

ARTICLE 4 AS AMENDED

RELATING TO GOVERNMENT ORGANIZATION

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:

28-5.1-2. State equal opportunity office. -- (a) There shall be a state equal opportunity office. This office, under the direct administrative supervision of the ~~director of administration/human resources,~~ office of diversity, equity and opportunity, shall report to the governor and to the general assembly on state equal opportunity programs. The state equal opportunity office shall be responsible for assuring compliance with the requirements of all federal agencies for equal opportunity and shall provide training and technical assistance as may be requested by any company doing business in Rhode Island and all state departments as is necessary to comply with the intent of this chapter.

(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.

28-5.1-3.1. Appointments to state boards, commissions, public authorities, and quasi-public corporation. -- (a) The general assembly finds that, as a matter of public policy, the effectiveness of each appointed state board, commission, and the governing body of each public authority and quasi-public corporation is enhanced when it reflects the diversity, including the racial and gender composition, of Rhode Island's population. Consequently, each person responsible for appointing one or more individuals to serve on any board or commission or to the governing body of any public authority or board shall endeavor to assure that, to the fullest extent possible, the composition of the board, commission, or governing body reflects the diversity of Rhode Island's population.

(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.

(c) Of the candidates considered for appointment by the governor and the general

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

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

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

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

22 (2) The office of personnel administration shall:

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

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

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

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

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

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

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

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

12 **42-11-2.7. Office of diversity, equity and opportunity established.** -- (a) The office of
13 diversity, equity and opportunity (ODEO) shall be established as a division within the department
14 of administration. The purpose of the office shall be to ensure non-discrimination, diversity,
15 equity, and equal opportunity in all aspects of state government, including, but not limited to,
16 employment, procurement, policy and practices relative to state programs, services, and activities.

17 (b) The head of this division shall be known as the associate director of ODEO who shall
18 be appointed by the director of administration, in the classified service of the state, and shall be
19 responsible to and report to the director. The associate director of ODEO shall oversee the ODEO
20 in all aspects, including, but not limited to, coordination of the provisions of chapter 37-14.1
21 (minority business enterprise) and chapter 28-5.1 (equal opportunity and affirmative action)
22 wherein the ODEO shall have direct administrative supervision of the state's equal opportunity
23 office.

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

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

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

32 (3) Support the growth and development of the state's minority business enterprise
33 program by engaging in concerted outreach programs to build relationships, maintaining effective
34 programs to promote minority business enterprise utilization and facilitating minority business

1 enterprise in State procurement activities;

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

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

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

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

13 **29-3.1-1. Office of library and information services.** -- Within the department of
14 administration, division of enterprise technology strategy and services, there shall be an office of
15 library and information services under the direction of a chief of library services who shall be
16 appointed by the director of administration and supervised by the chief digital information officer.
17 The office is hereby empowered to cooperate with the institute of museum and library services of
18 the United States of America in the carrying out of the purposes of any and all acts of congress
19 for the benefit of library and information services within this state. The office is hereby
20 designated as the agency for the administration of any plan or plans heretofore or hereafter
21 formulated in conformity with any act or acts of congress and is authorized to administer any
22 such plan or plans and to enter into such agreements with the institute of museum and library
23 services of the United States of America as may be from time to time required under this chapter
24 or any acts or act of congress, and from time to time amend any plan or plans, except any plan, or
25 plans, or agreements, formulated or entered into or to be administered by the board of regents,
26 board of governors, or the secretary of state.

27 **29-3.1-7. Duties of chief of library services.** -- The chief of library services officer shall
28 be the executive and administrative officer in charge of the office of library and information
29 services. The chief of library services shall be in a classified position of service, shall be
30 appointed by the director of administration and shall report to the chief digital officer. ~~The~~
31 ~~position of chief information officer shall be in the unclassified service of the state.~~ The chief of
32 library services shall serve as the chief executive officer of the library board. The chief of library
33 services shall also carry out the duties required by this chapter and by chapters 5 and 6 of this
34 title. In addition to the general supervision of the office of library and information services and

1 the appointment of the several officers and employees of the office, it shall be the duty of the
2 chief of library services:

3 (1) To develop a systematic program of information gathering, processing, and analysis
4 addressed to every aspect of public library development and interlibrary cooperation and resource
5 sharing in this state, especially as that information relates to current and future library and
6 information service needs, so that current needs may be met with reasonable promptness and
7 plans formulated to meet future needs as they arise in the most efficient and economical manner
8 possible;

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

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

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

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

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

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

24 (8) To supervise the following functions:

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

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

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

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

33 (v) To interpret library law;

34 (vi) To give assistance, advice, and counsel to public libraries and to participants in

1 interlibrary cooperation and resource sharing activities;

2 (vii) To require that information and statistics necessary to do the work of the office of
3 library and information services be collected, to publish findings and reports thereon;

4 (viii) To provide eligible persons who are impaired, blind, reading impaired and/or
5 physically impaired with library services through the talking books plus, in cooperation with the
6 library of congress national library service for the blind and physically handicapped;

7 (ix) To cooperate with the commissioner of elementary and secondary education in
8 supporting and encouraging effective school library media services and their integration into
9 statewide library networking activities;

10 (x) To cooperate with the state librarian and the state law librarian in strengthening
11 services to library users;

12 (xi) To cooperate with the commissioner of higher education in supporting and
13 encouraging effective library services through the state system of higher education; and

14 (xii) To coordinate with all other state departments and agencies in the provision of
15 library services to state government and to the public.

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

18 **42-11-2.6. Office of Digital Excellence established.** -- (a) Within the department,
19 division of enterprise technology strategy and services, there shall be established the Office of
20 Digital Excellence. The purposes of the office shall be to move ~~RI~~ Rhode Island state government
21 into the 21st century through the incorporation of innovation and modern digital capabilities
22 throughout state government and to leverage technology to expand and improve the quality of
23 services provided to ~~RI~~ Rhode Island citizens, to promote greater access to government and the
24 internet throughout cities and towns, and to position Rhode Island as a national leader in e-
25 government.

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

29 (1) Manage the implementation of all new and mission critical technology infrastructure
30 projects and upgrades for state agencies. The division of ~~information technology~~ enterprise
31 technology strategy and services established pursuant to ~~executive order 04-06~~ § 42-11-2.8 shall
32 continue to manage and support all day-to-day operations of the state's technology infrastructure,
33 telecommunications, and associated applications;

34 (2) Increase the number of government services that can be provided online in order to

1 allow residents and businesses to complete transactions in a more efficient and transparent
2 manner;

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

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

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

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

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

15 (f) The chief digital officer shall report no later than January 31, 2013 and every January
16 31 thereafter to the governor, the speaker of the house of representatives and the senate president
17 regarding the implementation status of all technology infrastructure projects, website
18 improvements, number of e-government transactions and revenues generated, projects supported
19 by the information technology investment fund and all other activities undertaken by the office.
20 The annual report shall be posted on the office's website.

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

23 **42-11-2.8. Division of enterprise technology strategy and services established. -- (a)**
24 Established. Within the department there shall be established the division of enterprise
25 technology strategy and service (ETSS), which shall include the office of information technology,
26 the office of digital excellence (ODE), and the office of library and information services (OLIS).
27 Within ETSS, there shall be a chief digital officer in the unclassified service who shall oversee
28 and manage the division and shall be appointed by the director of administration. Any prior
29 reference in statute to the division of information technology shall now mean ETSS. The chief
30 digital officer shall supervise the state's chief information officer, chief technology officer, chief
31 information security officer, the directors of information technology and all associated
32 employees. The chief digital officer may promulgate rules and regulations in order to effectuate
33 the purposes and requirements of this act.

34 (b) Purposes; duties. The purposes of ETSS shall be to align existing and future

1 technology platforms, along with technical expertise across the agencies of the executive branch.
2 ETSS shall be responsible for managing and consolidating the strategy and budgets of the
3 division, including the office of information technology, the office of library and information
4 services and the office of digital excellence, and the information technology investment fund. The
5 focus of ETSS will be to lead the strategic technology decisions and efforts across all of the
6 executive branch state agencies, identify opportunities to implement technology solutions across
7 state agencies to prevent duplication of systems and effort, as well as effectively support these
8 solutions in an efficient manner. ETSS shall have the following duties:

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

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

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

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

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

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

29 SECTION 6. Chapter 42-11 of the General Laws entitled "Department of
30 Administration" is hereby amended by adding thereto the following section:

31 **42-11-2.9. Division of capital asset management and maintenance established. -- (a)**
32 **Establishment. Within the department of administration there shall be established the division of**
33 **capital asset management and maintenance ("DCAMM"). Any prior references to the division of**
34 **facilities management and/or capital projects, if any, shall now mean DCAMM. Within the**

1 DCAMM there shall be a director of DCAMM who shall be in the classified service and shall
2 appointed by the director of administration. The director of DCAMM shall have the following
3 responsibilities:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 duties:
2 (i) Space management, procurement, usage and/or leasing of private or public space;
3 (ii) Care, maintenance, cleaning and contracting for such services as necessary for state
4 property;
5 (iii) Capital equipment replacement;
6 (iv) Security of state property and facilities unless otherwise provided by law;
7 (v) Ensuring Americans with Disabilities Act (ADA) compliance;
8 (vi) Responding to facilities emergencies;
9 (vii) Managing traffic flow on state property;
10 (viii) Grounds keeping/landscaping/snow removal services;
11 (ix) Maintenance and protection of artwork and historic artifacts
12 (4) To manage and oversee state fleet operations
13 (d) All state agencies shall participate in a statewide database and/or information system
14 for capital assets, which shall be established and maintained by DCAMM.
15 (e) Offices and boards assigned to DCAMM. DCAMM shall oversee the following
16 boards, offices and functions:
17 (1) Office of planning, design, and construction (PDC);
18 (2) Office of facilities management and maintenance (OFMM);
19 (3) Contractors' registration and licensing board (§ 5-35-1 et seq.);
20 (4) State building code (§ 23-27.3-1 et seq.)
21 (5) Office of risk management (§ 37-11-1 et seq.)
22 (6) Fire safety code board of appeal and review (§ 23-28.3-1 et seq.)
23 (7) Office of state fleet operations (§ 42-11-2.4(d))
24 (f) The boards, offices and functions assigned to DCAMM shall:
25 (1) Exercise their respective powers and duties in accordance with their statutory
26 authority and the general policy established by the director of DCAMM or in accordance with the
27 powers and authorities conferred upon the director of DCAMM by this section;
28 (2) Provide such assistance or resources as may be requested or required by the director
29 of DCAMM or the director of administration;
30 (3) Provide such records and information as may be requested or required by the director
31 of DCAMM or the director of administration; and,
32 (4) Except as provided herein, no provision of this chapter or application thereof shall be
33 construed to limit or otherwise restrict the offices stated above from fulfilling any statutory
34 requirement or complying with any valid rule or regulation.

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

3 **35-1.1-2. Establishment of the office of management and budget.** -- There is hereby
4 established within the department of administration an office of management and budget. This
5 office shall serve as the principal agency of the executive branch of state government for
6 managing budgetary functions, performance management, [internal audit](#) and federal grants
7 management. In this capacity, the office shall:

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

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

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

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

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

19 ~~(6) Upon the written request of the governor, the director of the department of~~
20 ~~administration, or the director of the office of management and budget, the office shall conduct~~
21 ~~audits, provide management advisory and consulting services, or conduct investigations relative~~
22 ~~to the financial affairs or the efficiency of management, or both, of any state department or~~
23 ~~agency. The office may from time to time make such investigations and additional reports to the~~
24 ~~governor, the director of the department of administration or the director of the office of~~
25 ~~management and budget shall deem necessary or advisable. [Be responsible for the internal audit](#)~~
26 ~~[function of state government and conduct audits of any state department, state agency, or private](#)~~
27 ~~[entity that is a recipient of state funding or state grants; provide management advisory and](#)~~
28 ~~[consulting services; or conduct investigations relative to the financial affairs or the efficiency of](#)~~
29 ~~[management, or both, of any state department or agency.](#)~~

30 **35-1.1-4. Offices and functions assigned to the office of management and budget --**
31 **Powers and duties.** -- (a) The offices assigned to the office of management and budget include
32 the budget office, the performance management office, [office of internal audit](#) and the federal
33 grants management office.

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

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

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

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

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

14 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
15 Laws in Chapter 35-7 entitled "Post Audit of Accounts" are hereby repealed.

16 ~~35-7-1. Bureau of audits. -- The director of administration shall create a bureau of audits
17 which shall conduct all audits required by any department.~~

18 ~~35-7-3. Audits performed by the bureau of audits. -- (a) The bureau of audits is
19 authorized to conduct audits of any state department, state agency, or private entity that is a
20 recipient of state funding or state grants. As deemed necessary or expedient by the bureau of
21 audits, audits may be made relative to the financial affairs or the economy and efficiency of
22 management of each department and agency. The bureau of audits shall determine which such
23 audits shall be performed in accordance with a risk based evaluation. Unless there is an issue of
24 misappropriation, the provisions of this section shall not apply to non-profit organizations.~~

25 ~~(b) Within twenty (20) days following the date of the issuance of the final audit report,
26 the head of the department, agency or private entity audited shall respond in writing to each
27 recommendation made in the final audit report. This response shall address the department's,
28 agency's or private entity's plan of implementation for each specific audit recommendation and, if
29 applicable, the reasons for disagreement with any recommendation proposed in the audit report.
30 Within one year following the date on which the audit report was issued, the bureau of audits may
31 perform a follow up audit for the purpose of determining whether the department, agency or
32 private entity has implemented, in an efficient and effective manner, its plan of action for the
33 recommendations proposed in the audit report.~~

34 ~~(c) The bureau of audits shall maintain a full record of each audit. In the event that~~

1 ~~information gathered as a result of an audit indicates that criminal activity may have occurred, the~~
2 ~~chief of the bureau of audits may provide such information to a state or federal law enforcement~~
3 ~~agency. For any such information that is otherwise exempt from public disclosure under the~~
4 ~~provisions of Rhode Island general law § 38-2-1 et seq., the provision of such information to a~~
5 ~~law enforcement agency shall not therefore require that this information be further disclosed.~~

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

9 ~~**35-7-3.1. Cost of forensic examinations.** When it is determined by the bureau of~~
10 ~~audits that an audit is necessary because there is sufficient evidence to believe that there may~~
11 ~~have been fiscal impropriety, wrongdoing or fiscal mismanagement by any employee, board~~
12 ~~member, or commissioner of any state agency or authority as defined in § 42-35-1, the bureau of~~
13 ~~audits may conduct a forensic examination of such entity. All costs associated with the forensic~~
14 ~~examination shall be paid, as deemed appropriate, either by the examined entity or by an~~
15 ~~appropriation proposed by the governor and enacted by the general assembly. Such costs shall~~
16 ~~include, but not be limited to, the following expenses:~~

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

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

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

22 ~~(4) All reasonable technology costs related to the forensic examination process.~~
23 ~~Technology costs shall include the actual cost of software and hardware utilized in the~~
24 ~~examination process and the cost of training examination personnel in the proper use of the~~
25 ~~software hardware.~~

26 ~~**35-7-5. Investigations or management advisory and consulting services upon request**~~
27 ~~**of governor or general assembly.** The bureau of audits shall, upon the written request of the~~
28 ~~governor, the director of the department of administration, or of either branch of the general~~
29 ~~assembly, conduct audits, provide management advisory and consulting services, or conduct~~
30 ~~investigations relative to the financial affairs or the economy and efficiency of management, or~~
31 ~~both, of any state department or agency. The bureau of audits may from time to time make such~~
32 ~~investigations and additional reports to the governor, the director of the department of~~
33 ~~administration, and the general assembly as the chief of the bureau shall deem necessary or~~
34 ~~advisable.~~

1 ~~**35-7-5.1. Management advisory and consulting services provided to state agencies**~~
2 ~~**and departments.**~~ -- When requested in writing by the head of a state department or agency to
3 the director of administration, the bureau of audits may provide management advisory or
4 consulting services to the department or agency. Any such request must include the scope of
5 services requested and a schedule for the work to be performed.

6 ~~**35-7-7. Persons authorized to conduct audits—Reports of irregularities.**~~ Any
7 qualified person duly authorized by the director of administration to act as auditor may examine
8 the books, papers, and documents of any department, or of the clerk of any court or office of the
9 state having control of funds, and if the audit discloses any irregularities or improper handling of
10 records or funds, the auditor shall report the same to the director, who shall report to the governor
11 with his or her recommendations.

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

14 **35-7-15. Audit of information security systems.** -- (a) The general assembly recognizes
15 that the security of government computer systems is essential to ensuring the stability and
16 integrity of vital information gathered and stored by the government for the benefit of the
17 citizenry and the breach of security over computer systems presents a risk to the health, safety,
18 and welfare of the public. It is the intent of the legislature to ensure that government computer
19 systems and information residing on these systems are protected from unauthorized access,
20 compromise, sabotage, hacking, viruses, destruction, illegal use, cyber-attack, or any other act
21 that might jeopardize or harm the computer systems and the information stored on them.

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

31 (c) The ~~bureau of audit's~~ office of internal audit's findings shall be deemed public records
32 and available for public inspection; provided, however, in the event the review indicates a
33 computer system is vulnerable, or security over the system is otherwise deficient, reasonably
34 segregable portions of the findings shall be subject to public inspection after the redaction of any

1 information the disclosure of which would endanger the security of the system or reveal the
2 specific nature of the vulnerabilities found. Notwithstanding any other provision of law to the
3 contrary, the work papers developed in connection with the review of computer systems and the
4 security over those systems authorized by this section shall not be deemed public records and are
5 not subject to disclosure.

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

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

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

14 CHAPTER 7.1
15 THE OFFICE OF INTERNAL AUDIT

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

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

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

34 (d) Purposes and scope. The office of internal audit is authorized to conduct audits of any

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

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

18 **35-7.1-2. Duties. --** (a) The chief of internal audit shall supervise, coordinate and/or
19 conduct audits, civil and administrative investigations, and inspections or oversight reviews,
20 when necessary, relating to expenditure of state or federal funds or to any and all state programs
21 and operations as well as the procurement of any supplies, services, or construction, by public
22 bodies. In the course of an audit or investigation, the office of internal audit shall review statutes
23 and regulations of the public body and shall determine if such a public body is in compliance and
24 shall make recommendations concerning the efficiency of operations, and the effect of such
25 statutes or regulations on internal controls and the prevention and detection of fraud, waste and
26 abuse. The chief of internal audit may recommend policies or procedures that may strengthen
27 internal controls, or assist in the prevention or detection of fraud, waste and abuse or
28 mismanagement.

29 (b) The person or persons with legal authority for any public body may request the
30 assistance of the office of internal audit. Any such request must include the scope of services
31 requested and the work to be performed. In such events the chief, with the approval of the
32 director of management and budget, may assign personnel to conduct, supervise or coordinate
33 such activity as deemed necessary and appropriate to perform his/her duties in a diligent and
34 prudent manner. The expenses for any such assistance requested by the public body shall be

1 reimbursed by the public body to the office of internal audit. The chief may recommend policies
2 for the conduct, supervision or coordination of relationship, between state and other state, local
3 governmental agencies as well as federal governmental agencies and nongovernmental entities
4 with respect to all matters relating to the prevention and detection of fraud, waste, abuse or
5 mismanagement in or relating to any and all programs and activities of the state of Rhode Island.

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

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

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

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

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

22 **35-7.1-3. Investigations or management advisory and consulting services upon**
23 **request of governor or general assembly. --** The office of internal audit may, upon the written
24 request of the governor or of the general assembly conduct audits, provide management advisory
25 and consulting services, or conduct investigations relative to the financial affairs or the economy
26 and efficiency of management, or both, of any public bodies as defined in §35-7.1-1(e). The
27 office of internal audit may from time to time make such investigations and additional reports to
28 the governor, the director of the department of administration, the director of the office of
29 management and budget and the general assembly as deem necessary or advisable.

30 **35-7.1-4. Management advisory and consulting services provided to public bodies. --**
31 When requested in writing by a public body to the chief, the office of internal audit may provide
32 management advisory or consulting services to the public body. Any such request must include
33 the scope of services requested and a schedule for the work to be performed.

34 **35-7.1-5. Persons authorized to conduct audits – Reports of irregularities. --** Any

1 qualified person duly authorized by the director of management and budget to act as auditor may
2 examine the books, papers, and documents of any public body having control of state or federal
3 funds, and if the audit discloses any irregularities or improper handling of records or funds, the
4 auditor shall report the same to the chief who shall in turn report such findings and
5 recommendations to the director of management and budget, who shall further report to the
6 director of administration.

7 **35-7.1-6. Inspection of records and papers – Investigations.** -- (a) The chief, in
8 carrying out the duties outlined in this chapter, shall have access to all records, reports, audits,
9 reviews, papers, books, documents, recommendations, correspondence, including information
10 relative to the purchase of goods or services or anticipated purchase of goods or services from any
11 agent, contractor or vendor by any public body as defined in §35-7.1-1(e), and any other data and
12 material that is maintained by or available to any public body regardless of the media in which it
13 is maintained which is in any way related to the programs and operations with respect to public
14 bodies.

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

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

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

32 **35-7.1-7. Complaint – Investigation.** -- (a) The chief shall accept and may investigate or
33 audit complaints or information from any identified individual concerning the possible existence
34 of any activity constituting fraud, waste, abuse or mismanagement relating to programs and

1 operations of public bodies.

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

7 (c) Employees are protected under the chapter 50 of title 28 "Rhode Island
8 Whistleblowers Protection Act."

9 **35-7.1-8. Reports to the state police.** -- In carrying out his/her duties and
10 responsibilities, the chief shall report to the Rhode Island state police, whenever the chief has
11 reasonable grounds to believe there has been a violation of federal or state criminal law. The chief
12 shall also refer findings to the state ethics commission, or to any other federal, state or local
13 agency, with an interest in said findings in the discretion of the chief. Any referrals made under
14 this section shall not be made public by the office of internal audit.

15 **35-7.1-9. Coordination with other state agencies.** -- The chief may coordinate with
16 other state agencies that are responsible for investigating, auditing, reviewing or evaluating the
17 management of public bodies for the purpose of sharing information and avoiding duplication of
18 effort.

19 **35-7.1-10. Annual and interim reports.** -- (a) The office of internal audit shall prepare
20 an annual report summarizing the activities of the office of internal audit for the prior fiscal year.
21 The office of internal audit may also prepare interim performance reports. These reports shall be
22 presented to the director of management and budget. The annual reports shall be posted on the
23 office's website.

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

1 internal audit which would improve the effectiveness or the operations of the office.

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

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

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

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

20 **42-13-2. Organization and functions of the department.** -- (a) The department shall be

21 organized in accordance with a project management-based program and shall utilize an asset
22 management system.

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

- 26 (i) Managing and reporting on the delivery status of portfolio projects;
- 27 (ii) Developing overall workload and budget for the portfolio;
- 28 (iii) Developing and implementing the tools to estimate the resources necessary to deliver
29 the projects; and

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

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

1 following functions:

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

3 (ii) Monitoring system performance; and

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

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

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

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

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

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

23 **42-155-7. Audit of quasi-public corporations.** -- (a) Commencing January 1, 2015, and
24 every five (5) years thereafter, each quasi-public corporation shall be subject to a performance
25 audit, conducted in compliance with the generally acceptable governmental auditing standards or
26 the standards for the professional practice of internal auditing, by the chief of the ~~bureau of audits~~
27 office of internal audit. The chief, in collaboration with the quasi-public corporation, shall
28 determine the scope of the audit. To assist in the performance of an audit, the chief, in
29 collaboration with the quasi-public corporation, may procure the services of a certified public
30 accounting firm, which shall be a subcontractor of the ~~bureau of audits~~ office of internal audit,
31 and shall be under the direct supervision of the ~~bureau of audits~~ office of internal audit. The chief
32 of the ~~bureau of audits~~ office of internal audit shall establish a rotating schedule identifying the
33 year in which each quasi-public corporation shall be audited. The schedule shall be posted on the
34 website of the ~~bureau of audits~~ office of internal audit.

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

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

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

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

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

15 ~~**42-12-1.4. Transfer of functions from the department of health. -- There is hereby**~~
16 ~~**transferred from the department of health to the department of human services the administration**~~
17 ~~**and management of the special supplemental nutrition program for women, infants, and children**~~
18 ~~**(WIC) and all functions and resources associated therewith.**~~

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

21 ~~**42-18-5. Transfer of powers and functions from department of health. --**~~ (a) There
22 are hereby transferred to the department of administration:

23 (1) Those functions of the department of health which were administered through or with
24 respect to departmental programs in the performance of strategic planning as defined in § 42-11-
25 10(c);

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

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

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

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

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

7 **42-18-6. Transfer of functions from the department of human services.** -- There is
8 hereby transferred to the department of health those functions and resources formerly
9 administered by the department of human services relating to the administration and management
10 of the special supplemental nutrition program for women, infants, and children (WIC) authorized
11 by §23-13-17 of the Rhode Island General Laws.

12 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,
13 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-
14 17.1 entitled "Veterans' Affairs" are hereby amended to read as follows:

15 **30-17.1-1. Appropriations.** -- The general assembly shall annually appropriate such
16 sums as it may deem necessary for the support of the veterans' home in the town of Bristol, any
17 veterans' cemetery authorized and established by the general assembly, and the assistance of the
18 widows, widowers, and dependent children of deceased veterans, known as the "veterans'
19 assistance fund", for the assistance of worthy dependent veterans, and the dependent worthy
20 families of those veterans who served in the army, navy, marine corps, coast guard, and air force
21 of the United States and were honorably discharged from that service, and for such clerical
22 assistance as may be required in connection with the administration of that program; and the state
23 controller is hereby authorized and directed to draw an order upon the general treasurer for the
24 payment of such sums as may be from time to time required, upon receipt by the state controller
25 of proper vouchers approved by the director of ~~human services~~ veterans' affairs.

26 **30-17.1-2. Powers of division office of veterans' affairs.** -- The ~~division~~ office of
27 veterans' affairs, ~~in the department of human services~~, in addition to having the control and
28 management of veterans' affairs, shall have custody of all records inquiring into the needs of
29 worthy veterans and the needs of dependent worthy families of those veterans, residing within the
30 State of Rhode Island, and shall also assist such cases as examination proves worthy of
31 assistance, in such sums of money and by such methods as will, in the judgment of that ~~division~~
32 office, best relieve the needs of worthy applicants for assistance.

33 **30-17.1-3. Oath of officials – Bonds.** -- All officials appointed under the provisions of
34 this chapter or chapter 24 of this title shall be duly sworn to the faithful performance of their

1 duties. The director of ~~human services~~ veterans' affairs may, in the director's discretion, require of
2 all officials subordinate to the director, bonds for the faithful performance of their duties.

3 **30-17.1-4. Veterans' claims assistance.** -- Upon request, the director of ~~the department~~
4 ~~of human services~~ veterans' affairs, or his or her designee, shall, in accordance with the applicable
5 rules and regulations of the department of veterans' affairs of the United States, prepare and
6 present all veterans' pension and compensation claims qualifying under the provisions of § 42-12-
7 5. The ~~department of human services~~ office of veterans' affairs shall render this assistance without
8 charge to the claimant for the assistance.

9 **30-17.1-5. Requiring veteran to enter home.** -- The director of ~~human services~~ of
10 veterans' affairs, or his or her designee, may, in his or her discretion, require any veteran who has
11 no dependent parents, wife, or children, and who desires assistance as provided in this chapter, to
12 become a resident of the veterans' home in order to enjoy the benefits of this chapter.

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

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

27 **30-17.1-7. Annual report to general assembly.** -- The director of ~~human services~~ of
28 veterans' affairs shall report annually no later than January 31st of each year to the governor,
29 speaker of the house of representatives, the senate president, house and senate finance
30 committees, setting forth in detail the condition of the veterans' home, any veterans' cemetery,
31 authorized and established by the general assembly, and in general the character of the work of
32 veterans' affairs; and shall render in the report a faithful account of all moneys received and
33 expended by the director of human services and by the ~~division office~~ of veterans' ~~services~~ affairs
34 in the execution of the provisions of this chapter and chapter 24 of this title, excepting the names

1 of persons to whom they have furnished assistance which shall be omitted.

2 **30-17.1-9. Definitions.** -- When used in this chapter, the following terms shall have the
3 following meanings:

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

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

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

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

11 (ii) The division of planning;

12 (iii) The department of human services;

13 (iv) The Rhode Island board of education;

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

15 (vi) The department of health;

16 (vii) The division of elderly affairs;

17 (viii) The department of business regulation;

18 (ix) The department of the attorney general;

19 (x) The department of labor and training;

20 (xi) The economic development corporation; and

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

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

24 **30-17.1-10. Veterans' services strategic plan advisory committee established.** -- (a)

25 There is hereby created a veterans' services strategic plan advisory committee known as "the
26 Rhode Island veterans' services strategic plan advisory committee" consisting of thirteen (13)
27 members as follows:

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

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

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

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

1 designee;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

31 **30-17.1-11. The duties of the committee.** -- (a) The advisory committee acting through
32 the ~~division~~-office of veterans' affairs, shall work in conjunction with the department of human
33 services to develop, maintain and annually update a five (5) year statewide veterans' services
34 strategic plan ("VSSP"), that includes goals and measurable outcomes to ensure that all

1 departments deliver comprehensive services and supports for veterans and their families.

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

- 4 (1) Access to benefits;
- 5 (2) Employment opportunities;
- 6 (3) Veteran-owned small business growth;
- 7 (4) Educational attainment;
- 8 (5) Job skills training;
- 9 (6) Behavioral health;
- 10 (7) Long-term health care options;
- 11 (8) Criminal justice issues; and
- 12 (9) Homelessness.

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

19 (d) The "VSSP" shall:

- 20 (1) Be based upon comprehensive data gained through open and transparent engagement
21 of veterans' stakeholders;
- 22 (2) Produce veteran-centric policies and procedures informed by forward looking
23 planning;
- 24 (3) Realistically assess resource adequacy and capabilities delivered;
- 25 (4) Ensure that existing resources are aligned to mission critical objectives;
- 26 (5) Compliment, as well as leverage, existing US Veterans' Administration programs and
27 best practices;
- 28 (6) Foster state, federal and private partnerships that seamlessly deliver exceptional
29 services to the state's veteran population; and
- 30 (7) More effectively coordinate the delivery of veterans' services to all current and future
31 veterans in Rhode Island.

32 **30-17.1-13. Veterans' "pocket guide" and online resource application. --** Contingent
33 upon funding:

34 (1) The ~~division~~ [director of the office](#) of veterans' affairs shall produce and annually

1 update a comprehensive "Pocket Guide Of Veterans' Services." This document shall be concise
2 yet thorough compendium of the benefits and services available to veterans in Rhode Island.

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

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

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

9 **30-24-5. Functions of advisory council.** -- The advisory council for veterans' affairs
10 shall exercise and perform all the duties and functions formerly exercised and performed by the
11 advisory council for the Rhode Island veterans' home. The advisory council for the Rhode Island
12 veterans' home is hereby abolished. The advisory council for veterans' affairs shall make
13 suggestions to and shall advise the director of ~~human services~~ [the office of veterans' affairs](#) and
14 the administrator of the veterans' home concerning the policies, rules, and the regulations of the
15 Rhode Island veterans' home; provided, however, that the advisory council shall have no
16 administrative power.

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

19 **42-129-2. Commission established.** -- (a) There is established a Legislative Advisory
20 Persian Gulf War information and relief commission which shall obtain information relating to
21 the health effects of exposure to any Gulf War-related risk substance for veterans of this state
22 who may have been exposed to any such substance in the Persian Gulf region or Southwest Asia
23 during their period of military service in the 1990-1991 Persian Gulf War or current Persian Gulf
24 hostilities or hostilities anywhere in Southwest Asia subsequent to September 11, 2001.

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

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

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

34 The president of the senate shall appoint two (2) members, one of whom shall be a

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

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

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

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

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

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

29 **(3) Keep such records and afford such access to such records as the administrator finds to**
30 **be necessary with respect to the programs;**

31 **(4) Submit such additional information or provide such assurances as the administrator**
32 **may require with respect to the programs; and**

33 **(5) Retain not more than five percent (5%) of the funds received by the state for any**
34 **fiscal year under Part B, for the performance of the services outlined in paragraphs (a)(1) through**

1 (4) of this section. For purposes of these regulations, the five percent (5%) cap on funds for
2 administrative expenses applies only to the Part B funds allocated to the state and to the state's
3 required ten percent (10%) Part B match. It does not apply to other program income funds,
4 including, but not limited to, payments provided to the state from the social security
5 administration for assisting social security beneficiaries and recipients to achieve employment
6 outcomes, any other federal funds, or to other funds allocated by the state for IL purposes.

7 (b) The DSE shall carry out its other responsibilities under the act, including, but not
8 limited to, arranging for the delivery of IL services under Part B of the act, and for the necessary
9 and sufficient resources needed by the statewide independent living council (SILC) to fulfill its
10 statutory duties and authorities, as authorized in the approved state plan.

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

16 (d) The SILC shall not be established as an entity within a state agency, including the
17 DSE. The SILC shall be independent of and autonomous from the DSE and all other state
18 agencies.

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

26 SECTION 21. Section 40.1-1-13 of the General Laws in Chapter 40.1-1 entitled
27 "Department of Behavioral Healthcare, Developmental Disabilities and Hospitals" is hereby
28 amended to read as follows:

29 **40.1-1-13. Powers and duties of the office.** -- Notwithstanding any provision of the
30 Rhode Island general laws to the contrary, the department of ~~mental health, retardation,~~
31 behavioral healthcare, development disabilities and hospitals shall have the following powers
32 and duties:

33 (1) To establish and promulgate the overall plans, policies, objectives, and priorities for
34 state substance abuse education, prevention and treatment; provided, however, that the director

1 shall obtain and consider input from all interested state departments and agencies prior to the
2 promulgation of any such plans or policies;

3 (2) Evaluate and monitor all state grants and contracts to local substance abuse service
4 providers;

5 (3) Develop, provide for, and coordinate the implementation of a comprehensive state
6 plan for substance abuse education, prevention and treatment;

7 (4) Ensure the collection, analysis, and dissemination of information for planning and
8 evaluation of substance abuse services;

9 (5) Provide support, guidance, and technical assistance to individuals, local
10 governments, community service providers, public and private organizations in their substance
11 abuse education, prevention and treatment activities;

12 (6) Confer with all interested department directors to coordinate the administration of
13 state programs and policies that directly affect substance abuse treatment and prevention;

14 (7) Seek and receive funds from the federal government and private sources in order to
15 further the purposes of this chapter;

16 (8) ~~Act~~ To act for all purposes in the capacity of "state substance abuse authority" as ~~that~~
17 ~~term has meaning~~ the sole designated agency with the sole responsibility ~~agency with the sole~~ for
18 ~~coordination~~ planning, coordinating, managing, implementing and reporting on of state substance
19 abuse planning and policy ~~and~~ efforts as it relates to requirements set forth in pertinent federal
20 substance abuse laws and regulations;

21 (9) Propose, review and/or approve, as appropriate, proposals, policies or plans involving
22 insurance and managed care systems for substance abuse services in Rhode Island;

23 (10) To enter into, in compliance with the provisions of title 37, chapter 2, contractual
24 relationships and memoranda of agreement as necessary for the purposes of this chapter;

25 (11) To license facilities and programs for the care and treatment of substance abusers,
26 and for the prevention of substance abuse;

27 (12) To promulgate rules and regulations necessary to carry out the requirements of this
28 chapter;

29 (13) Perform other acts and exercise any other powers necessary or convenient to carry
30 out the intent and purposes of this chapter; and

31 (14) To exercise the authority and responsibilities relating to education, prevention and
32 treatment of substance abuse, as contained in, but not limited to, the following chapters: chapter
33 1.10 of title 23; chapter 10.1 of title 23; chapter 28.2 of title 23; chapter 21.2 of title 16; chapter
34 21.3 of title 16; chapter 50.1 of title 42; chapter 109 of title 42; chapter 69 of title 5 and § 35-4-

1 18.

2 (15) To establish a Medicare Part D restricted receipt account in the Hospitals and
3 Community Rehabilitation Services program to receive and expend Medicare Part D
4 reimbursements from pharmacy benefit providers consistent with the purposes of this chapter.

5 (16) To establish a RICLAS Group Home Operations restricted receipt account in the
6 services for the developmentally disabled program to receive and expend rental income from
7 RICLAS group clients for group home-related expenditures, including food, utilities, community
8 activities, and the maintenance of group homes.

9 (17) To establish a non-Medicaid third-party payor restricted receipt account in the
10 hospitals and community rehabilitation services program to receive and expend reimbursement
11 from non-Medicaid third-party payors to fund hospital patient services that are not Medicaid
12 eligible.

13 [\(18\) To act in conjunction with the executive office of health and human services as the](#)
14 [state's co-designated agency for administering federal aid and for the purpose of the calculation](#)
15 [of expenditures relative to the substance abuse block grant and federal funding maintenance of](#)
16 [effort requirements.](#)

17 SECTION 22. Section 42-7.2-2 of the General Laws in Chapter 42-7.2 entitled "Office of
18 Health and Human Services" is hereby amended to read as follows:

19 **42-7.2-2. Executive office of health and human services.** -- There is hereby established
20 within the executive branch of state government an executive office of health and human services
21 to serve as the principal agency of the executive branch of state government for managing the
22 departments of children, youth and families, health, human services, and behavioral healthcare,
23 developmental disabilities and hospitals. In this capacity, the office shall:

24 (a) Lead the state's four (4) health and human services departments in order to:

25 (1) Improve the economy, efficiency, coordination, and quality of health and human
26 services policy and planning, budgeting and financing.

27 (2) Design strategies and implement best practices that foster service access, consumer
28 safety and positive outcomes.

29 (3) Maximize and leverage funds from all available public and private sources, including
30 federal financial participation, grants and awards.

31 (4) Increase public confidence by conducting independent reviews of health and human
32 services issues in order to promote accountability and coordination across departments.

33 (5) Ensure that state health and human services policies and programs are responsive to
34 changing consumer needs and to the network of community providers that deliver assistive

1 services and supports on their behalf.

2 (6) Administer Rhode Island Medicaid in the capacity of the single state agency
3 authorized under title XIX of the U.S. Social Security act, 42 U.S.C. § 1396a et seq., and exercise
4 such single state agency authority for such other federal and state programs as may be designated
5 by the governor. Except as provided for herein, nothing in this chapter shall be construed as
6 transferring to the secretary the powers, duties or functions conferred upon the departments by
7 Rhode Island general laws for the management and operations of programs or services approved
8 for federal financial participation under the authority of the Medicaid state agency.

9 [\(7\) To act in conjunction with the department of behavioral healthcare, developmental](#)
10 [disabilities and hospitals as the state's co-designated agency for administering federal aid and for](#)
11 [the purpose of the calculation of expenditures relative to the substance abuse block grant and](#)
12 [federal funding maintenance of effort requirements.](#)

13 SECTION 23. Section 36-4-2 of the General Laws in Chapter 36-4 entitled "Merit
14 System" is hereby amended to read as follows:

15 **36-4-2. Positions in unclassified service.** -- (a) The classified service shall comprise all
16 positions in the state service now existing or hereinafter established, except the following specific
17 positions which with other positions heretofore or hereinafter specifically exempted by legislative
18 act shall constitute the unclassified service:

19 (1) Officers and legislators elected by popular vote and persons appointed to fill
20 vacancies in elective offices.

21 (2) Employees of both houses of the general assembly.

22 (3) Officers, secretaries, and employees of the office of the governor, office of the
23 lieutenant governor, department of state, department of the attorney general, and the treasury
24 department.

25 (4) Members of boards and commissions appointed by the governor, members of the
26 state board of elections and the appointees of the board, members of the commission for human
27 rights and the employees of the commission, and directors of departments.

28 (5) The following specific offices:

29 (i) In the department of administration: director, chief information officer~~;~~, [cybersecurity](#)
30 [officer](#), director of office of management and budget, director of performance management,
31 deputy director, chief of staff, public information officer and legislative/policy director~~;~~, and
32 within the health benefits exchange: director, deputy director, administrative assistant, senior
33 policy analyst, and chief strategic planning monitoring and evaluation;

34 (ii) In the department of business regulation: director;

- 1 (iii) In the department of elementary and secondary education: commissioner of
2 elementary and secondary education;
- 3 (iv) In the department of higher education: commissioner of postsecondary education;
- 4 (v) In the department of health: director, executive director, and deputy director;
- 5 (vi) In the department of labor and training: director, administrative assistant,
6 administrator of the labor board and legal counsel to the labor board, executive director and
7 communications director;
- 8 (vii) In the department of environmental management: director;
- 9 (viii) In the department of transportation: director, chief operating officer,
10 administrator/division of project management, administrator/division of planning, chief of staff,
11 communications director, legislative director and policy director;
- 12 (ix) In the department of human services: director and director of veterans' affairs;
- 13 (x) In the state properties committee: secretary;
- 14 (xi) In the workers' compensation court: judges, administrator, deputy administrator,
15 clerk, assistant clerk, clerk secretary;
- 16 (xii) In the division of elderly affairs: director;
- 17 (xiii) In the department of behavioral healthcare, developmental disabilities and
18 hospitals: director;
- 19 (xiv) In the department of corrections: director, assistant director
20 (institutions/operations), assistant director (rehabilitative services), assistant director
21 (administration), and wardens;
- 22 (xv) In the department of children, youth and families: director, one assistant director,
23 one associate director, one executive director, and a chief of staff;
- 24 (xvi) In the public utilities commission: public utilities administrator;
- 25 (xvii) In the water resources board: general manager;
- 26 (xviii) In the human resources investment council: executive director.
- 27 (xix) In the office of health and human services: secretary of health and human services.
- 28 (xx) In the office of commerce: secretary, deputy secretary, chief of staff,
29 communications director, legislative director, and policy director.
- 30 (6) Chief of the hoisting engineers, licensing division, and his or her employees;
31 executive director of the veterans memorial building and his or her clerical employees.
- 32 (7) One confidential stenographic secretary for each director of a department and each
33 board and commission appointed by the governor.
- 34 (8) Special counsel, special prosecutors, regular and special assistants appointed by the

1 attorney general, the public defender and employees of his or her office, and members of the
2 Rhode Island bar occupying a position in the state service as legal counsel to any appointing
3 authority.

4 (9) The academic and/or commercial teaching staffs of all state institution schools, with
5 the exception of those institutions under the jurisdiction of the board of regents for elementary
6 and secondary education and the board of governors for higher education.

7 (10) Members of the military or naval forces, when entering or while engaged in the
8 military or naval service.

9 (11) Judges, referees, receivers, clerks, assistant clerks, and clerical assistants of the
10 supreme, superior, family, and district courts, the traffic tribunal, security officers of the traffic
11 tribunal, jurors and any persons appointed by any court.

12 (12) Election officials and employees.

13 (13) Deputy sheriffs and other employees of the sheriffs division within the department
14 of public safety.

15 (14) Patient or inmate help in state charitable, penal, and correctional institutions and
16 religious instructors of these institutions and student nurses in training, residents in psychiatry in
17 training, and clinical clerks in temporary training at the institute of mental health within the state
18 of Rhode Island medical center.

19 (15) (i) Persons employed to make or conduct a temporary and special inquiry,
20 investigation, project or examination on behalf of the legislature or a committee therefor, or on
21 behalf of any other agency of the state if the inclusion of these persons in the unclassified service
22 is approved by the personnel administrator. The personnel administrator shall notify the house
23 fiscal advisor and the senate fiscal advisor whenever he or she approves the inclusion of a person
24 in the unclassified service.

25 (ii) The duration of the appointment of a person, other than the persons enumerated in
26 this section, shall not exceed ninety (90) days or until presented to the department of
27 administration. The department of administration may extend the appointment another ninety (90)
28 days. In no event shall the appointment extend beyond one hundred eighty (180) days.

29 (16) Members of the division of state police within the department of public safety.

30 (17) Executive secretary of the Blackstone Valley district commission.

31 (18) Artist and curator of state owned art objects.

32 (19) Mental health advocate.

33 (20) Child advocate.

34 (21) The position of aquaculture coordinator and marine infrastructure specialist within

1 the coastal resources management council.

2 (22) Employees of the office of the health insurance commissioner.

3 (23) In the department of revenue: the director, secretary, attorney.

4 (24) In the department of public safety: the director.

5 (b) Provided however that, if any position added to the unclassified service by legislative
6 act after January 1, 2015, is occupied by a classified employee on June 30, 2015, such position
7 shall remain in the classified service until such position becomes vacant.

8 SECTION 24. Section 19 shall take effect on October 1, 2016. The remainder of this
9 article shall take effect upon passage.

10