

ARTICLE 11

RELATING TO EMPLOYMENT

SECTION 1. Section 28-42-84 of the General Laws in Chapter 28-42 entitled "Employment Security – General Provisions" is hereby amended to read as follows:

28-42-84. Job development fund – Disbursements – Unexpended balance. -- (a) The moneys in the job development fund shall be used for the following purposes:

(1) To reimburse the department of labor and training for the loss of any federal funds resulting from the collection and maintenance of the fund by the department;

(2) To make refunds of contributions erroneously collected and deposited in the fund;

(3) To pay any administrative expenses incurred by the department of labor and training associated with the collection of the contributions for employers paid pursuant to § 28-43-8.5, and any other administrative expenses associated with the maintenance of the fund, including the payment of all premiums upon bonds required pursuant to § 28-42-85;

(4) To provide for job training, counseling and assessment services, and other related activities and services. Services will include, but are not limited to, research, development, coordination, and training activities to promote workforce development and business development as established by the human resource investment council;

(5) To support the state's job training for economic development;

(6) ~~(i)~~ Beginning January 1, 2001, two hundredths of one percent (0.02%) out of the ~~twenty one hundredths of one percent (0.21%)~~ job development assessment paid pursuant to § 28-43-8.5 shall be used to support necessary core services in the unemployment insurance and employment services programs operated by the department of labor and training; and

~~(ii) Beginning January 1, 2011 and ending in tax year 2015, two hundredths of one percent (0.02%) out of the fifty one hundredths of one percent (0.51%) job development assessment paid pursuant to § 28-43-8.5 shall be used to support necessary core services in the unemployment insurance and employment services programs operated by the department of labor and training; and~~

(7) Beginning January 1, 2011 and ending in tax year ~~2015~~ 2014, three tenths of one percent (0.3%) out of the fifty-one hundredths of one percent (0.51%) job development assessment paid pursuant to § ~~28-43-8.5~~ 28-43-8.5 shall be deposited into a restricted receipt

1 account to be used solely to pay the principal and/or interest due on Title XII advances received
2 from the federal government in accordance with the provisions of Section 1201 of the Social
3 Security Act; provided, however, that if the federal Title XII loans are repaid through a state
4 revenue bond or other financing mechanism, then these funds may also be used to pay the
5 principal and/or interest that accrues on that debt. Any remaining funds in the restricted receipt
6 account, after the outstanding principal and interest due has been paid, shall be transferred to the
7 employment security fund for the payment of benefits.

8 (b) The general treasurer shall pay all vouchers duly drawn by the council upon the fund,
9 in any amounts and in any manner that the council may prescribe. Vouchers so drawn upon the
10 fund shall be referred to the controller within the department of administration. Upon receipt of
11 those vouchers, the controller shall immediately record and sign them and shall promptly transfer
12 those signed vouchers to the general treasurer. Those expenditures shall be used solely for the
13 purposes specified in this section and its balance shall not lapse at any time but shall remain
14 continuously available for expenditures consistent with this section. The general assembly shall
15 annually appropriate the funds contained in the fund for the use of the human resource investment
16 council and, in addition, for the use of the department of labor and training effective July 1, 2000,
17 and for the payment of the principal and interest due on federal Title XII loans beginning July 1,
18 2011; provided, however, that if the federal Title XII loans are repaid through a state revenue
19 bond or other financing mechanism, then the funds may also be used to pay the principal and/or
20 interest that accrues on that debt.

21 SECTION 2. Section 28-43-8.5 of the General Laws in Chapter 28-43 entitled
22 "Employment Security - Contributions" is hereby amended to read as follows:

23 **28-43-8.5. Job development assessment.** -- For the tax years 2011 through 2014, each
24 employer subject to this chapter shall be required to pay a job development assessment of fifty-
25 one hundredths of one percent (0.51%) of that employer's taxable payroll, in addition to any other
26 payment which that employer is required to make under any other provision of this chapter;
27 provided, that the assessment shall not be considered as part of the individual employer's
28 contribution rate for the purpose of determining the individual employer's balancing charge
29 pursuant to section 28-43-9; provided, further, upon full repayment of any outstanding principal
30 and/or interest due on Title XII advances received from the federal government in accordance
31 with the provisions of section 1201 of the Social Security Act, including any principal and/or
32 interest that accrues on debt from a state revenue bond or other financing mechanism used to
33 repay the Title XII advances, then the job development assessment shall be reduced to twenty-one
34 hundredths of one percent (0.21%) beginning the tax quarter after the full repayment occurs. The

1 tax rate for all employers subject to the contribution provisions of chapters 42 -- 44 of this title
2 shall be reduced by twenty-one hundredths of one percent (0.21%). For tax year 2015 and
3 subsequent years, each employer subject to this chapter shall be required to pay a job
4 development assessment of ~~fifty-one hundredths of one percent (0.51%)~~ twenty-one hundredths
5 of one percent (0.21%) of that employer's taxable payroll, in addition to any other payment which
6 that employer is required to make under any other provision of this chapter; provided, that the
7 assessment shall not be considered as part of the individual employer's contribution rate for the
8 purpose of determining the individual employer's balancing charge pursuant to section 28-43-9.
9 The tax rate for all employers subject to contribution provisions of chapters 42 – 44 of this title
10 shall be reduced by twenty-one hundredths of one percent (0.21%). ~~However, upon full~~
11 ~~repayment of any outstanding principal and/or interest due on Title XII advances received from~~
12 ~~the federal government in accordance with the provisions of section 1201 of the Social Security~~
13 ~~Act, including any principal and/or interest that accrues on debt from a state revenue bond or~~
14 ~~other financing mechanism used to repay the Title XII advances, then the job development~~
15 ~~assessment shall be reduced to twenty-one hundredths of one percent (0.21%) beginning the tax~~
16 ~~quarter after the full repayment occurs.~~

17 SECTION 3. Section 28-42-18 of the General Laws in Chapter 28-42 entitled
18 "Employment Security - General Provisions" is hereby amended to read as follows:

19 **28-42-18. Establishment of fund.** -- (a) There is created the employment security fund,
20 to be administered by the director without liability on the part of the state beyond the amounts
21 paid into and earned by the fund. This fund shall consist of:

- 22 (1) All contributions paid pursuant to sections 28-43-16 -- 28-43-22;
- 23 (2) All other moneys paid into and received by the fund;
- 24 (3) Property and securities acquired by and through the use of moneys belonging to the
25 fund;
- 26 (4) Interest earned upon the money belonging to the fund; and
- 27 (5) All money credited to this state's account in the unemployment trust fund pursuant to
28 42 U.S.C. section 1103.

29 (6) Advances from the general fund, authorized by the governor and the director of
30 administration, for the purpose of repaying loans outstanding from the federal government or for
31 paying unemployment insurance benefits due to avoid borrowing from the federal government in
32 a given fiscal year. However, all such advances made to the fund shall be repaid to the general
33 fund, with interest as determined by the general treasurer, within the same fiscal year.

34 (b) All moneys in the fund shall be mingled and undivided.

1 SECTION 4. Chapter 28-12 of the General Laws entitled "Minimum Wages" is hereby
2 amended by adding thereto the following section:

3 **28-12-25. Uniformity.** – No municipality shall establish, mandate, or otherwise require
4 an employer to pay a minimum wage to its employees, other than the state or federal mandated
5 minimum wage, or to apply a state or federal minimum wage law to wages statutorily exempt
6 from a state or federal minimum wage requirement.

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

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