



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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

Memorandum

To: The Honorable Steven M. Costantino
Chairman, House Finance Committee

The Honorable Daniel DaPonte
Chairman, Senate Finance Committee

From: Rosemary Booth Gallogly *R. B. Gallogly*
Executive Director/State Budget Officer

Date: March 24, 2009

Subject: Amendments to FY 2009 Supplemental Appropriations
Act (09-H-5019)

The Governor requests that additional amendments be made to the FY 2009 Supplemental Appropriations Act, which was submitted to the General Assembly on January 7, 2009. The amendments include minor technical revisions to the appropriation amounts contained in Article 1. Also included are revisions to Article 4 (Relating to Retiree Health Care Trust Fund) and Article 32 (Relating to Pension Reform). This is the second revision requested to Article 32. We also request that two new articles be appended to the Supplemental Appropriations Act, including an article entitled "Relating to Municipal Furlough Days" and an article entitled "Relating to Employment Security Contributions". The amendments requested are described below. The attachments provided also include a list of natural account code changes required in FY 2009, consistent with the amendments to the appropriation amounts.

If you have any questions regarding these amendments, please feel free to call me or my staff at 222-6300.

ARTICLE 1, RELATING TO MAKING REVISED APPROPRIATIONS IN SUPPORT OF FY 2009

SECTION 1, REVISED APPROPRIATIONS IN SUPPORT OF FY 2009

Department of Administration

Decrease Federal Funds – Stimulus in the Planning Program, page 5, insert after Line 30 (line inserted in March 9th amendments), by \$270,594: This is the portion of the Homelessness Prevention Fund from ARRA funds that the Housing Resources Commission expected to expend in FY 2009. Due to the recent timelines developed by HUD, the grant money will not be available until FY 2010. The amount will be added to the FY 2010 budget.

Increase State Employees/Teachers Retiree Health Subsidy in the General Program, page 6, line 21 by \$764,998: This increase is required based on the latest analysis by the State Controller's Office on the status of the retiree health fund and its projected balance as of June 30, 2009. Based on estimated collections and estimated expenses through year-end, the Controller's Office projects a deficit of approximately \$765,000, in addition to the \$1.1 million requested in the initial supplemental budget.

Decrease General Revenues in the Debt Service Payments Program, page 7, line 29 by \$1,724,864: This reduction is attributable to the recent refunding of Convention Center Authority bonds. Due to a revised debt service schedule, the amount available to cover operational costs can be covered partially with the originally enacted appropriations. Therefore, the supplemental amount is only \$1,275,136 rather than the \$3 million amount requested earlier.

Department of Revenue

Increase Federal Funds in the Registry of Motor Vehicles Program, page 11, line 18 in the amount of \$5,973: This increase reflects corrected spending on a 1999 Prism Grant. These funds will be expended in FY 2009.

Department of Health

Increase Federal Funds in the Community and Family Health and Equity Program, page 16, line 11 by \$43,076: This increase adjusts the federal ceiling for renewed federal grant funding from the Health Resources and Services Administration of the US Department of Health and Human Services for the Universal Newborn Hearing Screening program, which seeks to prevent the loss of follow-up visits with infants who have not passed the physiologic newborn hearing screening examination.

Department of Elementary and Secondary Education

Insert a new line item, "Federal Funds – Stimulus" in the Administration of the Comprehensive Education Strategy Program, page 20, after line 27 in the amount of \$268,131: This reflects updated guidance from the U.S. Department of Education on the competitive School Lunch Equipment grants. The state will receive funds that must be awarded to local districts by June 8, 2009.

Increase Federal Funds - Stimulus in the Education Aid Program, inserted on page 21 after line 21 by a previous amendment, by \$370,219. Decrease Federal Funds – Stimulus in the Central Falls School District Program, inserted on page 21, after line 26 by a previous amendment, by \$370,316: This increase and decrease represents a correction of the distribution of Federal stimulus funds between Central Falls and Education Aid and a correction of the total amount.

Rhode Island State Council on the Arts

Insert a new line item, "Federal Funds – Stimulus", page 24, after line 8 in the amount of \$291,500: This reflects guidance on stimulus funding from the National Endowment from the Arts, both increasing the amount and shifting appropriations from FY 2010 to FY 2009.

ARTICLE 4, RELATING TO RETIREE HEALTH CARE TRUST FUND

Replace the original article with the revised attached version. The revised article changes the requirement for a valuation of the Retiree Health Care Trust Fund from "every year" to "a schedule in accordance with generally accepted accounting principles". Recent advice from the actuary indicates that the state could save money by performing the valuation once every two years. The changes to the article are indicated by shading.

ARTICLE 32, RELATING TO PENSION REFORM (second revision)

Replace the article submitted on March 7 with the revised attached version. This article is being amended a second time to correct language which was intended to grandfather in state police members who were eligible to retire as of July 1, 2009 with respect to the determination of their pension benefits. The changes to the article are limited to Sections 6 and 7, and are indicated by shading.

NEW ARTICLE, RELATING TO MUNICIPAL FURLOUGH DAYS

This new article allows municipal employees who sustain a reduction in salary due to a deferral of salary, or a reduction in salary in order to avoid shutdowns or layoffs, to receive their pension without a reduction. Municipal employees are required to pay to the Retirement Board prior to retirement the difference between the amount of contribution the employee would have paid on his/her salary prior

to the reduction in salary and the amount that the employee actually contributed plus interest. A similar change was made for state employees last year, but the municipal section was not amended.

NEW ARTICLE, RELATING TO EMPLOYMENT SECURITY CONTRIBUTIONS

This new article suspends a 0.3% (three tenths of one percent) employer surtax that would normally take effect in any second month of a quarter in which the balance in the employment security fund fell below zero. The suspension provision would be in effect for any quarter of calendar years 2009 and 2010 in which the interest on federal advances under Title XII of the Social Security Act has been waived. It is our understanding that the surcharge was instituted to discourage borrowing from the federal government since the interest cost on federal borrowings was funded from general revenues.

RBG:sm09-130

cc: Michael O'Keefe
Peter Marino
Tim Costa
Michael Cronan
Gregory Stack
Daniel Majcher
Mark Dingley
Frank Karpinski

Summary of Governor's Article 1, Section 1 March 24th Amendments to FY 2009 Supplemental Act (09-H-5019)

Department/Item	General Revenue	Federal Funds	Restricted Receipts	Other Funds	Total
Supplemental FY 2009 Recommend (Gov's original Recommendation)	3,086,404,059	2,118,648,424	150,468,710	1,625,755,590	6,981,276,783
February 2, 2009 Amendments Total	10,072,112	6,198,185	820,197	5,425,562	22,516,056
March 9, 2009 Amendments Total	(32,540,938)	263,108,470	1,946,928	33,266,529	265,780,989
March 24th, 2009 Amendments					
Department of Administration		(270,594)	-	-	(270,594)
Stimulus - Homelessness Prevention	-				764,998
Teachers Retiree Health Subsidy	764,998				
Convention Center Authority Debt Service	(1,724,864)				(1,724,864)
Department of Revenue		5,973	-	-	5,973
DMV Federal Funds PRISM Grant	-				
Department of Health		43,076	-	-	43,076
Renewed Fed. Funding for Universal Newborn Hearing Screening	-				
Elementary and Secondary Education		268,131	-	-	268,131
A.C.E.S. Federal Funds - Stimulus	-	370,219	-	-	370,219
Education Aid Federal Funds - Stimulus	-	(370,316)	-	-	(370,316)
Central Falls Federal Funds - Stimulus	-				
RI State Council on the Arts		291,500	-	-	291,500
Federal Funds - Stimulus	-				
Total - Governor's March 24th Amendments to FY 2009	(959,866)	337,989	-	-	(621,877)
Total Recommended Spending	3,062,975,367	2,388,293,068	153,235,835	1,664,447,681	7,268,951,951

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March 24th, 2009 Amendments					
Department of Administration					
Stimulus - Homelessness Prevention	-	(270,594)	-	-	(270,594)
Teachers Retiree Health Subsidy	764,998				764,998
Convention Center Authority Debt Service	(1,724,864)				(1,724,864)
Department of Revenue					
DMV Federal Funds PRISM Grant	-	5,973	-	-	5,973
Department of Health					
Renewed Fed. Funding for Universal Newborn Hearing Screening	-	43,076	-	-	43,076
Elementary and Secondary Education					
A.C.E.S. Federal Funds - Stimulus	-	268,131	-	-	268,131
Education Aid Federal Funds - Stimulus	-	370,219	-	-	370,219
Central Falls Federal Funds - Stimulus	-	(370,316)	-	-	(370,316)
RI State Council on the Arts					
Federal Funds - Stimulus	-	291,500	-	-	291,500
Total - Governor's March 24th Amendments to FY 2009	(959,866)	337,989	-	-	(621,877)
Total Recommended Spending	3,062,975,367	2,388,293,068	153,235,835	1,664,447,681	7,268,951,951

Governor's Article 1, Section 1 March 24th Amendments to FY 2009 Supplemental Appropriations Act, (09-H-5019)

FY 2009		FY 2009	Governor's	Governor's	Governor's	Governor's	Governor's	FY 2009
	Page No./	Original	February	Stimulus March	Non-Stimulus March	March	24-Mar	Supplemental
	Line No.	Supplemental	Amendments	Amendments	Amendments	Amendments	Amendments	Recommend
		Submittal						
Total - Debt Service Payments	Page 8, Line 4	175,542,960	3,100,000				(1,724,864)	176,918,096
Energy Resources								
Federal Funds	Page 8, Line 6	33,563,329	8,601,726		1,000,000			43,165,055
Federal Funds - Stimulus	Page 8, Insert after Line 6	0		6,282,500				6,282,500
Restricted Receipts								0
Restricted Receipts - Regional Greenhouse Gas Initiative	Page 8, Line 11	1,310,000	2,390,000					3,700,000
Total - Energy Resources	Page 8, Line 15	37,881,882	10,991,726	6,282,500	1,000,000			56,156,108
Personnel Reform								
General Revenues								
Pension Reform	Page 8, Line 20	(25,942,333)			25,942,333			0
Federal Funds								
Pension Reform	Page 8, Line 24	(9,055,950)			9,055,950			0
Restricted Receipts								
Pension Reform	Page 8, Line 28	(1,966,166)			1,966,166			0
Other Funds								
Pension Reform	Page 8, Line 32	(6,074,607)			6,074,607			0
Total - Personnel Reform	Page 8, Line 33	(43,039,056)			43,039,056			0
Grand Total - General Revenues	Page 9, Line 10	413,385,631	2,991,559	0	56,755,775		(959,866)	479,173,099
Grand Total - Administration	Page 9, Line 11	558,067,339	(1,919,337)	16,553,094	74,652,498		(1,230,460)	646,123,134
Department of Labor and Training								
Workforce Development Services								
Federal Funds	Page 10, Line 10	20,251,499	0	802,709	516,848			20,768,347
Federal Funds - Stimulus	Page 10, Insert after Line 10	0						802,709
Other Funds								
Reed Act - Woonsocket Network Office	Page 10, Line 13	950,105			2,566,922			3,517,027
Total - Workforce Development Services	Page 10, Line 16	32,006,242	0	802,709	3,083,770			35,892,721
Income Support								
Federal Funds - Stimulus	Page 10, Insert after Line 21	0		16,250,000				16,250,000
Other Funds								
Employment Security Fund	Page 10, Line 25	345,650,000			28,700,000			374,350,000
Total - Income Support	Page 10, Line 26	551,934,383	0	16,250,000	28,700,000			596,884,383
Grand Total - Labor and Training	Page 10, Line 32	599,451,514	0	17,052,709	31,783,770			648,287,993
Department of Revenue								
Taxation								
General Revenues	Page 11, Line 9	14,937,496	263,767					15,201,263
Total - Taxation	Page 11, Line 15	17,979,160	263,767					18,242,927
Registry of Motor Vehicles								
Federal Funds	Page 11, Line 18	1,471,387					5,973	1,477,360
Total - Registry of Motor Vehicles	Page 11, Line 20	17,910,561					5,973	17,916,534

Governor's Article 1, Section 1 March 24th Amendments to FY 2009 Supplemental Appropriations Act, (09-H-5019)

FY 2009		Original Supplemental Submittal	Governor's February Amendments	Governor's Stimulus March Amendments	Governor's Non-Stimulus March Amendments	Governor's 24-Mar Amendments	FY 2009 Supplemental Recommend
Page No./ Line No.							
Grand Total - General Revenue	Page 11, Line 21	33,254,816	263,767	-	-	-	33,518,583
Grand Total - Revenue	Page 11, Line 22	230,539,728	263,767	-	-	5,973	230,809,468
General Treasurer							
Crime Victim Compensation Program	Page 12, Line 33	856,446	-	-	4,696	4,696	861,142
Federal Funds	Page 13, Line 1	2,420,592	-	-	4,696	4,696	2,425,288
Total - Crime Victim Compensation Program							
Grand Total - General Treasurer	Page 13, Line 3	28,244,370	-	-	4,696	4,696	28,249,066
Secretary of State							
State Archives							
General Revenues	Page 12, Line 1	135,762			19,238	19,238	155,000
Restricted Receipts	Page 12, Line 3	413,076			(19,238)	(19,238)	393,838
Total - State Archives	Page 12, Line 4	558,709			0	0	558,709
Elections							
General Revenues	Page 12, Line 6	1,854,941			(19,238)	(19,238)	1,835,703
Total - Elections	Page 12, Line 8	2,141,357			(19,238)	(19,238)	2,122,119
Grand total - General Revenue Funds	Page 12, Line 13	6,407,527			0	0	6,407,527
Grand total - State	Page 12, Line 14	7,116,890			(19,238)	(19,238)	7,097,652
Executive Office and Human Services							
General Revenues	Page 13, Line 31	3,790,550	46,026				3,836,576
Federal Funds	Page 13, Line 32	4,714,918	(389,996)				4,324,922
Grand Total- Health and Human Services	Page 13, Line 34	9,177,630	(343,970)				8,833,660
Department of Children, Youth, and Families							
Children's Behavioral Health Services							
General Revenue Total	Page 14, Line 7	12,129,519	0		(570,200)	(570,200)	11,559,319
Federal Funds - Stimulus	Page 14, Insert After Line 8	0	570,200				570,200
Total- Children's Behavioral Health Services	Page 14, Line 13	23,806,353	0	570,200	(570,200)	(570,200)	23,806,353
Juvenile Corrections							
General Revenue Total	Page 14, Line 15	34,266,760			(237,878)	(237,878)	34,028,882
Federal Funds	Page 14, Line 16	1,739,311	10,000				1,749,311
Federal Funds - Stimulus	Page 14, Insert After Line 16	0	237,878				237,878
Total- Juvenile Correctional Services	Page 14, Line 18	36,029,130	10,000	237,878	(237,878)	(237,878)	36,039,130
Child Welfare							
General Revenues							
General Revenue	Page 14, Line 21	108,196,086			(4,607,409)	(4,607,409)	103,588,677
18 to 21 Year Olds	Page 14, Line 22	8,275,196			(879,044)	(879,044)	7,396,152
General Revenue Savings - Federal Stimulus Medicaid	Page 14, Line 23	(1,458,999)			1,458,999	1,458,999	0
Federal Funds							
Federal Funds Stimulus - Medicaid	Page 14, Line 27	1,458,999	(1,458,999)				0
Federal Funds - Stimulus	Page 14, Insert After Line 27	0	5,486,453				5,486,453
Restricted Receipts	Page 14, Line 28	2,180,000	81,000				2,261,000
Total - Child Welfare	Page 14, Line 32	182,315,384	81,000	4,027,454	(4,027,454)	(4,027,454)	182,396,384

Governor's Article 1, Section 1 March 24th Amendments to FY 2009 Supplemental Appropriations Act, (09-H-5019)

		FY 2009							FY 2009
	Page No./ Line No.	Original Supplemental Submittal	Governor's February Amendments	Governor's Stimulus March Amendments	Governor's Non-Stimulus March Amendments	Governor's 24-Mar Amendments	FY 2009 Supplemental Recommend		
Higher Education Incentive Grants									
Grand Total - General Revenue Funds	Page 15, Line 1	166,886,395	0	(4,835,532)			162,050,863		
Grand Total- Children, Youth, and Families	Page 15, Line 2	249,960,644	91,000	(4,835,532)			250,051,644		
Department of Elderly Affairs									
General Revenues	Page 15, Line 5	13,125,678	-	(483,455)			12,642,223		
RIPAE	Page 15, Line 6	1,231,654	(150,000)				1,081,654		
General Revenue Total	Page 15, Line 12	14,357,499	(150,000)	(483,455)			13,904,044		
Federal Stimulus - Medicaid	Page 15, Insert After Line 8	179,567	(179,567)				0		
Federal Funds - Stimulus	Page 15, Insert After Line 8	0	179,567	483,455			663,022		
Restricted Receipts	Page 15, Line 9	820,000	150,000				970,000		
Grand Total - General Revenues	Page 15, Line 12	14,537,499	(150,000)	(483,455)			13,904,044		
Grand Total - Elderly Affairs	Page 15, Line 13	34,182,080	0	(483,455)			34,182,080		
Department of Health									
Environmental and Health Services Regulation									
Federal Funds	Page 15, Line 26	3,862,567	847,043	47,313			4,756,923		
Total - Environmental and Health Services Regulation	Page 15, Line 31	16,249,035	847,043	47,313			17,143,391		
Public Health Information									
Federal Funds	Page 16, Line 4	2,322,928	59,522				2,382,450		
Total - Public Health Information	Page 16, Line 5	4,246,691	59,522				4,306,213		
Community and Family Health and Equity									
General Revenue	Page 16, Line 7	6,157,203		(93,743)			6,063,460		
General Revenue Savings - Federal Stimulus Medicaid	Page 16, Line 9	(65,503)	0	65,503			0		
Federal Funds	Page 16, Line 11	56,379,959		90,487		43,076	56,513,522		
Federal Stimulus - Medicaid	Page 16, Line 12	65,503	(65,503)				0		
Federal Funds - Stimulus	Page 16, Insert After Line 12	0	93,743				93,743		
Total - Community & Family Health and Equity	Page 16, Line 17	81,633,566	28,240	62,247		43,076	81,767,129		
Grand Total - General Revenue	Page 16, Line 22	30,782,216	906,565	(28,240)			30,753,976		
Grand Total - Health	Page 16, Line 23	132,879,780	28,240	109,560		43,076	133,967,221		
Department of Human Services									
Central Management									
General Revenues	Page 16, Line 26	4,437,647	100,000				4,537,647		
Federal Funds- Stimulus	Page 16, Insert After line 27	0	1,540,000				1,540,000		
Total- Central Management	Page 16, Line 29	9,942,847	100,000				11,582,847		
Child Support Enforcement									
Federal Funds- Stimulus	Page 16, Insert After Line 32	0	792,000				792,000		
Total- Child Support Enforcement	Page 16, Line 33	8,314,364	792,000				9,106,364		

Governor's Article 1, Section 1 March 24th Amendments to FY 2009 Supplemental Appropriations Act, (09-H-5019)

		FY 2009					FY 2009
	Page No./ Line No.	Original Supplemental Submittal	Governor's February Amendments	Governor's Stimulus March Amendments	Governor's Non-Stimulus March Amendments	Governor's 24-Mar Amendments	Supplemental Recommend
Individual and Family Support							
General Revenues	Page 17, Line 1	20,409,235	3,557				20,412,792
Federal Funds	Page 17, Line 2	57,667,530	(3,557)				57,663,973
Federal Funds- Stimulus	Page 17, Insert After Line 2			250,000			250,000
Total- Individual and Family Support	Page 17, Line 8	78,514,265	-	250,000			78,764,265
Health Care Quality, Financing and Purchasing							
Federal Funds	Page 17, Line 16	42,965,209	343,970				43,309,179
Total- Health Care Quality, Financing and Purchasing	Page 17, Line 19	62,782,040	343,970				63,126,010
Medical Benefits							
General Revenues	Page 17, Line 22	94,720,683	-		3,614,371		98,335,054
Hospitals	Page 17, Line 23	138,072,852	1,539,914		(22,810,849)		116,801,917
Nursing Facilities	Page 17, Line 24	244,355,648	12,063		(36,612,000)		207,755,711
Managed Care	Page 17, Line 25	51,927,120			(1,558,800)		50,368,320
Pharmacy	Page 17, Line 26	32,648,254	4,451,620		(6,232,487)		30,867,387
Other	Page 17, Line 27	24,094,440			(4,303,643)		19,790,797
Home and Community Based Services	Page 17, Line 28	48,645,051			(8,688,755)		39,956,296
Rhody Health	Page 17, Line 29	(19,535,534)			19,535,534		0
General Revenue Savings- Federal Stimulus Medicaid							0
Federal Funds							
Hospitals	Page 17, Line 31	110,187,233	-		10,803,068		120,990,301
Nursing Facilities	Page 17, Line 32	155,430,991	1,708,165		4,337,665		161,476,821
Managed Care	Page 17, Line 33	274,186,799	13,381				274,200,180
Other	Page 18, Line 1	35,907,232	4,934,465				40,841,697
Federal Stimulus- Medicaid	Page 18, Line 5	19,535,534		(19,535,534)			0
Federal Funds - Stimulus	Page 18, Insert After Line 5	0		95,045,160			95,045,160
Total- Medical Benefits	Page 18, Line 7	1,326,451,562	12,659,608	75,509,626	(41,915,896)		1,372,704,900
Family Independence Program							
Federal Funds- Stimulus	Page 18, Insert After Line 14	0		500,000			500,000
Total- Family Independence Program	Page 18, Line 15	100,286,200		500,000			100,786,200
State Funded Programs							
Federal Funds- Stimulus	Page 18, Insert After Line 19	0		8,000,000			8,000,000
Total- State Funded Programs	Page 18, Line 20	121,352,680		8,000,000			129,352,680
Grand Total- General Revenue Funds	Page 18, Line 21	725,271,695	6,107,154	-	(57,056,629)		674,322,220
Grand Total- Human Services	Page 18, Line 22	1,762,099,512	13,103,578	86,591,626	(41,915,896)		1,819,878,820
Mental Health, Retardation, and Hospitals							
Hospital and Community System Support							
Federal Funds - Stimulus	Page 18, Insert After Line 30	0	0	136,969	0	0	136,969
Total - Hospital and Community Sys Support	Page 19, line 1	5,628,009	0	136,969	0	0	5,764,978

Governor's Article 1, Section 1 March 24th Amendments to FY 2009 Supplemental Appropriations Act, (09-H-5019)

FY 2009		Original Supplemental Submittal	Governor's February Amendments	Governor's Stimulus March Amendments	Governor's Non-Stimulus March Amendments	Governor's 24-Mar Amendments	FY 2009 Supplemental Recommend
Page No./ Line No.							
Services for the Developmentally Disabled							
	Page 19, Line 4	110,200,204	645,000		(15,119,884)		95,725,320
	Page 19, Line 5	(6,263,192)	0		6,263,192		0
	Page 19, Line 7	127,879,766	0		6,367,539		134,247,305
	Page 19, Line 8	6,263,192	0	(6,263,192)	0		0
	Page 19, Insert After Line 8	0	0	20,960,736	0		20,960,736
	Page 19, Line 15	243,822,501	645,000	14,697,544	(2,489,153)		256,675,892
Integrated Mental Health Services							
	Page 19, Line 17	39,466,260	(595,000)	0	(5,817,829)		33,053,431
	Page 19, Line 18	40,628,108	55,200	0	0		40,683,308
	Page 19, insert a new line after lin	0	0	5,817,829	0		5,817,829
	Page 19, Line 22	80,744,368	(539,800)	5,817,829	(5,817,829)		80,204,568
Hospital and Community Rehabilitation Services							
	Page 19, Line 24	49,120,486	0		(7,950,802)		41,169,684
	Page 19, Line 25	49,245,050	0	0	(17,109)		49,227,941
	Page 19, Insert After Line 25	0	0	7,933,157	0		7,933,157
	Page 19, Line 32	102,165,536	0	7,933,157	(7,967,911)		102,130,782
Substance Abuse							
	Page 19, Line 34	12,644,879	748,606	0	(382,212)		13,011,273
	Page 20, Line 1	14,689,602	(748,606)	0	4,289,106		18,230,102
	Page 19, Insert After Line 1	0	0	382,212	0		382,212
	Page 20, Line 5	27,624,481	0	382,212	3,906,894		31,913,587
	Page 20, Line 6	208,861,756	798,606	0	(23,007,535)		186,652,827
	Page 20, Line 8	461,078,238	105,200	28,967,711	(12,367,999)		477,783,150
Elementary and Secondary Education							
Administration of the Comprehensive Education Strategy							
	Page 20, Insert After line 27	0				268,131	268,131
	Page 21, Line 1	220,797,259				268,131	221,065,390
Davies Career and Technical School							
	Page 21, Line 7	182,400	17,050				199,450
	Page 21, Line 8	1,890,800	(17,050)				1,873,750
	Page 21, Line 9	19,330,026	0	0	0		19,330,026
Rhode Island School for the Deaf							
	Page 21, Line 11	6,624,303	0		(15,641)		6,608,662
	Page 21, Insert After Line 12	0	0	15,641			15,641
	Page 21, Line 16	7,226,584	0	15,641	(15,641)		7,226,584

Governor's Article 1, Section 1 March 24th Amendments to FY 2009 Supplemental Appropriations Act, (09-H-5019)

	Page No./ Line No.	FY 2009				Governor's February Amendments	Governor's Stimulus March Amendments	Governor's Non-Stimulus March Amendments	Governor's 24-Mar Amendments	FY 2009 Supplemental Recommend
		Original Submittal	Supplemental	Amendments	Amendments					
Education Aid										
General Revenues	Page 21, Line 20	619,014,516	1,299,945			(12,069,659)		370,219	608,244,802	
Federal Funds - Stimulus	Page 21, Insert after Line 21	0			35,889,340				36,259,559	
Total - Education Aid	Page 21, Line 24	634,439,745	1,299,945		35,889,340	(12,069,659)		370,219	659,929,590	
Central Falls School District										
General Revenues	Page 21, Line 26	43,795,411	(1,284,945)		0	(1,548,405)		(370,316)	40,962,061	
Federal Funds - Stimulus	Page 21, Insert After Line 26	0			2,435,579				2,065,263	
Total - Central Falls School District	Page 21, Line 28	43,979,035	(1,284,945)		2,435,579	(1,548,405)		(370,316)	43,210,948	
Teachers' Retirement										
General Revenues	Page 21, Line 32	66,586,018				9,748,383			76,334,401	
Grand Total - General Revenue Funds	Page 21, Line 33	836,349,028	15,000		0	(3,885,322)			832,478,706	
Grand Total - Elementary and Secondary Education	Page 21, Line 34	1,058,064,322	15,000		38,340,560	(3,885,322)		268,034	1,092,802,594	
Public Higher Education										
Office of Higher Education										
Federal Funds - Stimulus	Page 22, Insert After Line 4	4,026,276			6,645,718				10,671,994	
Total - Board of Governors/Office of Higher Educ.	Page 22, Line 7	10,774,554			6,645,718				17,420,272	
University of Rhode Island										
Federal Funds - RI Developmental Disabilities Council	Page 22, Line 13	453,170	9,145						462,315	
Other Funds - Debt Service - Energy Conservation	Page 22, Insert After Line 24	0	734,925						734,925	
Other Funds - Other Lease Payments - Vehicles	Page 22, Insert After Line 24	0	88,897						88,897	
Rhode Island Capital Plan Funds										
RICAP - URI Biotechnology Center	Page 22, Line 31	5,100,000				(4,000,000)			1,100,000	
Total - University of Rhode Island	Page 22, Line 32	562,266,587	832,967			(4,000,000)			559,099,554	
Rhode Island College										
Other Funds - Lease Payments - Vehicles	Page 23, Insert After Line 12	0	12,573						12,573	
Total - Rhode Island College	Page 23, Line 16	140,506,595	12,573		0	0			140,519,168	
Grand Total - Public Higher Education	Page 24, Line 3	837,263,828	845,540		6,645,718	(4,000,000)			840,755,086	
RI State Council on the Arts										
Federal Funds-Stimulus	Page 24, Insert after line 8	0						291,500	291,500	
Grand Total-RI State Council on the Arts	Page 24, line 12	3,226,450						291,500	3,517,950	
RI Atomic Energy Commission										
Federal Funds	Page 24, Line 15	94,937	8,179						103,116	
Grand Total - RI Atomic Energy Commission	Page 24, Line 20	1,175,653	8,179						1,183,832	
Attorney General										

Governor's Article 1, Section 1 March 24th Amendments to FY 2009 Supplemental Appropriations Act, (09-H-5019)

		FY 2009		Governor's		Governor's		Governor's		Governor's		FY 2009	
		Original	Supplemental	February	Stimulus March	Non-Stimulus March	Amendments	Amendments	Amendments	Amendments	Amendments	Amendments	Supplemental
		Submittal	Submittal	Amendments	Amendments	Amendments	Amendments	Amendments	Amendments	Amendments	Amendments	Amendments	Recommend
Page No./	Line No.												
Page 30, Insert after Line 10		0			675,000								675,000
Page 30, Line 16		30,874,114		420,000	675,000								31,969,114
Page 30, Line 18		83,058,755		3,410,000	675,000	125,000							87,268,755
Department of Transportation													
Infrastructure Engineering													
Federal Funds - Stimulus		0			20,000,000								20,000,000
Total - Environmental Protection		310,409,902		0	20,000,000	0							330,409,902
Infrastructure Maintenance													
Other Funds		39,832,241		4,475,000									44,307,241
Gasoline Tax		42,207,241		4,475,000	0	0							46,682,241
Total - Infrastructure Maintenance		368,585,249		4,475,000	20,000,000	0							393,060,249
Grand Total - Transportation													
Statewide Totals													
General Revenue Total		3,086,404,059		10,072,112	0	(32,540,938)						(959,866)	3,062,975,367
Federal Funds Total		2,118,648,424		6,198,185	224,592,277	38,516,193						337,989	2,388,293,068
Restricted Receipt Total		150,468,710		820,197	0	1,946,928						0	153,235,835
Other Funds Total		1,625,755,590		5,425,562	0	33,266,529						0	1,664,447,681
Statewide Grand Total		6,981,276,783		22,516,056	224,592,277	41,188,712						(621,877)	7,268,951,951

Line Item and Natural Account Changes for March 23 Amendments

RIFAN Department	RIFAN Line Item Sequence	RIFAN Fund Source	RIFAN Natural	Increase/ (Decrease)
026	4526101	02	654120	291,500
068	4568107	02	654120	(270,594)
068	1485173	01	682700	(1,724,864)
068	1351102	01	649700	764,998
072	4572125	02	671200	268,131
072	4572105	02	671200	370,219
072	4572110	02	671200	(370,316)
080	4065102	02	632180	5,973
075	2171148	02	654120	43,076

1 of the system a financial statement summarizing the results of operations for the fiscal year. All
2 financial statements issued by the OPEB Board shall conform to the requirements of GAAP.

3 § 36-12.1-13 Executive officers and secretary. - (a) The Board shall elect a
4 Chairperson and Secretary. Moreover, the State Controller shall serve as the Treasurer.

5 (b) Any negotiated agreement entered into after July 1, ~~2008~~ 2010, between any state or
6 municipal agency or department and an employee or employees, whose conditions are contrary
7 to the general laws or the rules, regulations, and policies as adopted and promulgated by the
8 OPEB Board shall be null and void unless and until approved by formal action of the OPEB
9 Board for good cause shown.

10 § 36-12.1-15 Payment of administrative expenses of the OPEB board and
11 maintaining the OPEB system - Restricted receipts account. - (a) There is hereby created
12 within the general fund a restricted receipt account entitled the "OPEB system restricted receipt
13 account", the proceeds of which shall be used solely to pay the expenses of the OPEB Board,
14 the cost of maintaining the OPEB System, and the costs of administering the OPEB System.

15 (b) For fiscal years ~~2009~~ 2011 through 2014, the State Controller is authorized to disburse
16 from the fund the cost of the actuarial valuation, and the allocated share of investment manager
17 fees incurred by the State Investment Commission. In fiscal years, 2015 and thereafter, there
18 shall be transferred to this restricted receipt account twenty five (25) basis points where one
19 hundred (100.0) basis points equals one percent (1.0%), of the average total investments before
20 lending activities as reported in the annual report of the auditor general for the next preceding
21 five fiscal years. Any non-encumbered funds on June 30 of any fiscal year shall be credited to
22 the OPEB System.

23 § 36-12.1-18 Periodic actuarial investigations and valuations. - ~~Every year b~~
24 ~~Beginning with fiscal year 2009~~ 2012, ~~on a schedule in accordance with generally accepted~~
25 ~~accounting principles~~ the actuary shall make an actuarial investigation into the mortality,

1 service, and compensation experience of the members and beneficiaries of the OPEB System,
2 and shall make a valuation of the assets and liabilities of the system, and, taking into account
3 the result of the investigation and valuation, the OPEB Board shall:

4 (1) Adopt for the OPEB System, such mortality, service, and other tables as shall be
5 deemed necessary in the OPEB System; and

6 (2) Certify the levels of contribution payable by the state of Rhode Island to carry out
7 the provisions of chapters 12, 12.1, and 12.2 of this title.

8 (3) Certify the levels of contribution payable by the Board of Governors for Higher
9 Education to carry out the provisions of chapter 17.1 of title 16.

10 On the basis of such tables as the OPEB Board shall adopt, the actuary shall make ~~an~~
11 ~~annual~~ a valuation of the liabilities of the funds of the system created by this chapter and the
12 investment advisor or investment manager appointed by the OPEB Board shall make ~~an annual~~
13 ~~a~~ valuation of the assets of the OPEB System.

14 **§ 36-12.1-19 State contributions.** – (a) The State of Rhode Island shall make its
15 contribution for the maintenance of the system, including the proper and timely payment of
16 benefits, by annually appropriating an amount equal to a percentage of the total compensation
17 paid to the active membership and teacher payroll base. The percentage shall be computed by
18 the actuary employed by the OPEB Board and shall be certified by the OPEB Board to the
19 director of administration on or before the fifteenth day of October in each year, beginning in
20 2011. In arriving at the yearly employer contribution the actuary shall determine the value of:

21 (1) The contributions made by the members;

22 (2) Income on investments; and

23 (3) Other income of the system.

24 (b) The Actuary shall thereupon compute the yearly employer contribution that will:

25 (1) Pay the actuarial estimate of the normal cost for the next succeeding fiscal year;

1 (2) Amortize the unfunded liability of the system as of June 30, 2006 utilizing a time
2 period not to exceed thirty (30) years.

3 (c) The State of Rhode Island shall remit to the general treasurer the employer's share
4 of the contribution for state employees, state police, legislators, and judges on a payroll
5 frequency basis, and for teachers in a manner consistent with sound accounting and actuarial
6 practice.

7 (d) The Board of Governors for Higher Education shall remit to the general treasurer
8 that employer's share of the contribution for its non-classified employees, and those of the
9 University of Rhode Island, Rhode Island College, and the Community College of Rhode
10 Island, pursuant to § 16-17.1-1 et seq., and in a manner consistent with sound accounting and
11 actuarial practice.

12 SECTION 2. Chapter 36-12.1 of the General Laws entitled "Retiree Health Care Trust
13 Fund" is hereby amended by adding thereto the following section:

14 § 36-12.1-28. Implementation - Notwithstanding any law to the contrary, the
15 provisions of Chapter 36-12.1 entitled "Retiree Health Care Trust Fund" shall be implemented
16 by July 1, 2010.

17 SECTION 3. This article shall take effect upon passage.
18

1 (SECOND REVISION) ARTICLE 32

2 RELATING TO PENSION REFORM

3 SECTION 1. Sections 36-10-2, 36-10-9, 36-10-14, 36-10-15 and 36-10-35 of the
4 General Laws in Chapter 36-10 entitled "Retirement System Contribution and Benefits" are
5 hereby amended to read as follows:

6 **§ 36-10-2 State contributions.** – (a) The State of Rhode Island shall make its
7 contribution for the maintenance of the system, including the proper and timely payment of
8 benefits in accordance with the provisions of this chapter and chapters 8, 16, 28, 31 and 42 of
9 this title, by annually appropriating an amount equal to a percentage of the total compensation
10 paid to the active membership. The percentage shall be computed by the actuary employed by
11 the retirement system and shall be certified by the retirement board to the director of
12 administration on or before the fifteenth day of October in each year. In arriving at the yearly
13 employer contribution the actuary shall determine the value of:

14 (1) The contributions made by the members;

15 (2) Income on investments; and

16 (3) Other income of the system.

17 (b) The Actuary shall thereupon compute the yearly employer contribution that will:

18 (1) Pay the actuarial estimate of the normal cost for the next succeeding fiscal year;

19 (2) Amortize the unfunded liability of the system as of June 30, 1999 utilizing a time
20 period not to exceed thirty (30) years.

21 (c) The State of Rhode Island shall remit to the general treasurer the employer's share
22 of the contribution for state employees, state police, and judges on a payroll frequency basis,
23 and for teachers in a manner pursuant to § 16-16-22.

1 (d) In accordance with the intent of § 36-8-20 that the retirement system satisfy the
2 requirements of § 401(a) of the Internal Revenue Code of 1986, the state shall pay to the
3 retirement system:

4 (i) By June 30, 1995, an amount equal to the sum of the benefits paid to state legislators
5 pursuant to § 36-10-10.1 in excess of ten thousand dollars (\$10,000) per member (plus accrued
6 interest on such amount at eight percent (8%)) for all fiscal years beginning July 1, 1991, and
7 ending June 30, 1995, but this amount shall be paid only if § 36-10-10.1(e) becomes effective
8 January 1, 1995; and

9 (ii) By December 31, 1994, twenty million seven hundred eighty eight thousand eight
10 hundred twelve dollars and nineteen cents (\$20,788,812.19) plus accrued interest on that
11 amount at eight percent (8%) compounded monthly beginning March 1, 1991, and ending on
12 the date this payment is completed (reduced by amortized amounts already repaid to the
13 retirement system with respect to the amounts withdrawn by the state during the fiscal year July
14 1, 1990 – June 30, 1991); and

15 (iii) By June 30, 1995, the sum of the amounts paid by the retirement system for retiree
16 health benefits described in § 36-12-4 for all fiscal years beginning July 1, 1989, and ending
17 June 30, 1994, to the extent that the amounts were not paid from the restricted fund described
18 in subsection (c).

19 (2) Any and all amounts paid to the retirement system under this subsection shall not
20 increase the amount otherwise payable to the system by the state of Rhode Island under
21 subsection (a) for the applicable fiscal year. The actuary shall make such adjustments in the
22 amortization bases and other accounts of the retirement system as he or she deems appropriate
23 to carry out the provisions and intent of this subsection.

1 (e) In addition to the contributions provided for in subsection (a) through (c) and in
2 order to provide supplemental employer contributions to the retirement system, commencing in
3 fiscal year 2006, and each year thereafter:

4 (1) Except for fiscal year 2009, fiscal year 2010 and fiscal year 2011, ~~F~~for each fiscal
5 year in which the actuarially determined state contribution rate for state employees is lower
6 than that for the prior fiscal year, the governor shall include an appropriation to that system
7 equivalent to twenty percent (20%) of the rate reduction for the state's contribution rate for
8 state employees to be applied to the actuarial accrued liability of the state employees' retirement
9 system for state employees for each fiscal year;

10 (2) Except for fiscal year 2009, fiscal year 2010 and fiscal year 2011, ~~F~~for each fiscal
11 year in which the actuarially determined state contribution rate for teachers is lower than that
12 for the prior fiscal year, the governor shall include an appropriation to that system equivalent to
13 twenty percent (20%) of the rate reduction for the state's share of the contribution rate for
14 teachers to be applied to the actuarial accrued liability of the state employees' retirement system
15 for teachers for each fiscal year;

16 (3) The amounts to be appropriated shall be included in the annual appropriation bill
17 and shall be paid by the general treasurer into the retirement system.

18 (f) While the retirement system's actuary shall not adjust the computation of the annual
19 required contribution for the year in which supplemental contributions are received, such
20 contributions once made may be treated as reducing the actuarial liability remaining for
21 amortization in the next following actuarial valuation to be performed.

22 **§ 36-10-9 Retirement on service allowance – In general.** – Retirement of a member
23 on a service retirement allowance shall be made by the retirement board as follows:

24 (1) Any member may retire upon his or her written application to the retirement board
25 as of the first day of the calendar month in which the application was filed; provided, the

1 member was separated from service prior thereto; and further provided, however, that if
2 separation from service occurs during the month in which application is filed, the effective date
3 shall be the first day following that separation from service; and provided further that the
4 member on his or her retirement date attained the age of sixty (60) and completed at least ten
5 (10) years of contributory service on or before July 1, 2005 or who, regardless of age, has
6 completed twenty-eight (28) years of total service on or before July 1, 2009 and has completed
7 at least ten (10) years of contributory service on or before July 1, 2005, or after July 1, 2009
8 has attained age fifty-nine (59), has completed twenty-eight (28) years of total service and has
9 completed at least ten (10) years of contributory service on or before July 1, 2005.

10 (b) Any member, who has not completed at least ten (10) years of contributory service
11 on or before July 1, 2005, may retire upon his or her written application to the retirement board
12 as of the first day of the calendar month in which the application was filed; provided, the
13 member was separated from service prior thereto; and further provided, however, that if
14 separation from service occurs during the month in which application is filed, the effective date
15 shall be the first day following that separation from service; provided, the member or his or her
16 retirement date had attained the age of fifty-nine (59) and had completed at least twenty-nine
17 (29) years of total service or provided that the member on his or her retirement date had
18 attained the age of sixty-five (65) and had completed at least ten (10) years of contributory
19 service; or provided, that the member on his or her retirement date had attained the age of fifty-
20 five (55) and had completed twenty (20) years of total service provided, that the retirement
21 allowance, as determined according to the formula in § 36-10-10 is reduced actuarially for each
22 month that the age of the member is less than sixty-five (65) years.

23 (2) Any faculty employee at a public institution of higher education under the
24 jurisdiction of the board of governors for higher education shall not be involuntarily retired
25 upon attaining the age of seventy (70) years.

1 (3) Except as specifically provided in § 36-10-9.1, §§ 36-10-12 – 36-10-15, and §§ 45-
2 21-19 – 45-21-22, no member shall be eligible for pension benefits under this chapter unless the
3 member shall have been a contributing member of the employee's retirement system for at least
4 ten (10) years.

5 (ii) Provided, however, a person who has ten (10) years service credit on or before
6 June 16, 1991, shall be vested.

7 (iii) Furthermore, any past service credits purchased in accordance with § 36-9-38 shall
8 be counted towards vesting.

9 (iv) Any person who becomes a member of the employees' retirement system pursuant
10 to § 45-21-4 shall be considered a contributing member for the purpose of chapter 21 of title 45
11 and this chapter.

12 (v) Notwithstanding any other provision of law, no more than five (5) years of service
13 credit may be purchased by a member of the system. The five (5) year limit shall not apply to
14 any purchases made prior to January 1, 1995. A member who has purchased more than five (5)
15 years of service credits before January 1, 1995, shall be permitted to apply those purchases
16 towards the member's service retirement. However, no further purchase will be permitted.
17 Repayment in accordance with applicable law and regulation of any contribution previously
18 withdrawn from the system shall not be deemed a purchase of service credit.

19 (4) No member of the employees' retirement system shall be permitted to purchase
20 service credits for casual or seasonal employment, for employment as a page in the general
21 assembly, or for employment at any state college or university while the employee is a student
22 or graduate assistant of the college or university.

23 (5) Except as specifically provided in §§ 16-16-6.2 and 16-16-6.4, a member shall not
24 receive service credit in this retirement system for any year or portion of it, which counts as
25 service credit in any other retirement system in which the member is vested or from which the

1 member is receiving a pension and/or any annual payment for life. This subsection shall not
2 apply to any payments received pursuant to the federal Social Security Act or to payments from
3 a military pension earned prior to participation in state or municipal employment, or to military
4 service credits earned prior to participation in state or municipal employment.

5 (6) A member who seeks to purchase or receive service credit in this retirement system
6 shall have the affirmative duty to disclose to the retirement board whether or not he or she is a
7 vested member in any other retirement system and/or is receiving a pension, retirement
8 allowance, or any annual payment for life. The retirement board shall have the right to
9 investigate as to whether or not the member has utilized the same time of service for credit in
10 any other retirement system. The member has an affirmative duty to cooperate with the
11 retirement board including, by way of illustration and not by way of limitations the duty to
12 furnish or have furnished to the retirement board any relevant information which is protected by
13 any privacy act.

14 (7) A member who fails to cooperate with the retirement board shall not have the time
15 of service counted toward total service credit until such time as the member cooperates with the
16 retirement board and until such time as the retirement board determines the validity of the
17 service credit.

18 (8) A member who knowingly makes a false statement to the retirement board
19 regarding service time or credit shall not be entitled to a retirement allowance and is entitled
20 only to the return of his or her contributions without interest.

21 **§ 36-10-14 Retirement for accidental disability.** – (a) Medical examination of an
22 active member for accidental disability and investigation of all statements and certificates by
23 him or her or in his or her behalf in connection therewith shall be made upon the application of
24 the head of the department in which the member is employed or upon application of the
25 member, or of a person acting in his or her behalf, stating that the member is physically or

1 mentally incapacitated for the performance of service as a natural and proximate result of an
2 accident while in the performance of duty, and certify the definite time, place, and conditions of
3 the duty performed by the member resulting in the alleged disability, and that the alleged
4 disability is not the result of willful negligence or misconduct on the part of the member, and is
5 not the result of age or length of service, and that the member should, therefore, be retired.

6 (b) The application shall be made within five (5) years of the alleged accident from
7 which the injury has resulted in the members present disability and shall be accompanied by an
8 accident report and a physicians report certifying to the disability; provided that if the member
9 was able to return to his or her employment and subsequently reinjures or aggravates the same
10 injury, the application shall be made within the later of five (5) years of the alleged accident or
11 three (3) years of the reinjury or aggravation. The application may also state that the member is
12 permanently and totally disabled from any employment.

13 (c) If a medical examination conducted by three (3) physicians engaged by the
14 retirement board and such investigation as the retirement board may desire to make shall show
15 that the member is physically or mentally incapacitated for the performance of service as a
16 natural and proximate result of an accident, while in the performance of duty, and that the
17 disability is not the result of willful negligence or misconduct on the part of the member, and is
18 not the result of age or length of service, and that the member has not attained the age of sixty-
19 five (65), and that the member should be retired, the physicians who conducted the examination
20 shall so certify to the retirement board stating the time, place, and conditions of service
21 performed by the member resulting in the disability and the retirement board may grant the
22 member an accidental disability benefit.

23 (d) The retirement board shall establish uniform eligibility requirements, standards, and
24 criteria for accidental disability which shall apply to all members who make application for
25 accidental disability benefits.

1 § 36-10-15 Amount of accidental disability benefit. - (a) Upon retirement for
2 accidental disability under § 36-10-14, a member shall receive a maximum benefit which shall
3 be equal to sixty-six and two-thirds percent (66 2/3%) of his or her annual compensation at the
4 time of his or her retirement, subject to the provisions of § 36-10-31. Upon any application for
5 accidental disability after July 1, 2009, if the member has been found to be permanently and
6 totally disabled from service but has not been found by the board to be permanently and totally
7 disabled from any employment as a result of his/her accidental disability, a member shall
8 receive a retirement allowance equal to fifty percent (50%) of the rate of the member's
9 compensation at the date of the member's retirement, subject to the provisions of § 36-10-31.
10 The retiree shall, as a condition of continued receipt of a disability retirement allowance, on or
11 before a date fixed by the retirement board, annually under penalties of perjury provide the
12 board with such affidavits and accurate evidence of earnings, employment and gainful activity
13 as the board may require, including, but not limited to, joint and/or individual tax returns.
14 Payment of the disability retirement allowance shall continue as long as the individual remains
15 disabled, and regardless of service or age.

16 (b) Upon retirement for accidental disability that has been found by the board to be
17 permanently and totally disabling from any employment, a member shall receive a retirement
18 allowance equal to sixty-six and two-thirds percent (66 2/3%) of the rate of the member's
19 compensation at the date of the member's retirement subject to the provisions of § 36-10-31.
20 The retirement board shall apply the terms of subsection 28-33-17(b) in determining total
21 disability.

22 § 36-10-35 Additional benefits payable to retired employees. - (a) All state
23 employees and all beneficiaries of state employees receiving any service retirement or ordinary
24 or accidental disability retirement allowance pursuant to the provisions of this title on or before
25 December 31, 1967, shall receive a cost of living retirement adjustment equal to one and one-

1 half percent (1.5%) per year of the original retirement allowance, not compounded, for each
2 calendar year the retirement allowance has been in effect. For the purposes of computation,
3 credit shall be given for a full calendar year regardless of the effective date of the retirement
4 allowance. This cost of living adjustment shall be added to the amount of the retirement
5 allowance as of January 1, 1968, and an additional one and one-half percent (1.5%) shall be
6 added to the original retirement allowance in each succeeding year during the month of
7 January, and provided further, that this additional cost of living increase shall be three percent
8 (3%) for the year beginning January 1, 1971, and each year thereafter, through December 31,
9 1980. Notwithstanding any of the above provisions, no employee receiving any service
10 retirement allowance pursuant to the provisions of this title on or before December 31, 1967, or
11 the employee's beneficiary, shall receive any additional benefit hereunder in an amount less
12 than two hundred dollars (\$200) per year over the service retirement allowance where the
13 employee retired prior to January 1, 1958.

14 (b) All state employees and all beneficiaries of state employees retired on or after
15 January 1, 1968, who are receiving any service retirement or ordinary or accidental disability
16 retirement allowance pursuant to the provisions of this title shall, on the first day of January
17 next following the third anniversary date of the retirement, receive a cost of living retirement
18 adjustment, in addition to his or her retirement allowance, in an amount equal to three percent
19 (3%) of the original retirement allowance. In each succeeding year thereafter through
20 December 31, 1980, during the month of January, the retirement allowance shall be increased
21 an additional three percent (3%) of the original retirement allowance, not compounded, to be
22 continued during the lifetime of the employee or beneficiary. For the purposes of computation,
23 credit shall be given for a full calendar year regardless of the effective date of the service
24 retirement allowance.

1 (c) Beginning on January 1, 1981, for all state employees and beneficiaries of the state
2 employees receiving any service retirement and all state employees, and all beneficiaries of
3 state employees, who have completed at least ten (10) years of contributory service on or before
4 July 1, 2005 pursuant to the provisions of this chapter, and for all state employees, and all
5 beneficiaries of state employees who receive a disability retirement allowance pursuant to §§
6 36-10-12 – 36-10-15, the cost of living adjustment shall be computed and paid at the rate of
7 three percent (3%) of the original retirement allowance or the retirement allowance as
8 computed in accordance with § 36-10-35.1, compounded annually from the year for which the
9 cost of living adjustment was determined to be payable by the retirement board pursuant to the
10 provisions of subsection (a) or (b) of this section.

11 (2) The provisions of this subsection shall be deemed to apply prospectively only and
12 no retroactive payment shall be made.

13 (3) The retirement allowance of all state employees and all beneficiaries of state
14 employees who have not completed at least ten (10) years of contributory service on or before
15 July 1, 2005, shall, on the month following the third anniversary date of retirement, and on the
16 month following the anniversary date of each succeeding year be adjusted and computed by
17 multiplying the retirement allowance by three percent (3%) or the percentage of increase in the
18 Consumer Price Index for all Urban Consumers (CPI-U) as published by the United States
19 Department of Labor Statistics determined as of September 30 of the prior calendar year,
20 whichever is less; the cost of living adjustment shall be compounded annually from the year for
21 which the cost of living adjustment was determined payable by the retirement board; provided,
22 that no adjustment shall cause any retirement allowance to be decreased from the retirement
23 allowance provided immediately before such adjustment. This section shall not apply to all state
24 employees and all beneficiaries of state employees, who receive a disability retirement
25 allowance pursuant to §§ 36-10-12 – 36-10-15.

1 (d) Effective July 1, 2009, any state employee not eligible to retire in accordance with
2 this chapter as of July, 1, 2009, or their beneficiaries, shall not receive a cost of living
3 retirement allowance adjustment upon retirement; any state employee, or their beneficiaries,
4 who is eligible to retire as of July 1, 2009, shall receive a cost of living retirement adjustment,
5 if eligible, in accordance with the provisions of this chapter, upon retirement.

6 (e) All legislators and all beneficiaries of legislators who are receiving a retirement
7 allowance pursuant to the provisions of § 36-10-9.1 for a period of three (3) or more years,
8 shall, commencing January 1, 1982, receive a cost of living retirement adjustment, in addition
9 to a retirement allowance, in an amount equal to three percent (3%) of the original retirement
10 allowance. In each succeeding year thereafter during the month of January, the retirement
11 allowance shall be increased an additional three percent (3%) of the original retirement
12 allowance, compounded annually, to be continued during the lifetime of the legislator or
13 beneficiary. For the purposes of computation, credit shall be given for a full calendar year
14 regardless of the effective date of the service retirement allowance.

15 ~~(e)~~(f) The provisions of §§ 45-13-7 – 45-13-10 shall not apply to this section.

16 SECTION 2. Sections 16-16-12, 16-16-16, 16-16-17, and 16-16-40 of the General
17 Laws in Chapter 16-16 entitled “Teacher Retirement” are hereby amended to read as follows:

18 § 16-16-12 Procedure for service retirement. – Retirement of a member on a service
19 retirement allowance shall be made by the retirement board as follows:

20 (1) Any member may retire upon his or her written application to the retirement board
21 as of the first day of the calendar month in which the application was filed, provided the
22 member was separated from service prior to filing the application, and further provided
23 however, that if separation from service occurs during the month in which the application is
24 filed, the effective date shall be the first day following the separation from service, and
25 provided further that the member on retirement date has attained the age of sixty (60) years and

1 has completed at least ten (10) years of contributory service on or before July 1, 2005, or
2 regardless of age has completed twenty-eight (28) years of total service on or before July 1,
3 2009 and has completed at least ten (10) years of contributory service on or before July 1, 2005
4 or after July 1, 2009 has attained age fifty-nine (59), has completed twenty-eight (28) years of
5 total service and has completed at least ten (10) years of contributory service on or before July
6 1, 2005.

7 (b) Any member, who has not completed at least ten (10) years of contributory service
8 on or before July 1, 2005, may retire upon his or her written application to the retirement board
9 as of the first day of the calendar month in which the application was filed; provided, the
10 member was separated from service prior thereto; and further provided, however, that if
11 separation from service occurs during the month in which application is filed, the effective date
12 shall be the first day following that separation from service; provided, the member on his or her
13 retirement date had attained the age of fifty-nine (59) and had completed at least twenty-nine
14 (29) years of total service; or provided, that the member on his or her retirement date had
15 attained the age of sixty-five (65) and had completed at least ten (10) years of contributory
16 service; or provided, that the member on his or her retirement date had attained the age of fifty-
17 five (55) and had completed twenty (20) years of total service and provided, that the retirement
18 allowance, as determined according to the formula in § 16-16-13 is reduced actuarially for each
19 month that the age of the member is less than sixty-five (65) years.

20 (2) Any member also paying into the retirement system under the provisions of chapter
21 9 of title 36 shall not be disqualified from receiving benefits provided by that chapter and the
22 provisions of this chapter simultaneously.

23 (3) Except as specifically provided in §§ 36-10-9.1, 36-10-12 through 36-10-15, and
24 45-21-19 through 45-21-22, no member shall be eligible for pension benefits under this chapter

1 unless the member shall have been a contributing member of the employees' retirement system
2 for at least ten (10) years.

3 (ii) Provided, however, a person who has ten (10) years service credit shall be vested.

4 (iii) Furthermore, any past service credits purchased in accordance with § 36-9-38 shall
5 be counted towards vesting.

6 (iv) Any person who becomes a member of the employees' retirement system pursuant
7 to § 45-21-8 shall be considered a contributing member for the purpose of chapter 21 of title 45
8 and this chapter.

9 (v) Notwithstanding any other provision of law, no more than five (5) years of service
10 credit may be purchased by a member of the system. The five (5) year limit shall not apply to
11 any purchases made prior to January 1, 1995. A member who has purchased more than five (5)
12 years of service credit before January 1, 1995, shall be permitted to apply the purchases
13 towards the member's service retirement. However, no further purchase will be permitted.
14 Repayment, in accordance with applicable law and regulation, of any contribution previously
15 withdrawn from the system shall not be deemed a purchase of service credit.

16 (4) No member of the teachers' retirement system shall be permitted to purchase
17 service credits for casual or seasonal employment, for employment as a page in the general
18 assembly, or for employment at any state college or university while the employee is a student
19 or graduate of the college or university.

20 (5) Except as specifically provided in §§ 16-16-6.2 and 16-16-6.4, a member shall not
21 receive service credit in this retirement system for any year or portion of a year which counts
22 as service credit in any other retirement system in which the member is vested or from which
23 the member is receiving a pension and/or any annual payment for life. This subsection shall not
24 apply to any payments received pursuant to the federal Social Security Act, 42 U.S.C. § 301 et
25 seq.

1 (6) A member who seeks to purchase or receive service credit in this retirement system
2 shall have the affirmative duty to disclose to the retirement board whether or not he or she is a
3 vested member in any other retirement system and/or is receiving a pension, retirement
4 allowance, or any annual payment for life. The retirement board shall have the right to
5 investigate as to whether or not the member has utilized the same time of service for credit in
6 any other retirement system. The member has an affirmative duty to cooperate with the
7 retirement board including, by way of illustration and not by way of limitation, the duty to
8 furnish or have furnished to the retirement board any relevant information that is protected by
9 any privacy act.

10 (7) A member who fails to cooperate with the retirement board shall not have the time
11 of service credit counted toward total service credit until the time the member cooperates with
12 the retirement board and until the time the retirement board determines the validity of the
13 service credit.

14 (8) A member who knowingly makes a false statement to the retirement board
15 regarding service time or credit shall not be entitled to a retirement allowance and is entitled
16 only to the return of his or her contributions without interest.

17 § 16-16-16 Retirement for accidental disability. – (a) Medical examination of an
18 active teacher for accidental disability, and investigation of all statements and certificates by
19 him or her or in his or her behalf in connection with the accidental disability, shall be made
20 upon the application of the head of the department in which the teacher is employed or upon
21 application of the teacher, or of a person acting in his or her behalf, stating that the teacher is
22 physically or mentally incapacitated for the performance of service as a natural and proximate
23 result of an accident, while in the performance of duty, and certify the definite time, place, and
24 conditions of the duty performed by the teacher resulting in the alleged disability, and that the
25 alleged disability is not the result of willful negligence or misconduct on the part of the teacher,

1 and is not the result of age or length of service, and that the teacher should, therefore, be
2 retired.

3 (b) The application shall be made within five (5) years of the alleged accident from
4 which the injury has resulted in the teacher's present disability, and shall be accompanied by an
5 accident report and a physician's report certifying to the disability; provided, that, if the teacher
6 was able to return to his or her employment and subsequently reinjures or aggravates the same
7 injury, the application shall be made within the later of five (5) years of the alleged accident or
8 three (3) years of the reinjury or aggravation. The application may also state that the member is
9 permanently and totally disabled from any employment.

10 (c) If a medical examination conducted by three (3) physicians engaged by the
11 retirement board, and any investigation that the retirement board may desire to make, shall
12 show that the teacher is physically or mentally incapacitated for the performance of service as a
13 natural and proximate result of an accident, while in the performance of duty, and that the
14 disability is not the result of willful negligence or misconduct on the part of the teacher, and is
15 not the result of age or length of service, and that the teacher has not attained the age of sixty-
16 five (65) years, and that the teacher should be retired, the physicians who conducted the
17 examination shall so certify to the retirement board stating the time, place, and conditions of
18 service performed by the teacher resulting in the disability, and the retirement board may grant
19 the teacher an accidental disability benefit.

20 (d) The retirement board shall establish uniform eligibility requirements, standards, and
21 criteria for accidental disability which shall apply to all members who make application for
22 accidental disability benefits.

23 § 16-16-17 Amount of accidental disability benefit. - (a) Upon retirement for
24 accidental disability under § 16-16-16 a teacher shall receive a maximum benefit that shall be
25 equal to sixty-six and two-thirds percent (66 2/3%) of his or her annual compensation at the

1 time of his or her retirement, subject to the provisions of § 16-16-20. Upon any application for
2 accidental disability after July 1, 2009, if the member has been found to be permanently and
3 totally disabled from service but has not been found by the board to be permanently and totally
4 disabled from any employment as a result of his/her accidental disability, a member shall
5 receive a retirement allowance equal to fifty percent (50%) of the rate of the member's
6 compensation at the date of the member's retirement subject to the provisions of § 36-16-20.
7 The retiree shall, as a condition of continued receipt of a disability retirement allowance, on or
8 before a date fixed by the retirement board, annually under penalties of perjury provide the
9 board with such affidavits and accurate evidence of earnings, employment and gainful activity
10 as the board may require, including, but not limited to, joint and/or individual tax returns.
11 Payment of the disability retirement allowance shall continue as long as the individual remains
12 disabled, and regardless of service or age.

13 (b) Upon retirement for accidental disability that has been found by the board to be
14 permanently and totally disabling from any employment, a member receives a retirement
15 allowance equal to sixty-six and two-thirds percent (66 2/3%) of the rate of the member's
16 compensation at the date of the member's retirement subject to the provisions of § 16-16-20.
17 The retirement board shall apply the terms of subsection 28-33-17(b) in determining total
18 disability.

19 **§ 16-16-40 Additional benefits payable to retired teachers.** – (a) All teachers and all
20 beneficiaries of teachers receiving any service retirement or ordinary disability retirement
21 allowance pursuant to the provisions of this chapter and chapter 17 of this title, on or before
22 December 31, 1967, shall receive a cost of living retirement adjustment equal to one and one-
23 half percent (1.5%) per year of the original retirement allowance, not compounded, for each
24 year the retirement allowance has been in effect. For purposes of computation credit shall be
25 given for a full calendar year regardless of the effective date of the retirement allowance. This

1 cost of living retirement adjustment shall be added to the amount of the service retirement
2 allowance as of January 1, 1970, and payment shall begin as of July 1, 1970. An additional cost
3 of living retirement adjustment shall be added to the original retirement allowance equal to
4 three percent (3%) of the original retirement allowance on the first day of January, 1971, and
5 each year thereafter through December 31, 1980.

6 (b) All teachers and beneficiaries of teachers receiving any service retirement or
7 ordinary disability retirement allowance pursuant to the provisions of this title who retired on or
8 after January 1, 1968, shall, on the first day of January, next following the third (3rd) year on
9 retirement, receive a cost of living adjustment, in addition to his or her retirement allowance,
10 an amount equal to three percent (3%) of the original retirement allowance. In each succeeding
11 year thereafter, on the first day of January, the retirement allowance shall be increased an
12 additional three percent (3%) of the original retirement allowance, not compounded, to be
13 continued through December 31, 1980.

14 (c) Beginning on January 1, 1981, for all teachers and beneficiaries of teachers
15 receiving any service retirement and all teachers and all beneficiaries of teachers who have
16 completed at least ten (10) years of contributory service on or before July 1, 2005, pursuant to
17 the provisions of this chapter, and for all teachers and beneficiaries of teachers who receive a
18 disability retirement allowance pursuant to §§ 16-16-14 - 16-16-17, the cost of living
19 adjustment shall be computed and paid at the rate of three percent (3%) of the original
20 retirement allowance or the retirement allowance as computed in accordance with § 16-16-40.1,
21 compounded annually from the year for which the cost of living adjustment was determined to
22 be payable by the retirement board pursuant to the provisions of subsection (a) or (b) of this
23 section.

24 (2) The provisions of this subsection shall be deemed to apply prospectively only and
25 no retroactive payment shall be made.

1 (3) The retirement allowance of all teachers and all beneficiaries of teachers who have
2 not completed at least ten (10) years of contributory service on or before July 1, 2005, shall on
3 the month following the third anniversary date of the retirement, and on the month following
4 the anniversary date of each succeeding year be adjusted and computed by multiplying the
5 retirement allowance by three percent (3%) or the percentage of increase in the Consumer Price
6 Index for all Urban Consumers (CPI-U) as published by the United States Department of Labor
7 Statistics, determined as of September 30 of the prior calendar year, whichever is less; the cost
8 of living adjustment shall be compounded annually from the year for which the cost of living
9 adjustment was determined payable by the retirement board; provided, that no adjustment shall
10 cause any retirement allowance to be decreased from the retirement allowance provided
11 immediately before such adjustment. This section shall not apply to all teachers and
12 beneficiaries of teachers who receive a disability retirement allowance pursuant to §§ 16-16-14
13 – 16-16-17.

14 (d) Effective July 1, 2009, any teacher not eligible to retire in accordance with this
15 chapter as of July, 1, 2009, or their beneficiaries, shall not receive a cost of living retirement
16 allowance adjustment upon retirement; any teacher, or their beneficiaries, who is eligible to
17 retire as of July 1, 2009, shall receive a cost of living retirement adjustment, if eligible, in
18 accordance with the provisions of this chapter, upon retirement.

19 (e) The provisions of §§ 45-13-7 – 45-13-10 shall not apply to this section.

20 SECTION 3. Sections 8-3-15 of the General Laws in Chapter 8-3 entitled “Justices of
21 Supreme, Superior, and Family Courts” is hereby amended to read as follows:

22 § 8-3-15 Cost of living allowance. – (a) All justices of the supreme court, superior
23 court, family court, or district court, or their surviving spouses or domestic partners, who retire
24 after January 1, 1970 and who receive a retirement allowance pursuant to the provisions of this
25 title shall, on the first day of January next following the third anniversary date of retirement,

1 receive a cost-of-living retirement adjustment in addition to his or her retirement allowance in
2 an amount equal to three percent (3%) of the original retirement allowance. In each succeeding
3 year thereafter during the month of January, the retirement allowance shall be increased an
4 additional three percent (3%) of the original allowance, not compounded, to be continued
5 during the lifetime of the justice or his or her surviving spouse or domestic partner. For the
6 purpose of such computation, credit shall be given for a full calendar year regardless of the
7 effective date of the retirement allowance.

8 (b) Any justice who retired prior to January 31, 1977 shall be deemed for the purpose
9 of this section to have retired on January 1, 1977.

10 (c) Effective July 1, 2009, any justice who is not eligible to retire as of July 1, 2009, or
11 their beneficiaries, shall not receive a cost of living retirement allowance adjustment upon
12 retirement; any justice who is eligible to retire as of July 1, 2009, or their beneficiaries, shall
13 receive a cost of living retirement adjustment, if eligible, in accordance with the provisions of
14 this chapter, upon retirement.

15 SECTION 4. Sections 8-8.2-12 of the General Laws in Chapter 8-8.2 entitled "Traffic
16 Tribunal" is hereby amended to read as follows:

17 § 8-8.2-12 Additional benefits payable to retired judges and their surviving
18 spouses or domestic partners. – (a) All judges of the administrative adjudication court and all
19 judges of the administrative adjudication court who have been reassigned to the traffic tribunal,
20 or their surviving spouses or domestic partners, who retire after January 1, 1970 and who
21 receive a retirement allowance pursuant to the provisions of this title, shall, on the first day of
22 January, next following the third anniversary of the retirement, receive a cost of living
23 retirement adjustment in addition to his or her retirement allowance in an amount equal to three
24 percent (3%) of the original retirement allowance. In each succeeding year thereafter during the
25 month of January, the retirement allowance shall be increased an additional three percent (3%)

1 of the original allowance, compounded annually from the year cost of living adjustment was
2 first payable to be continued during the lifetime of the judge or his or her surviving spouse or
3 domestic partner. For the purpose of such computation, credit shall be given for a full calendar
4 year regardless of the effective date of the retirement allowance.

5 (b) Any judge who retired prior to January 31, 1980, shall be deemed for the purpose
6 of this section to have retired on January 1, 1980.

7 (c) Effective July 1, 2009, any judge who is not eligible to retire as of July 1, 2009, or
8 their beneficiaries, shall not receive a cost of living retirement allowance adjustment upon
9 retirement; any judge who is eligible to retire as of July 1, 2009, or their beneficiaries, shall
10 receive a cost of living retirement adjustment, if eligible, in accordance with the provisions of
11 this chapter, upon retirement.

12 SECTION 5. Sections 28-30-18 of the General Laws in Chapter 28-30-18 entitled
13 “Workers’ Compensation Court” is hereby amended to read as follows:

14 § 28-30-18 Additional benefits payable to retired judges and their surviving
15 spouses or domestic partners. – (a) All judges of the workers' compensation court, or their
16 surviving spouses or domestic partners, who retire after January 1, 1970 and who receive a
17 retirement allowance pursuant to the provisions of this title, shall, on the first day of January
18 next following the third anniversary date of their retirement, receive a cost of living retirement
19 adjustment in addition to his or her retirement allowance in an amount equal to three percent
20 (3%) of the original retirement allowance. In each succeeding subsequent year during the month
21 of January the retirement allowance shall be increased an additional three percent (3%) of the
22 original allowance, compounded annually from the year the cost of living adjustment was first
23 payable to be continued during the lifetime of that judge or his or her surviving spouse or
24 domestic partner. For the purpose of that computation, credit shall be given for a full calendar
25 year regardless of the effective date of the retirement allowance.

1 (b) Any judge who retired prior to January 31, 1980, shall be deemed for the purpose
2 of this section to have retired on January 1, 1980.

3 (c) Effective July 1, 2009, any judge who is not eligible to retire as of July 1, 2009, or
4 their beneficiaries, shall not receive a cost of living retirement allowance adjustment upon
5 retirement; any judge who is eligible to retire as of July 1, 2009, or their beneficiaries, shall
6 receive a cost of living retirement adjustment, if eligible, in accordance with the provisions of
7 this chapter, upon retirement.

8 SECTION 6. Sections 42-28-22 of the General Laws in Chapter 42-28 entitled "State
9 Police" is hereby amended to read as follows:

10 § 42-28-22 Retirement of members. – (a) Whenever any member of the state police
11 hired prior to July 1, 2007 has served for twenty (20) years, he or she may retire therefrom or
12 he or she may be retired by the superintendent with the approval of the governor, and in either
13 event a sum equal to one-half (1/2) of the whole salary for the position from which he or she
14 retired determined on the date he or she receives his or her first retirement payment shall be
15 paid him or her during life.

16 (b) For purposes of this section, the term "whole salary" means:

17 (1) For each member who retired prior to July 1, 1966, "whole salary" means the base
18 salary for the position from which he or she retired as the base salary for that position was
19 determined on July 31, 1972;

20 (2) For each member who retired between July 1, 1966 and June 30, 1973, "whole
21 salary" means the base salary for the position from which he or she retired as the base salary,
22 implemented by the longevity increment, for that position was determined on July 31, 1972 or
23 on the date of his or her retirement, whichever is greater;

1 (3) For each member who retired or who retires after July 1, 1973 "whole salary"
2 means the base salary, implemented by the longevity increment, holiday pay, and clothing
3 allowance, for the position from which he or she retired or retires.

4 (4) For each member who is eligible to retire as of July 1, 2009, "whole salary" is
5 defined in accordance with subsection (3).

6 (5) For each member who retires after July 1, 2009, "whole salary" means his or her
7 average highest three (3) consecutive years of compensation. "Compensation" shall mean
8 salary or wages earned and paid for the performance of duties for covered employment,
9 including regular longevity, but shall not include payments made for overtime or reasons other
10 than performance of duties or activities, including but not limited to the types of payments listed
11 in section 36-8-1.

12 (c) Any member who retired prior to July 1, 1977 shall receive a benefits payment
13 adjustment equal to three percent (3%) of his or her original retirement, as determined in
14 subsection (b) of this section, in addition to his or her original retirement allowance. In each
15 succeeding year thereafter during the month of January, the retirement allowance shall be
16 increased an additional three percent (3%) of the original retirement allowance, not
17 compounded, to be continued until January 1, 1991. For the purposes of the computation,
18 credit shall be given for a full calendar year regardless of the effective date of the service
19 retirement allowance. For purposes of this subsection, the benefits payment adjustment shall be
20 computed from January 1, 1971 or the date of retirement, whichever is later in time.

21 (2) Any member of the state police who retires pursuant to the provisions of this
22 chapter on or after January 1, 1977, shall on the first day of January, next following the third
23 anniversary date of the retirement receive a benefits payment adjustment, in addition to his or
24 her retirement allowance, in an amount equal to three percent (3%) of the original retirement
25 allowance. In each succeeding year thereafter during the month of January, the retirement

1 allowance shall be increased an additional three percent (3%) of the original retirement
2 allowance, not compounded, to be continued until January 1, 1991. For the purposes of the
3 computation, credit shall be given for a full calendar year regardless of the effective date of the
4 service retirement allowance.

5 (3) Any retired member of the state police who is receiving a benefit payment
6 adjustment pursuant to subdivisions (1) and (2) of this section shall beginning January 1, 1991,
7 receive a benefits payment adjustment equal to fifteen hundred dollars (\$1,500). In each
8 succeeding year thereafter during the month of January, the retirement allowance shall be
9 increased by fifteen hundred dollars (\$1,500) to be continued during the lifetime of the
10 member.

11 (d) Effective July 1, 2009, any member of the state police who is not eligible to retire
12 as of July 1, 2009, or their beneficiaries, shall not receive a benefits adjustment allowance upon
13 retirement; any member of the state police who is eligible to retire as of July 1, 2009, or their
14 beneficiaries, shall, upon retirement, receive a benefits adjustment allowance, if eligible, in
15 accordance with the provisions of this chapter.

16 The benefits payment adjustment as provided in this section shall apply to and be in
17 addition to the retirement benefits under the provisions of § 42-28-5, to the injury and death
18 benefits under the provisions of § 42-28-21, and to the death and disability payments as
19 provided in § 42-28-36.

20 (e) Any member who retires after July 1, 1972 and who has served beyond twenty (20)
21 years shall be allowed an additional amount equal to three percent (3%) for each completed
22 year served after twenty (20) years, but in no event shall the original retirement allowance
23 exceed sixty-five percent (65%) of his or her whole salary as defined in subsection (b) hereof or
24 sixty-five percent (65%) of his or her salary as defined in subsection (b) hereof in his or her
25 twenty-fifth (25th) year whichever is less.

1 (2) Each member who retired prior to July 1, 1975, shall be entitled to all retirement
2 benefits as set forth above or shall be paid benefits as set forth in subdivision (b)(1) with
3 "whole salary" meaning the base salary for the position from which he or she retired as the base
4 salary for the position was determined on July 1, 1975, whichever is greater.

5 (f) Any member who retires, has served as a member for twenty (20) years or more,
6 and who served for a period of six (6) months or more of active duty in the armed service of
7 the United States or in the merchant marine service of the United States as defined in § 2 of
8 chapter 1721 of the Public Laws, 1946, may purchase credit for such service up to a maximum
9 of two (2) years; provided that any member who has served at least six (6) months or more in
10 any one year shall be allowed to purchase one year for such service and any member who has
11 served a fraction of less than six (6) months in his or her total service shall be allowed to
12 purchase six (6) months' credit for such service.

13 (2) The cost to purchase these credits shall be ten percent (10%) of the member's first
14 year salary as a state policeman multiplied by the number of years and/or fraction thereof of
15 such armed service up to a maximum of two (2) years. The purchase price shall be paid into the
16 general fund.

17 (3) There will be no interest charge provided the member makes such purchase during
18 his or her twentieth (20th) year or within five (5) years from May 18, 1981, whichever is later,
19 but will be charged regular rate of interest as defined in § 36-8-1 as amended to date of
20 purchase from the date of his or her twentieth (20th) year of state service or five (5) years from
21 May 18, 1981, whichever is later.

22 (4) In no event shall the original retirement allowance exceed sixty-five percent (65%)
23 of his or her whole salary as defined in subsection (b) hereof or sixty-five percent (65%) of his
24 or her salary as defined in subsection (b) hereof in his or her twenty-fifth (25th) year,
25 whichever is less.

1 (g) The provisions of this section shall not apply to civilian employees in the Rhode
2 Island state police; and, further, from and after April 28, 1937, chapters 8 – 10, inclusive, of
3 title 36 shall not be construed to apply to the members of the Rhode Island state police, except
4 as provided by §§ 36-8-3, 36-10-1.1, 42-28-22.1, and 42-28-22.2, or as otherwise stated in this
5 section.

6 (h) Any other provision of this section notwithstanding, any member of the state police
7 other than the superintendent of state police, who is hired prior to July 1, 2007 and who has
8 served for twenty-five (25) years or who has attained the age of sixty-two (62) years, whichever
9 shall first occur, shall retire therefrom.

10 (i) Any other provision of this section notwithstanding, any member of the state police,
11 other than the superintendent, who is hired on or after July 1, 2007 and who has served for
12 twenty-five (25) years, may retire therefrom or he or she may be retired by the superintendent
13 with the approval of the governor, and shall be entitled to a retirement allowance of fifty
14 percent (50%) of his or her "whole salary" as defined in subsection (b) hereof.

15 (2) Any member of the state police who is hired on or after July 1, 2007 may serve up
16 to a maximum of thirty (30) years, and shall be allowed an additional amount equal to three
17 percent (3.0%) for each completed year served after twenty-five (25) years, but in no event
18 shall the original retirement allowance exceed sixty-five percent (65%) of his or her "whole
19 salary" as defined in subsection (b) hereof.

20 (j) In calculating the retirement benefit for any member, the term base salary as used in
21 subdivision (b)(3) shall not be affected by a deferral of salary plan or a reduced salary plan
22 implemented to avoid shutdowns or layoffs or to effect cost savings. Basic salary shall remain
23 for retirement calculation that which it would have been but for the salary deferral or salary
24 reduction due to a plan implemented to avoid shutdowns or layoffs or to effect cost savings.

1 (k) Upon expiration or termination of any collective bargaining agreement by its terms,
2 any and all matters relating to the retirement of the members of the state police of Rhode Island
3 are excluded as negotiable items in the collective bargaining process and/or are not subject to
4 arbitration thereof.

5 SECTION 7. This article shall take effect upon passage.

1 employee would have paid on his or her salary prior to the reduction in salary and the amount
2 that the employee actually contributed plus interest.

3 SECTION 2. This article shall take effect as of July 1, 2008.

1 (5) Whenever, as of September 30, 1987, or any subsequent computation date the
2 amount in the employment security fund available for benefits is four and seven-tenths percent
3 (4.7%) but less than five and three-tenths (5.3%) of total payrolls as determined in § 28-43-
4 1(9), an experience rate for each eligible employer for the immediately following calendar year
5 shall be determined in accordance with schedule E in this subsection.

6 (6) Whenever, as of September 30, 1987, or any subsequent computation date the
7 amount in the employment security fund available for benefits is three and six-tenths percent
8 (3.6%) but less than four and seven-tenths (4.7%) of total payrolls as determined in § 28-43-
9 1(9), an experience rate for each eligible employer for the immediately following calendar year
10 shall be determined in accordance with schedule F in this subsection.

11 (7) Whenever, as of September 30, 1987, or any subsequent computation date the
12 amount in the employment security fund available for benefits is three percent (3%) but less
13 than three and six-tenths (3.6%) of total payrolls as determined in § 28-43-1(9), an experience
14 rate for each eligible employer for the immediately following calendar year shall be determined
15 in accordance with schedule G in this subsection.

16 (8) Whenever, as of September 30, 1987, or any subsequent computation date the
17 amount in the employment security fund available for benefits is two and seventy five
18 hundredths percent (2.75%) but less than 3 percent (3%) of total payrolls as determined in §
19 28-43-1(9), an experience rate for each eligible employer for the immediately following
20 calendar year shall be determined in accordance with schedule H in this subsection.

21 (9) Whenever, as of September 30, 1987, or any subsequent computation date the
22 amount in the employment security fund available for benefits is less than two and seventy five
23 hundredths percent (2.75%) of total payrolls as determined in § 28-43-1(9), an experience rate
24 for each eligible employer for the immediately following calendar year shall be determined in
25 accordance with schedule I in this subsection.

1 (10) Whenever the amount in the employment security fund available for benefits, net
2 of obligations owed to the federal government, is less than zero at the end of the second month
3 in any calendar quarter, every employer subject to the contribution provisions of this chapter
4 shall be required to pay a surtax of three-tenths of one percent (.3%) of the individual
5 employer's taxable wages for the calendar quarter, in addition to any other contribution which
6 the employer is required to make under any other provision of this chapter; provided, however,
7 that this surtax shall not be imposed during any quarter of calendar years 2009 and 2010 during
8 which the interest on federal Title XII advances under section 1201 of the Social Security Act
9 has been waived.

10 (See Table at End of Document)

11 (b) The contribution rate for each employer for a given calendar year shall be
12 determined and the employer notified of it not later than April 1 next succeeding each
13 computation date. That determination shall be binding unless an appeal is taken in accordance
14 with provisions of § 28-43-13.

15 SECTION 2. This article shall take effect upon passage.

16

**TAX
SCHEDULES**

Employer's Account Reserve Percentage	Schedule A	Schedule B	Schedule C	Schedule D	Schedule E	Schedule F	Schedule G	Schedule H	Schedule I
Positive Percentages									
17.00 and over	0.6	0.7	0.8	0.9	1.0	1.2	1.5	1.7	1.9
15.50 to 16.99	0.8	0.9	1.0	1.1	1.3	1.5	1.8	2.1	2.3
14.00 to 15.49	0.9	1.0	1.2	1.3	1.5	1.7	2.0	2.3	2.6
12.50 to 13.99	1.1	1.2	1.4	1.5	1.7	2.0	2.3	2.6	2.9
11.00 to 12.49	1.3	1.4	1.6	1.7	1.9	2.2	2.5	2.8	3.1
9.50 to 10.99	1.5	1.7	1.8	1.9	2.1	2.4	2.7	3.0	3.3
8.00 to 9.49	1.7	1.9	2.0	2.2	2.4	2.7	2.9	3.2	3.5
6.50 to 7.49	1.9	2.1	2.3	2.5	2.6	2.9	3.1	3.4	3.7
5.00 to 6.49	2.1	2.3	2.5	2.7	2.8	3.1	3.4	3.6	3.9
3.50 to 4.99	2.3	2.5	2.7	2.9	3.0	3.3	3.7	3.9	4.2
2.00 to 3.49	2.5	2.7	2.9	3.2	3.3	3.6	3.9	4.2	4.5
0.00 to 1.99	2.7	3.0	3.2	3.4	3.6	3.9	4.2	4.5	4.8
Negative Percentages									
-0.01 to -1.99	3.0	3.3	3.5	3.8	4.2	4.5	4.8	5.1	5.4
-2.00 to -3.99	3.3	3.5	3.8	4.1	4.5	4.8	5.1	5.4	5.7
-4.00 to -5.99	3.6	3.8	4.1	4.4	4.8	5.1	5.4	5.8	6.0
-6.00 to -7.99	3.9	4.1	4.4	4.7	5.1	5.4	5.8	6.2	6.4
-8.00 to -9.99	4.2	4.4	4.7	5.0	5.4	5.8	6.2	6.6	6.8
-10.00 to -11.99	4.5	4.7	5.0	5.4	5.8	6.2	6.6	7.0	7.2
-12.00 to -13.99	4.8	5.0	5.4	5.8	6.2	6.6	7.0	7.4	7.6
-14.00 to -15.99	5.1	5.4	5.8	6.2	6.6	7.0	7.4	7.8	8.0
-16.00 to -17.99	5.4	5.8	6.2	6.6	7.0	7.4	7.8	8.2	8.4
-18.00 to -19.99	5.8	6.2	6.6	7.0	7.4	7.8	8.2	8.6	8.8
-20.00 to -21.99	6.2	6.6	7.0	7.4	7.8	8.2	8.6	9.0	9.2
-22.00 to -23.99	6.6	7.0	7.4	7.8	8.2	8.6	9.0	9.4	9.6
-24.00 and over	7.0	7.4	7.8	8.2	8.6	9.0	9.4	9.8	10.0