Memorandum

To: The Honorable Donald L. Carcieri

Governor

Beverly Najarian, Director Department of Administration

From: Rosemary Booth Gallogly

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Date: November 15, 2007

Subject: FY 2008 First Quarter Report

The first quarter report for FY 2008 contains estimates of annual expenditures based upon analysis of expenditures through the first quarter of FY 2008 (July 1, 2007 through September 30, 2007) as well as caseload and medical assistance expenditure estimates adopted at the November 7, 2007 and November 9, 2007 Revenue and Caseload Estimating Conferences. The projected fiscal year 2008 balance, based upon these assumptions, is estimated to show a \$151.5 million deficit.

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

The Budget Office continues to review department and agency FY 2008 expenditure plans in conjunction with the FY 2009 budget process. Any changes recommended by the Governor to the FY 2008 enacted appropriations, or adopted revenues, will be incorporated in the supplemental appropriations act, which under current law, must be submitted to the General Assembly no later than January 17, 2008.

The projected budget deficit for FY 2008 is the result of both revenue shortfalls and overspending,

although the revenue shortfall represents approximately two thirds of the problem. On the revenue side, general revenue receipts are expected to be \$113.3 million less than enacted. Taxes and departmental revenues are expected to fall short of the enacted estimates by \$90.6 million and \$39.5 million respectively, but other sources, including lottery revenues, are expected to exceed enacted estimates by \$16.8 million. The November Revenue Estimating Conference predicts that revenues will be \$3,359.7 million, which is \$113.3 million less than the enacted estimate of \$3,473.0 million for FY 2008.

Table 1 demonstrates that revenues, net of reserve fund contributions have been adjusted downward from the enacted budget by \$104.9 million. The opening surplus of \$0.9 million projected by the Budget Office for FY 2008 reflects a transfer of \$6.6 million to the Retirement Fund pursuant to state law at the close of FY 2007. This reflects the difference between enacted and preliminary actual revenues, net of reserve fund transfers. This is an increase of \$0.8 million from the enacted figure. Expenditures increase by a net of \$47.7 million, including \$5.3 million of reappropriations.

Statewide Personnel Costs

As you may recall, incremental amounts were withdrawn for personnel savings statewide and were reflected in the Department of Administration; this \$9.1 million was to be allocated to agencies as part of the revised FY 2008 budget. The attached Table 2 delineates the projected expenditure changes by agency in FY 2008, including the distribution from the Department of Administration to each agency, reflecting turnover totaling \$15.6 million statewide, or \$6.4 million more than the amount reduced from appropriations in the Department of Administration. This assumes almost all vacant positions will remain unfilled. As of October 27, 2007, there were 14,987.0 state employee FTE positions filled, which is 1,000.3 less than the FTE cap in the enacted budget. It should be noted that not all authorized positions are funded. The Administration continues to constrain hiring, and on November 15, 2007 provided notice concerning the executed or potential layoff of over 500 state employees. Additionally, the Administration has provided notification concerning release of certain contract employees (179) between today and June 30, 2008. In general, there are no savings incorporated in the spending projection in the current fiscal year from these reduction requirements due to bumping, unemployment, and separation costs.

Privatization Initiatives

The enacted budget also included \$3.3 million general revenue savings attributable to the privatization of dietary services at the Veterans' Home and dietary and housekeeping services at Eleanor Slater hospital and the Veterans' Home. Due to inclusion in the budget of Article 42 which imposes new requirements for the privatization of services previously provided by state employees, it is unlikely that savings will be realized in FY 2008. The Department of Administration provided a tentative award of a privatization contract for housekeeping services on August 28th, and it is likely that the courts will determine if the State can move forward.

Department of Children, Youth and Families

The Department of Children, Youth and Families (DCYF) projects a general revenue deficit of \$7.4

million for FY 2008. Of this, \$6.1 million is attributable to the 18 – 21 year old population. The Department's FY 2008 budget included general revenue savings of \$6.1 million by ending Family Court jurisdiction at 18 years of age for youth receiving child welfare services. Some services for this population would be available to any youth who chose to voluntarily remain under the care of DCYF. The Family Court has since determined this legislation to be prospective and, therefore, any youth in DCYF custody prior to July 1, 2007 would not be subject to this statutory change. The total deficit related to 18 – 21 year olds, based on first quarter projections, annualizes to \$7.5 million, however the Department is projecting savings of \$1.4 million based on recent case closures and changes in the independent living programs.

Furthermore, the Department's budget included savings of general revenue \$3.6 million related to statutory change amending the Family Court's jurisdiction to a youth's 17th birthday and capped the age of majority within the juvenile correctional system at 19 years of age. On October 31, 2007, the General Assembly reversed this law, restoring jurisdiction of 17 year olds to the Family Court. The Department has predicted a deficit of \$1.7 million based on a second quarter implementation of the legislative changes and other projected surpluses within the Juvenile Corrections program.

In addition, the FY 2008 budget assigned \$1.2 million in general revenue savings to the DCYF Central Management program in anticipation of the Buy Rite initiative. This initiative, established under the direction of the Executive Office of Health and Human Services (EOHHS) would develop a value-based approach for purchasing health and human services that facilitates greater coordination and standardization of the procurement process, fosters the systematic evaluation of inputs, outputs and outcomes, assures fair and equitable competition and the strategic sourcing and use of resources, supports the state's fiscal and policy priorities, and rewards administrative efficiency, program integrity and service quality and innovation. To date, the Department has not realized any savings from this initiative. The Department, through the coordination of OHHS, continues to pursue full implementation of this program, or as an alternative, provider reductions in an amount equal to the anticipated savings.

Department of Corrections

In the FY 2008 budget, in response to an escalating population at the Department of Corrections, the Governor charged the Director of Corrections to develop options to reduce the population by 500 inmates, and to work with stakeholders to achieve this end. Approximately \$3.0 million in savings was taken. No legislation was enacted during the FY 2008 session that would achieve this result, but no funds were added back to the Department's budget. The FY 2008 enacted budget assumed supervision/operating costs associated with an average population of 3,289 based upon the closure of several housing modules in three facilities associated with a population decline of 500 inmates. For the month of November, however, the population has averaged 3,930, and has reached all-time records, spiking several times above 4,000. With the increased population, all housing modules are fully occupied, and in several instances inmates are being housed in areas such as holding or committing areas or are triple bunked. The population increase, coupled with attrition, is also driving overtime costs higher, as there are a greater number of staffing hours that must covered with a

decreasing number of staff. Despite this, personnel costs are projected to be \$597,000 lower than enacted, assuming that approximately \$16.0 million which is set aside to cover collective bargaining issues is sufficient. The State and RIBCO have been in arbitration for several months. This report assumes that the funds appropriated are sufficient to fund a future award. Therefore any award in excess of cost of living adjustments afforded other employees, presents a risk to this projection. Operational costs are primarily driven by population when the department must address food, clothing and medical requirements. Operational costs are expected to be \$3.1 million greater than enacted.

<u>Caseload Conference – Department of Human Services</u>

The November Caseload Estimating Conference increased projected Department of Human Services caseload costs by \$11.9 million, including \$9.0 million for Medical Benefit costs, and \$2.9 million for cash assistance. The change from the enacted general revenue funded medical assistance costs includes: decreases in base costs of \$1.5 million, delayed iniatives of \$5.0 million, changes in RIteCare transportation federal reimbursement assumptions of \$2.8 million, and changes in S-CHIP federal funding level assumptions of \$2.7 million. Additions to enacted general revenue appropriations for cash assistance payments include \$0.6 million of base cost changes, and \$2.3 million due to the delay in implementation of initiatives.

The FY 2008 budget which was enacted on June 23, 2007, included several initiatives which were projected to save \$46.0 million general revenues in activities estimated by the Caseload Estimating Conference. Recognized within the adopted estimates is approximately \$7.4 million of increased general revenue costs that result from changes in implementation of eight of these initiatives. These are: Co-payments on pharmaceutical benefits, \$255,000; Emergency Room rates restructuring, \$483,000; Care management for special mental health services, \$808,000; Care management for DCYF client health care costs, \$3.5 million; and \$2.3 million general revenues for child care initiatives for restructuring partial day rates, eliminating eligibility above age thirteen, increased client co-payments, and reductions in income eligibility limits.

The adopted estimate for medical assistance assumes that federal funding for the S-CHIP program will be provided at a level of \$33.0 million, compared to \$45.0 million in enacted estimates. This reduced level will result in an additional \$2.7 million of general revenue requirements. Additionally, the Conference assumed a shift in the cost sharing of the current transportation contract for RIPTA in the second half of FY 2009. The Conference estimate assumes that an additional \$2.8 million of RIteCare transportation costs will be funded from general revenues in FY 2008.

<u>Utility Costs</u>

The projection of utility costs for state government reflects a risk to this analysis. In the Department of Administration, where most utility costs are budgeted, there is a projected increase of \$3.0 million in general revenue costs. Of this amount, \$2.1 million relates to costs for fuel, oil and electricity for agencies not serviced by the Pastore Center Power Plant. Costs at the Pastore Center are projected to be \$800,000 greater than enacted levels. The ability of the Power Plant managers to use natural gas has reduced the state's exposure to increasing oil prices.

BuyRite Initiative

The FY2008 budget included \$7.0 million of general revenue savings assumed for the BuyRIte initiative. This initiative proposes to restructure the procurement of services by agencies under the direction of the Executive Office of Human Services. While there are several ideas being discussed, this quarterly report does not assume that any substantial savings will be achieved in FY 2008. The departments are developing remediation plans to capture the savings in FY 2008.

The projected general revenue deficit for FY 2008 would therefore be approximately \$151.5 million. Major expenditure changes include:

Reappropriations	\$5,334,730
November Caseload Estimating Conference – DHS Cash Assistance	2,918,101
November Caseload Estimating Conference – DHS Medicaid	8,993,086
Department of Corrections Population and operations	2,132,806
DCYF Restorations for Care for youths over age seventeen	10,338,078
TANS Interest	3,015,000
Buy-RIte Purchasing Initiative:	
MHRH	4,031,495
DHS	1,146,880
DCYF	1,216,402
DEA	234,075
Slater Hospital – Mandatory Overtime	1,100,000
Net vacancy savings above appropriated statewide personnel savings	(6,452,645)
DOA – Facilities Energy Costs	3,000,000
MHRH Privatization Initiatives	2,503,830
Veterans' Home Privatization Initiative	769,144
State Aid to Education - Construction	(1,709,809)
State Aid to Education – Teacher Retirement	2,153,645
Net Other Education Aid adjustments	600,000
DEM-Unavailable offsets from Resource Recovery	600,000
DEM – Tiverton Legal Costs	198,000
DOA Legal Services	449,000
Net All Other Items	4,097,949
Total	46,669,767

The changes to general revenue expenditures are intended to be comprehensive, reflecting both increases and decreases to agency spending plans. As you know, I am working with the departments to take actions to minimize, to the extent possible, the need for supplemental appropriations in the current fiscal year, and continue to develop plans to reduce expenditures to meet the available resources.

Operating budgets in the Transportation function are expected to experience more gas tax resources in FY 2008 than were expected. This is primarily from an estimated \$3.8 million carry-over of funds from FY 2007. The November Revenue Conference estimated each cent to yield \$4.685 million, the same rate as in the enacted estimate. DOT receives 18.75 cents and RIPTA receives 7.25 cents.

Page 6 November 15, 2007

The attached Table 3 displays the revenue estimates of the November 7, 2007 and November 9, 2007 Revenue Estimating Conference as compared to those contained in the enacted budget. If you have any questions, please feel free to call me.

RBG: S/09budget/revised08/Q1report/Q1report Attachments

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

The Honorable Stephen Alves, Chairman Senate Finance Committee

Michael O'Keefe, House Fiscal Advisor Russell C. Dannecker, Senate Finance Advisor

Table 1- Change to General Revenue Budget Surplus

		FY2008 Enacted(1)		FY2008 Revised(2)		Variance(3)
Surplus						
Opening Surplus	\$	174,323	\$	993,665	\$	819,342
Reappropriated Surplus		-		5,334,730		5,334,730
Subtotal		174,323		6,328,395		6,154,072
General Taxes		2,610,859,886		2,610,859,886		-
Revenue estimators' revision				(90,659,886)		(90,659,886)
Subtotal		2,610,859,886		2,520,200,000		(90,659,886)
Departmental Revenues		362,869,788		362,869,788		-
Revenue estimators' revision				(39,469,788)		(39,469,788)
Subtotal		362,869,788		323,400,000		(39,469,788)
Other Sources						
Gas Tax Transfers		4,685,000		4,685,000		-
Revenue estimators' revision		-		-		-
Other Miscellaneous		140,279,158		140,279,158		-
Rev Estimators' revision-Miscellaneous		-		5,620,842		5,620,842
Lottery		339,700,000		339,700,000		-
Revenue Estimators' revision-Lottery		-		9,800,000		9,800,000
Unclaimed Property		14,600,000		14,600,000		-
Revenue Estimators' revision-Unclaimed		-		1,400,000		1,400,000
Subtotal		499,264,158		516,085,000		16,820,842
Total Revenues	\$	3,472,993,832	\$	3,359,685,000	\$	(113,308,832)
Budget Stabilization		(69,463,363)		(67,213,574)		2,249,790
Total Available	\$	3,403,704,792	\$	3,298,799,821	\$	(104,904,971)
Actual/Enacted Expenditures	\$	3,403,638,116	\$	3,403,638,116	\$	-
Reappropriations		-		5,334,730	\$	5,334,730
Supplemental Appropriations		-		41,335,037	\$	41,335,037
Total Expenditures	\$	3,403,638,116	\$	3,450,307,883	\$	46,669,767
Free Surplus	\$	66,676	\$	(151,508,062)	\$	(151,574,738)
Reappropriations	•	-	_	-	•	-
Total Ending Balances	\$	66,676	\$	(151,508,062)	\$	(151,574,738)
Budget Reserve and Cash						
Stabilization Account	\$	104,195,045	\$	100,820,360		(3,374,685)

⁽¹⁾Reflects the FY 2008 budget adopted by the General Assembly in June 2007.

⁽²⁾Reflects the FY 2008 budget enacted by the General Assembly (including the preliminary closing FY 2007 surplus), as modified by the changes to revenues estimated by the November 2007 Revenue Estimating Conference, and changes to enacted expenditures as projected by the State Budget Office in the first quarterly report dated November 15, 2007.

 $^{^{(3)}}$ The difference between the enacted and projected results for FY 2008, as reflected in the second and third columns above.

Table 2- Summary Changes to FY 2008 Enacted General Revenue Expenditures

	FY 2008	Reappropriation	Redistribution Of Enacted	Projected	Projected	Change From
	Enacted	z.cuppi opzimion	Personnel Savings	Changes	Expenditures	Enacted
General Government						
Administration	\$505,284,261	\$549,529	\$8,560,965	\$6,552,071	\$520,946,826	\$15,662,565
Business Regulation	11,475,916	29,500	(\$368,948)	215,145	11,351,613	(124,303)
Labor and Training	6,583,162	-	(\$147,207)	147,207	6,583,162	-
Department of Revenue	38,575,957	-	(1,801,103)	429,977	37,204,831	(1,371,126)
Legislature	34,440,361	2,532,016	-	(748,746)	36,223,631	1,783,270
Lieutenant Governor	925,112	-	(70,567)	(7,111)	847,434	(77,678)
Secretary of State	5,036,136	48,721	(94,983)	92,220	5,082,094	45,958
General Treasurer	2,908,550	-	(84,802)	33,901	2,857,649	(50,901)
Board of Elections	1,437,214	4,030	(184,646)	91,132	1,347,730	(89,484)
Rhode Island Ethics Commission	1,410,451	-	(44,913)	970	1,366,508	(43,943)
Governor's Office	4,921,696	-	-	(13,329)	4,908,367	(13,329)
Commission for Human Rights	984,197	-	(5,427)	5,427	984,197	-
Public Utilities Commission	661,246	_	(12,880)	12,880	661,246	_
Rhode Island Commission on Women	108,203	-	(49)	(901)	107,253	(950)
Subtotal - General Government	614,752,462	3,163,796	5,745,440	6,810,843	630,472,541	15,720,079
Human Services						
Office of Health & Human Services	307,152	-	(53,741)	128,700	382,111	74,959
Children, Youth, and Families	149,249,856	_	(2,175,000)	11,487,874	158,562,730	9,312,874
Elderly Affairs	18,604,205	_	(97,491)	148,685	18,655,399	51,194
Health	34,487,126	_	(153,271)	336,230	34,670,085	182,959
Human Services	811,185,218	475,000	(2,204,916)	13,571,011	823,026,313	11,841,095
Mental Health, Retardation, & Hosp.	243,459,229	-	(5,285,047)	8,960,476	247,134,658	3,675,429
Office of the Child Advocate	520,757	_	-	(19,529)	501,228	(19,529)
Comm. on Deaf & Hard of Hearing	370,154	_	(62,119)	16,286	324,321	(45,833)
RI Developmental Disabilities Council	-	_	-	-	-	-
Governor's Commission on Disabilities	535,775	_	(168,431)	530	367,874	(167,901)
Office of the Mental Health Advocate	424,343	_	(5,426)	184	419,101	(5,242)
Subtotal - Human Services	1,259,143,815	475,000	(10,205,442)	34,630,447	1,284,043,820	24,900,005
Education						
Elementary and Secondary	909,429,659	6,797	-	1,108,836	910,545,292	1,115,633
Higher Education - Board of Governors	196,068,047	-	-	-	196,068,047	-
RI Council on the Arts	2,777,644	-	-	15,132	2,792,776	15,132
RI Atomic Energy Commission	819,869	-	-	-	819,869	-
Higher Education Assistance Authority	11,019,684	-	(41,561)	24,664	11,002,787	(16,897)
Historical Preservation & Heritage Comm	1,577,792	-	(46,074)	5,135	1,536,853	(40,939)
Public Telecommunications Authority	1,363,654	-	-	(7,725)	1,355,929	(7,725)
Subtotal - Education	1,123,056,349	6,797	(87,635)	1,146,042	1,124,121,553	1,065,204
Public Safety						
Attorney General	\$21,335,305	70,879	(58,500)	120,325	21,468,009	132,704
Corrections	187,954,532	450,000	(155,629)	2,132,806	190,381,709	2,427,177
Judicial	84,964,917	1,108,348	(557,817)	557,817	86,073,265	1,108,348
Military Staff	2,563,864	-	(28,016)	28,016	2,563,864	-
E-911	4,733,109	-	-	500,205	5,233,314	500,205
Fire Safety Code Bd. of Appeal	303,435	-	(2,875)	(1,197)	299,363	(4,072)
Fire Safety & Training Academy	2,671,285	23,600	(229,217)	14,026	2,479,694	(191,591)
Rhode Island Justice Commission	160,815	-	-	79,270	240,085	79,270
Municipal Police Training Academy	429,252	-	-	6,484	435,736	6,484
State Police	52,058,385	-	(338,523)	308,918	52,028,780	(29,605)
Office Of Public Defender	9,324,951	1 (52 925	(134,479)	71,850	9,262,322	(62,629)
Subtotal - Public Safety	366,499,850	1,652,827	(1,505,056)	3,818,520	370,466,141	3,966,291
Environmental Management	36,413,000	-	(187,001)	1,299,358	37,525,357	1,112,357
Coastal Resources Management Council	1,879,559	36,310	(010.051)	85,479	2,001,348	121,789
Water Resources Board Subtotal - Natural Resources	1,893,081 40,185,640	36,310	(212,951) (399,952)	(3,007) 1,381,830	1,677,123 41,203,828	(215,958) 1,018,188
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Table 3-General Revenues

	FY 2007 Preliminary	FY 2008 Enacted	Growth	N	FY 2008 November REC	Growth	FY 2008 Change
Personal Income Tax	\$ 1,065,667,247	\$ 1,082,856,883	1.6%	\$	1,048,100,000	-1.6%	\$ (34,756,883)
General Business Taxes							
Business Corporations	156,767,771	167,207,055	6.7%		158,000,000	0.8%	(9,207,055)
Public Utilities Gross Earnings	102,109,351	109,300,000	7.0%		104,000,000	1.9%	(5,300,000)
Financial Institutions	23,423,263	2,003,344	-91.4%		(600,000)	102.6%	(2,603,344)
Insurance Companies	56,624,296	68,833,704	21.6%		71,600,000	26.4%	2,766,296
Bank Deposits	1,673,925	1,600,000	-4.4%		1,700,000	1.6%	100,000
Health Care Provider Assessment	47,969,855	48,900,000	1.9%		52,300,000	9.0%	3,400,000
Sales and Use Taxes							
Sales and Use	873,841,139	908,723,500	4.0%		865,000,000	-1.0%	(43,723,500)
Motor Vehicle	46,878,903	50,235,400	7.2%		44,500,000	-5.1%	(5,735,400)
Motor Fuel	1,311,762	1,100,000	-16.1%		1,200,000	-8.5%	100,000
Cigarettes	120,414,576	112,500,000	-6.6%		119,100,000	-1.1%	6,600,000
Alcohol	10,705,751	11,100,000	3.7%		11,000,000	2.7%	(100,000)
Controlled Substances	0	0			0		0
Other Taxes							
Inheritance and Gift	34,683,979	30,100,000	-13.2%		30,100,000	-13.2%	0
Racing and Athletics	2,921,166	2,600,000	-11.0%		2,800,000	-4.1%	200,000
Realty Transfer	12,737,438	13,800,000	8.3%		11,400,000	-10.5%	(2,400,000)
Total Taxes	\$ 2,557,730,422	\$ 2,610,859,886	2.1%	\$	2,520,200,000	-1.5%	\$ (90,659,886)
Departmental Receipts	277,790,450	362,869,788	30.6%		323,400,000	16.4%	(39,469,788)
Taxes and Departmentals	\$ 2,835,520,872	\$ 2,973,729,674	4.9%	\$	2,843,600,000	0.3%	\$ (130,129,674)
Other Sources							
Gas Tax Transfer	4,704,602	4,685,000	-0.4%		4,685,000	-0.4%	0
Other Miscellaneous	69,090,487	140,279,158	103.0%		145,900,000	111.2%	5,620,842
Lottery	320,659,410	339,700,000	5.9%		349,500,000	9.0%	9,800,000
Unclaimed Property	11,456,513	14,600,000	27.4%		16,000,000	39.7%	1,400,000
Other Sources	\$ 405,911,012	\$ 499,264,158	23.0%	\$	516,085,000	27.1%	\$ 16,820,842
Total General Revenues	\$ 3,241,431,884	\$ 3,472,993,832	7.1%	\$	3,359,685,000	3.6%	\$ (113,308,832)