

**ARTICLE 3**

RELATING TO GOVERNMENT REFORM AND REORGANIZATION

SECTION 1. *Transferring certain revenue collection functions of the Department of Revenue, Division of Taxation, to the Department of Labor and Training.*

In any General or Special Law of the State of Rhode Island, and specifically in Title 28, Chapters 39, 40, 42 and 43 of the General Laws of Rhode Island, 1956, as amended, reference to the collection of temporary disability insurance, employment security taxes or job development fund by the division of taxation within the department of administration, now within the department of revenue, shall be construed to refer to the department of labor and training. Any reference to the tax administrator within the department of administration, now within the department of revenue, with reference to the collection of temporary disability insurance, employment security taxes or job development fund revenues shall be construed to refer to the director of the department of labor and training. Any revenue collection duties conferred upon the division of taxation or the tax administrator by said Title 28, Chapters 39, 40, 42 and 43 shall be construed to refer to the department of labor and training or the director of the department of labor and training.

The law revision director of the joint committee on legislative services is authorized and empowered to make appropriate changes in said Title 28, Chapters 39, 40, 42 and 43 and any other section of the laws to carry out the intent of this act.

SECTION 2. Section 27-4.6-3 of the General Laws in Chapter 27-4.6 entitled "Risk-Based Capital (RBC) for Insurers Act" is hereby amended to read as follows:

**27-4.6-3. Company action level event.**

(a) "Company action level event" means any of the following events:

(1) The filing of an RBC report by an insurer that indicates that:

(i) The insurer's total adjusted capital is greater than or equal to its regulatory action level RBC but less than its company action level RBC;

(ii) If a life and/or health insurer, the insurer has total adjusted capital that is greater than or equal to its company action level RBC but less than the product of its authorized control level RBC and ~~2.5~~ 3.0 and has a negative trend; or

(iii) If a property and casualty insurer, the insurer has total adjusted capital which is greater than or equal to its company action level RBC but less than the product of its authorized control

1 level RBC and 3.0 and triggers the trend test determined in accordance with the trend test  
2 calculation included in the property and casualty RBC instructions.

3 (2) The notification by the commissioner to the insurer of an adjusted RBC report that  
4 indicates an event in subdivision (a)(1), provided the insurer does not challenge the adjusted RBC  
5 report under § 27-4.6-7; or

6 (3) If, pursuant to § 27-4.6-7, an insurer challenges an adjusted RBC report that indicates  
7 the event in subdivision (a)(1), the notification by the commissioner to the insurer that the  
8 commissioner has, after a hearing, rejected the insurer's challenge.

9 (b) In the event of a company action level event, the insurer shall prepare and submit to the  
10 commissioner an RBC plan which shall:

11 (1) Identify the conditions that contribute to the company action level event;

12 (2) Contain proposals of corrective actions that the insurer intends to take and would be  
13 expected to result in the elimination of the company action level event;

14 (3) Provide projections of the insurer's financial results in the current year and at least the  
15 four (4) succeeding years, both in the absence of proposed corrective actions and giving effect to  
16 the proposed corrective actions, including projections of statutory operating income, net income,  
17 capital and/or surplus. (The projections for both new and renewal business might include separate  
18 projections for each major line of business and separately identify each significant income, expense  
19 and benefit component);

20 (4) Identify the key assumptions impacting the insurer's projections and the sensitivity of  
21 the projections to the assumptions; and

22 (5) Identify the quality of, and problems associated with, the insurer's business, including,  
23 but not limited to, its assets, anticipated business growth and associated surplus strain,  
24 extraordinary exposure to risk, mix of business and use of reinsurance, if any, in each case.

25 (c) The RBC plan shall be submitted:

26 (1) Within forty-five (45) days of the company action level event; or

27 (2) If the insurer challenges an adjusted RBC report pursuant to § 27-4.6-7, within forty-  
28 five (45) days after notification to the insurer that the commissioner has, after a hearing, rejected  
29 the insurer's challenge.

30 (d) Within sixty (60) days after the submission by an insurer of an RBC plan to the  
31 commissioner, the commissioner shall notify the insurer whether the RBC plan shall be  
32 implemented or is, in the judgment of the commissioner, unsatisfactory. If the commissioner  
33 determines that the RBC plan is unsatisfactory, the notification to the insurer shall set forth the  
34 reasons for the determination, and may set forth proposed revisions which will render the RBC plan

1 satisfactory in the judgment of the commissioner. Upon notification from the commissioner, the  
2 insurer shall prepare a revised RBC plan, which may incorporate by reference any revisions  
3 proposed by the commissioner, and shall submit the revised RBC plan to the commissioner:

4 (1) Within forty-five (45) days after the notification from the commissioner; or

5 (2) If the insurer challenges the notification from the commissioner under § 27-4.6-7,  
6 within forty-five (45) days after a notification to the insurer that the commissioner has, after a  
7 hearing, rejected the insurer's challenge.

8 (e) In the event of a notification by the commissioner to an insurer that the insurer's RBC  
9 plan or revised RBC plan is unsatisfactory, the commissioner may at the commissioner's discretion,  
10 subject to the insurer's right to a hearing under § 27-4.6-7, specify in the notification that the  
11 notification constitutes a regulatory action level event.

12 (f) Every domestic insurer that files an RBC plan or revised RBC plan with the  
13 commissioner shall file a copy of the RBC plan or revised RBC plan with the insurance  
14 commissioner in any state in which the insurer is authorized to do business if:

15 (1) That state has an RBC provision substantially similar to § 27-4.6-8(a); and

16 (2) The insurance commissioner of that state has notified the insurer of its request for the  
17 filing in writing, in which case the insurer shall file a copy of the RBC plan or revised RBC plan  
18 in that state no later than the later of:

19 (i) Fifteen (15) days after the receipt of notice to file a copy of its RBC plan or revised  
20 RBC plan with the state; or

21 (ii) The date on which the RBC plan or revised RBC plan is filed under subsections (c) and  
22 (d) of this section.

23 SECTION 3. Section 30-15-9 of the General Laws in Chapter 30-15 entitled "Emergency  
24 Management" is hereby amended to read as follows:

25 **30-15-9. Governor's responsibilities relating to disaster emergencies.**

26 (a) The governor shall be responsible for meeting the dangers to the state and people  
27 presented by disasters.

28 (b) A state of emergency shall be declared by executive order or proclamation of the  
29 governor if he or she finds a disaster has occurred or that this occurrence, or the threat thereof, is  
30 imminent. The state of disaster emergency shall continue until the governor finds that the threat or  
31 danger has passed or the disaster has been dealt with to the extent that emergency conditions no  
32 longer exist and terminates the state of disaster emergency by executive order or proclamation, but  
33 no state of disaster emergency may continue for longer than thirty (30) days unless renewed by the  
34 governor. The general assembly, by concurrent resolution, may terminate a state of disaster

1 emergency at any time. Thereupon, the governor shall issue an executive order or proclamation  
2 ending the state of disaster emergency and what actions are being taken to control the emergency  
3 and what action the public should take to protect themselves. All executive orders or proclamations  
4 issued under this subsection shall indicate the nature of the disaster, the area or areas threatened,  
5 and the conditions that have brought it about or that make possible termination of the state of  
6 disaster emergency. An executive order or proclamation shall be disseminated promptly by means  
7 calculated to bring its contents to the attention of the general public and, unless the circumstances  
8 attendant upon the disaster prevent or impede, promptly filed with the agency, the secretary of state,  
9 and the city and town clerks in the area to which it applies.

10 (c) An executive order or proclamation of a state of disaster emergency, shall activate the  
11 state and local disaster emergency plans applicable to the political subdivision or area in question  
12 and shall be authority for the deployment and use of any forces to which the plan or plans apply  
13 and for the use or distribution of any supplies, equipment, and materials and facilities assembled,  
14 stockpiled, or arranged to be made available pursuant to this chapter or any other provision of law  
15 relating to disaster emergencies.

16 (d) During the continuance of any state of disaster emergency the governor is commander-  
17 in-chief of the organized and unorganized militia and of all other forces available for emergency  
18 duty. To the greatest extent practicable, the governor shall delegate or assign command authority  
19 by prior arrangement embodied in appropriate executive orders or regulations, but nothing herein  
20 restricts the governor's authority to do so by orders issued at the time of the disaster emergency.

21 (e) In addition to any other powers conferred upon the governor by law, the governor may  
22 exercise the following powers, [subject to the provisions of subsection \(g\) of this section](#), limited in  
23 scope and duration as is reasonably necessary for emergency response:

24 (1) Suspend the provisions of any regulatory statute prescribing the procedures for conduct  
25 of state business, or the orders, rules, or regulations of any state agency, if strict compliance with  
26 the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay  
27 necessary action in coping with the emergency, provided that the suspension of any statute, order,  
28 rule or regulation will be limited in duration and scope to the emergency action requiring said  
29 suspension;

30 (2) Utilize all available resources of the state government as reasonably necessary to cope  
31 with the disaster emergency and of each political subdivision of the state;

32 (3) Transfer the direction, personnel, or functions of state departments and agencies or units  
33 thereof for the purpose of performing or facilitating emergency services;

34 (4) Subject to any applicable requirements for compensation under § 30-15-11,

1     commandeer or utilize any private property if the governor finds this necessary to cope with the  
2     disaster emergency;

3             (5) Direct and compel the evacuation of all or part of the population from any stricken or  
4     threatened area within the state if the governor deems this action necessary for the preservation of  
5     life or other disaster mitigation, response, or recovery;

6             (6) Prescribe routes, modes of transportation, and destinations in connection with  
7     evacuation;

8             (7) Control ingress and egress to and from a high risk area, the movement of persons within  
9     the area, and the occupancy of premises therein;

10            (8) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms,  
11     explosives, and combustibles;

12            (9) Make provision for the availability and use of temporary emergency shelter;

13            (10) Make and promulgate such rules and regulations as the governor may deem advisable  
14     for the assigning, detailing, and making available for duty and use in any city or town of this state  
15     any of the personnel, apparatus, or equipment of any police or fire department of any other city or  
16     town, or of any volunteer fire company, or of any fire district, and that personnel shall have the  
17     same powers, duties, rights, privileges, and immunities as if performing their duties in the city or  
18     town in which they normally would be employed, but the personnel shall obey the orders of the  
19     police and fire authorities of the city or town to which assigned, detailed, or made available. When  
20     assigned, detailed, or made available as aforesaid, the city or town in which the police or firemen  
21     shall perform outside duties shall provide them with subsistence or pay them a reasonable  
22     allowance therefor, and shall also be liable for any damage to the apparatus or equipment incurred  
23     while being so used; provided, however, that a city or town shall be reimbursed by the state out of  
24     the general fund of the state for all expenses incurred under the foregoing provisions of this  
25     subsection;

26            (11) Designate as a special emergency health and sanitation area, any area within the state  
27     that has been seriously damaged by disaster, or in which the existence of any military, naval, or air  
28     establishment of the United States of America or of any industrial establishment constructed or  
29     enlarged for purposes of national defense, has caused an increase in the population of that area to  
30     such an extent as to produce unusual problems of health and sanitation. It is the duty of state health  
31     authorities and the local code enforcement officials to make and enforce rules and regulations  
32     designed to prevent the introduction of any contagious or infectious disease and to safeguard the  
33     public health within the area. The governor may promulgate and enforce additional rules and  
34     regulations for the protection of the public health within areas as may be necessary;

1           (12) Whenever, in the governor's opinion, due to a disaster there is liable to be a serious  
2 shortage in the supply of food, fuel, clothing, antitoxins, serums, immunizing agents, or any other  
3 pharmaceutical agents or medical supplies, or any other necessity of life or defense, and the federal  
4 authorities are not adequately dealing with the situation, promulgate such rules and regulations as  
5 he or she, from time to time, deems necessary to regulate the sale, purchase, or distribution of those  
6 necessities and to prohibit and prevent the wasting, secreting, hiding, or hoarding of, or profiteering  
7 from, those necessities; additionally, during a declared time of state or national emergency, no  
8 person, firm, or corporation shall increase the price of any item it sells or offers for sale at retail  
9 immediately prior to the proclamation of emergency or during the proclaimed state of emergency.  
10 Nothing in this section shall prohibit the fluctuation in the price of items sold at retail that occurs  
11 during the normal course of business. Any person, firm, or corporation who or that violates any  
12 provision of this subsection shall be fined not more than one hundred dollars (\$100);

13           (13) Do all other things necessary to effectively cope with disasters in the state not  
14 inconsistent with other provisions of law;

15           (14) Adopt and enforce measures to provide for the safe disposal of infectious waste as  
16 may be reasonable and necessary for emergency response due to a state disaster emergency. Such  
17 measures may include, but are not limited to, the collection, storage, handling, destruction,  
18 treatment, transportation, and disposal of infectious waste;

19           (15) Adopt and enforce measures to provide for the safe disposal of corpses as may be  
20 reasonable and necessary for emergency response due to a state disaster emergency. Such measures  
21 may include, but are not limited to, the embalming, burial, cremation, interment, disinterment,  
22 transportation, and disposal of corpses; and

23           (16) Compel a person to submit to a physical examination and/or testing as necessary to  
24 diagnose or treat the person. The medical examination and/or testing may be performed by any  
25 qualified person authorized by the department of health and must not be reasonably likely to result  
26 in serious harm to the affected individual. The medical examination and/or testing shall be  
27 performed immediately upon the order of the department of health without resort to judicial or  
28 quasi-judicial authority. If the department of health is uncertain whether a person who refuses to  
29 undergo medical examination and/or testing may have been exposed to an infectious disease or  
30 otherwise poses a danger to public health, the department of health may subject the individual to  
31 isolation or quarantine pursuant to § 23-8-4.

32           [\(f\) Nothing contained herein shall be construed to limit or restrict the power of the general](#)  
33 [assembly to appropriate any federal funds received by the state of Rhode Island pursuant to § 35-](#)  
34 [4-22.1.](#)

1 [\(g\) Powers conferred upon the governor pursuant to the provisions of subsection \(e\) of this](#)  
2 [section for disaster emergency response shall not exceed a period of one hundred eighty \(180\) days](#)  
3 [from the date of the emergency order or proclamation of a state of disaster emergency, unless and](#)  
4 [until the general assembly extends the one hundred eighty \(180\) day period by concurrent](#)  
5 [resolution.](#)

6 SECTION 4. Section 31-3-33 of the General Laws in Chapter 31-3 entitled “Registration  
7 of Vehicles” is hereby amended to read as follows:

8 **31-3-33. Renewal of registration.**

9 (a) Application for renewal of a vehicle registration shall be made by the owner on a proper  
10 application form and by payment of the registration fee for the vehicle as provided by law.

11 (b) The division of motor vehicles may receive applications for renewal of registration, and  
12 may grant the renewal and issue new registration cards and plates at any time prior to expiration of  
13 registration.

14 (c) Upon renewal, owners will be issued a renewal sticker for each registration plate that  
15 shall be placed at the bottom, right-hand corner of the plate. Owners shall be issued a new, fully  
16 reflective plate beginning ~~June 1, 2020~~ [July 1, 2022](#), at the time of initial registration or at the  
17 renewal of an existing registration and reissuance will be conducted no less than every ten (10)  
18 years.

19 (d) No later than August 15, 2019, and every fifteenth day of the month through August  
20 15, 2020, the division of motor vehicles shall submit a report outlining the previous month's activity  
21 and progress towards the implementation of the license plate reissuance to the chairpersons of the  
22 house finance and senate finance committee, the house fiscal advisor, and the senate fiscal advisor.  
23 The report shall include, but not be limited to, information on the status of project plans, obstacles  
24 to implementation, and actions taken toward implementation.

25 SECTION 5. Section 31-10.3-20 of the General Laws in Chapter 31-10.3 entitled “Rhode  
26 Island Uniform Commercial Driver's License Act” is hereby amended to read as follows:

27 **31-10.3-20. Fees.**

28 The fees charged for commercial licenses, endorsements, classifications, restrictions, and  
29 required examinations shall be as follows:

- 30 (1) For every commercial operator's first license, thirty dollars (\$30.00);  
31 (2) For every renewal of a commercial license, fifty dollars (\$50.00);  
32 (3) For every duplicate commercial license, ten dollars (\$10.00);  
33 (4) For every duplicate commercial learner's permit, ten dollars (\$10.00);  
34 (5) For any change of:

- 1 (i) Classification(s), ten dollars (\$10.00);  
2 (ii) Endorsement(s), ten dollars (\$10.00);  
3 (iii) Restriction(s), ten dollars (\$10.00);  
4 (6) For every written and/or oral examination, ten dollars (\$10.00);  
5 (7) ~~The Rhode Island board of education shall establish fees that are deemed necessary for~~  
6 ~~the Community College of Rhode Island~~ For the division of motor vehicles to administer the skill  
7 test, ~~not to exceed~~ one hundred dollars (\$100);  
8 (8) For every commercial learner's permit, sixty dollars (\$60.00).  
9 (9) [Deleted by P.L. 2019, ch. 49, § 1 and P.L. 2019, ch. 75, § 1].

10 SECTION 6. Sections 35-17-1 and 35-17-3 of the General Laws in Chapter 35-17 entitled  
11 “Medical Assistance and Public Assistance Caseload Estimating Conference” are hereby amended  
12 to read as follows:

13 **35-17-1. Purpose and membership.**

14 (a) In order to provide for a more stable and accurate method of financial planning and  
15 budgeting, it is hereby declared the intention of the legislature that there be a procedure for the  
16 determination of official estimates of anticipated medical assistance expenditures and public  
17 assistance caseloads, upon which the executive budget shall be based and for which appropriations  
18 by the general assembly shall be made.

19 (b) The state budget officer, the house fiscal advisor, and the senate fiscal advisor shall  
20 meet in regularly scheduled caseload estimating conferences (C.E.C.). These conferences shall be  
21 open public meetings.

22 (c) The chairpersonship of each regularly scheduled C.E.C. will rotate among the state  
23 budget officer, the house fiscal advisor, and the senate fiscal advisor, hereinafter referred to as  
24 principals. The schedule shall be arranged so that no chairperson shall preside over two (2)  
25 successive regularly scheduled conferences on the same subject.

26 (d) Representatives of all state agencies are to participate in all conferences for which their  
27 input is germane.

28 (e) The department of human services shall provide monthly data to the members of the  
29 caseload estimating conference by the fifteenth day of the following month. Monthly data shall  
30 include, but is not limited to, actual caseloads and expenditures for the following case assistance  
31 programs: Rhode Island Works, SSI state program, general public assistance, and child care. For  
32 individuals eligible to receive the payment under § 40-6-27(a)(1)(vi), the report shall include the  
33 number of individuals enrolled in a managed care plan receiving long-term care services and  
34 supports and the number receiving fee-for-service benefits. The executive office of health and



1 human services shall report relevant caseload information and expenditures for the following  
2 medical assistance categories: hospitals, long-term care, managed care, pharmacy, and other  
3 medical services. In the category of managed care, caseload information and expenditures for the  
4 following populations shall be separately identified and reported: children with disabilities,  
5 children in foster care, and children receiving adoption assistance and RIte Share enrollees under §  
6 40-8.4-12(j). The information shall include the number of Medicaid recipients whose estate may  
7 be subject to a recovery and the anticipated amount to be collected from those subject to recovery,  
8 the total recoveries collected each month and number of estates attached to the collections and each  
9 month, the number of open cases and the number of cases that have been open longer than three  
10 months.

11 (f) Beginning July 1, 2021, behavioral healthcare, developmental disabilities and hospitals  
12 shall provide monthly data to the members of the caseload estimating conference by the fifteenth  
13 day of the following month. Monthly data shall include, but is not limited to, actual caseloads and  
14 expenditures for the private community developmental disabilities services program. Information  
15 shall include, but not be limited to the number of cases and expenditures from the beginning of the  
16 fiscal year at the beginning of the prior month; cases added and denied during the prior month;  
17 expenditures made; and the number of cases and expenditures at the end of the month. The  
18 information concerning cases added and denied shall include summary information and profiles of  
19 the service-demand request for eligible adults meeting the state statutory definition for services  
20 from the division of developmental disabilities as determined by the division, including age,  
21 Medicaid eligibility and agency selection placement with a list of the services provided, and the  
22 reasons for the determinations of ineligibility for those cases denied. The department shall also  
23 provide, monthly, the number of individuals in a shared-living arrangement and how many may  
24 have returned to a 24-hour residential placement in that month. The department shall also report,  
25 monthly, any and all information for the consent decree that has been submitted to the federal court  
26 as well as the number of unduplicated individuals employed; the place of employment; and the  
27 number of hours working. The department shall also provide the amount of funding allocated to  
28 individuals above the assigned resource levels; the number of individuals and the assigned resource  
29 level; and the reasons for the approved additional resources. The department will also collect and  
30 forward to the house fiscal advisor, the senate fiscal advisor, and the state budget officer, by  
31 November 1 of each year, the annual cost reports for each community-based provider for the prior  
32 fiscal year. The department shall also provide the amount of patient liability to be collected and the  
33 amount collected as well as the number of individuals who have a financial obligation. The  
34 department will also provide a list of community-based providers awarded an advanced payment

1 for residential and community-based day programs; the address for each property; and the value of  
2 the advancement. If the property is sold, the department must report the final sale, including the  
3 purchaser, the value of the sale, and the name of the agency that operated the facility. If residential  
4 property, the department must provide the number of individuals residing in the home at the time  
5 of sale and identify the type of residential placement that the individual(s) will be moving to. The  
6 department must report if the property will continue to be licensed as a residential facility. The  
7 department will also report any newly licensed twenty-four hour (24) group home; the provider  
8 operating the facility; and the number of individuals residing in the facility. Prior to December 1,  
9 2017, the department will provide the authorizations for community-based and day programs,  
10 including the unique number of individuals eligible to receive the services and at the end of each  
11 month the unique number of individuals who participated in the programs and claims processed.

12 (g) The executive office of health and human services shall provide direct assistance to the  
13 department of behavioral healthcare, developmental disabilities and hospitals to facilitate  
14 compliance with the monthly reporting requirements in addition to preparation for the caseload  
15 estimating conferences.

16 **35-17-3. Additional meetings.**

17 (a) Any time during a fiscal year that any principal feels that the recommendations of the  
18 caseload estimating conference are no longer valid, then that principal, with the appropriate notice,  
19 may convene a caseload estimating conference. The principal requesting the additional conference  
20 shall be the chairperson for that conference.

21 (b) If at any time during a fiscal year any participant feels that the recommendations of the  
22 caseload estimating conference are no longer valid with the respect to their caseload sources then  
23 that participant has a duty to and shall notify each of the principals. The ~~director of the department~~  
24 ~~of human services~~ secretary of the executive office of health and human services shall review the  
25 concerns of each participant and determine whether the problems are sufficient to request an  
26 additional conference.

27 SECTION 7. Section 36-4-16.4 of the General Laws in Chapter 36-4 entitled "Merit  
28 System" is hereby amended to read as follows:

29 **36-4-16.4. Salaries of directors.**

30 (a) In the month of March of each year, the department of administration shall conduct a  
31 public hearing to determine salaries to be paid to directors of all state executive departments for the  
32 following year, at which hearing all persons shall have the opportunity to provide testimony, orally  
33 and in writing. In determining these salaries, the department of administration will take into  
34 consideration the duties and responsibilities of the aforementioned officers, as well as such related

1 factors as salaries paid executive positions in other states and levels of government, and in  
2 comparable positions anywhere that require similar skills, experience, or training. Consideration  
3 shall also be given to the amounts of salary adjustments made for other state employees during the  
4 period that pay for directors was set last.

5 (b) Each salary determined by the department of administration will be in a flat amount,  
6 exclusive of such other monetary provisions as longevity, educational incentive awards, or other  
7 fringe additives accorded other state employees under provisions of law, and for which directors  
8 are eligible and entitled.

9 (c) In no event will the department of administration lower the salaries of existing directors  
10 during their term of office.

11 (d) Upon determination by the department of administration, the proposed salaries of  
12 directors will be referred to the general assembly by the last day in April of that year to go into  
13 effect thirty (30) days hence, unless rejected by formal action of the house and the senate acting  
14 concurrently within that time.

15 (e) Notwithstanding the provisions of this section, for 2015 only, the time period for the  
16 department of administration to conduct the public hearing shall be extended to July and the  
17 proposed salaries shall be referred to the general assembly by August 30. The salaries may take  
18 effect before next year, but all other provisions of this section shall apply.

19 (f) Notwithstanding the provisions of this section or any law to the contrary, for 2017 only,  
20 the salaries of the director of the department of transportation, the secretary of health and human  
21 services, and the director of administration shall be determined by the governor.

22 (g) Notwithstanding the provisions of this section or any law to the contrary, for 2021 only,  
23 the salary of the director of the department of children, youth and families shall be determined by  
24 the governor.

25 SECTION 8. Section 40.1-22-39 of the General Laws in Chapter 40.1-22 entitled  
26 “Developmental Disabilities” is hereby is hereby repealed.

27 ~~**40.1-22-39. Monthly reports to the general assembly.**~~

28 ~~On or before the fifteenth (15th) day of each month, the department shall provide a~~  
29 ~~monthly report of monthly caseload and expenditure data, pertaining to eligible, developmentally~~  
30 ~~disabled adults, to the chairperson of the house finance committee; the chairperson of the senate~~  
31 ~~finance committee; the house fiscal advisor; the senate fiscal advisor; and the state budget officer.~~  
32 ~~The monthly report shall be in such form, and in such number of copies, and with such explanation~~  
33 ~~as the house and senate fiscal advisors may require. It shall include, but is not limited to, the number~~  
34 ~~of cases and expenditures from the beginning of the fiscal year at the beginning of the prior month;~~

1 ~~cases added and denied during the prior month; expenditures made; and the number of cases and~~  
2 ~~expenditures at the end of the month. The information concerning cases added and denied shall~~  
3 ~~include summary information and profiles of the service demand request for eligible adults meeting~~  
4 ~~the state statutory definition for services from the division of developmental disabilities as~~  
5 ~~determined by the division, including age, Medicaid eligibility and agency selection placement with~~  
6 ~~a list of the services provided, and the reasons for the determinations of ineligibility for those cases~~  
7 ~~denied.~~

8 ~~The department shall also provide, monthly, the number of individuals in a shared living~~  
9 ~~arrangement and how many may have returned to a 24-hour residential placement in that month.~~  
10 ~~The department shall also report, monthly, any and all information for the consent decree that has~~  
11 ~~been submitted to the federal court as well as the number of unduplicated individuals employed;~~  
12 ~~the place of employment; and the number of hours working.~~

13 ~~The department shall also provide the amount of funding allocated to individuals above the~~  
14 ~~assigned resource levels; the number of individuals and the assigned resource level; and the reasons~~  
15 ~~for the approved additional resources. The department will also collect and forward to the house~~  
16 ~~fiscal advisor, the senate fiscal advisor, and the state budget officer, by November 1 of each year,~~  
17 ~~the annual cost reports for each community-based provider for the prior fiscal year.~~

18 ~~The department shall also provide the amount of patient liability to be collected and the~~  
19 ~~amount collected as well as the number of individuals who have a financial obligation.~~

20 ~~The department will also provide a list of community-based providers awarded an~~  
21 ~~advanced payment for residential and community-based day programs; the address for each~~  
22 ~~property; and the value of the advancement. If the property is sold, the department must report the~~  
23 ~~final sale, including the purchaser, the value of the sale, and the name of the agency that operated~~  
24 ~~the facility. If residential property, the department must provide the number of individuals residing~~  
25 ~~in the home at the time of sale and identify the type of residential placement that the individual(s)~~  
26 ~~will be moving to. The department must report if the property will continue to be licensed as a~~  
27 ~~residential facility. The department will also report any newly licensed twenty-four hour (24) group~~  
28 ~~home; the provider operating the facility; and the number of individuals residing in the facility.~~

29 ~~Prior to December 1, 2017, the department will provide the authorizations for community-~~  
30 ~~based and day programs, including the unique number of individuals eligible to receive the services~~  
31 ~~and at the end of each month the unique number of individuals who participated in the programs~~  
32 ~~and claims processed.~~

33 SECTION 9. Section 42-6-3 of the General Laws in Chapter 42-6 entitled "Departments  
34 of State Government" is hereby amended to read as follows:

1           **42-6-3. Appointment of directors.**

2           (a) At the January session following his or her election to office, the governor shall appoint  
3 a director of administration, a director of revenue, a director of public safety, a director of human  
4 services, a director of behavioral healthcare, developmental disabilities and hospitals, a director of  
5 transportation, a director of business regulation, a director of labor and training, a director of  
6 environmental management, a director for children, youth and families, and a director of  
7 corrections. The governor shall, in all cases of appointment of a director while the senate is in  
8 session, notify the senate of his or her appointment and the senate shall, within sixty (60) legislative  
9 days after receipt of the notice, act upon the appointment. If the senate shall, within sixty (60)  
10 legislative days, vote to disapprove the appointment, it shall so notify the governor, who shall  
11 forthwith appoint and notify the senate of the appointment of a different person as director and so  
12 on in like manner until the senate shall fail to so vote disapproval of the governor's appointment. If  
13 the senate shall fail, for sixty (60) legislative days next after notice, to act upon any appointment of  
14 which it has been notified by the governor, the person so appointed shall be the director. The  
15 governor may withdraw any appointment of which he or she has given notice to the senate, at any  
16 time within sixty (60) legislative days thereafter and before action has been taken thereon by the  
17 senate.

18           (b) Except as expressly provided in § 42-6-9, and except that the governor may enter into  
19 a contract of employment for a director of the department of children, youth and families for a  
20 period of time up to three (3) years, no director of any department shall be appointed or employed  
21 pursuant to any contract of employment for a period of time greater than the remainder of the  
22 governor's current term of office. Any contract entered into in violation of this section after July 1,  
23 1994, is hereby declared null and void.

24           SECTION 10. Section 42-9-19 of the General Laws in Chapter 42-9 entitled "Department  
25 of Attorney General" is hereby amended to read as follows:

26           **42-9-19. Acceptance of settlements -- Attorney General settlement restricted account.**

27           (a) The attorney general is hereby authorized and empowered to accept in the name of the  
28 state any settlement resulting from a multi-state initiative. The attorney general is additionally  
29 authorized and empowered to recover attorney's fees and costs that shall be considered settlement  
30 proceeds for purposes of this chapter.

31           (b) The settlement proceeds shall be transferred to the general treasurer for deposit in the  
32 general fund. The general treasurer shall transfer ~~ten percent (10%) of such~~ proceeds, up to ~~sixty-~~  
33 ~~five thousand dollars (\$65,000)~~ seven hundred and fifty thousand dollars (\$750,000) in any fiscal  
34 year, to the "attorney general multi-state initiative restricted-receipt account." Any balance in

1 [excess of seven hundred and fifty thousand dollars \(\\$750,000\) remaining in the account at the end](#)  
2 [of the fiscal year shall be transferred back to the state general fund.](#) The restricted-receipt account  
3 shall be used to pay for staff, operational, and litigation costs associated with multi-state initiatives.

4 (c) Expenditure of all settlement proceeds accepted by the attorney general as part of the  
5 terms of the relevant master settlement agreement shall be subject to the annual appropriation  
6 process and approval by the general assembly.

7 SECTION 11. Section 42-11-2 of the General Laws in Chapter 42-11 entitled "Department  
8 of Administration" is hereby amended to read as follows:

9 **42-11-2. Powers and duties of department.**

10 The department of administration shall have the following powers and duties:

11 (1) To prepare a budget for the several state departments and agencies, subject to the  
12 direction and supervision of the governor;

13 (2) To administer the budget for all state departments and agencies, except as specifically  
14 exempted by law;

15 (3) To devise, formulate, promulgate, supervise, and control accounting systems,  
16 procedures, and methods for the state departments and agencies, conforming to such accounting  
17 standards and methods as are prescribed by law;

18 (4) To purchase or to contract for the supplies, materials, articles, equipment, printing, and  
19 services needed by state departments and agencies, except as specifically exempted by law;

20 (5) To prescribe standard specifications for those purchases and contracts and to enforce  
21 compliance with specifications;

22 (6) To supervise and control the advertising for bids and awards for state purchases;

23 (7) To regulate the requisitioning and storage of purchased items, the disposal of surplus  
24 and salvage, and the transfer to or between state departments and agencies of needed supplies,  
25 equipment, and materials;

26 (8) To maintain, equip, and keep in repair the state house, state office building, and other  
27 premises owned or rented by the state for the use of any department or agency, excepting those  
28 buildings, the control of which is vested by law in some other agency;

29 (9) To provide for the periodic inspection, appraisal or inventory of all state buildings and  
30 property, real and personal;

31 (10) To require reports from state agencies on the buildings and property in their custody;

32 (11) To issue regulations to govern the protection and custody of the property of the state;

33 (12) To assign office and storage space and to rent and lease land and buildings for the use  
34 of the several state departments and agencies in the manner provided by law;

1 (13) To control and supervise the acquisition, operation, maintenance, repair, and  
2 replacement of state-owned motor vehicles by state agencies;

3 (14) To maintain and operate central duplicating and mailing service for the several state  
4 departments and agencies;

5 (15) To furnish the several departments and agencies of the state with other essential office  
6 services;

7 (16) To survey and examine the administration and operation of the state departments and  
8 agencies, submitting to the governor proposals to secure greater administrative efficiency and  
9 economy, to minimize the duplication of activities, and to effect a better organization and  
10 consolidation of functions among state agencies;

11 (17) To operate a merit system of personnel administration and personnel management as  
12 defined in § 36-3-3 in connection with the conditions of employment in all state departments and  
13 agencies within the classified service;

14 (18) To assign or reassign, with the approval of the governor, any functions, duties, or  
15 powers established by this chapter to any agency within the department;

16 (19) To establish, maintain, and operate a data processing center or centers, approve the  
17 acquisition and use of electronic data processing services by state agencies, furnish staff assistance  
18 in methods, systems and programming work to other state agencies, and arrange for and effect the  
19 centralization and consolidation of punch card and electronic data processing equipment and  
20 services in order to obtain maximum utilization and efficiency;

21 (20) To devise, formulate, promulgate, supervise, and control a comprehensive and  
22 coordinated statewide information system designed to improve the data base used in the  
23 management of public resources, to consult and advise with other state departments and agencies  
24 and municipalities to assure appropriate and full participation in this system, and to encourage the  
25 participation of the various municipalities of this state in this system by providing technical or other  
26 appropriate assistance toward establishing, within those municipalities, compatible information  
27 systems in order to obtain the maximum effectiveness in the management of public resources;

28 (i) The comprehensive and coordinated statewide information system may include a Rhode  
29 Island geographic information system of land-related economic, physical, cultural and natural  
30 resources.

31 (ii) In order to ensure the continuity of the maintenance and functions of the geographic  
32 information system, the general assembly may annually appropriate such sum as it may deem  
33 necessary to the department of administration for its support.

34 (21) To administer a statewide planning program including planning assistance to the state

1 departments and agencies;

2 (22) To administer a statewide program of photography and photographic services;

3 (23) To negotiate with public or private educational institutions in the state, in cooperation  
4 with the department of health, for state support of medical education;

5 (24) To promote the expansion of markets for recovered material and to maximize their  
6 return to productive economic use through the purchase of materials and supplies with recycled  
7 content by the state of Rhode Island to the fullest extent practically feasible;

8 (25) To approve costs as provided in § 23-19-32; and

9 (26) To provide all necessary civil service tests for child protective investigators and social  
10 workers at least twice each year and to maintain an adequate hiring list for these positions at all  
11 times.

12 (27)(a) To prepare a report every three (3) months by all current property leases or rentals  
13 by any state or quasi-state agency to include the following information:

14 (i) Name of lessor;

15 (ii) Description of the lease (purpose, physical characteristics, and location);

16 (iii) Cost of the lease;

17 (iv) Amount paid to date;

18 (v) Date initiated;

19 (vi) Date covered by the lease.

20 (b) To prepare a report by October 31, 2014, of all current property owned by the state or  
21 leased by any state agency or quasi-state agency to include the following information:

22 (i) Total square feet for each building or leased space;

23 (ii) Total square feet for each building and space utilized as office space currently;

24 (iii) Location of each building or leased space;

25 (iv) Ratio and listing of buildings owned by the state versus leased;

26 (v) Total occupancy costs which shall include capital expenses, provided a proxy should  
27 be provided to compare properties that are owned versus leased by showing capital expenses on  
28 owned properties as a per square foot cost at industry depreciation rates;

29 (vi) Expiration dates of leases;

30 (vii) Number of workstations per building or leased space;

31 (viii) Total square feet divided by number of workstations;

32 (ix) Total number of vacant workstations;

33 (x) Percentage of vacant workstations versus total workstations available;

34 (xi) Date when an action is required by the state to renew or terminate a lease;



1 (xii) Strategic plan for leases commencing or expiring by June 30, 2016;  
2 (xiii) Map of all state buildings which provides: cost per square foot to maintain, total  
3 number of square feet, total operating cost, date each lease expires, number of persons per building  
4 and total number of vacant seats per building; and

5 (xiv) Industry benchmark report which shall include total operating cost by full-time  
6 equivalent employee, total operating cost by square foot and total square feet divided by full-time  
7 equivalent employee.

8 (28) To prepare a report to the chairs of the House and Senate finance committees by  
9 December 15, 2021, and each year thereafter of all current property owned by the state or leased  
10 by any state agency or quasi-state agency to include the following information:

11 (i) Total square feet for each building or leased space;

12 (ii) Total square feet for each building and space utilized as office space currently;

13 (iii) Location of each building or leased space;

14 (iv) Ratio and listing of buildings owned by the state versus leased;

15 (v) Total occupancy costs which shall include capital expenses, provided a proxy should  
16 be provided to compare properties that are owned versus leased by showing capital expenses on  
17 owned properties as a per square foot cost at industry depreciation rates;

18 (vi) Expiration dates of leases;

19 (vii) Number of workstations per building or leased space;

20 (viii) Total square feet divided by number of workstations;

21 (ix) Total number of vacant workstations;

22 (x) Percentage of vacant workstations versus total workstations available;

23 (xi) Date when an action is required by the state to renew or terminate a lease;

24 (xii) Strategic plan for leases commencing or expiring by June 30, 2022, and each  
25 subsequent year thereafter;

26 (xiii) Map of all state buildings which provides: cost per square foot to maintain, total  
27 number of square feet, total operating cost, date each lease expires, number of persons per building  
28 and total number of vacant seats per building; and

29 (xiv) Industry benchmark report which shall include total operating cost by full-time  
30 equivalent employee, total operating cost by square foot and total square feet divided by full-time  
31 equivalent employee.

32 ~~(28)~~(29) To provide by December 31, 1995, the availability of automatic direct deposit to  
33 any recipient of a state benefit payment, provided that the agency responsible for making that  
34 payment generates one thousand (1,000) or more such payments each month.

1           ~~(29)~~(30) To encourage municipalities, school districts, and quasi-public agencies to  
2 achieve cost savings in health insurance, purchasing, or energy usage by participating in state  
3 contracts, or by entering into collaborative agreements with other municipalities, districts, or  
4 agencies. To assist in determining whether the benefit levels including employee cost sharing and  
5 unit costs of such benefits and costs are excessive relative to other municipalities, districts, or quasi-  
6 public agencies as compared with state benefit levels and costs.

7           ~~(30)~~(31) To administer a health benefit exchange in accordance with chapter 157 of title  
8 42.

9           SECTION 12. Section 42-142-8 of the General Laws in Chapter 42-14 entitled  
10 “Department of Revenue” is hereby amended to read as follows:

11           **42-142-8. Collection unit.**

12           (a) The director of the department of revenue is authorized to establish within the  
13 department of revenue a collection unit for the purpose of assisting state agencies in the collection  
14 of debts owed to the state. The director of the department of revenue may enter into an agreement  
15 with any state agency(ies) to collect any delinquent debt owed to the state.

16           (b) The director of the department of revenue shall initially implement a pilot program to  
17 assist the agency(ies) with the collection of delinquent debts owed to the state.

18           (c) The agency(ies) participating in the pilot program shall refer to the collection unit  
19 within the department of revenue, debts owed by delinquent debtors where the nature and amount  
20 of the debt owed has been determined and reconciled by the agency and the debt is: (i) The subject  
21 of a written settlement agreement and/or written waiver agreement and the delinquent debtor has  
22 failed to timely make payments under the agreement and/or waiver and is therefore in violation of  
23 the terms of the agreement and/or waiver; (ii) The subject of a final administrative order or decision  
24 and the debtor has not timely appealed the order or decision; (iii) The subject of final order,  
25 judgment, or decision of a court of competent jurisdiction and the debtor has not timely appealed  
26 the order, judgment, or decision. The collection unit shall not accept a referral of any delinquent  
27 debt unless it satisfies subsection (c)(i), (ii) or (iii) of this section.

28           (d) Any agency(ies) entering into an agreement with the department of revenue to allow  
29 the collection unit of the department to collect a delinquent debt owed to the state shall indemnify  
30 the department of revenue against injuries, actions, liabilities, or proceedings arising from the  
31 collection, or attempted collection, by the collection unit of the debt owed to the state.

32           (e) Before referring a delinquent debt to the collection unit, the agency(ies) must notify the  
33 debtor of its intention to submit the debt to the collection unit for collection and of the debtor's right  
34 to appeal that decision not less than thirty (30) days before the debt is submitted to the collection

1 unit.

2 (f) At such time as the agency(ies) refers a delinquent debt to the collection unit, the agency  
3 shall: (i) Represent in writing to the collection unit that it has complied with all applicable state and  
4 federal laws and regulations relating to the collection of the debt, including, but not limited to, the  
5 requirement to provide the debtor with the notice of referral to the collection unit under subsection  
6 (e) of this section; and (ii) Provide the collection unit personnel with all relevant supporting  
7 documentation including, but not limited to, notices, invoices, ledgers, correspondence,  
8 agreements, waivers, decisions, orders, and judgments necessary for the collection unit to attempt  
9 to collect the delinquent debt.

10 (g) The referring agency(ies) shall assist the collection unit by providing any and all  
11 information, expertise, and resources deemed necessary by the collection unit to collect the  
12 delinquent debts referred to the collection unit.

13 (h) Upon receipt of a referral of a delinquent debt from an agency(ies), the amount of the  
14 delinquent debt shall accrue interest at the annual rate of interest established by law for the referring  
15 agency or at an annual rate of 13%, whichever percentage rate is greater.

16 (i) Upon receipt of a referral of a delinquent debt from the agency(ies), the collection unit  
17 shall provide the delinquent debtor with a "Notice of Referral" advising the debtor that:

18 (1) The delinquent debt has been referred to the collection unit for collection; and

19 (2) The collection unit will initiate, in its names, any action that is available under state law  
20 for the collection of the delinquent debt, including, but not limited to, referring the debt to a third  
21 party to initiate said action.

22 (j) Upon receipt of a referral of a delinquent debt from an agency(ies), the director of the  
23 department of revenue shall have the authority to institute, in its name, any action(s) that are  
24 available under state law for collection of the delinquent debt and interest, penalties, and/or fees  
25 thereon and to, with or without suit, settle the delinquent debt.

26 (k) In exercising its authority under this section, the collection unit shall comply with all  
27 state and federal laws and regulations related to the collection of debts.

28 (l) Upon the receipt of payment from a delinquent debtor, whether a full or partial payment,  
29 the collection unit shall disburse/deposit the proceeds of the payment in the following order:

30 (1) To the appropriate federal account to reimburse the federal government funds owed to  
31 them by the state from funds recovered; and

32 (2) The balance of the amount collected to the referring agency.

33 (m) Notwithstanding the above, the establishment of a collection unit within the department  
34 of revenue shall be contingent upon an annual appropriation by the general assembly of amounts

1 necessary and sufficient to cover the costs and expenses to establish, maintain, and operate the  
2 collection unit including, but not limited to, computer hardware and software, maintenance of the  
3 computer system to manage the system, and personnel to perform work within the collection unit.

4 (n) In addition to the implementation of any pilot program, the collection unit shall comply  
5 with the provisions of this section in the collection of all delinquent debts under this section.

6 (o) The department of revenue is authorized to promulgate rules and regulations as it deems  
7 appropriate with respect to the collection unit.

8 (p) By September 1, 2020, and each year thereafter, the department of revenue shall  
9 specifically assess the performance, effectiveness, and revenue impact of the collections associated  
10 with this section, including, but not limited to, the total amounts referred and collected by each  
11 referring agency during the previous state fiscal year to the governor, the speaker of the house of  
12 representatives, the president of the senate, the chairpersons of the house and senate finance  
13 committees, and the house and senate fiscal advisors. The report shall include the net revenue  
14 impact to the state of the collection unit.

15 (q) No operations of a collection unit pursuant to this chapter shall be authorized after June  
16 30, ~~2021~~ [2023](#).

17 SECTION 13. Section 5 shall take effect on January 1, 2022. The remaining shall take  
18 effect upon passage.