

2016 -- S 2818

=====
LC005079
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - GOVERNOR'S COMMERCE
AND WORKFORCE COORDINATION CABINET

Introduced By: Senator Ryan W. Pearson

Date Introduced: March 23, 2016

Referred To: Senate Finance

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 42-6.1 of the General Laws entitled "Governor's Commerce and
2 Workforce Coordination Cabinet" is hereby repealed in its entirety.

3 ~~CHAPTER 42-6.1~~

4 ~~Governor's Commerce and Workforce Coordination Cabinet~~

5 ~~42-6.1-1. Creation -- Members. There is hereby established within the executive~~
6 ~~branch of state government a commerce and workforce coordination cabinet comprised of~~
7 ~~officials from state agencies with responsibility and oversight relating to economic and workforce~~
8 ~~development. The cabinet shall include, but not be limited to, the following members, upon his or~~
9 ~~her appointment: the secretary of commerce, the director of the economic development~~
10 ~~corporation, the director of the department of transportation, the director of the department of~~
11 ~~administration, the director of the division of revenue, the director of the department of human~~
12 ~~services, the commissioner of higher education, the commissioner of elementary and secondary~~
13 ~~education, the director of the department of business regulation, the director of the department of~~
14 ~~environmental management, the director of the department of labor and training, the director of~~
15 ~~the department of corrections, the chair of the governor's workforce board, or his or her designee,~~
16 ~~and the executive director of Rhode Island housing.~~

17 ~~42-6.1-2. Appointment of chair -- Meetings. (a) The cabinet shall be co-chaired by~~
18 ~~the director of the economic development corporation and the director of the department of labor~~

1 ~~and training until such time that the secretary of commerce is appointed.~~

2 ~~(b) Upon the appointment of a secretary of commerce, the secretary of commerce shall~~
3 ~~be chair.~~

4 ~~**42-64.13. Purpose of cabinet.** The governor's commerce and workforce coordinating~~
5 ~~cabinet shall provide for the integration and coordination of the activities of the various agencies~~
6 ~~and departments that are involved in the development of the Rhode Island economy and its~~
7 ~~workforce and ensure the consistent implementation of the economic development policy and~~
8 ~~strategic plan developed in accordance with § 42-64.17-1.~~

9 SECTION 2. Chapter 42-64.18 of the General Laws entitled "Council of Economic
10 Advisors" is hereby repealed in its entirety.

11 ~~CHAPTER 42-64.18~~

12 ~~Council of Economic Advisors~~

13 ~~**42-64.18-1. Council of economic advisors established.** There is hereby established a~~
14 ~~council of economic advisors who shall consist of the following nine (9) members appointed by~~
15 ~~the governor:~~

16 ~~(1) The following shall be ex-officio members:~~

17 ~~(i) (A) The executive director of the economic development corporation until such time~~
18 ~~that the secretary of commerce is appointed;~~

19 ~~(B) Upon his or her appointment, the secretary of commerce;~~

20 ~~(ii) Director of the office of management and budget;~~

21 ~~(iii) A representative from the office of revenue analysis;~~

22 ~~(iv) Director of labor management information systems;~~

23 ~~(2) In addition to the four ex-officio members, there shall be five (5) public members~~
24 ~~selected by the governor.~~

25 ~~(3) The five (5) public members selected by the governor shall be selected based upon~~
26 ~~specific experience in economics, research and related training. The governor may seek~~
27 ~~recommendations from both public and private institutions of higher education and other~~
28 ~~organizations within the state.~~

29 ~~**42-64.18-2. Purpose and charge to the council.** The council shall:~~

30 ~~(1) Be a collection point of data and information on the economy of Rhode Island;~~

31 ~~(2) Advise on economic policy for the governor, the executive office of commerce, and~~
32 ~~the state;~~

33 ~~(3) Prepare economic policy analysis on specific issues such as tax credits, tax~~
34 ~~expenditures and other related matters;~~

1 ~~(4) Publish reports and analyses as it sees fit to inform the state of the effect of economic~~
2 ~~activity and policy;~~

3 ~~(5) Establish a central repository of economic information in conjunction with the~~
4 ~~department of administration and the department of revenue and other state departments;~~

5 ~~(6) Prepare an annual report on the economy of Rhode Island; and~~

6 ~~(7) Review and advise on the strategic economic development plan for the state of~~
7 ~~Rhode Island.~~

8 ~~**42-64.18-3. Structure.** (a) The members of the council shall be appointed by the~~
9 ~~governor for terms of no longer than three (3) years and may be reappointed. The executive~~
10 ~~director of the economic development corporation shall be the chairperson until such time that the~~
11 ~~secretary of commerce is appointed;~~

12 ~~Upon his or her appointment, the secretary of commerce shall be the chairperson. The~~
13 ~~council shall also select a vice chair. The council shall be staffed through the economic~~
14 ~~development corporation and shall utilize the staffs and resources of the division of statewide~~
15 ~~planning.~~

16 ~~(b) The council will be able to hire, subject to funding, consultants and related assistance~~
17 ~~to provide the type of analysis to inform its work.~~

18 ~~**42-64.18-4. State departments to cooperate with council.** All departments, offices,~~
19 ~~boards and agencies of the state shall cooperate with the council of economic advisors and furnish~~
20 ~~such administrative and staff support, advice, information, documents and otherwise, data and~~
21 ~~data analysis and other support as may be necessary or desirable.~~

22 ~~**42-64.18-5. Powers of council.** In carrying out the responsibility under this chapter,~~
23 ~~the council may:~~

24 ~~(1) Accept grant funds and in-kind contributions from governmental and private entities;~~

25 ~~(2) Conduct hearings;~~

26 ~~(3) Invite academic experts and other witnesses to submit testimony; and~~

27 ~~(4) Contract with experts and consultants as necessary to inform on deliberations and~~
28 ~~recommendations.~~

29 ~~**42-64.18-6. Council subject to open meetings and access to public records laws.** In~~
30 ~~addition to any other applicable law, rules or regulations, the council of economic advisors shall~~
31 ~~be subject to the provisions of the open meetings act as set forth in title 42, chapter 46 of the~~
32 ~~Rhode Island general laws, and the access to public records act as set forth in title 38, chapter 2 of~~
33 ~~the Rhode Island general laws.~~

34 SECTION 3. Sections 42-64.19-5 and 42-64.19-6 of the General Laws in Chapter 42-

1 64.19 entitled "Executive Office of Commerce" are hereby amended to read as follows:

2 **42-64.19-5. Responsibilities of the secretary.** -- (a) The secretary shall be responsible to
3 the governor for supervising the executive office of commerce, improving the functions and
4 operations of Rhode Island state government to be clear, reliable, predictable, and as responsive
5 and user-friendly to the state's business community as is practicable, for managing and providing
6 strategic leadership and direction to the other divisions and departments under the jurisdiction of
7 this chapter, for serving as the chief executive officer of the Rhode Island commerce corporation,
8 for convening the economic development planning council to develop the economic development
9 policy and strategic plan in accordance with section 42-64.16, ~~for serving as chair of the council~~
10 ~~of economic advisors in accordance with section 42-64.17; and~~ for serving as vice-chair of the
11 ~~governor's workforce board Rhode Island Human Resources Investment Council; and for chairing~~
12 ~~the Governor's Commerce and Workforce Cabinet established pursuant to section 42-6.1.~~

13 (b) Notwithstanding any provision of law to the contrary, the secretary shall appoint the
14 chiefs/directors of the divisions/departments within the executive office of commerce with the
15 consent of the governor.

16 **42-64.19-6. Duties of the secretary.** -- The secretary shall be subject to the direction and
17 supervision of the governor for the oversight, coordination and cohesive direction of state
18 economic development activities of the state and in ensuring the laws are faithfully executed,
19 notwithstanding any law to the contrary. In this capacity, the secretary of commerce shall be
20 authorized to:

21 (1) Coordinate the administration and financing of various departments or divisions
22 within the office and to supervise the work of the Rhode Island commerce corporation;

23 (2) Serve as the governor's chief advisor and liaison to federal policymakers on
24 economic development as well as the principal point of contact in the state on any such related
25 matters;

26 (3) Review and ensure the coordination of the development of an overarching economic
27 development plan as produced by the office;

28 (4) Receive from department directors, within the timelines specified, any information
29 and resources the secretary deems necessary in order to perform the reviews authorized in this
30 section;

31 (5) Engage in regulatory reform across all state agencies to protect the health and
32 wellbeing of Rhode Islanders while meeting business needs for a clear, predictable, and reliable
33 regulatory structure in the state; including the implementation of systems to enhance customer
34 service by simplifying and expediting state permitting processes;

1 (6) Prepare and submit to the governor, the chairpersons of the house and senate finance
2 committees, and the caseload estimating conference, by no later than April 15 of each year, a
3 comprehensive overview of the Rhode Island economy. The secretary shall determine the
4 contents of the overview and shall determine the important economic data and information that
5 will inform the governor, and the revenue estimating committee on the economic conditions of
6 the state and future issues and forward looking projects of the Rhode Island economy;

7 (7) The directors of the departments, as well as local governments and school
8 departments, shall assist and cooperate with the secretary in fulfilling this responsibility by
9 providing whatever information and support shall be necessary;

10 (8) Resolve administrative, jurisdictional, operational, program, or policy conflicts
11 among departments and their executive staffs and make necessary recommendations to the
12 governor;

13 (9) Assure continued progress toward improving the quality, the accountability, and the
14 efficiency of state-administered programs to support the Rhode Island economy. In this capacity,
15 the secretary shall:

16 (i) Direct implementation of reforms in the economic development practices of the
17 departments that streamline and upgrade services, achieve greater economies of scale and
18 establish the coordinated system of the staff education, cross- training, and career development
19 services necessary to recruit and retain a highly-skilled, responsive, and engaged workforce;

20 (ii) Encourage departments to utilize consumer-centered approaches to service design
21 and delivery that expand their capacity to respond efficiently and responsibly to the diverse and
22 changing needs of the people and communities they serve;

23 (iii) Develop all opportunities to maximize resources by leveraging the state's purchasing
24 power, centralizing fiscal service functions related to budget, finance, and procurement,
25 centralizing communication, policy analysis and planning, and information systems and data
26 management, pursuing alternative funding sources through grants, awards and partnerships and
27 securing all available federal financial participation for programs and services provided through
28 the departments; and

29 (iv) Strengthen the financial support system for business and enterprises program
30 integrity, quality control and collections, and recovery activities by consolidating functions within
31 the office in a single unit that ensures all affected parties pay their fair share of the cost of
32 services and are aware of alternative financing.

33 (10) Prepare and integrate comprehensive budgets for the commerce services
34 departments and functions and duties assigned to the office. The budgets shall be submitted to the

1 state budget office by the secretary, for consideration by the governor, on behalf of the state's
2 commerce agencies in accordance with the provisions set forth in § 35-3-4 of the Rhode Island
3 general laws;

4 (11) Utilize objective data to evaluate economic development policy goals, resource use
5 and outcome evaluation and to perform short and long-term policy planning and development;

6 (12) Establishment of an integrated approach to interdepartmental information and data
7 management ~~that complements and furthers the goals of the council of economic advisors and~~
8 that will facilitate the transition to consumer-centered system of state administered economic
9 development programs and services;

10 (13) At the direction of the governor or the general assembly, conduct independent
11 reviews of state-administered economic development programs, policies and related agency
12 actions and activities and assist the department directors in identifying strategies to address any
13 issues or areas of concern that may emerge thereof. The department directors shall provide any
14 information and assistance deemed necessary by the secretary when undertaking such
15 independent reviews;

16 (14) Provide regular and timely reports to the governor and make recommendations with
17 respect to the state's economic development agenda;

18 (15) Employ such personnel and contract for such consulting services as may be required
19 to perform the powers and duties lawfully conferred upon the secretary; and

20 (16) Implement the provisions of any general or public law or regulation related to the
21 disclosure, confidentiality and privacy of any information or records, in the possession or under
22 the control of the executive office or the departments assigned to the executive office, that may be
23 developed or acquired for purposes directly connected with the secretary's duties set forth herein.

24 SECTION 4. This act shall take effect upon passage.

=====
LC005079
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - GOVERNOR'S COMMERCE
AND WORKFORCE COORDINATION CABINET

1 This act would eliminate the council of economic advisors, the governor's commerce and
2 workforce coordination cabinet, and would correct references in the executive office of
3 commerce enabling act.

4 This act would take effect upon passage.

=====
LC005079
=====