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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO PUBLIC FINANCE -- STATE BUDGET

Introduced By: Senators de la Cruz, Paolino, Morgan, Rogers, and Raptakis

Date Introduced: January 26, 2021

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 35-3-4, 35-3-7 and 35-3-9 of the General Laws in Chapter 35-3
2 entitled "State Budget" are hereby amended to read as follows:

3 **35-3-4. Estimates submitted by department heads.**

4 (a) On dates determined by the budget officer, but not later than the first day of October in
5 each year, each head of a department of the state government, not including the general assembly
6 or the judiciary, shall assemble, correlate, and revise, with power to increase or decrease, the
7 estimates for expenditures and requests for appropriations for the next ensuing fiscal year of each
8 of the divisions, boards, commissions, officers, bureaus, institutions, or agencies of the state
9 included within his or her department, and, after this revision, shall prepare an itemized
10 departmental estimate of the appropriations necessary to meet the financial needs of the department,
11 including a statement in detail of all moneys for which any general or special appropriation is
12 desired at the ensuing session of the general assembly. The estimate shall be in such form, and in
13 such number of copies, and with such explanation as the budget officer may require, and, on dates
14 determined by the budget officer, but not later than the first day of October in each year, shall be
15 submitted to the governor through the budget officer and to the fiscal advisors of the house and
16 senate.

17 (b) The estimates shall also include a supplemental presentation of estimates of
18 expenditures for information resources and information technologies as defined in § 29-8-2
19 [repealed], regardless of source of financing. The estimate shall include a detailed listing and

1 explanation of expenses and the source of funds and shall be in such form, and in such number of
2 copies, and with such explanation as the budget officer may require. Copies shall be provided
3 directly to the house fiscal advisor, the senate fiscal advisor, and the Rhode Island information
4 resources management board.

5 (c) Commencing with the fiscal year beginning on July 1, 2022, and in accordance with
6 the schedule provided herein, the estimates for expenditures and requests for appropriations shall
7 be based upon a justification by each department head of the budget of the department from a zero
8 base. The budget request shall be accompanied by a statement giving facts and explanations of
9 reasons for each item requested. It shall include a brief explanation of the functions of each of the
10 divisions, boards, commissions, officers, bureaus, institutions, or agencies of the state included
11 within the department and comments on its policies and plans, with such descriptive, quantitative,
12 comparative and other data as to work done and other information as is considered necessary or
13 desirable. "Zero-based budget" requests, so-called, are requests for appropriations based upon a
14 justification of a department from a zero base as if the budget for the department was being initiated
15 for the first time and shall be required based upon the following schedule:

16 (1) Beginning with the fiscal year beginning July 1, 2023, zero-based budgets shall be
17 submitted by twenty percent (20%) of state departments, being those departments which submitted
18 the lowest budget requests for the fiscal year beginning July 1, 2022;

19 (2) Beginning with the next fiscal year, zero-based budgets shall be submitted by twenty
20 percent (20%) of state departments, being those submitting the lowest budget requests for the fiscal
21 year beginning July 1, 2023, except for those departments included in subsection (c)(1) of this
22 section;

23 (3) Beginning with the next fiscal year, zero-based budget requests shall be submitted by
24 twenty percent (20%) of state departments submitting the lowest budget requests for the fiscal year
25 beginning July 1, 2024, except for those departments included in subsections (c)(1) and (2) of this
26 section;

27 (4) Beginning with the next fiscal year, zero-based budget requests shall be submitted by
28 twenty percent (20%) of state departments submitting the lowest budget requests for the fiscal year
29 beginning July 1, 2025, except for those departments included in subsections (c)(1),(2), and (3) of
30 this section;

31 (d) For the fiscal year beginning July 1, 2026, and thereafter, zero-based budgets shall be
32 submitted by all remaining state departments.

33 The budget officer shall provide copies to the house fiscal advisor and senate fiscal advisor.

34 **35-3-7. Submission of budget to general assembly -- Contents.**

1 (a) On or before the third Thursday in January in each year of each January session of the
2 general assembly, the governor shall submit to the general assembly a budget containing a complete
3 plan of estimated revenues and proposed expenditures, with a personnel supplement detailing the
4 number and titles of positions of each agency and the estimates of personnel costs for the next fiscal
5 year, and with the inventory required by § 35-1.1-3(b)(4). Provided, however, in those years that a
6 new governor is inaugurated, the new governor shall submit the budget on or before the first
7 Thursday in February. Beginning with the fiscal year beginning July 1, 2022, and in accordance
8 with the schedule set forth in § 35-3-4, the budget submitted by the governor shall be a "zero-based
9 budget," a budget based upon a justification of each department's estimate of expenditures and
10 requests for appropriations from a zero base. In accordance with the schedule set forth in § 35-3-4,
11 the entire budget for the fiscal year beginning July 1, 2026, shall be a zero based budget.

12 In the budget the governor may set forth in summary and detail:

13 (1) Estimates of the receipts of the state during the ensuing fiscal year under laws existing
14 at the time the budget is transmitted and also under the revenue proposals, if any, contained in the
15 budget, and comparisons with the estimated receipts of the state during the current fiscal year, as
16 well as actual receipts of the state for the last two (2) completed fiscal years.

17 (2) Estimates of the expenditures and appropriations necessary in the governor's judgment
18 for the support of the state government for the ensuing fiscal year, and comparisons with
19 appropriations for expenditures during the current fiscal year, as well as actual expenditures of the
20 state for the last two (2) complete fiscal years; provided, further, in the event the budget submission
21 includes any transfers of resources from public corporations to the general fund, the budget
22 submission shall also include alternatives to said transfers.

23 (3) Financial statements of the:

24 (i) Condition of the treasury at the end of the last completed fiscal year;

25 (ii) The estimated condition of the treasury at the end of the current fiscal year; and

26 (iii) Estimated condition of the treasury at the end of the ensuing fiscal year if the financial
27 proposals contained in the budget are adopted.

28 (4) All essential facts regarding the bonded and other indebtedness of the state.

29 (5) A report indicating those program revenues and expenditures whose funding source is
30 proposed to be changed from state appropriations to restricted receipts, or from restricted receipts
31 to other funding sources.

32 (6) Such other financial statements and data as in the governor's opinion are necessary or
33 desirable.

34 (b) Any other provision of the general laws to the contrary notwithstanding, the proposed

1 appropriations submitted by the governor to the general assembly for the next ensuing fiscal year
2 should not be more than five and one-half percent (5.5%) in excess of total state appropriations,
3 excluding any estimated supplemental appropriations, enacted by the general assembly for the
4 fiscal year previous to that for which the proposed appropriations are being submitted; provided
5 that the increased state-share provisions required to achieve fifty percent (50%) state financing of
6 local school operations as provided for in P.L. 1985, ch. 182, shall be excluded from the definition
7 of total appropriations.

8 ~~(e) Notwithstanding the provisions of § 35-3-7(a), the governor shall submit to the general
9 assembly a budget for the fiscal year ending June 30, 2006, not later than the fourth (4th) Thursday
10 in January 2005.~~

11 ~~(d) Notwithstanding the provisions of § 35-3-7(a), the governor shall submit to the general
12 assembly a supplemental budget for the fiscal year ending June 30, 2006, and/or a budget for the
13 fiscal year ending June 30, 2007, not later than Thursday, January 26, 2006.~~

14 ~~(e) Notwithstanding the provisions of § 35-3-7(a), the governor shall submit to the general
15 assembly a supplemental budget for the fiscal year ending June 30, 2007, and/or a budget for the
16 fiscal year ending June 30, 2008, not later than Wednesday, January 31, 2007.~~

17 ~~(f) Notwithstanding the provisions of § 35-3-7(a), the governor shall submit to the general
18 assembly a budget for the fiscal year ending June 30, 2012, not later than Thursday, March 10,
19 2011.~~

20 ~~(g) Notwithstanding the provisions of § 35-3-7(a), the governor shall submit to the general
21 assembly a budget for the fiscal year ending June 30, 2013, not later than Tuesday, January 31,
22 2012.~~

23 ~~(h) Notwithstanding the provisions of § 35-3-7(a), the governor shall submit to the general
24 assembly a budget for the fiscal year ending June 30, 2016, not later than Thursday, March 12,
25 2015.~~

26 **35-3-9. Action on bills by house committee -- Hearings.**

27 The budget plan and bill or bills for proposed appropriations, when sent by the governor to
28 the general assembly, shall be referred as soon as practicable to an appropriate committee of the
29 house of representatives, ~~and the committee shall forthwith proceed to the consideration of the bill.~~
30 and upon receipt of the budget plan the committee shall refer it to a budget panel consisting of three
31 (3) persons: one of whom shall be appointed by the speaker of the house; one of whom shall be
32 appointed by the house minority leader; and one of whom shall be appointed by the senate
33 president. The members of the panel shall be persons with expertise and experience in the areas of
34 finance or accounting. The panel shall review the budget plan and shall consider the objectives,

1 operations, and costs of all activities of each department; explore alternative means of conducting
2 the activities of each department; evaluate alternative budget amounts for various levels of effort
3 for each activity of each department. The panel shall report its findings and make its
4 recommendations as to the needs of each department, the programs and activities of each
5 department and all other recommendations and information that it deems appropriate, to the
6 committee, within thirty (30) days after the budget plan is referred to it.

7 The committee shall proceed to the consideration of the bill upon receipt of this
8 recommendation of the panel. The committee shall hear the budget officer upon the bill as a whole
9 or upon any item thereof or any proposed amendment thereto as each may elect, and the committee
10 may summon the budget officer to appear before it and to furnish such information relative to the
11 bill or any item therein, or any proposed amendment thereto, as it may require, and the committee
12 may in its discretion hear the proper person representing any department or agency desiring to be
13 heard with respect to any item or amendment in the bill relating to the department or agency;
14 provided, that nothing contained in this section shall be construed to limit the right of the committee
15 to hold public hearings upon the bill as a whole or upon any item therein, or to summon any person
16 for examination regarding any item contained therein, or for the purpose of obtaining information
17 necessary for a full and proper consideration of the bill. The committee, after the consideration of
18 the bill, shall report the bill with its recommendation endorsed thereon to the house of
19 representatives.

20 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO PUBLIC FINANCE -- STATE BUDGET

- 1 This act would require that the governor submit a zero-based budget to the general
- 2 assembly. The zero-based budget shall be phased in over a five (5) year period.
- 3 This act would take effect upon passage.

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