
OLR Bill Analysis

sHB 5154 (as amended by House "A")*

AN ACT CONCERNING PLANNING REGIONS.

SUMMARY:

This bill changes criteria for the Office of Policy and Management (OPM) secretary's analysis of state planning regions and extends certain deadlines concerning municipal notification about proposed planning regions.

It also makes the regional performance incentive account the source of funding for bonus pool payments to planning regions that voluntarily consolidate and extends supplemental payments from the pool to FYs 13 to 15 to offset costs for certain consolidations.

It makes technical and conforming changes.

*House Amendment "A" (1) removes provisions (a) setting the goal of reducing to eight the number of regional planning organizations (RPOs) and (b) providing an incentive to regions that redesignate in a certain way, (2) changes the OPM planning region analysis criteria, and (3) adds provisions on consolidation bonus pool payments.

EFFECTIVE DATE: Upon passage, except the provisions concerning bonus payments, which are effective July 1, 2012.

PLANNING REGION REDESIGNATION

By law, the OPM secretary must divide the state into logical planning regions and redesignate them (by changing the boundaries). There are currently 15 approved regions, but this will change to 14 as OPM recently approved the consolidation of two regions (see BACKGROUND).

Extended Deadlines

The bill extends by two years, from January 1, 2012 to January 1, 2014, the deadline by which the secretary must complete an initial analysis of boundaries of logical planning regions and notify municipalities in regions slated for redesignation.

Under current law, any changes to the regional boundaries are effective on July 1 following the date when the analysis or modification is completed. Under the bill, they are effective January 1, 2015.

Analysis of Boundaries of Logical Planning Regions

Consultation. Currently, the OPM secretary alone is authorized to analyze the boundaries of local planning regions. The bill requires the secretary to consult with the (1) chairpersons and ranking members of the Planning and Development Committee, (2) Connecticut Conference of Municipalities, (3) Connecticut Council of Small Towns, and (4) regional planning organizations.

Analysis. Under current law, as part of the analysis, the secretary has to develop criteria to evaluate how urban centers affect neighboring towns. The bill instead requires him to evaluate opportunities for coordinated planning and the regional delivery of state and local services.

Under current law, the secretary must develop criteria to evaluate the impact of urban centers on neighboring towns. These criteria must evaluate trends in economic development and the environment, including trends in housing patterns, employment levels, commuting patterns for the most common job classifications in the state, traffic patterns on major roadways, and local perceptions of social and historic ties.

The bill deletes these criteria and instead requires the analysis to include an evaluation of:

1. economic regions, including regional economic development districts (see BACKGROUND);
2. comprehensive economic development strategies that these

- districts develop;
3. labor market areas and workforce investment regions;
 4. natural boundaries, including watersheds, coastlines, ecosystems and habitats;
 5. relationships between urban, suburban, and rural areas, including central cities and areas outside of the state;
 6. census and other demographic information;
 7. political boundaries, including (a) municipal boundaries and (b) congressional, senate, and assembly districts;
 8. transportation corridors, connectivity, and boundaries, including the boundaries of metropolitan planning agencies;
 9. current federal, state, and municipal service delivery regions, including regions established to provide emergency, health, transportation or human services; and
 10. the current capacity of each RPO to deliver diverse state and local services.

By law, the evaluation must also establish a minimum size for logical planning areas that takes into consideration the number of municipalities, total population, and total square mileage. The bill expands this to also include whether the proposed planning region will have the capacity to successfully deliver necessary regional services. The bill authorizes the secretary to enter into contracts as necessary to complete the analysis.

Timelines for Notification of and Municipal Objection to Proposed Redesignation

The bill extends various timelines in the notification and redesignation process.

It extends the deadline for the secretary to notify municipalities about the planning regions he proposes to redesignate to January 1,

2014 from January 1, 2012.

By law, if a municipality's legislative body objects to the revision, the municipality's chief executive officer (CEO) must petition the secretary to attend a meeting with the legislative body to hear its objections. The CEO must do so within 30 days after receiving the notice. The petition must specify the meeting's place, date, and time.

The bill also extends, from 45 to 60 days, the time the CEO has to propose holding the meeting after submitting the petition. As under existing law, the OPM secretary or his designee must make every reasonable effort to attend this meeting or a meeting held on another date, which must fall within this period. If the secretary cannot attend the meeting, he and the CEO may schedule the meeting for another date and time, which must fall within 210, instead of 120, days of the secretary's notice to the CEO.

By law, the legislative body must use the meeting to inform the secretary about its objections and the secretary must consider them. Under the bill, the secretary has 60, instead of 45, days to notify the CEO about his decision on the proposed boundary changes. By law, he must state his reasons for the decision.

Voluntary Regional Consolidation Bonus Pool Payments for Redesignation

By law, OPM must make Voluntary Regional Consolidation Bonus Pool (VRCBP) payments to any two or more RPOs that (1) vote to merge, forming a new regional council of governments (COG) or chief elected officials (RCEO), within a proposed or newly redesignated planning region boundary and (2) submit a redesignation request to the OPM secretary. The bill specifies that VRCBP payments are to offset any and all reasonable consolidation costs, as the OPM secretary determines.

The bill funds VRCBP with money from the "regional performance incentive account," which is a separate, nonlapsing account in the General Fund that, under existing law, provides grants for the regional performance incentive program. Under current law, VRCBP payments

are funded by any appropriation available for this purpose. By law, these payments are on a first come, first served basis in FY 12 and FY 13.

For FYs 13, 14, and 15, the bill requires the OPM secretary to make supplemental VRCBP payments, within available appropriations, to any regional COG or RCEO created during these fiscal years by consolidating two or more regional COGs, RCEOs, or regional planning agencies (RPAs), when the consolidated regional COG or RCEO contains a combined total of 14 or more municipalities. But, the bill allows the secretary to waive the requirement that a consolidated regional COG or RCEO contain a combined total of 14 or more municipalities.

The supplemental payment is equal to 50% of the annual payment made to offset the reasonable costs of voluntary consolidation.

BACKGROUND

Types of Regional Planning Organizations

By law, OPM designates local planning regions within the state (CGS § 16a-4a (4)). Within the 15 current regions, the three types of RPOs allowed under Connecticut law are RPAs, COGs, and RCEOs. Through local ordinance, the municipalities within these planning regions have voluntarily created one of the three types of RPOs to carry out a variety of regional planning and other activities on their behalf.

Currently, there are five RPAs, eight COGs, and two RCEOs. But a proposed merger would bring the number of planning regions to 14. OPM has approved a merger of two RPAs, the Connecticut Estuary and Midstate Planning RPAs, into a COG to be called the Lower Connecticut River Valley Planning Region. Sixty percent of the affected towns must first agree to the change.

Regional Economic Development Districts

A 2010 law allowed the three types of RPOs to (1) propose “Regional Economic Development Districts” (REDDs) that the

governor designates, (2) prepare strategies to develop them, and (3) apply for state and federal economic development funds (PA 10-168). It specified criteria for drawing district boundaries and procedures for preparing, reviewing, and approving strategies. The law permits only eight REDDs to be established in the state.

An approved REDD can request:

1. the Department of Economic and Community Development commissioner to recommend to the governor that he designate the district as an economic development district and
2. federal designation from the U.S. Department of Commerce as an economic development district, making it eligible for federal economic development grants (CGS § 32-741 et seq.).

Voluntary Regional Consolidation Bonus Pool

PA 11-48 established a temporary VRCBP program, which the OPM secretary administers, to provide a bonus payment to certain RPOs that request consolidation into a redesignated planning region. The bonus payment is in addition to the annual payment each RPO receives under existing law. By law, an RPO is an RPA, regional COG, or RCEO.

Related Bill

sHB 5159 (File 343), which the House passed on May 2, gives the OPM secretary two additional years from current law's October 1, 2011 deadline to adopt regulatory criteria for reviewing regional plans of conservation and development.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 12 Nay 9 (03/23/2012)