



House of Representatives

General Assembly

File No. 342

February Session, 2012

Substitute House Bill No. 5154

House of Representatives, April 11, 2012

The Committee on Planning and Development reported through REP. GENTILE of the 104th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING PLANNING REGIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 16a-4c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) On or before January 1, [2012] 2014, and at least every twenty
4 years thereafter, the Secretary of the Office of Policy and Management,
5 within available appropriations, and in consultation with the
6 chairpersons and ranking members of the joint standing committee of
7 the General Assembly having cognizance of matters relating to
8 planning and development, the Connecticut Association of Regional
9 Planning Organizations, the Connecticut Conference of Municipalities
10 and the Connecticut Council of Small Towns, shall conduct an analysis
11 of the boundaries of logical planning regions designated or
12 redesignated under section 16a-4a. As part of such analysis, the
13 secretary shall examine the boundaries of existing planning regions
14 and develop criteria to evaluate [the impact of] opportunities for

15 coordinated planning and the regional delivery of services among
16 urban centers [on] and neighboring towns with a goal of reducing the
17 number of planning regions to not more than eight. Such criteria shall
18 include, but not be limited to, criteria to (1) evaluate trends in
19 economic development and the environment, including trends in
20 housing patterns, demographics, employment levels, commuting
21 patterns for the most common job classifications in the state, traffic
22 patterns on major [roadways] transportation assets, and local
23 perceptions of social and historic ties; and (2) establish a minimum size
24 for logical planning areas that takes into consideration the number of
25 municipalities, total population, [and the] total square mileage, and
26 any applicable federal requirements.

27 (b) Any two or more contiguous planning regions that contain a
28 total of fourteen or more municipalities and voluntarily consolidate to
29 form a single regional council of governments or regional council of
30 elected officials shall be exempt from redesignation pursuant to
31 subsection (a) of this section, provided the Secretary of the Office of
32 Policy and Management formally redesignates such planning regions
33 prior to January 1, 2014. The secretary may, in his or her discretion,
34 waive the requirement that such redesignated planning region contain
35 a total of fourteen or more municipalities.

36 [(b)] (c) (1) The secretary shall, not later than January 1, [2012] 2014,
37 notify the chief executive officer of each municipality located in a
38 planning region in which the boundaries are proposed for
39 redesignation. If the legislative body of the municipality objects to such
40 proposed redesignation, the chief executive officer of the municipality
41 may, not later than thirty days after the date of receipt of the notice of
42 redesignation, petition the secretary to attend a meeting of such
43 legislative body. The petition shall specify the location, date and time
44 of the meeting. The meeting shall be held not later than [forty-five]
45 sixty days after the date of the petition. The secretary shall make a
46 reasonable attempt to appear at the meeting, or at a meeting on
47 another date within the [forty-five-day] sixty-day period. If the
48 secretary is unable to attend a meeting within the [forty-five-day]

49 sixty-day period, the secretary and the chief executive officer of the
 50 municipality shall jointly schedule a date and time for the meeting,
 51 provided such meeting shall be held not later than [one hundred
 52 twenty] two hundred ten days after the date of the notice to the chief
 53 executive officer. At such meeting, the legislative body of the
 54 municipality shall inform the secretary of the objections to the
 55 proposed redesignation of the planning area boundaries. The secretary
 56 shall consider fully the oral and written objections of the legislative
 57 body and may redesignate the boundaries. Not later than [forty-five]
 58 sixty days after the date of the meeting, the secretary shall notify the
 59 chief executive officer of the determination concerning the proposed
 60 redesignation. The notice of determination shall include the reasons for
 61 such determination. As used in this subsection, "municipality" means a
 62 town, city or consolidated town and borough; "legislative body" means
 63 the board of selectmen, town council, city council, board of alderman,
 64 board of directors, board of representatives or board of the [major]
 65 warden and burgesses of a municipality; and "secretary" means the
 66 [secretary] Secretary of the Office of Policy and Management or the
 67 designee of the secretary.

68 (2) Any revision to the boundaries of a planning area, based on the
 69 analysis completed pursuant to subsection (a) of this section or due to
 70 a modification by the secretary in accordance with this subsection,
 71 shall be effective on [the first day of July following the date of
 72 completion such analysis or modification] January 1, 2015.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16a-4c

Statement of Legislative Commissioners:

Subsection (b) was rephrased for clarity and accuracy and, in subsection (c)(1), "major" was bracketed and "warden" was inserted in lieu thereof for accuracy.

PD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which extends the deadlines, requires consultation, and changes criteria for the Office of Policy and Management's analysis of state planning regions, has no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5154*****AN ACT CONCERNING PLANNING REGIONS.*****SUMMARY:**

This bill extends the deadlines and changes criteria for the Office of Policy and Management (OPM) secretary's analysis of state planning regions. It also sets the goal for the analysis to reduce the number of planning regions from the current 15 to no more than eight.

The bill also extends certain deadlines concerning municipal notification about proposed planning regions.

The bill (1) creates an incentive for areas of the state that contain two or more contiguous planning regions and have at least 14 municipalities to consolidate to form a single regional council of governments or regional council of elected officials by exempting them from redesignation in 2014 and (2) allows the secretary to waive the requirement that the redesignated region contain at least 14 municipalities.

It also makes technical changes.

EFFECTIVE DATE: Upon passage

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. (The secretary did not complete the initial analysis.)

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 Association of Regional Planning Organizations, (3) Connecticut Conference of Municipalities, and (4) Connecticut Council of Small Towns.

Evaluation Criteria and Reduction of Regions. 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 examine the boundaries of existing planning regions and develop criteria to evaluate opportunities for coordinated planning and regional delivery of services among urban centers and neighboring towns with the goal of reducing the regions to no more than eight.

The bill also adds three new criteria. First, it adds demographics. Second, it requires a study of traffic patterns in the state's "transportation assets" rather than "major roads," thus including traffic on rail lines and at airports.

Lastly, it requires consideration of any applicable federal requirements when establishing a minimum size for the planning areas. Currently, the planning areas' size is based on the number of municipalities, total population, and total square mileage (see

BACKGROUND).

Timelines for Notification of and Municipal Objection to Proposed Redesignation

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

Current law requires the secretary to notify municipalities about the the planning regions he proposes to redesignate by January 1, 2012. The bill extends the deadline to January 1, 2014.

By law, if a municipality's legislative body objects to the revision, its 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 the time for the CEO to propose holding the meeting from no later than 45 days after submitting the petition to 60 days. As under existing law, the 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.

Forming Newly Designated Regions Before January 1, 2014

The bill creates incentives for areas of the state that contain two or more contiguous planning regions to consolidate to form a single regional council of governments (COG) or regional council of elected officials (RCEO) by exempting them from being redesignated in 2014.

The OPM secretary must approve redesignation as such by January 1, 2014. The bill specifies that the new planning regions must have at least 14 municipalities, but allows the secretary to waive the requirement.

The bill aims to have local governments involved in any newly designated, consolidated regions by permitting COGs and RCEOs and not regional planning agencies (RPAs), which are typically headed by planners who are not elected.

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 regional planning organizations 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 regional planning organizations to carry out a variety of regional planning and other activities on their behalf.

At this time, 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 allows the three types of regional planning organizations 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 specifies 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.).

Related Bill

sHB 5159, reported favorably by the Planning and Development Committee, 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)