefit for any member, the term base salary as used in
5 subdivision (b)(3) shall not be affected by a deferral of salary plan or a reduced salary plan
6 implemented to avoid shutdowns or layoffs or to effect cost savings. Basic salary shall remain for
7 retirement calculation that which it would have been but for the salary deferral or salary reduction
8 due to a plan implemented to avoid shutdowns or layoffs or to effect cost savings.

9 SECTION 7. This article shall take effect upon passage.

10 **ARTICLE 17**

11 **RELATING TO RHODE ISLAND RESOURCE RECOVERY CORPORATION**

12 SECTION 1. Section 23-18.8-2 of the General Laws in Chapter 23-18.8 entitled "Waste
13 Recycling" is hereby amended to read as follows:

14 **23-18.8-2. Legislative findings.** -- The general assembly recognizes and declares that:

15 (1) Any environmentally and economically sound solid waste management system must
16 incorporate recycling;

17 (2) A sound recycling program will be best achieved by cooperation of the Rhode
18 Island resource recovery corporation, the department of administration, the department of
19 environmental management and the cities and towns of the state ;

20 (3) All solid waste capable of being recycled should be recycled, as a target, no less
21 than thirty-five percent (35%) of the solid waste generated in the state should be disposed of
22 through recycling; every effort should be made to exceed this target;

23 (4) A recycling facility should be operational at the central landfill;

24 (5) Upon full implementation of the recycling program, all solid waste management,
25 both from cities and towns, and from commercial establishments, will be separated into
26 recyclable and nonrecyclable components;

27 (6) Recycling operations should begin at resource recovery plants upon initiation of
28 plant operations;

29 (7) In order to develop a workable implementation schedule the department of
30 environmental management should develop schedules for the entry of cities and towns into the
31 source separation system;

32 (8) Private contractor arrangements for recovery of recyclables at the point of origin or
33 at the municipal level should be encouraged and not interfered with;

34 (9) Recyclable materials recovered at recycling facilities are to be made available to

1 private industry in the first instance, and where cost effective, operation of recycling facilities
2 should be by the private sector;

3 (10) The corporation should provide, for a period of three (3) years, the reasonable
4 additional allowable costs for implementing this program for the cities and towns;

5 (11) The definition of recyclable materials should be the responsibility of the
6 department of environmental management; provided, that the definition shall include, but not be
7 limited to, plastic materials that contain the plastic resins used to produce labeled (1) through (7)
8 with the numbers clearly marked on the product and contained in a triangle formed by chasing
9 arrows. The products shall be generated as part of daily, municipal, non-municipal residential, or
10 commercial activities; ~~and the~~ The corporation shall accept ~~these materials~~ plastic materials
11 labeled (3) through (7) for recycling no later than ~~January 1, 2011~~ June 30, 2014. Plastic resin
12 by-products, or products produced for industrial use, shall not be required to be accepted at the
13 recycling facility, unless deemed appropriate for processing by the corporation. The definition
14 should be changed from time to time depending upon new technologies, economic conditions,
15 waste stream characteristics, environmental effects, or other factors;

16 (12) Telephone directories, five hundred thousand (500,000) of which, at an average
17 weight of five and one-quarter (5.25) pounds, are distributed yearly in the state, contribute
18 significantly to the solid waste stream, which would be greatly reduced if directories were printed
19 on recyclable paper and bound with a binder which will not interfere with recyclability.

20 (13) Any person who generates commercial solid waste and employs fifty (50) or more
21 employees, shall contract for recycling services as part of any agreement between a private waste
22 hauler and the commercial establishment for the disposal of solid waste. A commercial
23 establishment of any size may work with the city or town where it is located to consider options
24 that would allow the city or town to collect the commercial recyclables generated by the
25 commercial establishment.

26 SECTION 2. Section 23-19-31 of the General Laws in Chapter 23-19 entitled "Health
27 and Safety" is hereby amended to read as follows:

28 **23-19-31. Recycling facility at central landfill.** -- The Rhode Island resource recovery
29 corporation shall construct a recycling facility at the state's central landfill. This facility will
30 receive separated recyclable waste as defined by the department of environmental management;
31 provided, that the definition shall include, but not be limited to, plastic materials that contain the
32 plastic resins used to produce products labeled (1) through (7) with the numbers clearly marked
33 on the product and contained in a triangle formed by chasing arrows. The products shall be
34 generated as part of daily, municipal, non-municipal residential, or commercial activities; ~~and the~~

1 ~~The~~ corporation shall accept ~~these materials~~ plastic materials label (3) through (7) for recycling
2 no later than ~~January 1, 2011~~ June 30, 2014. Plastic resin by-products, or products produced for
3 industrial use, shall not be required to be accepted at the recycling facility, unless deemed
4 appropriate for processing by the corporation. The corporation shall use its reasonable efforts to
5 market the recyclable materials to local commercial users of the material, including
6 owners/tenants located in any industrial/business park developed pursuant to § 23-19-35.1(c),
7 consistent with receiving optimum prices. The corporation shall also use its reasonable efforts to
8 market finished goods made from recyclable materials to local commercial users of those goods,
9 and shall offer these goods for sale through a quarterly competitive bid process consistent with
10 industry practices. No bid contract shall exceed one calendar year. The corporation shall provide
11 a thirty (30) calendar day prior public notice for any bid contract which would exceed one month.
12 Neither the corporation nor any private concern operating the recycling facility pursuant to §§ 23-
13 19-3(10) and 23-19-9(a)(6) shall purchase recyclable materials from the facility or for processing
14 at that facility. The corporation will provide this service at no tipping cost to the cities and towns
15 for materials delivered to the recycling facility.

16 SECTION 3. This article shall take effect upon passage.

17 ARTICLE 18

18 RELATING TO STATEWIDE PURCHASING SYSTEM

19 AND PROGRAMS FOR PUBLIC SCHOOLS

20 SECTION 1. Section 16-5-34 of the General Laws in Chapter 16-5 entitled "State Aid"
21 is hereby repealed.

22 ~~**16-5-34. Statewide purchasing system.** --- The department of elementary and secondary~~
23 ~~education, pursuant to the collaborative established in Rhode Island General Laws § 62-9.2~~
24 ~~along with the department of administration, shall develop a plan for the establishment and~~
25 ~~implementation of a statewide purchasing system for all public schools in this state. Said~~
26 ~~statewide purchasing system shall develop requests for proposals relating to goods and services to~~
27 ~~enhance and support the mission of public schools and public education in general throughout this~~
28 ~~state, including, but not limited to, the purchase of the following goods, supplies, and services:~~

29 ~~(a) General school supplies such as paper goods, office supplies, and cleaning products~~
30 ~~that are or may be utilized by school departments;~~

31 ~~(b) Textbooks, telecommunications, wireless services, and software that have been~~
32 ~~identified by local school departments as needed to support local curriculum objectives;~~

33 ~~(c) A statewide school transportation system for children with special needs. Local school~~
34 ~~departments shall be eligible to participate in this system by purchasing transportation services on~~

1 ~~a fee for service basis. It is stated herein that the goals and intent of establishing this state wide~~
2 ~~transportation system shall be as follows:~~

3 ~~(1) To reduce the duplication of bus routes;~~

4 ~~(2) To improve services to children through the development of shorter, more efficient~~
5 ~~routes that minimize the amount of time spent by the student traveling on school transportation to~~
6 ~~and from school and school related/sponsored activities; and~~

7 ~~(3) To reduce transportation costs to local educational authorities through greater~~
8 ~~efficiency and cost effective measures.~~

9 ~~(d) General non-medical and dental insurance products and services, provided however,~~
10 ~~that the statewide purchasing system shall permit districts to establish their own benefit~~
11 ~~and coverage levels.~~

12 ~~(e) The department of elementary and secondary education, in collaboration with the~~
13 ~~department of administration, shall also develop policies and procedures to reduce the~~
14 ~~cost of health care insurance to local school departments by developing a collaborative process~~
15 ~~which shall include local educational authorities and representatives of local educational unions~~
16 ~~in discussions of cost saving efficiencies that could be achieved by including these employees in~~
17 ~~a state health insurance contract.~~

18 SECTION 2. Chapter 16-60 of the General Laws entitled “Board of Regents for
19 Elementary and Secondary Education” is hereby amended by adding thereto the following
20 section:

21 16-60-7.3. Statewide purchasing system and programs. -- The department of
22 elementary and secondary education, together with the department of administration, is
23 authorized to develop and implement a statewide purchasing system for all public schools in this
24 state, including regional school districts. Said system may be utilized for the purchase of all
25 goods, supplies and services to support and enhance public school operations under a statewide
26 contract, and shall include but not be limited to the following goods, supplies and services:

27 (a) General school supplies such as paper goods, office supplies, textbooks and cleaning
28 products that are or may be utilized by school departments;

29 (b) Telecommunications, wireless services, computer equipment, hardware and software
30 that have been identified by local school departments as needed to support curriculum objectives;

31 (c) General non-medical and dental insurance products and services, provided however,
32 that the statewide purchasing system shall permit districts to establish their own benefit and
33 coverage levels.

34 SECTION 3. Section 37-2-56 of the General Laws in Chapter 37-2 entitled “State

1 Purchases” is hereby amended to read as follows:

2 **37-2-56. Purchasing for municipalities and regional school districts.** -- (a) Any
3 municipality or regional school district of the state may participate in state master price
4 agreement contracts for the purchase of materials, supplies, services and equipment entered into
5 by the purchasing agent, provided, however, that the contractor is willing, when requested by the
6 municipality or school district, to extend the terms and conditions of the contract and that the
7 municipality or school district will be responsible for payment directly to the vendor under each
8 purchase contract. Unless a state contract is the result of an intergovernmental cooperative
9 purchase contract to which a municipality or school district is a party, the purchasing agent shall
10 not compel a successful bidder to extend the same terms and conditions to a municipality or
11 school district. However, the purchasing agent may, in the interest of obtaining better pricing on
12 behalf of the state and local entities, solicit offers based upon anticipated master price agreement
13 utilization by municipalities and school districts.

14 (b) In order to implement the statewide purchasing system for public schools as provided
15 in section 16-60-7.3 and to enable participation in existing purchasing collaboratives, consisting
16 of two or more states, the department of elementary and secondary education, with the specific
17 approval of the chief purchasing officer, may be exempted from specific provisions of this
18 chapter in order to expedite the state’s participation in such purchasing collaboratives. In each
19 such instance, the reasons why the state’s participation in a purchasing collaborative is financially
20 beneficial to the department of elementary and secondary education and to the participating
21 school districts, and the time periods during which the state’s participation will be regularly
22 reviewed, shall be set forth in a document that is approved by the department of elementary and
23 secondary education and the chief purchasing officer.

24 SECTION 4. This article shall take effect upon passage.

25 **ARTICLE 19**

26 **RELATING TO THE AMERICAN RECOVERY AND REINVESTMENT ACT – BONDS**

27 SECTION 1. Chapter 35-8 of the General Laws entitled “BONDED INDEBTEDNESS
28 OF THE STATE” is hereby amended by adding thereto the following section:

29 **35-8-28. Interest Earnings on State Bonded Indebtedness – Federal Requirements.--**
30 Notwithstanding any general or public law or rule to the contrary, income from investments in the
31 capital development fund may be applied to capital purposes and shall not become part of the
32 general fund of the state to the extent necessary to exempt (in whole or in part) the interest paid
33 on such bonds or notes from federal taxation, to preserve and maintain any federal tax credits
34 associated with such bonds or notes, or to preserve or maintain any refundable tax credits paid or

1 to be paid to the state with regard to such bonds or notes.

2 SECTION 2. Section 42-10.1-3 of the General Laws in Chapter 42-10.1 entitled “Public
3 Finance Management Board” is hereby amended to read as follows:

4 **42-10.1-3. Allocation of statewide financing limitation. --** (a) The \$87,004,000 in total
5 Recovery Zone Economic Development Bond Volume Cap Allocations granted to the five
6 counties of the state of Rhode Island by the United States Secretary of the Treasury pursuant to
7 26 U.S.C. §§ 1400U-1 and 1400U-2 of the Internal Revenue Code are hereby ceded to the state
8 of Rhode Island for use by the state in connection with the issuance of general obligation bonds
9 of the State.

10 (b) The \$130,504,000 in total Recovery Zone Facility Bond Volume Cap Allocations
11 granted to the five counties of the state of Rhode Island by the United States Secretary of the
12 Treasury pursuant to 26 U.S.C. §§ 1400U-1 and 1400U-3 are hereby ceded to the public finance
13 management board for subsequent allocation by the board in accordance with rules and
14 regulations to be promulgated by the board in accordance with the Administrative Procedures
15 Act, Chapter 35 of this title.

16 (c) The \$10,901,000 in total Qualified Energy Conservation Bond Volume Cap
17 Allocation granted to the state of Rhode Island by the Secretary of the Treasury pursuant to 26
18 U.S.C. §54D of the Internal Revenue Code is hereby allocated to the board for subsequent
19 allocations by the board in accordance with rules and regulations to be promulgated by the board
20 in accordance with the Administrative Procedures Act, Chapter 35 of this title, provided,
21 however, that the city of Providence shall be allocated by the board no less than its portion as
22 provided in 26 U.S.C. § 54D(e)(2)(A) of the Internal Revenue Code unless the city of Providence
23 determines that the board may further reallocate such portion to other bond issuers.

24 (d) The general assembly hereby finds, declares and designates the entire state of Rhode
25 Island as a “recovery zone” meeting the standards referenced in 26 U.S.C. § 1400U-1(b)(1) of the
26 Internal Revenue Code, given the significant unemployment, rate of foreclosures, or general
27 distress present throughout the state of Rhode Island, and particularly given the geographic
28 compactness of the State and the resultant interrelated nature of economic conditions and
29 activities within the state as a whole.

30 (e) The board is hereby authorized to allocate tax exempt and taxable bond issuance
31 capacity and/or federal tax credits among all issuers in the state of Rhode Island, pursuant to 26
32 U.S.C. § 103, 26 U.S.C. § 145, or pursuant to 26 U.S.C. §§ 1400U-1, 1400U-2, 1400U-3, 54D
33 and any similar federal legislation heretofore or hereinafter enacted. The allocations of tax
34 exempt and taxable bond issuance capacity and/or federal tax credits shall be pursuant to rules

1 and regulations to be promulgated by the board in accordance with the Administrative Procedures
2 Act, Chapter 35 of this title.

3 SECTION 3. This article shall take effect upon passage.

4 **ARTICLE 20**

5 RELATING TO SCHOOL REALIGNMENT COMMISSION

6 SECTION 1. [\(a\) Creation of Rhode Island School Realignment Commission.](#) There is
7 hereby created the Rhode Island School Realignment Commission, the purpose of which shall be
8 to review and recommend realignment of school services, in cases where the Commission after
9 careful review concludes that such realignment will be cost effective. The Commission shall be
10 composed of five (5) appointees of the governor, one (1) of whom should be a representative of a
11 labor organization within the state; two (2) appointees of the house of representative; two (2)
12 appointees of the senate; and five (5) ex officio members consisting of: the director of revenue or
13 his/her designee, the commissioner of the department of education or his/her designee, the
14 director of administration or his/her designee, an appointee of the Rhode Island League of Cities
15 and Towns, and an appointee of the Rhode Island Association of School Committees. The
16 governor shall select the chair.

17 (b) [Duties of Rhode Island School Realignment Commission.](#) The Commission shall
18 cause to be conducted a review of school realignments throughout the state and shall make
19 recommendation after such review. The Commission may recommend certain efficiencies,
20 including the creation of cost sharing regional service centers. In making its recommended plan,
21 the Commission shall demonstrate that the realignment plan will result in not only the more
22 effective and efficient delivery of services, but also will result in the long term reduction of costs
23 pursuant to a five (5) year cost projection. The Commission shall consider the infrastructure,
24 physical plants, business operations and support services, instructional programs and student
25 support services, intra-local cooperation, and other such factors.

26 (c) [Reporting of Rhode Island School Realignment Commission.](#) The Commission shall,
27 within ninety (90) days of its creation, identify the specific criteria to be considered and submit
28 such criteria in a report to the governor, the speaker of the house of representatives, and the
29 president of the senate. Such recommendations for realignment shall be submitted to the General
30 Assembly by March 31, 2011. The Commission may also recommend any statutory changes that
31 are necessary to implement the recommended plan.

32 (d) [General Assembly and Municipal Action.](#) The General Assembly shall approve or
33 reject the recommendations of the Commission, and shall enact any and all supportive
34 implementing legislation necessary to place the recommendations on the November 2012 ballot

1 for voter approval.

2 SECTION 2. This article shall take effect upon passage.

3 **ARTICLE 21**

4 RELATING TO FIREFIGHTERS' AND MUNICIPAL POLICE MANNING

5 SECTION 1. Section 28-9.1-4 of the General Laws in Chapter 28-9.1 entitled
6 "Firefighters' Arbitration" is hereby amended to read as follows:

7 **28-9.1-4. Right to organize and bargain collectively.** -- The firefighters in any city or
8 town have the right to bargain collectively with their respective cities or towns and be represented
9 by a labor organization in the collective bargaining as to wages, rates of pay, hours, working
10 conditions, and all other terms and conditions of employment- except for the following: levels of
11 personnel employed by the department, the deployment of personnel while on the job, the types
12 of equipment utilized by the department and the number of or location of any vehicles, facilities
13 or stations in the department.

14 SECTION 2. Section 28-9.2-4 of the General Laws in Chapter 28-9.2 entitled
15 "Municipal Police Arbitration" is hereby amended to read as follows:

16 **28-9.2-4. Right to organize and bargain collectively.** -- The police officers in any city
17 or town have the right to bargain collectively with their respective cities or towns and be
18 represented by an organization in the collective bargaining as to wages, rates of pay, hours,
19 working conditions, and all other terms and conditions of employment- except for the following:
20 levels of personnel employed by the department, the deployment of personnel while on the job,
21 the types of equipment utilized by the department and the number of or location of any vehicles,
22 facilities or stations in the department.

23 SECTION 3. This article shall take effect upon passage.

24 **ARTICLE 22**

25 RELATING TO MUNICIPAL HEALTH INSURANCE COST SHARING

26 SECTION 1. Chapter 28-7 of the General Laws entitled "Labor Relations Act" is hereby
27 amended by adding thereto the following section:

28 **28-7-49.1. Minimum Payment for Health Care Benefits.** -- No collective bargaining
29 agreement covering any group or groups of public school teachers, police officers, firefighters or
30 municipal employees of any city, town, school district or fire district, and no extension of any
31 such collective bargaining agreement in effect as of January 1, 2010, shall provide for an
32 employee contribution of less than twenty-five percent (25%) of the premium costs of health care
33 and dental benefits. This requirement does not otherwise apply to collective bargaining
34 agreements executed prior to January 1, 2010.

1 SECTION 2. This article shall take effect upon passage.

2 **ARTICLE 23**

3 RELATING TO A UNIFORM PUBLIC SCHOOL EMPLOYEE HEALTH CARE BENEFITS
4 PROGRAM

5 SECTION 1. Section 28-9.3-2 of the General Laws in Chapter 28-9.3 entitled "Certified
6 School Teachers' Arbitration" is hereby amended to read as follows:

7 **28-9.3-2. Right to organize and bargain collectively.** -- (a) The certified teachers in the
8 public school system in any city, town, or regional school district have the right to negotiate
9 professionally and to bargain collectively with their respective school committees and to be
10 represented by an association or labor organization in the negotiation or collective bargaining
11 concerning hours, salary, working conditions, and all other terms and conditions of professional
12 employment.

13 (b) For purposes of this chapter, "certified teachers" means certified teaching personnel
14 employed in the public school systems in the state of Rhode Island engaged in teaching duties,
15 including support personnel whose positions require a professional certificate issued by the state
16 department of education and personnel licensed by the department of health; or other non-
17 administrative professional employees.

18 (c) Superintendents, assistant superintendents, principals, and assistant principals, and
19 other supervisors above the rank of assistant principal, are excluded from the provisions of this
20 chapter.

21 (d) Notwithstanding the provisions of subsection (a), collective bargaining agreements
22 shall not provide for benefits for health care ("benefit plans") for certified employees unless such
23 benefit plans are authorized in accordance with chapter 27-72. Active employees whose
24 collective bargaining agreements expire on or after July 1, 2011 shall, upon expiration of such
25 collective bargaining agreements, receive coverage under benefit plans authorized in accordance
26 with chapter 27-72.

27 SECTION 2. Section 28-9.4-3 of the General Laws in Chapter 28-9.4 entitled "Municipal
28 Employees' Arbitration" is hereby amended to read as follows:

29 **28-9.4-3 Right to organize and bargain collectively.** -- (a) The municipal employees of
30 any municipal employer in any city, town, or regional school district shall have the right to
31 negotiate and to bargain collectively with their respective municipal employers and to be
32 represented by an employee organization in the negotiation or collective bargaining concerning
33 hours, salary, working conditions, and all other terms and conditions of employment.

34 (b) Notwithstanding the provisions of subsection (a), for those municipal employees who

1 are employed by school districts, collective bargaining agreements shall not provide for benefits
2 for health care (“benefit plans”) for school district employees unless such benefit plans are
3 authorized in accordance with chapter 27-72. School district employees whose collective
4 bargaining agreements expire on or after July 1, 2011 shall, upon expiration of such collective
5 bargaining agreements, receive benefit plans authorized in accordance with chapter 27-72.

6 SECTION 3. Title 27 of the General Laws entitled “INSURANCE” is hereby amended
7 by adding thereto the following chapter:

8 CHAPTER 72

9 RHODE ISLAND PUBLIC SCHOOL EMPLOYEE UNIFORM BENEFITS ACT

10 **27-72-1. Title and Purpose.** -- (a) This chapter shall be known and may be cited as the
11 “Rhode Island Public School Employee Uniform Benefits Act.”

12 (b) The purpose of this chapter is to create uniform health care benefits for Rhode Island
13 school district and charter school employees.

14 **27-72-2. Program implementation.**-- (a) Upon implementation of the uniform health
15 care benefit plans or at such other time as specified herein or as specified in sections 28-9-3.2 and
16 28-9.4-3, all public school districts and charter schools shall implement one or more benefit
17 plan(s) authorized in accordance with this chapter.

18 (b) Upon expiration of collective bargaining agreements, only benefit plan designs
19 approved in accordance with this chapter may be specified in future collective bargaining
20 agreements.

21 (c) Choice of benefit plans from those approved in accordance with section 27-72-4;
22 medical insurance cost-sharing; payment for waiving medical insurance; and providing benefits
23 for retirees shall continue to be negotiated pursuant to sections 28-9-3 and 28-9-4.

24 (d) Each municipality, district or charter school, may, at its discretion, contract for and
25 manage benefit plans under this chapter either directly or indirectly, through municipal, district or
26 charter arrangements with insurance purchasing collaboratives or joint purchasing groups.

27 **27-72-4. Design of Uniform Benefit Plans.** -- The Rhode Island department of
28 administration shall have the following powers, duties and functions relative to active certified
29 employees pursuant to section 28-9.3-2, and school district employees pursuant to section 28-9.4-
30 3:

31 (a) To design and approve benefit plans, including but not limited to medical benefits
32 and prescription drug coverage in accordance with the following:

33 (1) To design at least five (5) uniform benefit plans for all Rhode Island public school
34 employees, and provide detailed plan designs to local governments.

