

2019 -- H 5411

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO STATE BUDGET

Introduced By: Representatives Newberry, Roberts, Lyle, Chippendale, and Quattrocchi

Date Introduced: February 14, 2019

Referred To: House 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
5 in each year, each head of a department of the state government, not including the general
6 assembly or the judiciary, shall assemble, correlate, and revise, with power to increase or
7 decrease, the estimates for expenditures and requests for appropriations for the next ensuing fiscal
8 year of each of the divisions, boards, commissions, officers, bureaus, institutions, or agencies of
9 the state 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
11 department, including a statement in detail of all moneys for which any general or special
12 appropriation is desired at the ensuing session of the general assembly. The estimate shall be in
13 such form, and in such number of copies, and with such explanation as the budget officer may
14 require, and, on dates determined by the budget officer, but not later than the first day of October
15 in each year, shall be submitted to the governor through the budget officer and to the fiscal
16 advisors of the house and 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19 [repealed], regardless of source of financing.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, 2020, 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
8 zero base. The budget request shall be accompanied by a statement giving facts and explanations
9 of reasons for each item requested. It shall include a brief explanation of the functions of each of
10 the divisions, boards, commissions, officers, bureaus, institutions, or agencies of the state
11 included within the department and comments on its policies and plans, with such descriptive,
12 quantitative, comparative and other data as to work done and other information as is considered
13 necessary or desirable. "Zero-based budget" requests, so-called, are requests for appropriations
14 based upon a justification of a department from a zero base as if the budget for the department
15 was being initiated for the first time and shall be required based upon the following schedule:

16 (1) Beginning with the fiscal year beginning July 1, 2021, zero-based budgets shall be
17 submitted by twenty percent (20%) of state departments, being those departments which
18 submitted the lowest budget requests for the fiscal year beginning July 1, 2020;

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
21 fiscal year beginning July 1, 2021, except for those departments included in subsection (c)(1) of
22 this 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
25 year beginning July 1, 2022, except for those departments included in subsections (c)(1) and (2)
26 of this 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
29 year beginning July 1, 2023, except for those departments included in subsections (c)(1)(2), and
30 (3) of this section;

31 (d) For the fiscal year beginning July 1, 2024, 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
34 advisor.

1 **35-3-7. Submission of budget to general assembly -- Contents.**

2 (a) On or before the third Thursday in January in each year of each January session of the
3 general assembly, the governor shall submit to the general assembly a budget containing a
4 complete plan of estimated revenues and proposed expenditures, with a personnel supplement
5 detailing the number and titles of positions of each agency and the estimates of personnel costs
6 for the next fiscal year, and with the inventory required by § 35-1.1-3(b)(4). Provided, however,
7 in those years that a new governor is inaugurated, the new governor shall submit the budget on or
8 before the first Thursday in February. Beginning with the fiscal year beginning July 1, 2020, and
9 in accordance with the schedule set forth in § 35-3-4, the budget submitted by the governor shall
10 be a "zero-based budget," a budget based upon a justification of each department's estimate of
11 expenditures and requests for appropriations from a zero base. In accordance with the schedule
12 set forth in § 35-3-4, the entire budget for the fiscal year beginning July 1, 2024, shall be a zero
13 based budget.

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

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

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

25 (3) Financial statements of the:

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

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

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

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

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

34 (6) Such other financial statements and data as in the governor's opinion are necessary or

1 desirable.

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

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

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

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

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

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

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

28 **35-3-9. Action on bills by house committee -- Hearings.**

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

1 senate president. The members of the panel shall be persons with expertise and experience in the
2 areas of finance or accounting. The panel shall review the budget plan and shall consider the
3 objectives, operations, and costs of all activities of each department; explore alternative means of
4 conducting the activities of each department; evaluate alternative budget amounts for various
5 levels of effort for each activity of each department. The panel shall report its findings and make
6 its recommendations as to the needs of each department, the programs and activities of each
7 department and all other recommendations and information that it deems appropriate, to the
8 committee, within thirty (30) days after the budget plan is referred to it.

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

22 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 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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