



## STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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

**Memorandum**

**To:** The Honorable Helio Melo  
 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:** April 7, 2011

**Subject:** New Articles for FY 2012 Appropriations Act

The Governor requests that the two new articles, attached hereto, be included as part of his recommended FY 2012 Budget now before the House of Representatives as 11-H-5894.

The first article allows the Department of Children Youth and Families to promulgate rules and regulations to impose such fees or charges as may be appropriate for the provision of clearances requested by individuals from the child abuse and neglect tracking system. This article relates to a revenue proposal included in the Governor's original budget submission that the department believe could be implemented under current law through rules and regulation. However, based on a subsequent review by the Office of Health and Human Services' legal counsel, it has been determined that establishing such authority specifically in legislation would be more appropriate. Thus, this request to amend the FY 2012 appropriations act is being submitted.

The second article relates to the tipping fees charged by the Resource Recovery Corporation to cities and towns. Under current law, the currently authorized tipping fees will sunset as of June 30, 2011 and the Corporation would have no authority to charge cities and towns after this date. This article would extend the current rates for an additional three years through June 30, 2014, which is the length of most of the contracts the Corporation has with the various cities and towns in Rhode Island. Similar articles have been included in prior appropriation acts, but due to an oversight by the Budget Office, one was not included in the FY 2012 appropriations act as originally submitted.

Page 2  
April 7, 2011

If you have any questions or need any additional information concerning either of these articles, please feel free to contact me at 222-6300.

TAM:sma 11-44

Attachment

cc: Representative Robert A. Watson  
Senator Dennis L. Algiere  
Sharon Reynolds Ferland  
Peter Marino  
Christine Hunsinger  
Elizabeth Leach



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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

**To:** Thomas A. Mullaney  
State Budget Officer

**From:** Steven Costantino, Secretary  
Executive Office of Health and Human Services

Kevin Aucoin, Interim Director  
Department of Children, Youth and Families

Kimberly Reynolds, Budget Analyst II  
Department of Administration

**Date:** April 7, 2011

**Subject:** Article X – Relating to Human Services - Certification of Child Care and Youth Serving Agency Workers

**Summary**

This article would amend Section 40-13.2-3.1 of the General Laws to provide that DCYF promulgate rules and regulations to impose such fees or charges as may be appropriate to implement the intent of this section and these regulations shall be effective upon filing.

**Explanation of Sections**

**Section 1:** This section amends Section 40-13.2-3.1 of the General Laws to provide that DCYF promulgate rules and regulations to impose such fees or charges as may be appropriate to implement the intent of this section and these regulations shall be effective upon filing.

**Section 2:** This section sets the effective date of the article to be upon passage.

**Additional Information**

There are *approximately* 12,000 clearances conducted each year on individuals that are seeking employment in licensed residential/child daycare programs, to become child caregivers/providers through private agencies, to adopt children through private agencies, and intra-state requests for child welfare history. This revenue item reflects a *conservative* estimate for the implementation of a fee of \$10 per clearance.

**New Article**

**RELATING TO HUMAN SERVICES- CERTIFICATION OF CHILD CARE AND  
YOUTH SERVING AGENCY WORKERS**

SECTION 1. Section 40-13.2-3.1 of the General Laws in Chapter 40-13.2 entitled “Certification of Child Care and Youth Serving Agency Workers“ is hereby amended to read as follows:

**§ 40-13.2-3.1 CANTS (Child Abuse and Neglect Tracking System) check – Operators and employees.** – Any person seeking to operate a facility, which is, or is required to be licensed or registered with the department or who is seeking employment, if such employment involves supervisory or disciplinary power over a child or children or involves routine contact with a child or children without the presence of other employees in any facility which is, or is required to be, licensed or registered with the department or who is seeking such employment at the training school for youth shall, after acceptance by the employer of the affidavit required by § 40-13.2-3, apply to the appropriate agency for a CANTS (child abuse and neglect tracking system) check. The department is authorized and directed to promulgate rules and regulations to impose such fees or charges as may be appropriate to implement the intent of this section and these regulations shall be effective upon filing.

SECTION 2. This article shall take effect upon passage.