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## ARTICLE 2

### RELATING TO STATE FUNDS

SECTION 1. Section 5-20.7-15 of the General Laws in Chapter 5-20.7 entitled "Real Estate Appraiser Certification Act" is hereby amended to read as follows:

**5-20.7-15. Fees.**

(a) The director is empowered and directed to establish a fee schedule for the application, review, examination, and re-examination of applicants for certification and licensing and for the issuance and renewal of certificates and for late fees; provided, that the annual fee for a residential or general appraiser certificate is two hundred dollars (\$200).

(b) There is hereby created a restricted receipt account within the general fund of the state to be known as the real estate appraisers – registration – CLRA account. Fees collected pursuant to § 5-20.7-15(a) shall be deposited into this account and be used to finance costs associated with real estate appraisers registration. The restricted receipt account will be included in the budget of the department of business regulation.

SECTION 2. Section 5-20.9-7 of the General Laws in Chapter 5-20.9 entitled "Real Estate Appraisal Management Company Registration Act" is hereby amended to read as follows:

**5-20.9-7. Initial registration, renewals, forms and fees.**

(a) An applicant for registration as an appraisal management company shall submit to the department an application on forms prescribed by the department and pay the required fee(s).

(b) The fees for initial registration, renewal, and late renewals shall be determined by the director and established by regulation.

(c) There is hereby created a restricted receipt account within the general fund of the state to be known as the appraisal management company – registration account. Fees collected pursuant to § 5-20.9-7 shall be deposited into this account and be used to finance costs associated with appraisal management company registration and operations. The restricted receipt account will be included in the budget of the department of business regulation.

~~(e)~~(d) Every appraisal management company that desires to renew a registration for the next term shall apply for the renewal of the registration upon a form furnished by the director and containing information that is required by this chapter. Renewal of a registration is subject to the same provisions as the initial registration.

1           ~~(e)~~(e) The department shall receive applications for registration for initial licensing and  
2 renewal and establish administrative procedures for processing applications and issuing and  
3 renewing registrations.

4           ~~(f)~~(f) The department shall have the authority to assess and collect from registered entities,  
5 the AMC federal registry fee in any amount assessed by the appraisal subcommittee of the Federal  
6 Financial Institutions Examination Council or its successor entity, and transmit the fee to the  
7 Federal Financial Institutions Examinations Council.

8           ~~(g)~~(g) A federally regulated appraisal management company operating in this state shall  
9 report to the department any information necessary for the department to assess, collect, and  
10 forward the AMC federal registry fee in any amount assessed by the appraisal subcommittee of the  
11 Federal Financial Institutions Examination Council or its successor entity.

12           SECTION 3. Section 16-59-6 of the General Laws in Chapter 16-59 entitled "Council on  
13 Postsecondary Education" is hereby amended to read as follows:

14           **16-59-6. Commissioner of postsecondary education.**

15           The council on postsecondary education, with approval of the board, shall appoint a  
16 commissioner of postsecondary education, who shall serve at the pleasure of the council, provided  
17 that his or her initial engagement by the council shall be for a period of not more than three (3)  
18 years. For the purpose of appointing, retaining, or dismissing a commissioner of postsecondary  
19 education, the governor shall serve as an additional voting member of the council. The position of  
20 commissioner shall be in the unclassified service of the state and he or she shall serve as the chief  
21 executive officer of the council on postsecondary education, the chief administrative officer of the  
22 office of postsecondary commissioner, and the executive director of the division of higher  
23 education assistance. The commissioner of postsecondary education shall have any duties that are  
24 defined in this section and in this title and other additional duties as may be determined by the  
25 council, and shall perform any other duties as may be vested in him or her by law. In addition to  
26 these duties and general supervision of the office of postsecondary commissioner and the  
27 appointment of the several officers and employees of the office, it shall be the duty of the  
28 commissioner of postsecondary education:

29           (1) To develop and implement a systematic program of information gathering, processing,  
30 and analysis addressed to every aspect of higher education in the state, especially as that  
31 information relates to current and future educational needs.

32           (2) To prepare a strategic plan for higher education in the state aligned with the goals of  
33 the board of education's strategic plan; to coordinate the goals and objectives of the higher public  
34 education sector with the goals of the council on elementary and secondary education and activities

1 of the independent higher education sector where feasible.

2 (3) To communicate with, and seek the advice of those concerned with, and affected by the  
3 board of education's and council's determinations.

4 (4) To implement broad policy as it pertains to the goals and objectives established by the  
5 board of education and council on postsecondary education; to promote better coordination  
6 between higher public education in the state, independent higher education in the state as provided  
7 in subdivision (10) of this section, and pre k-12 education; to assist in the preparation of the budget  
8 for public higher education; and to be responsible, upon direction of the council, for the allocation  
9 of appropriations, the acquisition, holding, disposition of property.

10 (5) To be responsible for the coordination of the various higher educational functions of  
11 the state so that maximum efficiency and economy can be achieved.

12 (6) To assist the board of education in preparation and maintenance of a five-year (5)  
13 strategic funding plan for higher education; to assist the council in the preparation and presentation  
14 annually to the state budget officer in accordance with § 35-3-4 of a total, public higher educational  
15 budget.

16 (7) To recommend to the council on postsecondary education, after consultation with the  
17 presidents, a clear and definitive mission for each public institution of higher learning.

18 (8) To annually recommend to the council on postsecondary education, after consultation  
19 with the presidents, the creation, abolition, retention, or consolidation of departments, divisions,  
20 programs, and courses of study within the public colleges and universities to eliminate unnecessary  
21 duplication in public higher education, to address the future needs of public higher education in the  
22 state, and to advance proposals recommended by the presidents of the public colleges and  
23 universities pursuant to §§ 16-32-2.1, 16-33-2.1 and 16-33.1-2.1.

24 (9) To supervise the operations of the office of postsecondary commissioner, including the  
25 division of higher education assistance, and any other additional duties and responsibilities that  
26 may be assigned by the council.

27 (10) To perform the duties vested in the council with relation to independent higher  
28 educational institutions within the state under the terms of chapter 40 of this title and any other  
29 laws that affect independent higher education in the state.

30 (11) To be responsible for the administration of policies, rules, and regulations of the  
31 council on postsecondary education with relation to the entire field of higher education within the  
32 state, not specifically granted to any other department, board, or agency and not incompatible with  
33 law.

34 (12) To prepare standard accounting procedures for public higher education and all public

1 colleges and universities.

2 (13) To carry out the policies and directives of the board of education and the council on  
3 postsecondary education through the office of postsecondary commissioner and through utilization  
4 of the resources of the public institutions of higher learning.

5 (14) To enter into interstate reciprocity agreements regarding the provision of  
6 postsecondary distance education; to administer such agreements; to approve or disapprove  
7 applications to voluntarily participate in such agreements from postsecondary institutions that have  
8 their principal place of business in Rhode Island; and to establish annual fees, with the approval of  
9 the council on postsecondary education, for aforesaid applications to participate in an interstate  
10 postsecondary distance education reciprocity agreement. There is hereby established a restricted  
11 receipt account entitled "State Authorization Reciprocity Agreement (SARA)" within the general  
12 fund of the state for the express purpose of the collection and disbursement of all fees related to  
13 interstate reciprocity agreements regarding the provision of postsecondary distance education. The  
14 restricted receipt account will be included in the budget of the office of the postsecondary  
15 commissioner.

16 (15) To the extent necessary for participation, and to the extent required and stated in any  
17 distance learning reciprocity agreement, to implement procedures to address complaints received  
18 from out-of-state students in connection with, or related to, any Rhode Island postsecondary  
19 institution, public or private, that has been approved to participate in said reciprocity agreement.

20 (16) To exercise all powers and duties of the division of higher education assistance as set  
21 forth under the terms of chapter 57 of this title.

22 SECTION 4. Section 23-1-20 of the General Laws in Chapter 23-1 entitled "Department  
23 of Health" is hereby amended to read as follows:

24 **23-1-20. Compliance order.**

25 (a) Whenever the director determines that there are reasonable grounds to believe that there  
26 is a violation of any law administered by him or her or of any rule or regulation adopted pursuant  
27 to authority granted to him or her, the director may give notice of the alleged violation to the person  
28 responsible for it. The notice shall be in writing, shall set forth the alleged violation, shall provide  
29 for a time within which the alleged violation shall be remedied, and shall inform the person to  
30 whom it is directed that a written request for a hearing on the alleged violation may be filed with  
31 the director within ten (10) days after service of the notice. The notice will be deemed properly  
32 served upon a person if a copy of the notice is served upon him or her personally, or sent by  
33 registered or certified mail to the last known address of that person, or if that person is served with  
34 notice by any other method of service now or later authorized in a civil action under the laws of

1 this state. If no written request for a hearing is made to the director within ten (10) days of the  
2 service of notice, the notice shall automatically become a compliance order.

3 (b) Any administrative fees and/or penalties imposed pursuant to a compliance order  
4 described in subsection (a) of this section shall be deposited in a restricted receipt account within  
5 the general fund of the state and included in the budget of the department of health. The title of the  
6 restricted receipt account shall be designated as “health systems monitoring and compliance”.

7 SECTION 5. Section 23-77-2 of the General Laws in Chapter 23-77 entitled "Healthcare  
8 Information Technology and Infrastructure Development Fund" is hereby amended to read as  
9 follows:

10 **23-77-2. Establishment of the healthcare information technology and infrastructure**  
11 **development fund.**

12 (a) There is established in the department of health, the healthcare information technology  
13 and infrastructure development fund to be administered by the director of the department of health  
14 for the purpose of promoting the development and adoption of healthcare information technologies  
15 designed to improve the quality, safety and efficiency of healthcare services and the security of  
16 individual patient data.

17 (b) Moneys in the fund shall be used for projects authorized by the director of health and  
18 may be expended by contract, loan, or grant, to develop, maintain, expand, and improve the state's  
19 healthcare information technology infrastructure and to assist healthcare facilities and health  
20 service providers in adopting healthcare information technologies shown to improve healthcare  
21 quality, safety or efficiency. Such projects shall incorporate the goal of maintaining the security  
22 and confidentiality of individual patient data, and separate projects for that purpose may also be  
23 authorized from the fund. The director of health shall develop criteria for the selection of projects  
24 to be funded from the fund in consultation with the healthcare information technology and  
25 infrastructure advisory committee created in § 23-77-4.

26 (c) Any moneys provided by loan shall be disbursed for periods not exceeding twenty-five  
27 (25) years and at an annual rate of interest not exceeding five percent (5%).

28 (d) The director of the department of health, in consultation with the state healthcare  
29 information technology advisory committee, shall establish criteria for eligible healthcare  
30 information technology and infrastructure projects to be funded under this chapter.

31 (e) The healthcare information technology and infrastructure development fund, as herein  
32 described, shall constitute a restricted receipt account within the general fund of the state and  
33 housed within the budget of the department of health. The short title of the restricted receipt  
34 account shall henceforth be designated as “health information technology”.

1 SECTION 6. Section 35-4-27 of the General Laws in Chapter 35-4 entitled "State Funds"  
2 is hereby amended to read as follows:

3 **35-4-27. Indirect cost recoveries on restricted receipt accounts.**

4 Indirect cost recoveries of ten percent (10%) of cash receipts shall be transferred from all  
5 restricted-receipt accounts, to be recorded as general revenues in the general fund. However, there  
6 shall be no transfer from cash receipts with restrictions received exclusively: (1) From contributions  
7 from non-profit charitable organizations; (2) From the assessment of indirect cost-recovery rates  
8 on federal grant funds; or (3) Through transfers from state agencies to the department of  
9 administration for the payment of debt service. These indirect cost recoveries shall be applied to all  
10 accounts, unless prohibited by federal law or regulation, court order, or court settlement. The  
11 following restricted receipt accounts shall not be subject to the provisions of this section:

12 Executive Office of Health and Human Services

13 Organ Transplant Fund

14 HIV Care Grant Drug Rebates

15 [Medical Marijuana Licensing](#)

16 [Adult Use Marijuana Licensing](#)

17 [Industrial Hemp Licensing](#)

18 [Health System Transformation Project](#)

19 Department of Human Services

20 Veterans' home -- Restricted account

21 Veterans' home -- Resident benefits

22 Pharmaceutical Rebates Account

23 Demand Side Management Grants

24 Veteran's Cemetery Memorial Fund

25 Donations -- New Veterans' Home Construction

26 Department of Health

27 Pandemic medications and equipment account

28 Miscellaneous Donations/Grants from Non-Profits

29 State Loan Repayment Match

30 [Adult Use Marijuana Licensing Program](#)

31 [Adult Use Marijuana Licensing](#)

32 [Industrial Hemp Licensing](#)

33 [Medical Marijuana Patient Licenses](#)

34 [Healthcare Information Technology](#)

1 Department of Behavioral Healthcare, Developmental Disabilities and Hospitals  
2 Eleanor Slater non-Medicaid third-party payor account  
3 Hospital Medicare Part D Receipts  
4 RICLAS Group Home Operations  
5 Commission on the Deaf and Hard of Hearing  
6 Emergency and public communication access account  
7 Department of Environmental Management  
8 National heritage revolving fund  
9 Environmental response fund II  
10 Underground storage tanks registration fees  
11 [De Coppett Estate Fund](#)  
12 Rhode Island Historical Preservation and Heritage Commission  
13 Historic preservation revolving loan fund  
14 Historic Preservation loan fund -- Interest revenue  
15 Department of Public Safety  
16 Forfeited property -- Retained  
17 Forfeitures -- Federal  
18 Forfeited property -- Gambling  
19 Donation -- Polygraph and Law Enforcement Training  
20 Rhode Island State Firefighter's League Training Account  
21 Fire Academy Training Fees Account  
22 [Industrial Hemp Licensing Program](#)  
23 [Medical Marijuana Licensing Program](#)  
24 [Adult Use Marijuana Licensing Program](#)  
25 Attorney General  
26 Forfeiture of property  
27 Federal forfeitures  
28 Attorney General multi-state account  
29 Forfeited property -- Gambling  
30 Department of Administration  
31 OER Reconciliation Funding  
32 RI Health Benefits Exchange  
33 Information Technology Investment Fund  
34 Restore and replacement -- Insurance coverage

1 Convention Center Authority rental payments  
2 Investment Receipts -- TANS  
3 OPEB System Restricted Receipt Account  
4 Car Rental Tax/Surcharge-Warwick Share  
5 Executive Office of Commerce  
6 Housing Resources Commission Restricted Account  
7 Department of Revenue  
8 DMV Modernization Project  
9 Jobs Tax Credit Redemption Fund  
10 [Marijuana Cash Use Surcharge](#)  
11 [Industrial Hemp Licensing](#)  
12 [Adult Use Marijuana Licensing](#)  
13 [Medical Marijuana Licensing](#)  
14 Legislature  
15 Audit of federal assisted programs  
16 Department of Children, Youth and Families  
17 Children's Trust Accounts -- SSI  
18 Military Staff  
19 RI Military Family Relief Fund  
20 RI National Guard Counterdrug Program  
21 Treasury  
22 Admin. Expenses -- State Retirement System  
23 Retirement -- Treasury Investment Options  
24 Defined Contribution -- Administration - RR  
25 Violent Crimes Compensation -- Refunds  
26 Treasury Research Fellowship  
27 Business Regulation  
28 Banking Division Reimbursement Account  
29 Office of the Health Insurance Commissioner Reimbursement Account  
30 Securities Division Reimbursement Account  
31 Commercial Licensing and Racing and Athletics Division Reimbursement Account  
32 Insurance Division Reimbursement Account  
33 Historic Preservation Tax Credit Account  
34 [Industrial Hemp Licensing](#)

1 [Adult Use Marijuana Licensing](#)

2 [Medical Marijuana Licensing](#)

3 Judiciary

4 Arbitration Fund Restricted Receipt Account

5 Third-Party Grants

6 RI Judiciary Technology Surcharge Account

7 Department of Elementary and Secondary Education

8 Statewide Student Transportation Services Account

9 School for the Deaf Fee-for-Service Account

10 School for the Deaf -- School Breakfast and Lunch Program

11 Davies Career and Technical School Local Education Aid Account

12 Davies -- National School Breakfast & Lunch Program

13 School Construction Services

14 Office of the Postsecondary Commissioner

15 Higher Education and Industry Center

16 [State Authorization Reciprocity Agreement \(SARA\)](#)

17 Department of Labor and Training

18 Job Development Fund

19 SECTION 7. Section 42-7.2-10 of the General Laws in Chapter 42-7.2 entitled "Office of  
20 Health and Human Services" is hereby amended to read as follows:

21 **42-7.2-10. Appropriations and disbursements.**

22 [\(a\)](#) The general assembly shall annually appropriate such sums as it may deem necessary  
23 for the purpose of carrying out the provisions of this chapter. The state controller is hereby  
24 authorized and directed to draw his or her orders upon the general treasurer for the payment of such  
25 sum or sums, or so much thereof as may from time to time be required, upon receipt by him or her  
26 of proper vouchers approved by the secretary of the executive office of health and human services,  
27 or his or her designee.

28 [\(b\) For the purpose of recording federal financial participation associated with qualifying](#)  
29 [healthcare workforce development activities at the state's public institutions of higher education,](#)  
30 [and pursuant to the Rhode Island Designated State Health Programs \(DSHP\), as approved by CMS](#)  
31 [October 20, 2016 in the 11-W-00242/1 amendment to Rhode Island's section 1115 Demonstration](#)  
32 [Waiver, there is hereby established a restricted receipt account entitled "Health System](#)  
33 [Transformation Project" in the general fund of the state and included in the budget of the office of](#)  
34 [health and human services.](#)

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SECTION 8. This article shall take effect upon passage.