

2012 -- S 2794

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LC02190  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO PUBLIC FINANCE - STATE BUDGET

Introduced By: Senators Sheehan, DiPalma, Nesselbush, Sosnowski, and Ottiano

Date Introduced: March 21, 2012

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 35-3-24.1 of the General Laws in Chapter 35-3 entitled "State  
2 Budget" is hereby amended to read as follows:

3 **35-3-24.1. Program performance measurement.** -- (a) Beginning with the fiscal year  
4 ending June 30, 1997, the governor shall submit, as part of each budget submitted to the general  
5 assembly pursuant to section 35-3-7, performance objectives for each program in the budget for  
6 the ensuing fiscal year, estimated performance data for the fiscal year in which the budget is  
7 submitted, and actual performance data for the preceding two (2) completed fiscal years.  
8 Performance data shall include efforts at achieving equal opportunity hiring goals as defined in  
9 the department's annual affirmative action plan. The governor shall, in addition, recommend  
10 appropriate standards against which to measure program performance. Performance in prior years  
11 may be used as a standard where appropriate. These performance standards shall be stated in  
12 terms of results obtained.

13 (b) The governor may submit, in lieu of any part of the information required to be  
14 submitted pursuant to subsection (a), an explanation of why the information cannot, as a practical  
15 matter be submitted.

16 (c)(1) The office of management and budget shall be responsible for managing and  
17 collecting program performance measures on behalf of the governor. The office is authorized to  
18 conduct performance reviews and audits of agencies to determine progress towards achieving  
19 performance objectives for programs.

1           (2) In order to collect performance measures from agencies, review performance and  
2 provide recommendations the office of budget and management is authorized to conduct audits of  
3 any state department, state agency, or private entity that is a recipient of state funding or state  
4 grants. As deemed necessary or expedient by the office, audits may be made with respect to the  
5 financial affairs or the economy and efficiency of management of each department and agency.  
6 The office shall determine which such audits shall be performed in accordance with a risk-based  
7 evaluation.

8           (3) In years where performance standards were not achieved in the prior fiscal year, the  
9 department or agency shall outline specific steps to be taken to meet the performance standards in  
10 the next fiscal year and these steps shall be submitted with the governor's budget.

11           (d) Notwithstanding any other provision of the general or public laws to the contrary,  
12 including any provision exempting any entity from the requirements of this chapter, all public  
13 corporations as defined in subsection 35-20-5(4) and quasi-public agencies, shall be subject to the  
14 terms of this section.

15           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

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1           This act would require the office of management and budget to manage and collect  
2 program performance measures on behalf of the governor. This act would also authorize the  
3 office of management and budget to conduct performance reviews and audits of state agencies,  
4 public corporations and quasi-public agencies to determine progress towards achieving  
5 performance goals and objectives.

6           This act would take effect upon passage.

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