



STATE OF RHODE ISLAND
OFFICE OF GOVERNOR DANIEL J. MCKEE

May 15, 2024

Honorable Marvin L. Abney
Chair, House Committee on Finance
Room 35, State House
Providence, Rhode Island 02903

Re: *2024 – H 7591, An Act Relating to Public Finance – Medical Assistance and Public Assistance Caseload Estimating Conference*

Dear Chairman Abney:

The Administration writes in opposition to H 7591, An Act Relating to Public Finance – Medical Assistance and Public Assistance Caseload Estimating Conference (Act). The Act would, among other things, require the Governor to “appropriate” the annual rate recommendations made by various health and human services agencies in the Governor’s annual budget submission.

Article 9, section 15 of the Rhode Island Constitution vests the Governor with the exclusive power to “prepare and present to the general assembly an annual, consolidated operating and capital improvement state budget.” The General Assembly, not the Governor, appropriates the sums it deems necessary to pay the expenses of state government. R.I. Gen. Laws § 35-3-2.

The Governor’s Budget reflects his priorities selected from among the many worthy recommendations made by state agencies. *Requiring* him to include in the Budget items generated by others – including state agencies – undermines his ability to set his own budgetary policies and violates his constitutional power to prepare and present a consolidated Budget. Moreover, to the extent that the Act purports to give the Governor the power to make appropriations, that power belongs to the General Assembly, not to the Governor.

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Given its significant constitutional infirmities, the Administration urges the Senate not to pass the Act.

Sincerely,

A handwritten signature in cursive script that reads "Claire Richards".

Claire Richards
Executive Counsel

cc: Honorable Members of the House Committee on Finance
Honorable Tina L. Spears
Nicole McCarty, Esq., Chief Legal Counsel