



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Administration  
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**Memorandum**

**To:** The Honorable Helio Mello  
Chairman, House Finance Committee  
  
The Honorable Daniel DaPonte  
Chairman, Senate Finance Committee

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

**Date:** February 29, 2012

**Subject:** Amendments to Article 13 of FY 2013 Appropriations Act (12-H-7323)

The Governor requests that the attached Article 13, Relating to Public Officers and Employees, replace the original version that was included in the FY 2013 Appropriations Act. The new version of Article 13 clarifies that the salary adjustment provided to directors of state executive departments shall be the same percentage provided to non-bargaining unit classified employees. The revised language is indicated by shading.

If you have any questions regarding Article 13, or other articles in the FY 2013 Appropriations Act, please feel free to call me or my staff at 222-6300.

TAM:12-23  
Attachments

cc: Sharon Reynolds Ferland, House Fiscal Advisor  
Peter Marino, Senate Fiscal Advisor  
Brian Daniels, Director of Policy  
Richard Licht, Director of Administration  
Gregory Stack

## REVISED ARTICLE 13

### RELATING TO PUBLIC OFFICERS AND EMPLOYEES

SECTION 1. Section 36-4-16 of the General Laws in Chapter 36-4 entitled "Merit System" is hereby amended to read as follows:

§ 36-4-16.4 Salaries of directors. – (a) The department of administration shall adjust the salaries of directors of state executive departments by the percentage of any general salary increase provided to non-bargaining unit classified service state employees. Such adjustments shall not be subject to the provisions of (b) through (e) below.

(b) In the event the department of administration seeks to increase the salaries of directors greater than that provided for in section (a), it may, in the month of March of each year, the department of administration shall conduct a public hearing to determine salaries to be paid to directors of any or all state executive departments for the following year, at which hearing all persons shall have the opportunity to provide testimony, orally and in writing. In determining these salaries, the department of administration will take into consideration the duties and responsibilities of the aforementioned officers, as well as such related factors as salaries paid executive positions in other states and levels of government, and in comparable positions anywhere which require similar skills, experience, or training. Consideration shall also be given to the amounts of salary adjustments made for other state employees during the period that pay for directors was set last.

(b)(c) Each salary determined by the department of administration will be in a flat amount, exclusive of such other monetary provisions as longevity, educational incentive awards, or other fringe additives accorded other state employees under provisions of law, and for which directors are eligible and entitled.

(e)(d) In no event will the department of administration lower the salaries of existing directors during their term of office.

~~(d)~~(e) Upon determination by the department of administration, the proposed salaries of directors will be referred to the general assembly by the last day in April of that year to go into effect thirty (30) days hence, unless rejected by formal action of the house and the senate acting concurrently within that time.

SECTION 2. This article shall take effect upon passage.