Memorandum

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

From: 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.

TDD#: 277-1227
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.

TDD#: 277-1227
New Article

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

“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.