

OFFICE OF MANAGEMENT & BUDGET

One Capitol Hill Providence, RI 02908-5890

State Budget Office

Office: (401) 222-6300 Fax: (401) 222-6410

MEMORANDUM

Date: February 16, 2022

Subject: FY 2022 Second Quarter Report

Section 35-1-5 of the Rhode Island General Laws states that the Director of Administration shall "direct the State Budget Officer to project on a quarterly basis the anticipated year-end balance assuming current trends continue, and the typical cyclical expenditure patterns prevail over the course of the year. A consolidated quarterly report incorporating the current status and projection shall be released to the public within forty-five days of the end of each quarter." This report demonstrates compliance with this section of the General Laws.

The second quarter report for FY 2022 reflects revised estimates of annual expenditures for each state department or agency in conjunction with the FY 2022 general revenue estimates, the FY 2021 general revenue closing position reflected in the final closing statements, and estimated adjustments to the FY 2022 opening surplus. The projected FY 2022 closing balance, based upon these assumptions, is estimated to show a \$619.9 million surplus.

FY 2021 Final Audited Closing

The State Controller issued the final FY 2021 closing statements on January 31, 2022. General revenue receipts were higher than final enacted estimates by \$213.5 million. General revenue expenditures were higher than final enacted appropriations by \$96.0 million. The Controller's report reflects a \$374.4 million general fund surplus, which was \$93.0 million more than assumed in the final FY 2021 enacted budget.

The FY 2021 final closing statements continue the special treatment of certain anticipated reimbursements from the Federal Emergency Management Agency (FEMA) under the Robert T. Stafford Disaster Relief and Emergency Assistance Act for qualifying pandemic response expenditures. Specifically, a long-standing requirement of the Governmental Accounting Standards Board (GASB) precluded recognizing anticipated FEMA-based reimbursements as federal expenditures in FY 2020, to the extent that those expenses were not fully adjudicated and approved by FEMA prior to June 30, 2020. As a result, during FY 2021, the Controller's Office redirected \$109.8 million of these expenses from federal appropriation accounts to general revenue appropriation accounts in the FY 2020 fiscal period. As these federal receivables were

Page 2 February 16, 2022

realized (i.e. FEMA approved) in FY 2021, a corresponding upward revision to the FY 2021 fund balance was recorded in the equivalent amount. The FY 2021 final closing statements therefore recognize the realization of \$105.8 million of FY 2020-based FEMA reimbursements as an upward adjustment to the FY 2021 ending general revenue fund balance.¹

Similarly, in FY 2021, the Controller's Office recognized \$212.7 million in anticipated, but unapproved as of June 30, 2021, FY 2021-based FEMA receivables as (unappropriated) general revenue expenditures, thus giving rise to the closing deficit of \$96.0 million relative to final enacted appropriations. Accordingly, on the assumption of full realization of these pending federal reimbursements during FY 2022, this second quarter report acknowledges a \$212.7 million upward adjustment to the \$374.4 million opening FY 2022 general revenue surplus. The Budget Office assumption that this entire amount of FEMA reimbursement outstanding as of June 30, 2021 will be received over the course of FY 2022 is supported by prior year experience and therefore projects an FY 2022 opening surplus of \$587.1 million.

Reappropriations

Due to the unfavorable closing position of general revenue expenditures versus final FY 2021 appropriations reported in the preliminary closing statements, the Governor was unable to recommend any discretionary reappropriations in FY 2022. Pursuant to RIGL § 35-3-15 (a), however, non-discretionary reappropriations of unexpended and unencumbered balances for the General Assembly totaling \$5.6 million and for the Judiciary totaling \$2.8 million were recognized.

FY 2022 Second Quarter

The second quarter report for FY 2022 contains estimates of annual expenditures based upon analysis of expenditures through the second quarter of FY 2022 (July 1, 2021, through December 31, 2021) as compared to available general revenue resources as adopted by the November 2021 Revenue Estimating Conference (subsequently revised for several known adjustments set forth in the Governor's FY 2022 Revised Budget). The projected FY 2022 year-end balance, based upon these assumptions, is estimated to show a \$619.9 million surplus.

As displayed in Table 1, the projected surplus of \$619.9 million for FY 2022 is the result of an opening surplus of \$587.1 million; reappropriated surplus of \$8.4 million; current year estimated general revenues of \$4,690.3 million; \$151.9 million in reserve fund contributions; net downward revisions to agency spending totaling \$45.3 million relative to enacted appropriations; and an increase in projected expenditures resulting from the reappropriation of \$8.4 million.

Revenue Projections

Table 3 displays the revenue estimates adopted at the November 10, 2021 Revenue Estimating Conference, as compared to those contained in the enacted budget. Consensus estimates as adopted by the Conference total \$4,684.3 million, an increase of \$273.6 million relative to

¹ This \$105.4 million adjustment to fund balance combined with a \$3.8 million vendor credit received in FY 2021 accounted for over 99 percent of the \$109.8 in FY 2020 anticipated reimbursements which had remained outstanding as of June 30, 2020.

Page 3 February 16, 2022

enacted general revenues. Two upward revisions to these amounts, totaling \$6.0 million, are displayed in Table 1 and reflected in this second quarter report. These include the recognition of \$5.9 million in revenue received from the state's (FY 2021) "forward" bond refunding in FY 2022 rather than FY 2021 (pursuant to an opinion issued by GASB in January 2022), coupled with a minor increase to Banking and Insurance Examination Fee Assessments at the Department of Business Regulation (DBR).

Projected Expenditures

Overall, net projected general revenue spending for FY 2022, as compared to the enacted budget, is approximately \$36.9 million below enacted appropriations. This figure consists of three major components: (1) Reappropriations totaling \$8.4 million, as described above; (2) A decrease of \$41.8 million within the various programs subject to the November 2021 Caseload Estimating Conference; and (3) A net downward reduction in other agency spending totaling \$3.5 million.

The Governor submitted his FY 2022 Revised Appropriations Act (2022-H-7122) on January 20, 2022, which included \$4,998.9 million in general revenue expenditures, \$448.1 million above the enacted level. This supplemental budget proposal contained myriad adjustments to the general revenue expenditure plans of state departments and agencies to reflect updated trends in base operating expenditures. These adjustments included, but were not limited to, the recognition of new expenditure requirements for personnel costs generated by the recently negotiated four-year state employee labor agreement(s): (1) A retroactive (FY 2021) 2.5 percent cost of living adjustment (COLA) totaling \$18.7 million; (2) A 2.5 percent COLA for FY 2022 totaling \$33.9 million, and (3) \$4.5 million for the financing of an "extra payment" of \$1,500 to eligible union employees. These amounts are enumerated by agency on Table 2 of this report. Other statewide changes included net reductions in employee health benefit working rates and projected agency charges for major internal service funds.

Given the timing of this second quarter report (less than one month following the Governor's Revised Budget submission), the expenditure estimates contained herein are largely reflective of the Governor's submission of January 20, 2022. However, there are several notable exceptions, falling under three general categories. The first of these are recommended revised appropriations that are purely discretionary and/or policy-driven in nature, as these cannot be reasonably included in any estimate of cyclical expenditure trend prior to appropriation by the General Assembly. As such, this second quarter report adjusts general revenue expenditures, relative to the Governor's Revised Budget, for the following items, all of which are housed in the budget of the Department of Administration:

- Removes \$338.0 million for a proposed transfer of general revenue to the Rhode Island Capital Plan Fund (RICAP).
- Removes \$50.0 million for a proposed transfer of general revenue to the Information Technology Investment Fund (ITIF).
- Removes \$61.8 million for a proposed use of general revenue to fully defray the outstanding liability on the actuarial cost of the 1991/1992 ERSRI pension deferrals.

The second category concerns the savings generated from the extension of the FFCRA-enhanced FMAP for one additional quarter. On March 18, 2020, the President signed into law the Families First Coronavirus Response Act (FFCRA), which provided a temporary 6.2 percentage point enhancement to each qualifying state's Federal Medical Assistance Percentage (FMAP) effective January 1, 2020 and extending through the last day of the calendar quarter in which the public health emergency (PHE) declared by the Secretary of Health and Human Services for COVID-19 terminates. The FMAP is the rate at which the federal government shares in the cost of a state's Medicaid and Title IV-E programs. All else equal, an increase to the FMAP decreases the state's share of the overall funding obligation for these programs.

The Governor's Budget had assumed the enhancement would elapse at the close of the third quarter, or March 31, 2022, based on a succession of prior PHE declarations. However, due to the extension of the Public Health Emergency (PHE) declaration by the Secretary of Health and Human Services on January 14, 2022², the state will continue to benefit from the FMAP enhancement for the remainder of FY 2022, thus yielding additional savings of \$36.1 million throughout the state's various Medicaid-financed programs. While receiving the enhanced FMAP, states are prohibited from terminating an individual's Medicaid enrollment unless they are deceased, move out of state, or request a voluntary termination. The FY 2022 caseload impact of this provision, which dampens the general revenue savings, was accounted for in the formulation of this savings estimate. It is possible that additional caseload costs will be incurred in FY 2023, assuming that the timeline for eligibility redeterminations is delayed by one additional quarter.

The following table details the present status of the standard and FFCRA-enhanced FMAPs in FY 2022:

FY 2022	Standard FMAP	FFCRA-Enhanced (6.2 pp)
Quarter 1	54.09%	60.29%
Quarters 2 - 4	54.88%	61.08%

Lastly, there are several items that have arisen in the weeks since budget submission that may require forthcoming amendment(s) to the Governor's Revised Budget that are recognized in this second quarter report. Major items include:

- Department of Children, Youth, and Families (DCYF): Reduction of \$2.3 million for anticipated turnover savings due to lags experienced in the hiring of new personnel associated with the Council on Accreditation staffing initiative.
- Department of Behavioral Health, Developmental Disabilities, and Hospitals (BHDDH): Increase of \$1.4 million to correct a calculation error contained in the Governor's Recommended Budget with respect to the \$1,500 "extra payment."

² Announcement available at: <u>https://aspr.hhs.gov/legal/PHE/Pages/COVID19-14Jan2022.aspx</u>.

 Department of Corrections: Increase of \$1.7 million for the redirection of recommended financing (from FY 2023) for a one-time general fund loan repayment and working capital subsidy for the Correctional Industries Fund. This funding was erroneously included in FY 2023 recommended appropriations in the Governor's FY 2023 Budget.

The Office of Management and Budget will continue to diligently monitor discretionary spending and hiring throughout state government to ensure the effective and efficient stewardship of state fiscal resources.

If you have any questions concerning this second quarter report, please feel free to contact me.

Attachments

cc: The Honorable Marvin L. Abney, Chairman, House Finance Committee

The Honorable Ryan W. Pearson, Chairman, Senate Finance Committee

Sharon Reynolds Ferland, House Fiscal Advisor

Stephen Whitney, Senate Fiscal Advisor

Table 1- FY 2022 General Revenue Budget Surplus

	FY 2020 Audited		FY 2021 Audited		FY 2022 Enacted		FY 2022 Second Quarter	
Surplue							-	
Surplus Opening Surplus	\$ 30,502,912	\$	156,188,375	\$	281,411,255	\$	374,425,433	
Adjustment to Opening Surplus- FEMA		·	105,804,512	·	,,	•	212,685,028	
Adjustment to Opening Surplus- Other	-		(13,159,126)		-		-	
Reappropriated Surplus	10,296,451		5,336,653		-		8,446,365	
Subtotal	\$ 40,799,363	\$	254,170,414	\$	281,411,255	\$	595,556,826	
General Taxes	3,279,993,849		3,701,252,027		3,585,985,469		3,845,800,000	
Changes to the Adopted Estimates								
Subtotal	\$ 3,279,993,849	\$	3,701,252,027	\$	3,585,985,469	\$	3,845,800,000	
Departmental Revenues	434,973,609		402,634,288		422,313,579		419,200,000	
Changes to the Adopted Estimates							63,000	
Subtotal	\$ 434,973,609	\$	402,634,288	\$	422,313,579	\$	419,263,000	
Other Sources								
Other Miscellaneous	52,794,681		9,619,381		12,377,299		11,300,000	
Changes to the Adopted Estimates	-		-		-		5,900,000	
Lottery	283,870,548		301,803,081		375,860,000		393,300,000	
Changes to the Adopted Estimates	-		-		-		-	
Transfer from Budget Reserve	120,000,000		-		-		-	
Unclaimed Property	12,080,719		16,269,787		14,200,000		14,700,000	
Changes to the Adopted Estimates							-	
Subtotal	\$ 468,745,948	\$	327,692,249	\$	402,437,299	\$	425,200,000	
Total Revenues	\$ 4,183,713,406	\$	4,431,578,564	\$	4,410,736,347	\$	4,690,263,000	
Transfer to Budget Reserve & Cash Stabilization Account	\$ (126,426,490)	\$	(137,238,234)	\$	(140,764,428)	\$	(151,940,653)	
Total Available	\$ 4,098,086,279	\$	4,548,510,744	\$	4,551,383,174	\$	5,133,879,173	
Actual/Enacted Expenditures	\$ 3,936,561,251	\$	4,078,638,946	\$	4,550,811,637	\$	4,550,811,637	
Reappropriations (from prior year)	-		-		-		8,446,365	
Nov. Caseload Est. Conference Changes	-		-		-		(41,840,279)	
Other Changes in Expenditures	-		-		-		(3,478,637)	
Total Expenditures	\$ 3,936,561,251	\$	4,078,638,946	\$	4,550,811,637	\$	4,513,939,086	
Transfers to ITIF and HTC	-		(87,000,000)		-		-	
Total Ending Balances	\$ 161,525,028	\$	382,871,798	\$	571,537	\$	619,940,087	
Reappropriations (to following year)	(5,336,653)		(8,446,365)		-		-	
Free Surplus	\$ 156,188,375	\$	374,425,433	\$	571,537	\$	619,940,087	

Table 2 - Summary of Changes to FY 2022 Enacted General Revenue Expenditure Budget

	FY :	2022 Enacted Budget	Reappropriation	FY 2021 Retroactive COLA	FY 2022 COLA/Extra Payment	Other Projected Changes	Total Projected Changes	FY2022 Projected Expenditures	Change From Enacted (Surplus)/Deficit	Governor's Supplemental Budget	Balance to Governor's Supplemental (Surplus)/Deficit
General Government											
Administration	\$	196,032,533	\$-	\$ 625,907	\$ 1,161,894 \$	(3,171,723)	\$ (1,383,922) \$	194,648,611	\$ (1,383,922)	\$ 644,429,102	\$ (449,780,491
Business Regulation		19,239,606	-	352,996	854,621	343,331	1,550,948	20,790,554	1,550,948	20,790,554	-
Labor and Training		15,366,720	-	304,414	263,003	699,739	1,267,156	16,633,876	1,267,156	16,633,876	-
Department of Revenue		267,868,120	-	878,342	2,943,856	(11,545,826)	(7,723,628)	260,144,492	(7,723,628)	260,144,822	(330
Legislature		44,844,662	5,612,589	713,923	1,672,265	(828,911)	7,169,866	52,014,528	1,557,277	52,014,528	-
Lieutenant Governor		1,199,161	-	19,820	45,416	(1,043)	64,193	1,263,354	64,193	1,263,354	-
Secretary of State		9,775,071	-	155,160	345,872	(11,393)	489,639	10,264,710	489,639	10,264,710	-
General Treasurer		3,228,310	-	49,143	122,069	13,605	184,817	3,413,127	184,817	3,413,127	-
Board of Elections		2,671,768	-	39,882	74,982	(2,736)	112,128	2,783,896	112,128	2,783,896	-
Rhode Island Ethics Commission		1,867,351	-	36,871	70,609	(5,185)	102,295	1,969,646	102,295	1,969,646	-
Governor's Office		6,703,626	-	137,888	303,658	(9,286)	432,260	7,135,886	432,260	7,135,886	-
Commission for Human Rights		1,486,581	-	26,748	72,521	(5,742)	93,527	1,580,108	93,527	1,580,108	-
Executive Office of Commerce		98,845,603	-	35,708	58,318	(419,463)	(325,437)	98,520,166	(325,437)	98,520,166	-
Public Utilities Commission		-	-	-	-	-	-	-	-	-	-
Subtotal - General Government	\$	669,129,112	\$ 5,612,589	\$ 3,376,802	\$ 7,989,084 \$	(14,944,633)	\$ 2,033,842 \$	671,162,954	\$ (3,578,747)	\$ 1,120,943,775	\$ (449,780,821
Human Services											
Office of Health & Human Services	\$	1,100,190,655	\$-	\$ 285,872	\$ 680,333 \$	(109,257,069)	\$ (108,290,864) \$	991,899,791	\$ (108,290,864)	\$ 1,023,899,791	\$ (32,000,000
Children, Youth, and Families		193,284,942	-	1,201,936	4,054,902	(6,323,800)	(1,066,962)	192,217,980	(1,066,962)	195,690,266	(3,472,286
Health		31,030,190	-	742,968	1,258,186	194,479	2,195,633	33,225,823	2,195,633	33,225,823	-
Human Services		123,896,295	-	1,067,960	3,363,371	(2,772,135)	1,659,196	125,555,491	1,659,196	125,717,323	(161,832
Behavioral Healthcare, Developmental Disabilities & Hosp		271,942,823	-	2,499,800	5,882,340	(2,514,343)	5,867,797	277,810,620	5,867,797	279,157,219	(1,346,599
Office of the Child Advocate		1,036,219	-	19,609	49,776	(1,047)	68,338	1,104,557	68,338	1,104,557	-
Comm. on Deaf & Hard of Hearing		655,862	-	10,999	22,213	10,691	43,903	699,765	43,903	699,765	-
Governor's Commission on Disabilities		1,090,710	-	9,387	19,585	(1,559)	27,413	1,118,123	27,413	1,118,123	-
Office of the Mental Health Advocate		680,190	-	12,543	27,876	725	41,144	721,334	41,144	721,334	-
Subtotal - Human Services	\$	1,723,807,886	\$-	\$ 5,851,074	\$ 15,358,582 \$	(120,664,058)	\$ (99,454,402) \$	1,624,353,484	\$ (99,454,402)	\$ 1,661,334,201	\$ (36,980,717
Education											
Elementary and Secondary	\$	1,330,848,245	\$-	\$ 745,854	\$ 1,784,841 \$	(4,059)	\$ 2,526,636 \$	1,333,374,881	\$ 2,526,636	\$ 1,333,374,881	\$-
Office of Postsecondary the Commissioner		26,979,920	-	24,726	61,060	(1,625,885)	(1,540,099)	25,439,821	(1,540,099)	25,439,821	-
University of Rhode Island		115,332,755	-	-	-	4,862,007	4,862,007	120,194,762	4,862,007	120,194,762	-
Rhode Island College		64,133,153	-	-	-	1,991,807	1,991,807	66,124,960	1,991,807	65,930,610	194,350
Community College of Rhode Island		53,522,765	-	-	-	1,437,450	1,437,450	54,960,215	1,437,450	54,959,305	910
RI Council on the Arts		2,048,651	-	17,938	46,377	(659)	63,656	2,112,307	63,656	2,112,307	-
RI Atomic Energy Commission		1,076,170	-	20,886	42,890	(595)	63,181	1,139,351	63,181	1,139,351	-
Historical Preservation & Heritage Comm		1,390,704	-	22,045	51,731	(2,421)	71,355	1,462,059	71,355	1,462,059	-
Subtotal - Education	\$	1,595,332,363	\$-	\$ 831,449	\$ 1,986,899 \$	6,657,645	\$ 9,475,993 \$	1,604,808,356	\$ 9,475,993	\$ 1,604,613,096	\$ 195,260
Public Safety											
Attorney General	\$	29,820,364	\$-	\$ 581,727	\$ 1,251,076 \$	368,978	\$ 2,201,781 \$	32,022,145	\$ 2,201,781	\$ 32,022,145	\$-
Corrections		236,349,944	-	3,775,321	3,220,133	6,520,822	13,516,276	249,866,220	13,516,276	248,193,611	1,672,609
Judicial		107,908,680	2,833,776	1,750,120	4,643,261	(3,041,799)	6,185,358	114,094,038	3,351,582	114,094,038	-
Military Staff		2,723,714	-	29,023	67,762	145,492	242,277	2,965,991	242,277	2,965,991	-
Emergency Management		2,710,290	-	38,437	51,859	(2,273)	88,023	2,798,313	88,023	2,798,313	-
Public Safety		120,604,312	-	1,387,416	2,402,896	(525,504)	3,264,808	123,869,120	3,264,808	123,920,921	(51,801
Office Of Public Defender		13,431,599	-	246,017	630,568	(90,534)	786,051	14,217,650	786,051	14,217,650	-
Subtotal - Public Safety	\$	513,548,903	\$ 2,833,776	\$ 7,808,061	\$ 12,267,555 \$	3,375,182	\$ 26,284,574 \$	539,833,477	\$ 23,450,798	\$ 538,212,669	\$ 1,620,808
Natural Resources											
Environmental Management	\$	46,183,840	\$-	\$ 737,246	\$ 2,061,056 \$	21,809,801	\$ 24,608,103 \$	70,791,943	\$ 24,608,103	\$ 70,791,943	\$ -
Coastal Resources Management Council		2,809,533	-	52,007	138,631	(11,299)	179,339	2,988,872	179,339	2,988,872	- -
Subtotal - Natural Resources	\$	48,993,373		\$ 789,253							\$-

Table 3- November 2021 Revenue Estimating Conference Results

	FY 2022 Enacted		FY 2022 November 2021 Consensus			FY 2022 Consensus vs. FY 2022 Enacted	Growth From FY 2022 Consensus vs. FY 2022 Enacted	
Personal Income Tax	\$	1,549,365,915	\$	1,656,600,000	\$	107,234,085	6.9%	
General Business Taxes								
Business Corporations		179,009,821		209,900,000		30,890,179	17.3%	
Public Utilities Gross		101,000,000		94,300,000		(6,700,000)	-6.6%	
Financial Institutions		26,900,000		35,700,000		8,800,000	32.7%	
Insurance Companies		138,063,909		137,500,000		(563,909)	-0.4%	
Bank Deposits		3,500,000		3,800,000		300,000	8.6%	
Health Care Provider		38,776,018		37,200,000		(1,576,018)	-4.1%	
Sales and Use Taxes								
Sales and Use		1,305,200,000		1,432,000,000		126,800,000	9.7%	
Motor Vehicle		1,000,000		1,000,000		-	0.0%	
Cigarettes		156,000,000		153,800,000		(2,200,000)	-1.4%	
Alcohol		22,400,000		23,200,000		800,000	3.6%	
Other Taxes								
Estate and Transfer		45,000,000		39,800,000		(5,200,000)	-11.6%	
Racing and Athletics		1,000,000		500,000		(500,000)	-50.0%	
Realty Transfer		18,769,806		20,500,000		1,730,194	9.2%	
Total Taxes		3,585,985,469		3,845,800,000		259,814,531	7.2%	
Departmental Receipts		422,313,579		419,200,000		(3,113,579)	-0.7%	
Other Miscellaneous		12,377,299		11,300,000		(1,077,299)	-8.7%	
Lottery		375,860,000		393,300,000		17,440,000	4.6%	
Unclaimed Property		14,200,000		14,700,000		500,000	3.5%	
Total General Revenues	\$	4,410,736,347	\$	4,684,300,000	\$	273,563,653	6.2%	