



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Administration
BUDGET OFFICE
One Capitol Hill
Providence, R.I. 02908-5886

Memorandum

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

The Honorable Daniel DaPonte
Chairman, Senate Finance Committee

From: Thomas A. Mullaney *Thomas A. Mullaney*
Executive Director/State Budget Officer

Date: May 23, 2016

Subject: Amendment to Article 4 – Relating to Government Organization (16-H-7454)

The Governor requests that Article 4 entitled “Relating to Government Organization” be replaced with the attached changes. The modifications to the original version of the article are denoted by shading.

This amendment authorizes the transfer of the State Independent Living Program from the Department of Human Services to the Governor’s Commission on Disabilities. The new statutory language will also establish the Commission as the Designated State Entity under the federal Workforce Innovation and Opportunity Act. The transfer of these functions is proposed to coincide with the federal fiscal year on October 1, 2016. Amendments to Article 1 of the FY 2017 Appropriations Acts will be submitted under separate cover to account for the movement of general revenue and federal funding from DHS to the Commission.

If you have any questions regarding this amendment, please feel free to contact me (222-6300).

TAM: 17-Amend-18
Attachment

cc: Sharon Reynolds Ferland, House Fiscal Advisor
Stephen Whitney, Senate Fiscal Advisor
Michael DiBiase, Director of Administration
Jonathan Womer, Director, Office of Management and Budget
Gregory Stack, Supervising Budget Analyst

TDD#: 277-1227

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SECTION 1. Sections 28-5.1-2, 28-5.1-3.1 and 28-5.1-5 of the General Laws in Chapter 28-5.1 entitled “Equal Opportunity and Affirmative Action” are hereby amended to read as follows:

(b) The state equal opportunity office shall issue any guidelines, directives or instructions that are necessary to effectuate its responsibilities under this chapter, and is authorized to investigate possible discrimination, hold hearings, and direct corrective action to the discrimination.

(b) During the month of January in each year the boards, agencies, commissions, or authorities are requested to file with the state equal opportunity office a list of its members, designating their race, gender, and date of appointment.

1 (c) Of the candidates considered for appointment by the governor and the general assembly, the
2 governor and the general assembly shall give due consideration to recommendations made by
3 representatives of Rhode Island's minority community based organizations, ~~through the Rhode Island~~
4 ~~Affirmative Action Professionals (RIAAP)~~. The human resources outreach and diversity office shall act as
5 the ~~RIAAP's~~ liaison with state government and shall forward the recommendations to appointing
6 authorities.

7 (d) The appointing authority, in consultation with the equal employment opportunity administrator
8 and the human resources outreach and diversity administrator within the department of administration, shall
9 annually conduct a utilization analysis of appointments to state boards, commissions, public authorities and
10 quasi-public corporations based upon the annual review conducted pursuant to § 28-5.1-3.

11 (e) The equal employment opportunity administrator shall report the results of the analysis to the
12 Rhode Island commission for human rights and to the general assembly by or on January 31 and July 31 of
13 each year consistent with § 28-5.1-17. The report shall be a public record and shall be made available
14 electronically on the secretary of state's website.

15 **§ 28-5.1-5. Personnel administration.** – (a)(1) The office of personnel administration of the
16 department of administration, in consultation with the office of diversity, equity and opportunity, shall
17 prepare a comprehensive plan indicating the appropriate steps necessary to maintain and secure the equal
18 opportunity responsibility and commitment of that division. The plan shall set forth attainable goals and
19 target dates based upon a utilization study for achievement of the goals, together with operational
20 assignment for each element of the plan to assure measurable progress.

21 (2) The office of personnel administration shall:

22 (i) Take positive steps to insure that the entire examination and testing process, including the
23 development of job specifications and employment qualifications, is free from either conscious or
24 inadvertent bias, and

1 (ii) Review all recruitment procedures for all state agencies covered by this chapter for compliance
2 with federal and state law, and bring to the attention of the equal opportunity administrator matters of
3 concern to its jurisdiction.

4 (3) The division of budget shall indicate in the annual personnel supplement progress made toward
5 the achievement of equal employment goals.

6 (4) The division of purchases shall cooperate in administering the state contract compliance
7 programs.

8 (5) The division of statewide planning shall cooperate in assuring compliance from all recipients
9 of federal grants.

10 (b) The office of labor relations shall propose in negotiations the inclusion of affirmative action
11 language suitable to the need for attaining and maintaining a diverse workforce.

12 (c) There is created a ~~five (5)~~ six (6) member committee which shall monitor negotiations with all
13 collective bargaining units within state government specifically for equal opportunity and affirmative action
14 interests. The members of that committee shall include the director of the Rhode Island commission for
15 human rights, the associate director of the office of diversity, equity and opportunity, the equal opportunity
16 administrator, the personnel administrator, one member of the house of representatives appointed by the
17 speaker, and one member of the senate appointed by the president of the senate.

18 SECTION 2. Chapter 42-11 of the General Laws entitled "Department of Administration" is
19 hereby amended by adding thereto the following section:

20 **§ 42-11-2.7. Office of diversity, equity and opportunity established.** – (a) The office of
21 diversity, equity and opportunity (ODEO) shall be established as a division within the department of
22 administration. The purpose of the office shall be to ensure non-discrimination, diversity, equity, and equal
23 opportunity in all aspects of state government, including, but not limited to, employment, procurement,
24 policy and practices relative to state programs, services, and activities.

25 (b) The head of this division shall be known as the associate director of ODEO who shall be
26 appointed by the director of administration in the classified service of the state and shall be responsible to

1 and report to the director. The associate director of ODEO shall oversee the ODEO in all aspects, including,
2 but not limited to, coordination of the provisions of chapter 37-14.1 (minority business enterprise) and
3 chapter 28-5.1 (equal opportunity and affirmative action) wherein the ODEO shall have direct
4 administrative supervision of the state's equal opportunity office.

5 (c) ODEO shall have the following duties and responsibilities:

6 (1) Develop, administer, implement, and maintain a statewide diversity plan and program,
7 including an equity, equal opportunity, minority business enterprise, and supplier diversity program, as well
8 as other related plans and programs within the office;

9 (2) Provide leadership in the development and coordination of recruitment and retention activities
10 in order to promote diversity and encourage the use of bias-free methods and practices in the hiring process,
11 performance reviews, and promotions, and to ensure compliance with applicable federal and state laws,
12 rules, regulations, and policies;

13 (3) Support the growth and development of the state's minority business enterprise program by
14 engaging in concerted outreach programs to build relationships, maintaining effective programs to promote
15 minority business enterprise utilization and facilitating minority business enterprise in State procurement
16 activities;

17 (4) Develop, coordinate and oversee the recruitment, selection, and retention efforts and initiatives
18 to promote and achieve the state's diversity goals and objectives, developing and recommending
19 recruitment strategies, and assisting with special recruitment efforts directed toward ethnic minorities,
20 women and other underrepresented groups; and

21 (5) Provide leadership in advancing management's understanding, capacity and accountability for
22 embedding diversity and equity in employment and human resource management practices as an integral
23 part of the state's employment opportunities.

24 (c) The director of administration may promulgate rules and regulations recommended by the
25 associate director in order to effectuate the purposes and requirements of this act.
26

SECTION 3. Sections 29-3.1-1 and 29-3.1-7 of the General Laws in Chapter 29-3.1 entitled “Office of Library and Information Services” are hereby amended to read as follows:

§ 29-3.1-1. Office of library and information services. – Within the department of administration, division of enterprise technology strategy and services, there shall be an office of library and information services under the direction of a chief of library services who shall be appointed by the director of administration and supervised by the chief digital information officer. The office is hereby empowered to cooperate with the institute of museum and library services of the United States of America in the carrying out of the purposes of any and all acts of congress for the benefit of library and information services within this state. The office is hereby designated as the agency for the administration of any plan or plans heretofore or hereafter formulated in conformity with any act or acts of congress and is authorized to administer any such plan or plans and to enter into such agreements with the institute of museum and library services of the United States of America as may be from time to time required under this chapter or any acts or act of congress, and from time to time amend any plan or plans, except any plan, or plans, or agreements, formulated or entered into or to be administered by the board of regents, board of governors, or the secretary of state.

§ 29-3.1-7. Duties of chief of library services. – The chief of library services officer shall be the executive and administrative officer in charge of the office of library and information services. The chief of library services shall be in a classified position of service, shall be appointed by the director of administration and shall report to the chief digital officer. ~~The position of chief information officer shall be in the unclassified service of the state.~~ The chief of library services shall serve as the chief executive officer of the library board. The chief of library services shall also carry out the duties required by this chapter and by chapters 5 and 6 of this title. In addition to the general supervision of the office of library and information services and the appointment of the several officers and employees of the office, it shall be the duty of the chief of library services:

(1) To develop a systematic program of information gathering, processing, and analysis addressed to every aspect of public library development and interlibrary cooperation and resource sharing in this state,

1 especially as that information relates to current and future library and information service needs, so that
2 current needs may be met with reasonable promptness and plans formulated to meet future needs as they
3 arise in the most efficient and economical manner possible;

4 (2) To develop a master plan defining board goals and objectives for public library development
5 and interlibrary cooperation and resource sharing in the state. These goals and objectives shall be expressed
6 in terms of the library and information services to which individuals will have access;

7 (3) To communicate with and seek the advice of those concerned with and affected by the library
8 board's determinations;

9 (4) To develop and implement board policy as it pertains to the goals and objectives approved by
10 the library board from time to time;

11 (5) To enforce standards and to exercise general supervision over interlibrary cooperation and
12 resource sharing in the state;

13 (6) To develop annually the program for the use of federal funds that is submitted to the United
14 States institute of museum and library services;

15 (7) To supervise the operation of the office of library and information services as defined elsewhere
16 in this title and such other additional duties and responsibilities as may be assigned by the library board
17 from time to time; and

18 (8) To supervise the following functions:

19 (i) To distribute state funds for public library development and interlibrary cooperation and
20 resource sharing in accordance with law and regulations of the library board;

21 (ii) To develop standards and regulations for public library development and interlibrary
22 cooperation and resource sharing;

23 (iii) To certify that public library standards and services are in accordance with law and regulations
24 of the library board;

25 (iv) To require the observance of all laws relating to public library services and interlibrary
26 cooperation and resource sharing;

- 1 (v) To interpret library law;
- 2 (vi) To give assistance, advice, and counsel to public libraries and to participants in interlibrary
3 cooperation and resource sharing activities;
- 4 (vii) To require that information and statistics necessary to do the work of the office of library and
5 information services be collected, to publish findings and reports thereon;
- 6 (viii) To provide eligible persons who are impaired, blind, reading impaired and/or physically
7 impaired with library services through the talking books plus, in cooperation with the library of congress
8 national library service for the blind and physically handicapped;
- 9 (ix) To cooperate with the commissioner of elementary and secondary education in supporting and
10 encouraging effective school library media services and their integration into statewide library networking
11 activities;
- 12 (x) To cooperate with the state librarian and the state law librarian in strengthening services to
13 library users;
- 14 (xi) To cooperate with the commissioner of higher education in supporting and encouraging
15 effective library services through the state system of higher education; and
- 16 (xii) To coordinate with all other state departments and agencies in the provision of library services
17 to state government and to the public.

18 SECTION 4. Section 42-11-2.6 of the General Laws in Chapter 42-11 entitled "Department of
19 Administration" is hereby amended to read as follows:

20 **§ 42-11-2.6. Office of Digital Excellence established.** – (a) Within the department, division of
21 enterprise technology strategy and services, there shall be established the Office of Digital Excellence. The
22 purposes of the office shall be to move ~~RI~~ Rhode Island state government into the 21st century through the
23 incorporation of innovation and modern digital capabilities throughout state government and to leverage
24 technology to expand and improve the quality of services provided to ~~RI~~ Rhode Island citizens, to promote
25 greater access to government and the internet throughout cities and towns, and to position Rhode Island as
26 a national leader in e-government.

(b) Within the office there shall be a chief digital officer who shall be appointed by the director of administration with the approval of the governor and who shall be in the unclassified service. The chief digital officer shall report to the director of administration and be required to:

(1) Manage the implementation of all new and mission critical technology infrastructure projects and upgrades for state agencies. The division of ~~information technology~~ enterprise technology strategy and services established pursuant to ~~executive order 04-06 § 42-11-2.7~~ shall continue to manage and support all day-to-day operations of the state's technology infrastructure, telecommunications, and associated applications;

(2) Increase the number of government services that can be provided online in order to allow residents and businesses to complete transactions in a more efficient and transparent manner;

(3) Improve the state's websites to provide timely information to online users and as many government services as possible online; and

(4) Establish, improve and enhance the state's use of social media and mobile technological applications.

(c) The office shall coordinate its efforts with the division of ~~information technology~~ enterprise technology strategy and services in order to plan, allocate and implement projects supported by the information technology investment fund established pursuant to § 42-11-2.5.

(d) All intellectual property created as a result of work undertaken by employees of the office shall remain the property of the state of Rhode Island and Providence Plantations. Any patents applied for shall be in the name of the state.

(e) The director of administration may promulgate rules and regulations recommended by the chief digital officer in order to effectuate the purposes and requirements of this act.

(f) The chief digital officer shall report no later than January 31, 2013 and every January 31 thereafter to the governor, the speaker of the house of representatives and the senate president regarding the implementation status of all technology infrastructure projects, website improvements, number of e-government transactions and revenues generated, projects supported by the information technology

1 investment fund and all other activities undertaken by the office. The annual report shall be posted on the
2 office's website.

3 SECTION 5. Chapter 42-11 of the General Laws entitled "Department of Administration" is
4 hereby amended by adding thereto the following section:

5 **§ 42-11-2.7. Division of enterprise technology strategy and service established.—** (a)

6 Established. Within the department there shall be established the division of enterprise technology strategy
7 and service (ETSS), which shall include the office of information technology, the office of digital
8 excellence (ODE), and the office of library and information services (OLIS). Within ETSS, there shall be
9 a chief digital officer in the unclassified service who shall oversee and manage the division and shall be
10 appointed by the director of administration. Any prior reference in statute to the division of information
11 technology shall now mean ETSS. The chief digital officer shall supervise the state's chief information
12 officer, chief technology officer, chief information security officer, the directors of information technology
13 and all associated employees. The chief digital officer may promulgate rules and regulations in order to
14 effectuate the purposes and requirements of this act.

15 (b) Purposes; duties. The purposes of ETSS shall be to align existing and future technology
16 platforms, along with technical expertise across the agencies of the executive branch. ETSS shall be
17 responsible for managing and consolidating the strategy and budgets of the division, including the office of
18 information technology, the office of library and information services and the office of digital excellence,
19 and the information technology investment fund. The focus of ETSS will be to lead the strategic technology
20 decisions and efforts across all of the executive branch state agencies, identify opportunities to implement
21 technology solutions across state agencies to prevent duplication of systems and effort, as well as effectively
22 support these solutions in an efficient manner. ETSS shall have the following duties:

23 (1) Manage the implementation of all new and mission critical technology infrastructure projects
24 and upgrades for state agencies. The office of information technology, under ETSS, shall manage and
25 support all day-to-day operations of the state's technology infrastructure, telecommunications, and
26 associated applications;

1 (2) Manage the office of digital excellence in order to ensure that large scale technology projects
2 are delivered in a timely manner in accordance with accepted best industry practices;

3 (3) To oversee the chief of library services and the office of library and information services to
4 ensure that this office fulfills its statutory duties in an effective manner;

5 (4) Coordinate efforts with the director of administration in order to plan, allocate and implement
6 projects supported by the information technology investment fund established pursuant to § 42-11-2.5.

7 (5) Supervise all intellectual property created as a result of work undertaken by employees of ETSS
8 to ensure that ownership of this intellectual property remains with the state. Any patents applied for shall
9 be in the name of the state.

10 (c) Reporting. The chief digital officer shall report no later than January 31st to the governor, the
11 speaker of the house of representatives and the senate president regarding the implementation status of all
12 technology infrastructure projects, website improvements, number of e-government transactions and
13 revenues generated, projects supported by the information technology investment fund and all other
14 activities undertaken by the division. The annual report shall be posted on the ETSS website.

15 SECTION 6. Chapter 42-11 of the General Laws entitled “Department of Administration” is
16 hereby amended by adding thereto the following section:

17 § 42-11-2.8. Division of capital asset management and maintenance established.-- (a)
18 Establishment. Within the department of administration there shall be established the division of capital
19 asset management and maintenance (“DCAMM”). Any prior references to the division of facilities
20 management and/or capital projects, if any, shall now mean DCAMM. Within the DCAMM there shall be
21 a director of DCAMM who shall be in the classified service and shall appointed by the director of
22 administration. The director of DCAMM shall have the following responsibilities:

23 (1) Oversee, coordinate, and manage the operating budget, personnel and functions of DCAMM in
24 carrying out the duties described below;

25 (2) Review agency capital budget requests to ensure that the request is consistent with strategic and
26 master facility plans for the state of Rhode Island.

1 (3) Promulgate and adopt regulations necessary to carry out the purposes of this section.

2 (b) Purpose. The purpose of the DCAMM shall be to manage and maintain state property and state
3 owned facilities in a manner that meets the highest standards of health, safety, security, accessibility, energy
4 efficiency and comfort for citizens and state employees and ensures appropriate and timely investments are
5 made for state property and facility maintenance.

6 (c) Duties and Responsibilities of DCAMM. DCAMM shall have the following duties and
7 responsibilities:

8 (1) To oversee all new construction and rehabilitation projects on state property, not including
9 property otherwise assigned outside of the executive department by Rhode Island general laws or under the
10 control and supervision of the judicial branch;

11 (2) To assist the department of administration in fulfilling any and all capital asset and maintenance
12 related statutory duties assigned to the department under chapter 37-8 (public buildings) or any other
13 provision of law, including, but not limited to the following statutory duties provided in § 42-11-2:

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

17 (ii) To provide for the periodic inspection, appraisal or inventory of all state buildings and property,
18 real and personal;

19 (iii) To require reports from state agencies on the buildings and property in their custody;

20 (iv) To issue regulations to govern the protection and custody of the property of the state;

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

23 (vi) To control and supervise the acquisition, operation, maintenance, repair, and replacement of
24 state-owned motor vehicles by state agencies;

25 (3) To generally manage, oversee, protect and care for the state's properties and facilities not
26 otherwise assigned by Rhode Island general laws, including, but not limited to the following duties:

- (i) Space management, procurement, usage and/or leasing of private or public space;
- (ii) Care, maintenance, cleaning and contracting for such services as necessary for state property;
- (iii) Capital equipment replacement;
- (iv) Security of state property and facilities unless otherwise provided by law;
- (v) Ensuring Americans with Disabilities Act (ADA) compliance;
- (vi) Responding to facilities emergencies;
- (vii) Managing traffic flow on state property;
- (viii) Grounds keeping/landscaping/snow removal services;
- (ix) Maintenance and protection of artwork and historic artifacts
- (4) To manage and oversee state fleet operations
- (d) All state agencies shall participate in a statewide database and/or information system for capital assets, which shall be established and maintained by DCAMM.
- (e) Offices and boards assigned to DCAMM. DCAMM shall oversee the following boards, offices and functions:
- (1) Office of planning, design, and construction (PDC);
- (2) Office of facilities management and maintenance (OFMM);
- (3) Contractors' registration and licensing board (§ 5-35-1 et seq.);
- (4) State building code (§ 23-27.3-1 et seq.)
- (5) Office of risk management (§ 37-11-1 et seq.)
- (6) Fire safety code board of appeal and review (§ 23-28.3-1 et seq.)
- (7) Office of state fleet operations (§ 42-11-2.4(d))
- (f) The boards, offices and functions assigned to DCAMM shall:
- (1) Exercise their respective powers and duties in accordance with their statutory authority and the general policy established by the director of DCAMM or in accordance with the powers and authorities conferred upon the director of DCAMM by this section;
- (2) Provide such assistance or resources as may be requested or required by the director of DCAMM

1 or the director of administration;

2 (3) Provide such records and information as may be requested or required by the director of
3 DCAMM or the director of administration; and,

4 (4) Except as provided herein, no provision of this chapter or application thereof shall be construed
5 to limit or otherwise restrict the offices stated above from fulfilling any statutory requirement or complying
6 with any valid rule or regulation.

7 SECTION 7. Sections 35-1.1-2 and 35-1.1-4 of the General Laws in Chapter 35-1.1 entitled
8 “Office of Management and Budget” are hereby amended to read as follows:

9 **§ 35-1.1-2. Establishment of the office of management and budget.** – There is hereby
10 established within the department of administration an office of management and budget. This office shall
11 serve as the principal agency of the executive branch of state government for managing budgetary functions,
12 performance management, internal audit and federal grants management. In this capacity, the office shall:

13 (1) Establish an in-depth form of data analysis within and between departments and agencies,
14 creating a more informed process for resource allocation to best meet the needs of Rhode Island citizens;

15 (2) Identify federal grant funding opportunities to support the Governor's and General Assembly's
16 major policy initiatives and provide technical assistance with the application process and post-award grants
17 management;

18 (3) Analyze federal budgetary issues and report on potential impacts to the state;

19 (4) Coordinate the budget functions of the state with performance management objectives;

20 (5) Maximize efficiencies in departments, agencies, advisory councils and instrumentalities of the
21 State by improving processes and prioritizing programs;

22 ~~(6) Upon the written request of the governor, the director of the department of administration, or~~
23 ~~the director of the office of management and budget, the office shall conduct audits, provide management~~
24 ~~advisory and consulting services, or conduct investigations relative to the financial affairs or the efficiency~~
25 ~~of management, or both, of any state department or agency. The office may from time to time make such~~
26 ~~investigations and additional reports to the governor, the director of the department of administration or the~~

1 ~~director of the office of management and budget shall deem necessary or advisable. Be responsible for the~~
2 ~~internal audit function of state government and conduct audits of any state department, state agency, or~~
3 ~~private entity that is a recipient of state funding or state grants; provide management advisory and consulting~~
4 ~~services; or conduct investigations relative to the financial affairs or the efficiency of management, or both,~~
5 ~~of any state department or agency.~~

6 **§ 35-1.1-4. Offices and functions assigned to the office of management and budget – Powers**

7 **and duties.** – (a) The offices assigned to the office of management and budget include the budget office,
8 the performance management office, office of internal audit and the federal grants management office.

9 (b) The offices assigned to the office of management and budget shall:

10 (1) Exercise their respective powers and duties in accordance with their statutory authority and the
11 general policy established by the governor or by the director acting on behalf of the governor or in
12 accordance with the powers and authorities conferred upon the director by this chapter;

13 (2) Provide such assistance or resources as may be requested or required by the governor and/or
14 the director;

15 (3) Provide such records and information as may be requested or required by the governor and/or
16 the director, to the extent allowed under the provisions of any applicable general or public law, regulation,
17 or agreement relating to the confidentiality, privacy or disclosure of such records or information; and,

18 (c) Except as provided herein, no provision of this chapter or application thereof shall be construed
19 to limit or otherwise restrict the budget officer from fulfilling any statutory requirement or complying with
20 any valid rule or regulation.

21 SECTION 8. Sections 35-7-1, 35-7-3, 35-7-3.1, 35-7-5, 35-7-5.1, 35-5-7 of the General Laws in
22 Chapter 35-7 entitled “Post Audit of Accounts” are hereby repealed.

23 ~~**§ 35-7-1. Bureau of audits.** The director of administration shall create a bureau of audits which~~
24 ~~shall conduct all audits required by any department.~~

25 ~~**§ 35-7-3. Audits performed by the bureau of audits.** (a) The bureau of audits is authorized to~~
26 ~~conduct audits of any state department, state agency, or private entity that is a recipient of state funding or~~

1 state grants. As deemed necessary or expedient by the bureau of audits, audits may be made relative to the
2 financial affairs or the economy and efficiency of management of each department and agency. The bureau
3 of audits shall determine which such audits shall be performed in accordance with a risk-based evaluation.
4 Unless there is an issue of misappropriation, the provisions of this section shall not apply to non-profit
5 organizations.

6 (b) Within twenty (20) days following the date of the issuance of the final audit report, the head of
7 the department, agency or private entity audited shall respond in writing to each recommendation made in
8 the final audit report. This response shall address the department's, agency's or private entity's plan of
9 implementation for each specific audit recommendation and, if applicable, the reasons for disagreement
10 with any recommendation proposed in the audit report. Within one year following the date on which the
11 audit report was issued, the bureau of audits may perform a follow-up audit for the purpose of determining
12 whether the department, agency or private entity has implemented, in an efficient and effective manner, its
13 plan of action for the recommendations proposed in the audit report.

14 (c) The bureau of audits shall maintain a full record of each audit. In the event that information
15 gathered as a result of an audit indicates that criminal activity may have occurred, the chief of the bureau
16 of audits may provide such information to a state or federal law enforcement agency. For any such
17 information that is otherwise exempt from public disclosure under the provisions of Rhode Island general
18 law § 38-2-1 et seq., the provision of such information to a law enforcement agency shall not therefore
19 require that this information be further disclosed.

20 (d) Copies of each audit report, the written response to the audit report, and the results of each
21 follow-up audit as described in subsection (b) above shall be submitted to the chairpersons of the house
22 finance committee and the senate finance committee.

23 **§ 35-7-3.1. Cost of forensic examinations.** When it is determined by the bureau of audits that
24 an audit is necessary because there is sufficient evidence to believe that there may have been fiscal
25 impropriety, wrongdoing or fiscal mismanagement by any employee, board member, or commissioner of
26 any state agency or authority as defined in § 42-35-1, the bureau of audits may conduct a forensic

1 examination of such entity. All costs associated with the forensic examination shall be paid, as deemed
2 appropriate, either by the examined entity or by an appropriation proposed by the governor and enacted by
3 the general assembly. Such costs shall include, but not be limited to, the following expenses:

4 (1) One hundred percent (100%) of the total salaries and benefits paid to the examining personnel
5 of the bureau of audits engaged in those examinations;

6 (2) All costs associated with the procurement of a forensic consultant;

7 (3) All costs associated with a consultant that provides expertise pertinent to the examinee's
8 operations;

9 (4) All reasonable technology costs related to the forensic examination process. Technology costs
10 shall include the actual cost of software and hardware utilized in the examination process and the cost of
11 training examination personnel in the proper use of the software hardware.

12 ~~§ 35-7-5. Investigations or management advisory and consulting services upon request of~~
13 ~~governor or general assembly.~~ The bureau of audits shall, upon the written request of the governor, the
14 director of the department of administration, or of either branch of the general assembly, conduct audits,
15 provide management advisory and consulting services, or conduct investigations relative to the financial
16 affairs or the economy and efficiency of management, or both, of any state department or agency. The
17 bureau of audits may from time to time make such investigations and additional reports to the governor, the
18 director of the department of administration, and the general assembly as the chief of the bureau shall deem
19 necessary or advisable.

20 ~~§ 35-7-5.1. Management advisory and consulting services provided to state agencies and~~
21 ~~departments.~~ When requested in writing by the head of a state department or agency to the director of
22 administration, the bureau of audits may provide management advisory or consulting services to the
23 department or agency. Any such request must include the scope of services requested and a schedule for
24 the work to be performed.

25 ~~§ 35-7-7. Persons authorized to conduct audits Reports of irregularities.~~ Any qualified
26 person duly authorized by the director of administration to act as auditor may examine the books, papers,

1 and documents of any department, or of the clerk of any court or office of the state having control of funds,
2 and if the audit discloses any irregularities or improper handling of records or funds, the auditor shall report
3 the same to the director, who shall report to the governor with his or her recommendations.

4 SECTION 9. Section 35-7-15 of the General Laws in Chapter 35-7 entitled "Post Audit of
5 Accounts" is hereby amended to read as follows:

6 **§ 35-7-15. Audit of information security systems.** – (a) The general assembly recognizes that the
7 security of government computer systems is essential to ensuring the stability and integrity of vital
8 information gathered and stored by the government for the benefit of the citizenry and the breach of security
9 over computer systems presents a risk to the health, safety, and welfare of the public. It is the intent of the
10 legislature to ensure that government computer systems and information residing on these systems are
11 protected from unauthorized access, compromise, sabotage, hacking, viruses, destruction, illegal use, cyber-
12 attack, or any other act that might jeopardize or harm the computer systems and the information stored on
13 them.

14 (b) In conjunction with the powers and duties outlined in this chapter, the ~~bureau of audits~~ office
15 of internal audit may conduct reviews and assessments of the various government computer systems and
16 the security systems established to safeguard these computer systems. Computer systems subject to this
17 section shall include systems that pertain to federal, state, or local programs, and quasi-governmental
18 bodies, and the computer systems of any entity or program that is subject to audit by the ~~bureau of audits~~
19 office of internal audit. The ~~bureau of audit's~~ office of internal audit's review may include an assessment
20 of system vulnerability, network penetration, potential security breaches, and susceptibility to cyber attack
21 and cyber fraud.

22 (c) The ~~bureau of audit's~~ office of internal audit's findings shall be deemed public records and
23 available for public inspection; provided, however, in the event the review indicates a computer system is
24 vulnerable, or security over the system is otherwise deficient, reasonably segregable portions of the findings
25 shall be subject to public inspection after the redaction of any information the disclosure of which would
26 endanger the security of the system or reveal the specific nature of the vulnerabilities found.

1 Notwithstanding any other provision of law to the contrary, the work papers developed in connection with
2 the review of computer systems and the security over those systems authorized by this section shall not be
3 deemed public records and are not subject to disclosure.

4 (d) In order to maintain the integrity of the computer system, the ~~bureau of audits~~ office of internal
5 audit may procure the services of specialists in information security systems or other contractors deemed
6 necessary in conducting reviews under this section, and in procuring those services shall be exempt from
7 the requirements of the state purchasing law or regulation.

8 (e) Any outside contractor or vendor hired to provide services in the review of the security of a
9 computer system shall be bound by the confidentiality provisions of this section.

10 SECTION 10. TITLE 35 of the General Laws entitled "Public Finance" is hereby amended by
11 adding thereto the following chapter:

12 CHAPTER 7.1

13 THE OFFICE OF INTERNAL AUDIT

14 **§ 35-7.1-1. Establishment of office of internal audit.** – (a) There is hereby established within
15 the office of management and budget an office of internal audit. Within the office of internal audit, there
16 shall be a chief, appointed by the director of administration, who shall be the administrative head of the
17 office. The person so selected to be the chief shall be selected without regard to political affiliation and
18 with a demonstrated ability in the following areas: accounting, auditing, financial analysis, investigation,
19 management analysis, and public administration. The office of internal audit will report to the office of
20 management and budget director. Any reference in general law to the "bureau of audits" shall mean the
21 office of internal audit.

22 (b) The chief of the office of internal audit shall not hold, or be a candidate for, any elective or any
23 other appointed public office while a chief. No current chief shall hold a position in any political party or
24 political committee, or, aside from voting, actively engage in the political campaign of any candidate for
25 public office that may cause a real or perceived conflict of interest, or participate as a board member of any
26 entity that receives state or federal funding.

1 (c) No employee of the office of internal audit shall hold, or be a candidate, for any elective public
2 office while an employee, nor shall he/she hold a position in any political party or political committee or,
3 aside from voting, actively engage in a political campaign of any candidate for public office that may cause
4 a real or perceived conflict of interest, or participate as a board member of any not for profit entity that
5 receives state or federal funding.

6 (d) *Purposes and scope.* The office of internal audit is authorized to conduct audits of any state
7 department, state agency, or private entity that is a recipient of state funding or state grants. In addition,
8 the office of internal audit is authorized, but not limited to, evaluating the efficiency of operations and
9 internal controls, preventing and detecting fraud, waste, abuse or mismanagement in the expenditure of
10 public funds, whether federal, state, or local, which are related to any and all state programs and operations
11 as well as the procurement of any goods, services, or construction, by public bodies. As deemed necessary
12 or expedient by the office of internal audit, audits may be made relative to the financial affairs or the
13 economy and efficiency of management of each department, agency or public body. The office of internal
14 audit shall determine which such audits shall be performed in accordance with a risk-based evaluation.

15 (e) “Public body” or “public bodies” under this chapter shall mean state agencies, bureaus,
16 divisions, departments, offices, commissions, boards, institutions, including the public institutions of higher
17 education, districts, authorities, quasi-agencies or political subdivisions created by the general assembly, or
18 the governor. “Public body” shall also include any city and town within the state of Rhode Island but
19 municipal audits under this chapter shall only cover the expenditure of state or federal funds distributed by
20 the state. Audits and investigations of public bodies may include the expenditures by nongovernmental
21 agencies of federal, state, and local public funds.

22 **§ 35-7.1-2. Duties. --** (a) The chief of internal audit shall supervise, coordinate and/or conduct
23 audits, civil and administrative investigations, and inspections or oversight reviews, when necessary,
24 relating to expenditure of state or federal funds or to any and all state programs and operations as well as
25 the procurement of any supplies, services, or construction, by public bodies. In the course of an audit or
26 investigation, the office of internal audit shall review statutes and regulations of the public body and shall

1 determine if such a public body is in compliance and shall make recommendations concerning the efficiency
2 of operations, and the effect of such statutes or regulations on internal controls and the prevention and
3 detection of fraud, waste and abuse. The chief of internal audit may recommend policies or procedures that
4 may strengthen internal controls, or assist in the prevention or detection of fraud, waste and abuse or
5 mismanagement.

6 (b) The person or persons with legal authority for any public body may request the assistance of
7 the office of internal audit. Any such request must include the scope of services requested and the work to
8 be performed. In such events the chief, with the approval of the director of management and budget, may
9 assign personnel to conduct, supervise or coordinate such activity as deemed necessary and appropriate to
10 perform his/her duties in a diligent and prudent manner. The expenses for any such assistance requested
11 by the public body shall be reimbursed by the public body to the office of internal audit. The chief may
12 recommend policies for the conduct, supervision or coordination of relationship, between state and other
13 state, local governmental agencies as well as federal governmental agencies and nongovernmental entities
14 with respect to all matters relating to the prevention and detection of fraud, waste, abuse or mismanagement
15 in or relating to any and all programs and activities of the state of Rhode Island.

16 (c) When it is determined by the office of internal audit that an audit is necessary because there is
17 sufficient evidence to believe that there may have been fiscal impropriety, wrongdoing or fiscal
18 mismanagement by any agent, employee, board member, or commissioner of any public body, the office
19 of internal audit may conduct a forensic examination of such entity. All costs associated with the forensic
20 examination shall be paid, as deemed appropriate, either by the examined entity or by an appropriation by
21 the general assembly. Such costs shall include, but not be limited to, the following expenses:

22 (1) One hundred percent (100%) of the total salaries and benefits paid to the examining personnel
23 of the office of internal audit engaged in those examinations;

24 (2) All costs associated with the procurement of a forensic consultant;

25 (3) All costs associated with a consultant that provides expertise pertinent to the examinee's
26 operations;

1 (4) All reasonable administrative and technology costs related to the forensic examination process.
2 Technology costs shall include the actual cost of software and hardware utilized in the examination process
3 and the cost of training examination personnel in the proper use of the software and hardware.

4 **§ 35-7.1-3. Investigations or management advisory and consulting services upon request of**
5 **governor or general assembly.** – The office of internal audit may, upon the written request of the governor
6 or of the general assembly conduct audits, provide management advisory and consulting services, or
7 conduct investigations relative to the financial affairs or the economy and efficiency of management, or
8 both, of any public bodies as defined in § 35-7.1-1(e). The office of internal audit may from time to time
9 make such investigations and additional reports to the governor, the director of the department of
10 administration, the director of the office of management and budget and the general assembly as deem
11 necessary or advisable.

12 **§ 35-7.1-4. Management advisory and consulting services provided to public bodies.** – When
13 requested in writing by a public body to the chief, the office of internal audit may provide management
14 advisory or consulting services to the public body. Any such request must include the scope of services
15 requested and a schedule for the work to be performed.

16 **§ 35-7.1-5. Persons authorized to conduct audits – Reports of irregularities.** – Any qualified
17 person duly authorized by the director of management and budget to act as auditor may examine the books,
18 papers, and documents of any public body having control of state or federal funds, and if the audit discloses
19 any irregularities or improper handling of records or funds, the auditor shall report the same to the chief
20 who shall in turn report such findings and recommendations to the director of management and budget,
21 who shall further report to the director of administration.

22 **§ 35-7.1-6. Inspection of records and papers – Investigations.** – (a) The chief, in carrying out
23 the duties outlined in this chapter, shall have access to all records, reports, audits, reviews, papers, books,
24 documents, recommendations, correspondence, including information relative to the purchase of goods or
25 services or anticipated purchase of goods or services from any agent, contractor or vendor by any public
26 body as defined in §35-7.1-1(e), and any other data and material that is maintained by or available to any

1 public body regardless of the media in which it is maintained which is in any way related to the programs
2 and operations with respect to public bodies.

3 (b) The chief may request information and records, cooperation and assistance from any state, or
4 local governmental agency as may be necessary for carrying out his/her duties and responsibilities. Upon
5 receipt of such request, each person in charge of the public body shall furnish to the chief or his/her
6 authorized agent or representative such information and records, cooperation and assistance, including
7 information relative to the purchase of goods or services or anticipated purchase of goods or services from
8 any contractor or vendor by any public body within ten (10) business days of receipt of the chief's request.
9 If the public body is unable to comply with the request for records and/or information within (10) business
10 days, the public body must notify the chief prior to the expiration of the ten (10) ten business days in writing
11 as to the reason or reasons why the request cannot be fulfilled within this time and whether additional time
12 is necessary.

13 (c) The chief may initiate and conduct audits, investigations, and compliance reviews and shall
14 prepare detailed findings, conclusions, and recommendations concerning the administration of programs or
15 operations, and internal controls over processes of public bodies.

16 (d) The chief shall have direct and prompt access to any public body, its agents, officers and
17 employees when necessary for any purpose pertaining to the performance of his/her duties and
18 responsibilities under this chapter.

19 **§ 35-7.1-7. Complaint – Investigation.** – (a) The chief shall accept and may investigate or audit
20 complaints or information from any identified individual concerning the possible existence of any activity
21 constituting fraud, waste, abuse or mismanagement relating to programs and operations of public bodies.

22 (b) The chief shall not, after receipt of a complaint or information from an employee, contractor or
23 private citizen who requests confidentiality, disclose the identity of that individual, without the written
24 consent of said individual, unless the chief determines such disclosure is necessary and unavoidable during
25 the course of an investigation. In such event, the individual filing the complaint shall be notified if possible
26 immediately of such disclosure.

1 (c) Employees are protected under the chapter 50 of title 28 “Rhode Island Whistleblowers
2 Protection Act.”

3 **§ 35-7.1-8. Reports to the state police.** – In carrying out his/her duties and responsibilities, the
4 chief shall report to the Rhode Island state police, whenever the chief has reasonable grounds to believe
5 there has been a violation of federal or state criminal law. The chief shall also refer findings to the state
6 ethics commission, or to any other federal, state or local agency, with an interest in said findings in the
7 discretion of the chief. Any referrals made under this section shall not be made public by the office of
8 internal audit.

9 **§ 35-7.1-9. Coordination with other state agencies.** – The chief may coordinate with other state
10 agencies that are responsible for investigating, auditing, reviewing or evaluating the management of public
11 bodies for the purpose of sharing information and avoiding duplication of effort.

12 **§ 35-7.1-10. Annual and interim reports.** – (a) The office of internal audit shall prepare an annual
13 report summarizing the activities of the office of internal audit for the prior fiscal year. The office of internal
14 audit may also prepare interim performance reports. These reports shall be presented to the director of
15 management and budget. The annual reports shall be posted on the office’s website.

16 (b) The annual report shall include, but not be limited to: a general description of significant
17 problems in the areas of efficiencies, internal controls, fraud, waste, and abuse within programs and
18 operations within the jurisdiction of the office; a general description of the recommendations for corrective
19 actions made by the office during the reporting period with respect to significant deficiencies in the areas
20 of efficiencies, internal controls, fraud, waste, and abuse; the identification of each significant
21 recommendation described in previous annual reports on which corrective action has not been completed;
22 a summary of matters referred to prosecuting authorities; a summary of any matters concerning the recovery
23 of monies as a result of an audit finding or civil suit or a referral to another agency for the purposes of such
24 suit; a list of all audit reports completed by the office during the reporting period and a statement of
25 recommendations of amendment to this chapter or the rules regulations or procedures governing the office
26 of internal audit which would improve the effectiveness or the operations of the office.

1 (c) The annual report of the office of internal audit shall be made public on the day of filing.

2 (d) Within twenty (20) calendar days following the date of the issuance of the management
3 response copy of the draft audit report, the head of the department, agency, public body or private entity
4 audited shall respond in writing to each recommendation made in the audit report. This response shall
5 address the department's, agency's, or public body's or private entity's plan of corrective action, the party
6 responsible to implement the corrective action plan, and the anticipated date to complete the implementation
7 of the corrective action; and if applicable, the reasons for disagreement with any recommendation proposed
8 in the audit report and justification of management's acceptance of risk. The office of internal audit may
9 perform follow-up procedures for the purpose of determining whether the department, agency, public body
10 or private entity has implemented, in an efficient and effective manner, its plan of correction action for the
11 recommendations proposed in the audit report or addressed the risk discussed in the audit report.

12 (e) Copies of each audit report, inclusive of management's responses noted in (e) above shall be
13 submitted to the chairpersons of the house finance committee, and the senate finance committee and posted
14 on the office's website.

15 SECTION 11. Section 42-13-2 of the General Laws in Chapter 42-13 entitled "Department of
16 Transportation" is hereby amended to read as follows:

17 **§ 42-13-2. Organization and functions of the department.** – (a) The department shall be
18 organized in accordance with a project management-based program and shall utilize an asset management
19 system.

20 (1) A project management-based program, manages the delivery of the department's portfolio of
21 transportation improvement projects from project conception to the project completion. Project
22 management activities include:

23 (i) Managing and reporting on the delivery status of portfolio projects;

24 (ii) Developing overall workload and budget for the portfolio;

25 (iii) Developing and implementing the tools to estimate the resources necessary to deliver the
26 projects; and

1 (iv) Developing and implementing processes and tools to improve the management of the projects.

2 (2) Asset management is the process used for managing transportation infrastructure by improving
3 decision making for resource allocation. Asset management activities include a systemic process based on
4 economic, engineering and business principles which includes the following functions:

5 (i) Completing a comprehensive inventory of system assets;

6 (ii) Monitoring system performance; and

7 (iii) Performing analysis utilizing accurate data for managing various assets within the
8 transportation network.

9 (b) The director of transportation shall appoint a chief operating officer to oversee the day-to-day
10 operations of the department.

11 (c) The department shall be organized into such divisions as are described in this section and such
12 other divisions, subdivision, and agencies as the director shall find are necessary to carry out the
13 responsibilities of the department, including: ~~office of audit~~; division of finance; division of planning;
14 division of project management; division of operations and maintenance; office of civil rights; office of
15 safety; office of external affairs; office of legal; office of personnel; office of information services.

16 (d) The director may assign such other responsibilities as he or she shall find appropriate and may
17 reassign functions other than as set out in this section if he or she finds the reassignment necessary to the
18 proper and efficient functioning of the department or of the state's transportation system.

19 (e) The department shall submit a report annually no later than March 31 to the speaker of the
20 house, the president of the senate, and the house and senate fiscal advisors concerning the status of the ten
21 (10) year transportation plan.

22 SECTION 12. Section 42-155-7 of the General Laws in Chapter 42-155 entitled "Quasi-Public
23 Corporations Accountability and Transparency Act" is hereby amended to read as follows:

24 **§ 42-155-7. Audit of quasi-public corporations.** – (a) Commencing January 1, 2015, and every
25 five (5) years thereafter, each quasi-public corporation shall be subject to a performance audit, conducted
26 in compliance with the generally acceptable governmental auditing standards or the standards for the

1 professional practice of internal auditing, by the chief of the ~~bureau of audits~~ office of internal audit. The
2 chief, in collaboration with the quasi-public corporation, shall determine the scope of the audit. To assist in
3 the performance of an audit, the chief, in collaboration with the quasi-public corporation, may procure the
4 services of a certified public accounting firm, which shall be a subcontractor of the ~~bureau of audits~~ office
5 of internal audit, and shall be under the direct supervision of the ~~bureau of audits~~ office of internal audit.
6 The chief of the ~~bureau of audits~~ office of internal audit shall establish a rotating schedule identifying the
7 year in which each quasi-public corporation shall be audited. The schedule shall be posted on the website
8 of the ~~bureau of audits~~ office of internal audit.

9 (b) The audit shall be conducted in conformance with chapter 7 of title 35 ("Post Audit of
10 Accounting").

11 (c) Each quasi-public corporation shall be responsible for costs associated with its own audit. The
12 chief and each quasi-public corporation shall agree upon reasonable costs for the audit, not to exceed
13 seventy-five thousand dollars (\$75,000), that shall be remitted to the ~~bureau of audits~~ office of internal
14 audit.

15 (d) The results of the audit shall be made public upon completion and posted on the websites of the
16 ~~bureau of audits~~ office of internal audit and the quasi-public corporation.

17 (e) For purposes of this section, a performance audit shall mean an independent examination of a
18 program, function, operation, or the management systems and procedures of a governmental or nonprofit
19 entity to assess whether the entity is achieving economy, efficiency, and effectiveness in the employment
20 of an available resources.

21 SECTION 13. Section 42-12-1.4 of the General Laws in Chapter 42-12 entitled "Department of
22 Human Services" is hereby repealed:

23 ~~§ 42-12-1.4. Transfer of functions from the department of health. There is hereby~~
24 ~~transferred from the department of health to the department of human services the administration and~~
25 ~~management of the special supplemental nutrition program for women, infants, and children (WIC) and all~~
26 ~~functions and resources associated therewith.~~

SECTION 14. Section 42-18-5 of the General Laws in Chapter 42-18 entitled "Department of Health" is thereby amended to read as follows:

§ 42-18-5. Transfer of powers and functions from department of health. – (a) There are hereby transferred to the department of administration:

(1) Those functions of the department of health which were administered through or with respect to departmental programs in the performance of strategic planning as defined in § 42-11-10(c);

(2) All officers, employees, agencies, advisory councils, committees, commissions, and task forces of the department of health who were performing strategic planning functions as defined in § 42-11-10(c); and

(3) So much of other functions or parts of functions and employees and resources, physical and funded, related thereto of the director of health as are incidental to and necessary for the performance of the functions transferred by subdivisions (1) and (2).

~~(b) There is hereby transferred to the department of human services the administration and management of the special supplemental nutrition program for women, infants, and children (WIC) and all functions and resources associated therewith.~~

~~(e)(b)~~ There is hereby transferred to the executive office of health and human services the HIV/AIDS care and treatment programs and all functions and resources associated therewith. The department of health shall retain the HIV surveillance and prevention programs and all functions and resources associated therewith.

SECTION 15. Chapter 42-18 of the General Laws entitled "Department of Health" is hereby amended by adding thereto the following section:

§ 42-18-6. Transfer of functions from the department of human services. -- There is hereby transferred to the department of health those functions and resources formerly administered by the department of human services relating to the administration and management of the special supplemental nutrition program for women, infants, and children (WIC) authorized by section 23-13-17 of the Rhode Island General Laws.

SECTION 16. Sections 30-17.1-1, 30-17.1-2, 30-17.1-3, 30-17.1-4, 30-17.1-5, 30-17.1-6, 30-17.1-7, 30-17.1-9, 30-17.1-10, 30-17.1-11 and 30-17.1-13 of the General Laws in Chapter 30-17.1 entitled "Veterans' Affairs" are hereby amended to read as follows:

§ 30-17.1-1. Appropriations. – The general assembly shall annually appropriate such sums as it may deem necessary for the support of the veterans' home in the town of Bristol, any veterans' cemetery authorized and established by the general assembly, and the assistance of the widows, widowers, and dependent children of deceased veterans, known as the "veterans' assistance fund", for the assistance of worthy dependent veterans, and the dependent worthy families of those veterans who served in the army, navy, marine corps, coast guard, and air force of the United States and were honorably discharged from that service, and for such clerical assistance as may be required in connection with the administration of that program; and the state controller is hereby authorized and directed to draw an order upon the general treasurer for the payment of such sums as may be from time to time required, upon receipt by the state controller of proper vouchers approved by the director of ~~human services~~ veterans' affairs.

§ 30-17.1-2. Powers of ~~division~~ office of veterans' affairs. – The ~~division~~ office of veterans' affairs, ~~in the department of human services~~, in addition to having the control and management of veterans' affairs, shall have custody of all records inquiring into the needs of worthy veterans and the needs of dependent worthy families of those veterans, residing within the State of Rhode Island, and shall also assist such cases as examination proves worthy of assistance, in such sums of money and by such methods as will, in the judgment of that ~~division~~ office, best relieve the needs of worthy applicants for assistance.

§ 30-17.1-3. Oath of officials – Bonds. – All officials appointed under the provisions of this chapter or chapter 24 of this title shall be duly sworn to the faithful performance of their duties. The director of ~~human services~~ veterans' affairs may, in the director's discretion, require of all officials subordinate to the director, bonds for the faithful performance of their duties.

§ 30-17.1-4. Veterans' claims assistance. – Upon request, the director of ~~the department of~~ human services veterans' affairs, or his or her designee, shall, in accordance with the applicable rules and regulations of the department of veterans' affairs of the United States, prepare and present all veterans'

1 pension and compensation claims qualifying under the provisions of § 42-12-5. The ~~department of human~~
2 ~~services office of veterans' affairs~~ shall render this assistance without charge to the claimant for the
3 assistance.

4 **§ 30-17.1-5. Requiring veteran to enter home.** – The director of ~~human services of veterans'~~
5 ~~affairs~~, or his or her designee, may, in his or her discretion, require any veteran who has no dependent
6 parents, wife, or children, and who desires assistance as provided in this chapter, to become a resident of
7 the veterans' home in order to enjoy the benefits of this chapter.

8 **§ 30-17.1-6. Establishment of the office of veterans' affairs; ~~division director.~~** – (a) There is
9 hereby established within the executive branch of government ~~and the department of human services an~~
10 ~~office director of the division~~ of veterans' affairs. The director of the ~~division~~ office of veterans' affairs shall
11 be a person qualified through experience and training and shall be an honorably discharged war veteran of
12 the United States armed forces. The director of the ~~division~~ office of veterans' affairs shall be appointed by
13 and report directly to the director of the department of human services governor, but the office shall reside
14 within the department of human services for administrative purposes. and be in the unclassified service.

15 (b) The director of veterans' affairs shall have all such powers, consistent with law, as are necessary
16 and/or convenient to effectuate the purposes of this chapter and to administer its functions, including, but,
17 not limited to, the power to promulgate and adopt regulations. The director shall have authority to apply
18 for, receive, and administer grants and funds from the federal government and all other public and private
19 entities to accomplish the purposes of the office.

20 **§ 30-17.1-7. Annual report to general assembly.** – The director of ~~human services of veterans'~~
21 ~~affairs~~ shall report annually no later than January 31st of each year to the governor, speaker of the house of
22 representatives, the senate president, house and senate finance committees, setting forth in detail the
23 condition of the veterans' home, any veterans' cemetery, authorized and established by the general
24 assembly, and in general the character of the work of veterans' affairs; and shall render in the report a
25 faithful account of all moneys received and expended by the director of human services and by the ~~division~~

1 office of veterans' services affairs in the execution of the provisions of this chapter and chapter 24 of this
2 title, excepting the names of persons to whom they have furnished assistance which shall be omitted.

3 **§ 30-17.1-9. Definitions.** – When used in this chapter, the following terms shall have the
4 following meanings:

5 (1) "Advisory Committee" means the veterans' services strategic plan advisory committee as
6 established in § 30-17.1-10.

7 (2) "Committee" means the veterans' committee pursuant to the provisions of subdivision 30-
8 17.1-11(c)(8).

9 (3) "State agencies" means state entities responsible for the implementation of services for Rhode
10 Island veterans and their families including:

11 (i) The ~~division~~ office of veterans' affairs;

12 (ii) The division of planning;

13 (iii) The department of human services;

14 (iv) The Rhode Island board of education;

15 (v) The department of behavioral healthcare, developmental disabilities and hospitals;

16 (vi) The department of health;

17 (vii) The division of elderly affairs;

18 (viii) The department of business regulation;

19 (ix) The department of the attorney general;

20 (x) The department of labor and training;

21 (xi) The economic development corporation; and

22 (xii) The office of the secretary of state.

23 (4) "Veterans' Services Strategic Plan ("VSSP")" means the strategic plan as established in § 30-
24 17.1-11.

1 **§ 30-17.1-10. Veterans' services strategic plan advisory committee established.** – (a) There is

2 hereby created a veterans' services strategic plan advisory committee known as "the Rhode Island veterans'
3 services strategic plan advisory committee" consisting of thirteen (13) members as follows:

4 (1) One of whom shall be the director of the ~~division~~ office of veterans' affairs, or his or her
5 designee, who shall serve as ~~co~~-chairperson;

6 (2) One of whom shall be the director of the department of human services, or his or her designee;
7 ~~who shall serve as co-chairperson;~~

8 (3) One of whom shall be the associate director of the division of planning, or his or her designee;

9 (4) One of whom shall be the chair of the Rhode Island board of education, or his or her designee;

10 (5) One of whom shall be the director of the department of behavioral healthcare, developmental
11 disabilities and hospitals, or his or her designee;

12 (6) One of whom shall be the director of department of health, or his or her designee;

13 (7) One of whom shall be the director of the division of elderly affairs, or his or her designee;

14 (8) One of whom shall be the director of the department of business regulation, or his or her
15 designee;

16 (9) One of whom shall be the attorney general, or his or her designee;

17 (10) One of whom shall be the director of the department of labor and training, or his or her
18 designee;

19 (11) One of whom shall be the director of the economic development corporation, or his or her
20 designee;

21 (12) One of whom shall be the secretary of state, or his or her designee;

22 (13) One of whom shall be the adjutant general of the Rhode Island National Guard, or his or her
23 designee.

24 (b) Forthwith upon the passage of this chapter, the members of the advisory committee shall meet
25 at the call of the chairperson and organize. Thereafter, the committee shall meet quarterly and at the call of
26 the chairperson or three (3) members of the advisory committee.

1 (c) All departments and agencies of the state shall furnish such advice and information,
2 documentation, and otherwise to the committee and its agents as is deemed necessary or desirable by the
3 advisory committee to facilitate the purposes of this chapter.

4 (d) The department of human services, ~~division of veterans' affairs~~, is hereby directed to provide
5 suitable quarters and staff for the advisory committee.

6 (e) All departments and agencies of the state shall furnish such advice and information,
7 documentation, and otherwise to the commission and its agents as is deemed necessary or desirable by the
8 advisory committee to facilitate the purposes of this chapter.

9 (f) The members of the advisory committee shall receive no compensation for their services.
10 Members of the committee shall serve for a term of three (3) years and may not succeed themselves more
11 than once after January 1, 2016.

12 **§ 30-17.1-11. The duties of the committee.** — (a) The advisory committee acting through the
13 ~~division~~ office of veterans' affairs, shall work in conjunction with the department of human services to
14 develop, maintain and annually update a five (5) year statewide veterans' services strategic plan ("VSSP"),
15 that includes goals and measurable outcomes to ensure that all departments deliver comprehensive services
16 and supports for veterans and their families.

17 (b) The advisory committee shall conduct an analysis of study toward the development of the
18 "VSSP" that shall include, but not be limited to, the following veterans' issues:

- 19 (1) Access to benefits;
- 20 (2) Employment opportunities;
- 21 (3) Veteran-owned small business growth;
- 22 (4) Educational attainment;
- 23 (5) Job skills training;
- 24 (6) Behavioral health;
- 25 (7) Long-term health care options;
- 26 (8) Criminal justice issues; and

(9) Homelessness.

(c) Establish a veterans' committee comprised of no fewer than five (5) veterans, representing diverse interests and viewpoints, that shall provide input to the advisory committee on all matters pertaining to the preparation or implementation of the veterans' services strategic plan. The committee shall receive administrative support from the departments and the members shall not receive compensation for their service. The committee shall meet at least quarterly and at the call of the co-chairs or four (4) members of the veterans' committee.

(d) The "VSSP" shall:

(1) Be based upon comprehensive data gained through open and transparent engagement of veterans' stakeholders;

(2) Produce veteran-centric policies and procedures informed by forward looking planning;

(3) Realistically assess resource adequacy and capabilities delivered;

(4) Ensure that existing resources are aligned to mission critical objectives;

(5) Compliment, as well as leverage, existing US Veterans' Administration programs and best practices;

(6) Foster state, federal and private partnerships that seamlessly deliver exceptional services to the state's veteran population; and

(7) More effectively coordinate the delivery of veterans' services to all current and future veterans in Rhode Island.

§ 30-17.1-13. Veterans' "pocket guide" and online resource application. – Contingent upon funding:

(1) The ~~division~~ director of the office of veterans' affairs shall produce and annually update a comprehensive "Pocket Guide Of Veterans' Services." This document shall be concise yet thorough compendium of the benefits and services available to veterans in Rhode Island.

(2) Additionally, the ~~division~~ director of veterans' affairs shall develop and maintain a veterans' online resource application of this information.

(3) The ~~division~~ director of veterans' affairs is hereby authorized to accept grants and donations for this project.

SECTION 17. Section 30-24-5 of the General Laws in Chapter 30-24 entitled "Rhode Island Veterans' Home" is hereby amended to read as follows:

§ 30-24-5. Functions of advisory council. – The advisory council for veterans' affairs shall exercise and perform all the duties and functions formerly exercised and performed by the advisory council for the Rhode Island veterans' home. The advisory council for the Rhode Island veterans' home is hereby abolished. The advisory council for veterans' affairs shall make suggestions to and shall advise the director of ~~human services~~ the office of veterans' affairs and the administrator of the veterans' home concerning the policies, rules, and the regulations of the Rhode Island veterans' home; provided, however, that the advisory council shall have no administrative power.

SECTION 18. Section 42-129-2 of the General Laws in Chapter 42-129 entitled "Persian Gulf War Information Relief Commission" is hereby amended to read as follows:

§ 42-129-2. Commission established. – (a) There is established a Legislative Advisory Persian Gulf War information and relief commission which shall obtain information relating to the health effects of exposure to any Gulf War-related risk substance for veterans of this state who may have been exposed to any such substance in the Persian Gulf region or Southwest Asia during their period of military service in the 1990-1991 Persian Gulf War or current Persian Gulf hostilities or hostilities anywhere in Southwest Asia subsequent to September 11, 2001.

(b) The commission consists of eleven (11) members who shall serve for a term of five (5) years, five (5) non-appointed commissioner positions shall include:

- (i) The ~~associate director of the division~~ of veteran's affairs or his or her designee;
- (ii) The president of the united veteran's council, or his or her designee;
- (iii) The chairperson of the Multi Service council of Rhode Island or his or her designee;
- (iv) The past ~~associate director of the division~~ of veteran's affairs or his or her designee; and
- (v) The chairperson of the advisory council to veteran's affairs, or his or her designee.

1 The remaining four (4) members are appointed as follows:

2 The president of the senate shall appoint two (2) members, one of whom shall be a licensed
3 physician in epidemiology, and one of whom shall be a veteran who served in South West Asia subsequent
4 to September 11, 2001; the speaker of the house of representatives shall appoint two (2) members, one of
5 whom shall be an honorably discharged veteran from the Persian Gulf War; and the minority leaders of the
6 senate and the house of representatives shall each appoint one member, one who shall be an honorably
7 discharged veteran, and one who served in the Persian Gulf during the 1990-1991 Persian Gulf War. The
8 ~~associate-director of the division~~ office of veterans' affairs, the president of the united veterans' council and
9 the chairperson of the advisory council shall be appointed for a term to expire August 31, 2010. The
10 members appointed by the president of the senate and the speaker of the house shall be appointed for a term
11 to expire August 31, 2009; the members appointed by the minority leaders of the house of representatives
12 and senate shall be appointed for a term to expire August 31, 2008. Thereafter the commissioners shall
13 serve staggered five (5) year terms, each member serving until his or her successor shall be appointed.

14 (c) The commission shall elect a chairperson from among its members. Reappointments shall be
15 made in the same manner as the original appointment. Vacancies in the membership of the commission and
16 its officers shall be filled for the unexpired term in the same manner as the original appointment or election.
17 The commission shall meet at least four (4) times a year at the call of the chairperson. The initial meeting
18 of the commission shall be called by the director of the department of human services not later than
19 September 1, 2006. The members of the commission shall receive no compensation for their services.

20 Section 19. Chapter 42-51 of the General Laws entitled "Governor's Commission on
21 Disabilities" is hereby amended by adding thereto the following section:

22 **42-51-12. Designated State Entity** – The governor's commission on disabilities shall be the
23 designated state entity (DSE), pursuant to section 705(e) of the Workforce Innovation and Opportunity
24 Act (29 U.S.C. 796c). As the DSE, the commission shall apply for and:

1 (1) Receive, account for, and disburse funds received by the State under Part B based on the
2 state independent living plan (SILP);

3 (2) Provide administrative support services for a program under Part B;

4 (3) Keep such records and afford such access to such records as the Administrator finds to be
5 necessary with respect to the programs;

6 (4) Submit such additional information or provide such assurances as the Administrator may
7 require with respect to the programs; and

8 (5) Retain not more than five percent (5%) of the funds received by the State for any fiscal year
9 under Part B, for the performance of the services outlined in paragraphs (a)(1) through (4) of this
10 section. For purposes of these regulations, the five percent (5%) cap on funds for administrative
11 expenses applies only to the Part B funds allocated to the State and to the State's required ten percent
12 (10%) Part B match. It does not apply to other program income funds, including, but not limited to,
13 payments provided to the State from the Social Security Administration for assisting Social Security
14 beneficiaries and recipients to achieve employment outcomes, any other federal funds, or to other funds
15 allocated by the State for IL purposes.

16 (b) The DSE shall carry out its other responsibilities under the Act, including, but not limited
17 to, arranging for the delivery of IL services under Part B of the Act, and for the necessary and sufficient
18 resources needed by the statewide independent living council (SILC) to fulfill its statutory duties and
19 authorities, as authorized in the approved State Plan.

20 (c) Fiscal and accounting requirements: The DSE shall adopt fiscal control and fund accounting
21 procedures as may be necessary to ensure the proper disbursement of and accounting for federal funds
22 provided to centers for independent Living (CILs), SILCs, and/or other service providers under the
23 independent living services (ILS) program. The DSE must comply with all applicable federal and state
24 laws and regulations, including those in 45 CFR parts 75.

(d) The SILC shall not be established as an entity within a State agency, including the DSE.

The SILC shall be independent of and autonomous from the DSE and all other State agencies.

SECTION 20. "Upon the designation of the governor's commission on disabilities as the designated state entity, pursuant to section 705(e) of the Workforce Innovation and Opportunity Act (29 U.S.C. 796c), the governor is hereby authorized to transfer or reallocate the appropriations and any other property of the designated state unit. Any proceedings or other business or matters, undertaken or commenced prior to the effective date of this act by the designated state unit and pending on the effective date of this act, may be conducted and completed by the governor's commission on disabilities.

SECTION 21. Section 19 shall take effect on October 1, 2016. The remainder of this article shall take effect upon passage.