

ARTICLE 9 AS AMENDED

RELATING TO GOVERNMENT REFORM

SECTION 1. Section 35-6-1 of the General Laws in Chapter 35-6 entitled "Accounts and Control" is hereby amended to read as follows:

35-6-1. Controller -- Duties in general. -- (a) Within the department of administration there shall be a controller who shall be appointed by the director of administration pursuant to chapter 4 of title 36. The controller shall be responsible for accounting and expenditure control and shall be required to:

(1) Administer a comprehensive accounting and recording system which will classify the transactions of the state departments and agencies in accordance with the budget plan;

(2) Maintain control accounts for all supplies, materials, and equipment for all departments and agencies except as otherwise provided by law;

(3) Prescribe a financial, accounting, and cost accounting system for state departments and agencies;

(4) Preaudit all state receipts and expenditures;

(5) Prepare financial statements required by the several departments and agencies, by the governor, or by the general assembly;

(6) Approve the orders drawn on the general treasurer; provided, that the preaudit of all expenditures under authority of the legislative department and the judicial department by the state controller shall be purely ministerial, concerned only with the legality of the expenditure and availability of the funds, and in no event shall the state controller interpose his or her judgment regarding the wisdom or expediency of any item or items of expenditure;

(7) Prepare and timely file, on behalf of the state, any and all reports required by the United States, including, but not limited to, the internal revenue service, or required by any department or agency of the state, with respect to the state payroll; and

(8) Prepare a preliminary closing statement for each fiscal year. The controller shall forward the statement to the chairpersons of the house finance committee and the senate finance committee, with copies to the house fiscal advisor and the senate fiscal and policy advisor, by September 1 following the fiscal year ending the prior June 30 or thirty (30) days after enactment of the appropriations act, whichever is later. The report shall include but is not limited to:

1 (i) A report of all revenues received by the state in the completed fiscal year, together
2 with the estimates adopted for that year as contained in the final enacted budget, and together
3 with all deviations between estimated revenues and actual collections. The report shall also
4 include cash collections and accrual adjustments;

5 (ii) A comparison of actual expenditures with each of the actual appropriations,
6 including supplemental appropriations and other adjustments provided for in the Rhode Island
7 General Laws;

8 (iii) A statement of the opening and closing surplus in the general revenue account; and

9 (iv) A statement of the opening surplus, activity, and closing surplus in the state budget
10 reserve and cash stabilization account and the state bond capital fund.

11 (b) The controller shall provide supporting information on revenues, expenditures,
12 capital projects, and debt service upon request of the house finance committee chairperson, senate
13 finance committee chairperson, house fiscal advisor, or senate fiscal and policy advisor.

14 (c) Upon issuance of the audited annual financial statement, the controller shall provide a
15 report of the differences between the preliminary financial report and the final report as contained
16 in the audited annual financial statement.

17 (d) Upon issuance of the audited financial statement, the controller shall transfer all
18 general revenues received in the completed fiscal year net of transfer to the state budget reserve
19 and cash stabilization account as required by section 35-3-20 in excess of those estimates adopted
20 for that year as contained in the final enacted budget to the employees' retirement system of the
21 state of Rhode Island as defined in section 36-8-2.

22 (e) The controller shall create a special fund not part of the general fund and shall
23 deposit amounts equivalent to all deferred contributions under this act into that fund. Any
24 amounts remaining in the fund on June 15, 2010, shall be transferred to the general treasurer who
25 shall transfer such amounts into the retirement system as appropriate.

26 (f) The controller shall implement a direct deposit payroll system for state employees.

27 (i) There shall be no service charge of any type paid by the state employee at any time
28 which shall decrease the net amount of the employee's salary deposited to the financial institution
29 of the personal choice of the employee as a result of the use of direct deposit.

30 (ii) Employees hired after September 30, 2014, shall participate in the direct deposit
31 system. At the time the employee is hired, the employee shall identify a financial institution that
32 will serve as a personal depository agent for the employee.

33 (iii) No later than June 30, 2016, each employee hired before September 30, 2014, who is
34 not a participant in the direct deposit system, shall identify a financial institution that will serve as

1 [a personal depository agent for the employee.](#)

2 [\(iv\) The controller shall promulgate rules and regulations as necessary for](#)
3 [implementation and administration of the direct deposit system, which shall include limited](#)
4 [exceptions to required participation.](#)

5 SECTION 2. Section 36-7-2 of the General Laws in Chapter 36-7 entitled "Federal Old-
6 Age and Survivors' Insurance" is hereby amended to read as follows:

7 **36-7-2. Definitions.** -- For the purposes of §§ 36-7-1 – 36-7-31, 36-7-33.1, and 36-7-35,
8 the following terms shall have the meanings indicated unless different meanings are clearly
9 expressed or required by the context:

10 (1) "Agency of the state" shall mean:

11 (i) All departments, divisions, agencies, and instrumentalities of the state which are not
12 juristic entities, legally separate and distinct from the state;

13 (ii) Civilian employees of the Rhode Island national guard; or

14 (iii) Any instrumentality of the state such as fire districts, water districts, water
15 authorities, sewer commissions and authorities, housing authorities, or other instrumentality of
16 the state which are a juristic entity and legally separate and distinct from the state and if the
17 employees of the instrumentality are not by virtue of their relation to juristic entity employees of
18 the state. Without limiting the generality of the foregoing, examples of those agencies would be
19 the Kent County water authority, the Providence housing authority, the Blackstone Valley sewer
20 district commission, and other like instrumentalities of the state.

21 (2) "City or town" shall mean:

22 (i) Any city or town of the state of Rhode Island, inclusive of any department, division,
23 agency, board, commission, or bureau thereof;

24 (ii) Any instrumentality of a city or town which is a juristic entity and legally separate
25 and distinct from the city or town and if its employees are not by virtue of their relation to the
26 juristic entity employees of the city or town; or

27 (iii) Any instrumentality of two or more citizens and/or towns which is a juristic entity as
28 provided in subdivision (ii) hereof.

29 (3) "IRC" shall mean the Internal Revenue Code of 1986, as amended.

30 (4) "Coverage group" shall mean:

31 (i) All employees of the state other than those engaged in performing service in
32 connection with a proprietary function;

33 (ii) All employees of a city or town other than those engaged in performing service in
34 connection with a single proprietary function;

1 (iii) All employees of the state engaged in performing service in connection with a single
2 proprietary function;

3 (iv) All employees of an agency of the state;

4 (v) All employees of a city or town of the state engaged in performing service in
5 connection with a single proprietary function. If under the preceding sentence an employee would
6 be included in more than one coverage group by reason of the fact that he or she performs service
7 in connection with two (2) or more proprietary functions or in connection with both a proprietary
8 function and a nonproprietary function, he or she shall be included in only one coverage group.
9 The determination of the coverage group in which the employee shall be included shall be made
10 in such manner as may be specified in the agreement. Members of retirement systems shall
11 constitute separate coverage groups as provided in § 36-7-10.

12 (5) "Employee" shall mean any officer or employee of any city, town, or agency of the
13 state receiving salaries or wages for employment.

14 (6) "Employment" shall mean any service performed by an employee for wages as a
15 member of a coverage group as herein defined, including service of an emergency nature, service
16 in any class or classes of elective positions and service in part-time positions, but excluding the
17 following:

18 (i) Service in a position the compensation for which is on a fee basis;

19 (ii) Service performed by election officials or election workers for calendar year 2003 in
20 which the remuneration paid for that service is less than one thousand two hundred fifty dollars
21 (\$1,250), and for each calendar year after 2003 in which the remuneration paid is less than the
22 adjusted amount in accordance with section 218(c)(8)(B) of the Social Security Act;

23 (iii) Service which under the federal Social Security Act may not be included in an
24 agreement between the state and the secretary entered into under this chapter;

25 (iv) Service which, in the absence of an agreement entered into under §§ 36-7-1 – 36-7-
26 31, would constitute "employment" as defined in the federal Social Security Act. Service which
27 under the federal Social Security Act may be included in an agreement only upon certification by
28 the governor in accordance with § 218(d)(3) of the federal Social Security Act, 42 U.S.C. §
29 418(d)(3), shall be included in the term "employment" if and when the governor issues, with
30 respect to that service, a certificate to the secretary, pursuant to § 36-7-19.

31 (B) Notwithstanding any of the foregoing, if pursuant to § 141 of P.L. 92-603, 42 U.S.C.
32 § 418, the state agreement with the federal government referred to in § 36-7-3 is modified
33 appropriately at any time prior to January 1, 1974, the term "employment" with respect to any
34 coverage group specified in the modification shall, effective after the effective date specified in

1 the modification, include services in designated part-time positions but not services performed in
2 the employ of a school, college, or university by a student who is enrolled and regularly attending
3 classes at that school, college, or university.

4 (7) "FARP" shall mean the FICA Alternative Retirement Income Security Program as
5 described in § 36-7-33.1.

6 (8) "FARP-eligible employee" shall mean any part-time, seasonal, or temporary
7 employee of the state of Rhode Island who is ineligible for participation in the Employees'
8 Retirement System of Rhode Island.

9 (9) "FARP part-time employee" shall mean an employee of the state of Rhode Island who
10 works less than twenty (20) hours ~~or less~~ per week, in accordance with IRC standards.

11 (10) "Federal Insurance Contributions Act" or "FICA" shall mean subchapter A of
12 chapter 9 of the federal Internal Revenue Code of 1939, subchapters A and B of chapter 21 of the
13 federal Internal Revenue Code of 1954, and subchapters A and B of chapter 21 of the federal
14 Internal Revenue Code of 1986 as those codes have been and may from time to time be amended;
15 and the term "employee tax" shall mean the tax imposed by § 1400 of the code of 1939, § 3101 of
16 the code of 1954, and § 3101 of the code of 1986.

17 (11) "Federal Social Security Act", 42 U.S.C. § 301 et seq., shall mean the act of
18 congress approved August 14, 1935, officially cited as the "Social Security Act", including any
19 amendments thereto, and any regulations, directives, or requirements interpretative or
20 implementive thereof.

21 (12) "Part-time employment" shall mean any employment by those who work on a
22 regularly scheduled basis regardless of hours.

23 (13) "Retirement board" shall mean the retirement board as provided in chapter 8 of this
24 title.

25 (14) "Secretary", except when used in the title "secretary of the treasury", shall mean the
26 secretary of health and human services and any individual to whom the secretary of health and
27 human services has delegated any of his or her functions under the federal Social Security Act, 42
28 U.S.C. § 301 et seq., with respect to coverage under that act of employees of states and their
29 political subdivisions.

30 (15) "Sick pay" shall mean the amount of any payment (including any amount paid by an
31 employer for insurance or annuities, or into a fund to provide for any sick pay) made to, or on
32 behalf of, an employee or any of his or her dependents under a plan or system established by an
33 employer which makes provision for his employees generally (or for his or her employees
34 generally and their dependents) or for a class or classes of his employees (or for a class or classes

1 of his employees and their dependents), on account of sickness or accident disability.

2 (16) "State" shall mean the state of Rhode Island.

3 (17) "Wages" or "salaries" shall mean all compensation received by an employee for
4 employment as defined herein, including the cash value of all remuneration received by an
5 employee in any medium other than cash, except that this term shall not include that part of the
6 remuneration which, even if it were for "employment" within the meaning of the Federal
7 Insurance Contributions Act, 26 U.S.C. § 3101 et seq., would not constitute "wages" within the
8 meaning of that act.

9 SECTION 3. Sections 37-2.3-3 and 37-2.3-4 of the General Laws in Chapter 37-2.3
10 entitled "Government Oversight and Fiscal Accountability Review Act" are hereby amended to
11 read as follows:

12 **37-2.3-3. Definitions.** -- As used in this chapter, the following terms shall have the
13 following meanings:

14 (1) "Agency" includes any executive office, department, division, board, commission, or
15 other office or officer in the executive branch of the government.

16 (2) "Person" includes an individual, institution, federal, state, or local governmental
17 entity, or any other public or private entity.

18 (3) "Private contractor employee" includes a worker directly employed by a private
19 contractor, as defined in this section, as well as an employee of a subcontractor or an independent
20 contractor that provides supplies or services to a private contractor.

21 (4) "Privatization or privatization contract" means an agreement or combination or series
22 of agreements by which a non-governmental person or entity agrees with an agency to provide
23 services expected to result in a fiscal year expenditure of at least one hundred fifty thousand
24 dollars (\$150,000) ~~(as of July 1 each year, the amount shall increase to reflect increases in the~~
25 ~~consumer price index calculated by the United States Bureau of Labor Statistics for all urban~~
26 ~~consumers nationally during the most recent twelve (12) month period for which data are~~
27 ~~available or more)~~, which would contract services which are substantially similar to and in
28 replacement of work normally performed by an employee of an agency ~~as of June 30, 2007.~~

29 "Privatization" or "privatization contract" excludes:

30 (i) Contracts resulting from an emergency procurement;

31 (ii) Contracts with a term of one hundred eighty (180) days or less on a non-recurring
32 basis;

33 (iii) Contracts to provide highly specialized or technical services not normally provided
34 by state employees;

1 (iv) Any subsequent contract which: ~~(a) renews or rebids a prior privatization contract~~
2 ~~which existed before June 30, 2007; or (b)~~ renews or rebids a privatization contract that was
3 subject to the provisions of this statute after its enactment; and

4 (v) An agreement to provide legal services or management consulting services.

5 (5) "Privatization contractor" is any vendor, contractor, consultant, subcontractor,
6 independent contractor or private business owner that contracts with a state agency to perform
7 services in accordance with the definition of a "privatization contract."

8 (6) "Services" includes, with respect to a private contractor, all aspects of the provision
9 of services provided by a private contractor pursuant to a privatization contract, or any services
10 provided by a subcontractor of a private contractor.

11 **37-2.3-4. Fiscal monitoring of privatization contracts.** -- Each private contractor shall
12 file a copy of each executed subcontract or amendment to the subcontract with the agency, which
13 shall maintain the subcontract or amendment as a public record, as defined in the access to public
14 records act.

15 (1) Audits. - Privatization contracts shall be subject to audit or review, as defined by the
16 American Institute of Certified Public Accountants, by the office of the auditor general at the
17 discretion of the auditor general. Any audit or review shall be conducted in compliance with
18 generally accepted auditing standards.

19 (2) Access. - All privatization contracts shall include a contract provision specifying
20 language that provides public access to the complete contract.

21 (3) Fiscal accountability. - As part of the budgetary process, each state agency shall
22 ~~provide an addendum to~~ include in their submitted budget request a listing of all privatization
23 contracts for the prior, current and subsequent fiscal years. ~~; the name of each contractor;~~
24 ~~subcontractor, duration of the contract provided and services provided; the total cost of each~~
25 ~~contract(s) for the prior year; and the projected number of privatization service contracts for the~~
26 ~~current and upcoming year, the total cost of each contract(s) for the prior year; the estimated costs~~
27 ~~of each contract(s) for the current and upcoming year. The addendum for each agency shall also~~
28 ~~contain a summary of contracted private contractor employees for each contract, reflected as full-~~
29 ~~time equivalent positions, their hourly wage rate, and the number of private contractor employees~~
30 ~~and consultants for the current and previous fiscal year.~~ For the prior fiscal year, the listing shall
31 include the name of each contractor; a description of the services provided; the amount expended
32 for the fiscal year; the positions employed by title, if applicable; and the hourly wage paid by
33 position, if applicable. For the current and upcoming fiscal years, the listing shall include the
34 name of each contractor, if known at the time the listing is prepared; a description of the services

1 to be provided; the amount budgeted for the contract in each fiscal year; the positions to be
2 employed by title, if known and applicable; and the hourly wage to be paid by position, if known
3 and applicable. Positions shall be reflected as full-time equivalent positions. The listings shall be
4 published annually online at the state's transparency portal or an equivalent website, available for
5 public inspection, no later than December 1 of each year.

6 SECTION 4. Section 42-90-1 of the General Laws in Chapter 42-90 entitled "Disclosure
7 of Names of State Government Consultants" is hereby amended to read as follows:

8 **42-90-1. Public disclosure required.** -- (a) All departments, commissions, boards,
9 councils, other agencies in the government of the state and public corporations shall annually
10 prepare and submit to the ~~secretary of state quarterly a~~ budget office by October 1 a list
11 containing:

12 (1) The name of any person privatization contractor, or vendor who performed legal,
13 medical, accounting, engineering, or any other professional, technical or consultant service to the
14 department, commission, board, council, agency or public corporation on a contractual basis
15 during the previous ~~quarter~~ fiscal year; and

16 (2) The amount of compensation received by each consultant during the previous ~~quarter~~
17 fiscal year.

18 (b) All departments, commissions, boards, councils, other agencies in the government of
19 the state and public corporations shall prepare and submit to the ~~secretary of state~~ budget office
20 on an annual basis by October 1 a contracting report containing:

21 (1) Digital/Electronic copies ~~Copies~~ of all contracts or agreements by which a
22 nongovernmental person or entity agrees with the department, commission, board, council,
23 agency or public corporation to provide services, valued at ~~one hundred thousand dollars~~
24 ~~(\$100,000)~~ one hundred fifty thousand dollars (\$150,000) or more, which are substantially similar
25 to and in ~~lieu of services heretofore provided, in whole or in part, by regular employees~~
26 replacement of work normally performed by an employee of the department, commission, board,
27 council, agency or public corporation; ~~and,~~

28 ~~(2) A budget analysis of each contract reported pursuant to this subsection containing the~~
29 ~~cost of each contract for the prior, current and next year; and the number of private contractor~~
30 ~~employees reflected as full-time equivalent positions with their hourly wage rate, and costs of~~
31 ~~benefits for each job classification for the current and previous year.~~

32 (c) The ~~secretary of state~~ budget office shall ~~compile, publish, and make available for~~
33 ~~public inspection all lists and contracting reports prepared in accordance with this chapter~~ post
34 electronic/digital copies of all contracts and reports online using the state's transparency portal or

1 [an equivalent website, available for public inspection, annually no later than December 1 of each](#)
2 [year.](#)

3 SECTION 5. Section 39-21.1-14 of the General Laws in Chapter 39-21.1 entitled "911
4 Emergency Telephone Number Act" is hereby amended to read as follows:

5 **39-21.1-14. Funding.** -- (a) A monthly surcharge of one dollar (\$1.00) is hereby levied
6 upon each residence and business telephone line or trunk or path and data, telephony, Internet,
7 Voice Over Internet Protocol (VoIP) wireline, line, trunk or path in the state including PBX
8 trunks and centrex equivalent trunks and each line or trunk serving, and upon each user interface
9 number or extension number or similarly identifiable line, trunk, or path to or from a digital
10 network (such as, but not exclusive of, integrated services digital network (ISDN), Flexpath or
11 comparable digital private branch exchange, or connecting to or from a customer-based or
12 dedicated telephone switch site (such as, but not exclusive of, a private branch exchange (PBX)),
13 or connecting to or from a customer-based or dedicated central office (such as, but not exclusive
14 of, a centrex system but exclusive of trunks and lines provided to wireless communication
15 companies) that can access to, connect with or interface with the Rhode Island E-911 Uniform
16 Emergency Telephone System (RI E-911). The surcharge shall be billed by each
17 telecommunication services provider at the inception of services and shall be payable to the
18 telecommunication services provider by the subscriber of the services. A monthly surcharge of
19 one dollar (\$1.00) is hereby levied effective July 1, 2002, on each wireless instrument, device or
20 means including prepaid, cellular, telephony, Internet, Voice Over Internet Protocol (VoIP),
21 satellite, computer, radio, communication, data or data only wireless lines or any other wireless
22 instrument, device or means which has access to, connects with, or activates or interfaces or any
23 combination thereof with the E 9-1-1 Uniform Emergency Telephone System. The surcharge
24 shall be in addition to the surcharge collected under section 39-1-62 and shall be billed by each
25 telecommunication services provider and shall be payable to the telecommunication services
26 provider by the subscriber. Prepaid wireless telecommunications services shall not be included in
27 this act, but shall be governed by chapter 21.2 of title 39. The E-911 Uniform Emergency
28 Telephone System shall establish, by rule or regulation an appropriate funding mechanism to
29 recover from the general body of ratepayers this surcharge.

30 (b) The amount of the surcharge shall not be subject to the tax imposed under chapter 18
31 of title 44 nor be included within the telephone common carrier's gross earnings for the purpose
32 of computing the tax under chapter 13 of title 44.

33 (c) Each telephone common carrier and each telecommunication services provider shall
34 establish a special account to which it shall deposit on a monthly basis the amounts collected as a

1 surcharge under this section.

2 (d) The money collected by each telecommunication services provider shall be
3 transferred within sixty (60) days after its inception of wireline, wireless, prepaid, cellular,
4 telephony, Voice Over Internet Protocol (VoIP), satellite, computer, Internet, or communications
5 services in this state and every month thereafter, to the division of taxation, together with the
6 accrued interest and shall be deposited in the general fund as general revenue. : provided,
7 however, that beginning July 1, 2015, ten (10) percent of such money collected shall be deposited
8 in the Information Technology Investment Fund established pursuant to § 42-11-2.5. Any money
9 not transferred in accordance with this paragraph shall be assessed interest at the rate set forth in
10 section 44-1-7 from the date the money should have been transferred.

11 (e) Every billed subscriber-user shall be liable for any surcharge imposed under this
12 section until it has been paid to the telephone common carrier or telecommunication services
13 provider. Any surcharge shall be added to and may be stated separately in the billing by the
14 telephone common carrier or telecommunication services provider and shall be collected by the
15 telephone common carrier or telecommunication services provider.

16 (f) Each telephone common carrier and telecommunication services provider shall
17 annually provide the E 9-1-1 uniform emergency telephone system division or any other agency
18 that may replace it, with a list of amounts uncollected together with the names and addresses of
19 its subscriber-users who can be determined by the telephone common carrier or
20 telecommunication services provider to have not paid the surcharge.

21 (g) Included within, but not limited to, the purposes for which the money collected may
22 be used are rent, lease, purchase, improve, construct, maintenance, repair, and utilities for the
23 equipment and site or sites occupied by the E 9-1-1 uniform emergency telephone system;
24 salaries, benefits, and other associated personnel costs; acquisition, upgrade or modification of
25 PSAP equipment to be capable of receiving E 9-1-1 information, including necessary computer
26 hardware, software, and data base provisioning, addressing, and non-recurring costs of
27 establishing emergency services; network development, operation and maintenance; data-base
28 development, operation, and maintenance; on-premise equipment maintenance and operation;
29 training emergency service personnel regarding use of E 9-1-1; educating consumers regarding
30 the operations, limitations, role and responsible use of E 9-1-1; reimbursement to telephone
31 common carriers or telecommunication services providers of rates or recurring costs associated
32 with any services, operation, administration or maintenance of E 9-1-1 services as approved by
33 the division; reimbursement to telecommunication services providers or telephone common
34 carriers of other costs associated with providing E 9-1-1 services, including the cost of the design,

1 development, and implementation of equipment or software necessary to provide E 9-1-1 service
2 information to PSAP's, as approved by the division.

3 (h) [Deleted by P.L. 2000, ch. 55, art. 28, section 1.]

4 (i) Nothing in this section shall be construed to constitute rate regulation of wireless
5 communication services carriers, nor shall this section be construed to prohibit wireless
6 communication services carriers from charging subscribers for any wireless service or feature.

7 (j) [Deleted by P.L. 2006, ch. 246, art. 4, section 1_.

8 SECTION 6. Section 42-11-2 of the General Laws in Chapter 42-11 entitled "Department
9 of Administration" is hereby amended to read as follows:

10 **42-11-2. Powers and duties of department.** -- The department of administration shall
11 have the following powers and duties:

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

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

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

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

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

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

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

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

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

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

34 (11) To issue regulations to govern the protection and custody of the property of the

1 state;

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

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

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

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

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

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

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

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

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

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

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

4 (21) To administer a statewide planning program including planning assistance to the
5 state departments and agencies;

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

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

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

12 (25) To approve costs as provided in section 23-19-32; and

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

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

18 (i) Name of lessor;

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

20 (iii) Cost of the lease;

21 (iv) Amount paid to date;

22 (v) Date initiated;

23 (vi) Date covered by the lease.

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

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

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

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

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

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

33 (vi) Expiration dates of leases;

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

- 1 [\(viii\) Total square feet divided by number of workstations;](#)
- 2 [\(ix\) Total number of vacant workstations;](#)
- 3 [\(x\) Percentage of vacant workstations versus total workstations available;](#)
- 4 [\(xi\) Date when an action is required by the state to renew or terminate a lease;](#)
- 5 [\(xii\) Strategic plan for leases commencing or expiring by June 30, 2016;](#)
- 6 [\(xiii\) Map of all state buildings which provides: cost per square foot to maintain, total](#)
- 7 [number of square feet, total operating cost, date each lease expires, number of persons per](#)
- 8 [building and total number of vacant seats per building; and](#)
- 9 [\(xiv\) Industry benchmark report which shall include total operating cost by full-time](#)
- 10 [equivalent employee, total operating cost by square foot and total square feet divided by full-time](#)
- 11 [equivalent employee.](#)

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

15 ~~(29) To operate the Rhode Island division of sheriffs as provided in section 42-11-21.~~

16 ~~(30)~~(29) To encourage municipalities, school districts, and quasi-public agencies to
17 achieve cost savings in health insurance, purchasing, or energy usage by participating in state
18 contracts, or by entering into collaborative agreements with other municipalities, districts, or
19 agencies. To assist in determining whether the benefit levels including employee cost sharing and
20 unit costs of such benefits and costs are excessive relative to other municipalities, districts, or
21 quasi-public agencies as compared with state benefit levels and costs.

22 SECTION 7. Section 42-11-2.5 of the General Laws in Chapter 42-11 entitled
23 "Department of Administration" is hereby amended to read as follows:

24 **42-11-2.5. Information technology investment fund.** -- (a) All sums from the sale of
25 any land and the buildings and improvements thereon, and other real property title to which is
26 vested in the state except as provided in subsection 37-7-15(b) shall be transferred to an
27 Information Technology Investment Fund restricted receipt account that is hereby established.
28 This fund shall consist of such sums from the sale of any land and the buildings and
29 improvements thereon, and other real property title to which is vested in the state except as
30 provided in subsection 37-7-15(b), [as well as a share of E-911 Uniform Emergency Telephone](#)
31 [System surcharge revenues collected under the provisions of § 39-21.1-14.](#) This fund may also
32 consist of such sums as the state may from time to time appropriate, as well as money received
33 from the disposal of information technology equipment, loan, interest and service charge
34 payments from benefiting state agencies, as well as interest earnings, money received from the

1 federal government, gifts, bequest, donations, or to otherwise from any public or private source.
2 Any such funds shall be exempt from the indirect cost recovery provisions of section 35-4-27.

3 (b) This fund shall be used for the purpose of acquiring information technology
4 improvements, including, but not limited to, hardware, software, consulting services, and ongoing
5 maintenance and upgrade contracts for state departments and agencies.

6 (c) The division of information technology of the Rhode Island department of
7 administration shall adopt rules and regulations consistent with the purposes of this chapter and
8 chapter 35 of title 42, in order to provide for the orderly and equitable disbursement of funds from
9 this account.

10 SECTION 8. Section 42-149-3 of the General Laws in Chapter 42-149 entitled "State
11 Expenditures for Non-State Employee Services" is hereby repealed.

12 ~~42-149-3. State expenditures for non-state employee services. -- All state departments~~
13 ~~shall submit quarterly reports of all non-state employee expenditures for legal services, financial~~
14 ~~services, temporary workers, and other non-state employee personnel costs. The reports shall be~~
15 ~~submitted to the state budget office and the chairpersons of the house and senate finance~~
16 ~~committees with the first report due on January 1, 2008. The reports shall contain the following~~
17 ~~information:~~

- 18 ~~(1) Efforts made to identify qualified individuals or services within state government;~~
- 19 ~~(2) Factors used in choosing a non-state employee or firm;~~
- 20 ~~(3) Results of requests for proposals for services or bids for services; and~~
- 21 ~~(4) The actual cost and the budgeted cost for the expenditure.~~

22 SECTION 9. Sections 1 through 4, and sections 6 and 8 shall take effect upon passage.
23 Sections 5 and 7 shall take effect as of July 1, 2014.