



House of Representatives

General Assembly

File No. 581

January Session, 2013

Substitute House Bill No. 6629

House of Representatives, April 18, 2013

The Committee on Planning and Development reported through REP. ROJAS of the 9th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING REGIONALISM IN CONNECTICUT.

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 Section 16a-4c of the general statutes is repealed and the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, 2014, and at least every twenty years
4 thereafter, the Secretary of the Office of Policy and Management,
5 within available appropriations, and in consultation with regional
6 planning organizations, as defined in section 4-124i, as amended by
7 this act, the Connecticut Conference of Municipalities, the Connecticut
8 Council of Small Towns, the Commissioner of Transportation and the
9 chairpersons and ranking members of the joint standing committee of
10 the General Assembly having cognizance of matters relating to
11 planning and development, shall conduct an analysis of the
12 boundaries of logical planning regions designated or redesignated
13 under section 16a-4a, as amended by this act. As part of such analysis,
14 the secretary shall evaluate opportunities for coordinated planning

15 and the regional delivery of state and local services. Such analysis shall
16 include, but not be limited to, an evaluation of (1) [economic regions,
17 including regional economic development districts established
18 pursuant to chapter 588ff; (2) comprehensive economic development
19 strategies developed by such regional economic development districts]
20 those areas in the state designated by the United States Census Bureau
21 as urbanized areas and urbanized clusters and those areas in the state
22 designated by the Federal Transit Administration and the Federal
23 Highway Administration as Transportation Management Areas; (2)
24 transportation corridors, connectivity and boundaries, including the
25 boundaries of metropolitan planning agencies; (3) labor market areas
26 and workforce investment regions; (4) natural boundaries, including
27 watersheds, coastlines, ecosystems and habitats; (5) relationships
28 between urban, suburban and rural areas, including central cities and
29 areas outside of the state; (6) census and other demographic
30 information; (7) political boundaries, including municipal boundaries
31 and congressional, senate and assembly districts; (8) [transportation
32 corridors, connectivity and boundaries, including the boundaries of
33 metropolitan planning agencies; (9)] current federal, state and
34 municipal service delivery regions, including, but not limited to,
35 regions established to provide emergency, health, transportation or
36 human services; and [(10)] (9) the current capacity of each regional
37 planning organization to [deliver diverse state and local services]
38 comply with the requirements of the Moving Ahead for Progress in the
39 21st Century Act and any relevant federal transportation authorizing
40 acts. Such analysis shall also establish [a minimum] the optimal size
41 for logical planning areas, [that takes] taking into consideration [the
42 number of municipalities, total population, total square mileage and]
43 whether [the] a proposed planning region (A) contains one or more
44 areas designated by the United States Census Bureau as urbanized
45 areas, (B) has a population of at least two hundred thousand, and (C)
46 will have the capacity to successfully deliver [necessary regional
47 services] sophisticated planning activities, regional services, technical
48 analyses, performance measurement and asset management. To the
49 extent practicable, said secretary shall recommend assigning an entire

50 urbanized area to a single planning region, provided any planning
51 region may contain more than one urbanized area. The secretary may
52 enter into such contractual agreements as may be necessary to carry
53 out the purposes of this subsection. On or before October 1, 2013, said
54 secretary shall submit a report, in accordance with section 11-4a, to the
55 joint standing committee of the General Assembly having cognizance
56 of matters concerning planning and development. Such report shall
57 provide the status of the analysis required pursuant to this subsection.

58 (b) Any two or more contiguous planning regions that contain a
59 total of fourteen or more municipalities and voluntarily consolidate to
60 form a single regional council of governments or regional council of
61 elected officials shall be exempt from redesignation pursuant to
62 subsection (a) of this section, provided the Secretary of the Office of
63 Policy and Management formally redesignates such planning regions
64 prior to January 1, 2014. The secretary may, in his or her discretion,
65 waive the requirement that such redesignated planning region contain
66 a total of fourteen or more municipalities. Any municipality may
67 change planning regions upon petition to said secretary, provided
68 such petition is filed with said secretary prior to January 1, 2014.

69 (c) (1) The secretary shall, not later than January 1, 2014, notify the
70 chief executive officer of each municipality located in a planning
71 region in which the boundaries are proposed for redesignation. If the
72 legislative body of the municipality objects to such proposed
73 redesignation, the chief executive officer of the municipality may, not
74 later than thirty days after the date of receipt of the notice of
75 redesignation, petition the secretary to attend a meeting of such
76 legislative body. The petition shall specify the location, date and time
77 of the meeting. The meeting shall be held not later than sixty days after
78 the date of the petition. The secretary shall make a reasonable attempt
79 to appear at the meeting, or at a meeting on another date within the
80 sixty-day period. If the secretary is unable to attend a meeting within
81 the sixty-day period, the secretary and the chief executive officer of the
82 municipality shall jointly schedule a date and time for the meeting,
83 provided such meeting shall be held not later than two hundred ten

84 days after the date of the notice to the chief executive officer. At such
85 meeting, the legislative body of the municipality shall inform the
86 secretary of the objections to the proposed redesignation of the
87 planning area boundaries. The secretary shall consider fully the oral
88 and written objections of the legislative body and may redesignate the
89 boundaries. Not later than sixty days after the date of the meeting, the
90 secretary shall notify the chief executive officer of the determination
91 concerning the proposed redesignation. The notice of determination
92 shall include the reasons for such determination. As used in this
93 subsection, "municipality" means a town, city or consolidated town
94 and borough; "legislative body" means the board of selectmen, town
95 council, city council, board of alderman, board of directors, board of
96 representatives or board of the warden and burgesses of a
97 municipality; and "secretary" means the Secretary of the Office of
98 Policy and Management or the designee of the secretary.

99 (2) Any revision to the boundaries of a planning area, based on the
100 analysis completed pursuant to subsection (a) of this section or due to
101 a modification by the secretary in accordance with this subsection,
102 shall be effective on January 1, 2015.

103 Sec. 2. (NEW) (*Effective from passage*) (a) On or before January 1,
104 2015, each regional planning agency created pursuant to sections 8-31a
105 to 8-37a, inclusive, of the general statutes, and each regional council of
106 elected officials, as defined in subdivision (2) of section 4-124i of the
107 general statutes, as amended by this act, shall be restructured to form a
108 regional council of governments as provided in section 4-124j of the
109 general statutes, as amended by this act.

110 (b) On or before July 1, 2014, the legislative body of any town
111 bordering more than one regional planning organization, as defined in
112 section 4-124i of the general statutes, as amended by this act, may
113 determine the adjacent regional planning organization of which to
114 become a member.

115 (c) On or before January 1, 2015, any two or more regional planning
116 organizations may voluntarily consolidate to form a single regional

117 council of governments.

118 (d) A regional council of governments may accept or participate in
119 any grant, donation or program available to any political subdivision
120 of the state and may also accept or participate in any grant, donation or
121 program made available to counties by any other governmental or
122 private entity. Notwithstanding the provisions of any special or public
123 act, any political subdivision of the state may enter into an agreement
124 with a regional council of governments to perform jointly or to
125 provide, alone or in cooperation with any other entity, any service,
126 activity or undertaking that the political subdivision is authorized by
127 law to perform. A regional council of governments established
128 pursuant to this section may administer and provide regional services
129 to municipalities and may delegate such authority to subregional
130 groups of such municipalities. Regional services provided to member
131 municipalities shall be determined by each regional council of
132 governments and may include, without limitation, the following
133 services: (1) Engineering; (2) inspectional and planning; (3) economic
134 development; (4) public safety; (5) emergency management; (6) animal
135 control; (7) land use management; (8) tourism promotion; (9) social;
136 (10) health; (11) education; (12) data management; (13) regional
137 sewerage; (14) housing; (15) computerized mapping; (16) household
138 hazardous waste collection; (17) recycling; (18) public facility siting;
139 (19) coordination of master planning; (20) vocational training and
140 development; (21) solid waste disposal; (22) fire protection; (23)
141 regional resource protection; (24) regional impact studies; and (25)
142 transportation.

143 Sec. 3. Section 4-66k of the general statutes is repealed and the
144 following is substituted in lieu thereof (*Effective from passage*):

145 (a) There is established an account to be known as the "regional
146 [performance] planning incentive account" which shall be a separate,
147 nonlapsing account within the General Fund. The account shall
148 contain any moneys required by law to be deposited in the account.
149 Moneys in the account shall be expended by the Secretary of the Office

150 of Policy and Management in accordance with subsection (b) of this
151 section for the purposes of [(1) providing grants under the regional
152 performance incentive program established pursuant to section 4-124s,
153 and (2)] providing funding to [the Voluntary Regional Consolidation
154 Bonus Pool established pursuant to subsection (b) of section 4-124q.]
155 newly formed regional councils of governments for direct transactional
156 costs associated with such formation as required by section 2 of this
157 act.

158 (b) Funds from the regional planning incentive account shall be
159 distributed to each regional council of governments formed pursuant
160 to section 4-124j, as amended by this act, as follows: (1) For the fiscal
161 year ending June 30, 2014, one dollar per capita; (2) for the fiscal year
162 ending June 30, 2015, a base payment of one hundred thousand dollars
163 plus (A) fifty cents per capita for any planning region with a
164 population of up to two hundred thousand, (B) seventy-five cents per
165 capita for any planning region with a population greater than two
166 hundred thousand but not more than three hundred thousand, (C) one
167 dollar and twenty-five cents per capita for any planning region with a
168 population greater than three hundred thousand but not more than
169 four hundred thousand, (D) one dollar and seventy-five cents per
170 capita for any planning region with a population greater than four
171 hundred thousand but not more than five hundred thousand, and (E)
172 two dollars per capita for any planning region with a population
173 greater than five hundred thousand; and (3) for the fiscal year ending
174 June 30, 2016, seventy-five cents per capita for any planning region
175 with a population of up to two hundred thousand, one dollar per
176 capita for any planning region with a population greater than two
177 hundred thousand but not more than three hundred thousand, one
178 dollar and fifty cents for any planning region with a population greater
179 than three hundred thousand but not more than four hundred
180 thousand, two dollars per capita for any planning region with a
181 population greater than four hundred thousand but not more than five
182 hundred thousand, and two dollars and twenty-five cents per capita
183 for any planning region with a population greater than five hundred
184 thousand.

185 Sec. 4. Subsection (a) of section 2-79a of the general statutes is
186 repealed and the following is substituted in lieu thereof (*Effective*
187 *January 1, 2015*):

188 (a) There shall be a Connecticut Advisory Commission on
189 Intergovernmental Relations. The purpose of the commission shall be
190 to enhance coordination and cooperation between the state and local
191 governments. The commission shall consist of the president pro
192 tempore of the Senate, the speaker of the House of Representatives, the
193 minority leader of the Senate, the minority leader of the House of
194 Representatives, the Secretary of the Office of Policy and Management,
195 the Commissioners of Education, Environmental Protection, Economic
196 and Community Development, or their designees, and sixteen
197 additional members as follows: (1) Six municipal officials appointed by
198 the Governor, four of whom shall be selected from a list of nominees
199 submitted to him by the Connecticut Conference of Municipalities and
200 two of whom shall be selected from a list submitted by the Council of
201 Small Towns. Two of such six officials shall be from towns having
202 populations of twenty thousand or less persons, two shall be from
203 towns having populations of more than twenty thousand but less than
204 sixty thousand persons and two shall be from towns having
205 populations of sixty thousand or more persons; (2) two local public
206 education officials appointed by the Governor, one of whom shall be
207 selected from a list of nominees submitted to him by the Connecticut
208 Association of Boards of Education and one of whom shall be selected
209 from a list submitted by the Connecticut Association of School
210 Administrators; (3) one representative of a regional council of
211 governments [or a regional planning agency] appointed by the
212 Governor from a list of nominees submitted to him by the Regional
213 Planning Association of Connecticut; (4) five persons who do not hold
214 elected or appointed office in state or local government, one of whom
215 shall be appointed by the Governor, one of whom shall be appointed
216 by the president pro tempore of the Senate, one of whom shall be
217 appointed by the speaker of the House of Representatives, one of
218 whom shall be appointed by the minority leader of the Senate and one
219 of whom shall be appointed by the minority leader of the House of

220 Representatives; (5) one representative of the Connecticut Conference
221 of Municipalities appointed by said conference; and (6) one
222 representative of the Council of Small Towns appointed by said
223 council. Each member of the commission appointed pursuant to
224 subdivisions (1) to (6), inclusive, of this subsection shall serve for a
225 term of two years. All other members shall serve for terms which are
226 coterminous with their terms of office. The Governor shall appoint a
227 chairperson and a vice-chairperson from among the commission
228 members. Members of the General Assembly may serve as
229 gubernatorial appointees to the commission. Members of the
230 commission shall not be compensated for their services but shall be
231 reimbursed for necessary expenses incurred in the performance of
232 their duties.

233 Sec. 5. Section 4-124i of the general statutes is repealed and the
234 following is substituted in lieu thereof (*Effective January 1, 2015*):

235 As used in sections 4-124i to 4-124p, inclusive, as amended by this
236 act:

237 (1) "Planning region" means a planning region of the state as
238 defined or redefined by the Secretary of the Office of Policy and
239 Management, or his designee under the provisions of section 16a-4a, as
240 amended by this act;

241 [(2) "Regional council of elected officials" means any regional
242 council of elected officials organized under the provisions of this
243 chapter;

244 (3) "Regional planning agency" means any regional planning agency
245 organized under the provisions of chapter 127;]

246 [(4)] (2) "Chief elected official" means the highest ranking elected
247 governmental official of any town, city or borough within the state;

248 [(5)] (3) "Elected official" means any selectman, mayor, alderman, or
249 member of a common council or other similar legislative body of any
250 town or city, or warden or burgess of any borough;

251 [(6)] (4) "Council" means a regional council of governments
252 organized under the provisions of sections 4-124i to 4-124p, inclusive,
253 as amended by this act;

254 [(7)] (5) "Member" means any town, city or borough within a
255 planning region of the state having become a member of a regional
256 council of governments in accordance with [said] sections [;] 4-124i to
257 4-124p, inclusive, as amended by this act.

258 [(8) "Regional planning organization" means a regional council of
259 governments organized under the provisions of sections 4-124i to 4-
260 124p, inclusive, a regional council of elected officials organized under
261 the provisions of sections 4-124c to 4-124h, inclusive, or a regional
262 planning agency organized under the provisions of chapter 127.]

263 Sec. 6. Section 4-124j of the general statutes is repealed and the
264 following is substituted in lieu thereof (*Effective January 1, 2015*):

265 Within any planning region of the state a regional council of
266 governments may be created by the adoption of sections 4-124i to 4-
267 124p, inclusive, as amended by this act, by ordinance of the legislative
268 bodies of not less than sixty per cent of all towns, cities and boroughs
269 within such planning region entitled to membership on such council as
270 hereinafter provided. [Where any regional council of elected officials,
271 or a regional planning agency, exist within a planning region, a
272 regional council of governments may be created either as hereinabove
273 provided, or by the adoption of said sections by resolution of any such
274 regional council or councils of elected officials and any such regional
275 planning agency, and the ratification of any such resolution by
276 ordinance of the legislative bodies of not less than sixty per cent of all
277 such towns, cities and boroughs.] All towns, cities and boroughs
278 within a planning region shall be entitled to membership on such
279 council, including any city or borough with boundaries not
280 coterminous with the boundaries of the town in which it is located.
281 Any nonmember town, city or borough entitled to membership may
282 join the council by the adoption of said sections by ordinance of its
283 legislative body. Any member town, city or borough may withdraw

284 from the council by adoption of an appropriate ordinance of its
285 legislative body to become effective on the date of such adoption;
286 provided, however, that any such withdrawing member shall be
287 obligated to pay its pro rata share of expenses of operation and pro
288 rata share of funds committed by the council to active programs as of
289 such date of withdrawal.

290 Sec. 7. Section 4-124l of the general statutes is repealed and the
291 following is substituted in lieu thereof (*Effective January 1, 2015*):

292 [(a)] Upon the adoption of sections 4-124i to 4-124p, inclusive, as
293 amended by this act, or upon the ratification of a resolution adopting
294 said sections, as provided in section 4-124j, by any town, city or
295 borough entitled to membership on a regional council of governments,
296 the clerk of such town, city or borough shall immediately prepare and
297 file with the Secretary of the Office of Policy and Management, or his
298 or her designee a certified copy of the adopting or ratifying ordinance,
299 and, upon receipt of such certified ordinances from not less than sixty
300 per cent of all such towns, cities and boroughs within a planning
301 region, said secretary or his or her designee shall certify to such towns,
302 cities and boroughs and all other eligible towns, cities and boroughs
303 within the planning region, that a regional council of governments has
304 been duly established within such planning region. Any subsequent
305 ordinances adopting the provisions of said sections, or effecting the
306 withdrawal from the council of a member shall be similarly filed.
307 [Except as hereinafter provided in this section, upon the establishment
308 of a regional council of governments within a planning region in
309 accordance with said sections, no regional council of elected officials
310 nor regional planning agency shall be subsequently established within
311 such planning region.]

312 [(b) If at the time of the adoption or ratification of the provisions of
313 said sections by the requisite sixty per cent majority of all eligible
314 towns, cities and boroughs within a planning region there exists within
315 such planning region a regional council of elected officials, or regional
316 planning agency, or both, the existence and activities of any such

317 regional council of elected officials or regional planning agency shall
318 continue uninterrupted for the duration of a transitional period
319 commencing with the certification of the establishment of the council
320 by the Secretary of the Office of Policy and Management, or his
321 designee pursuant to subsection (a) of this section. The chief elected
322 officials of each town, city or borough subsequently adopting said
323 sections, or in the absence of a chief elected official, an elected official
324 appointed by the legislative body of any such member, shall constitute
325 a transitional executive committee of the regional council of
326 governments during such transitional period. Any such transitional
327 executive committee acting under this subsection shall have the
328 following authority and responsibilities: (1) To draft and propose
329 bylaws for adoption by the council; (2) to select and propose for
330 election by the council, candidates for offices of the council which may
331 include any one or more members of the transitional committee; (3) to
332 propose staffing arrangements, for adoption by the council; (4) to
333 prepare and propose, for adoption by the council, a program of
334 planning and implementation activities, which shall provide for the
335 assumption of such active programs of any such existing regional
336 council of elected officials or regional planning agency, as such
337 executive committee may deem appropriate and a budget for a period
338 not to exceed one year following such transitional period; (5) to
339 propose, for adoption by the council, the date upon which such
340 transitional period shall terminate, which date shall not be later than
341 one year from the date of certification by the secretary of the office of
342 policy and management, or his designee of the establishment of the
343 council.

344 (c) Upon the expiration of the transitional period provided for
345 under subsection (b) of this section, the regional council of
346 governments shall succeed to and be responsible for all of the rights,
347 privileges and obligations, whether statutory or contractual, of any
348 regional council of elected officials, or regional planning agency, or
349 both, within the planning region, and no regional council of elected
350 officials nor regional planning agency shall be subsequently created
351 within such planning region, except as provided in subsection (d) of

352 this section.

353 (d) If at any time after the establishment within a planning region of
354 a regional council of governments the members of the council shall
355 constitute less than forty per cent of all eligible towns, cities and
356 boroughs within such planning region, the council shall thereafter be
357 deemed a regional council of elected officials without the rights and
358 duties of a regional planning agency for as long as and until the
359 membership of the council shall again constitute not less than sixty per
360 cent of all such eligible cities, towns and boroughs within the planning
361 region. Whenever the members of the council shall constitute less than
362 forty per cent of all such eligible towns, cities and boroughs within the
363 planning region, a regional council of elected officials and a regional
364 planning agency may be established within such region under the
365 general statutes, as amended.]

366 Sec. 8. Section 4-124u of the general statutes is repealed and the
367 following is substituted in lieu thereof (*Effective January 1, 2015*):

368 (a) As used in this section, [:] "proposed project of regional
369 significance" means a proposed project, to be built by a private
370 developer, that is an open air theater, shopping center or other
371 development that is planned to create more than (1) five hundred
372 thousand square feet of indoor commercial or industrial space, (2) two
373 hundred fifty residential housing units in structures under four stories,
374 or (3) one thousand parking spaces.

375 [(1) "Regional planning organization" means (A) a regional council
376 of governments organized under the provisions of sections 4-124i to 4-
377 124p, inclusive, (B) a regional council of elected officials organized
378 under the provisions of sections 4-124c to 4-124h, inclusive, or (C) a
379 regional planning agency organized under the provisions of chapter
380 127; and

381 (2) "Proposed project of regional significance" means a proposed
382 project, to be built by a private developer, that is an open air theater,
383 shopping center or other development that is planned to create more

384 than (A) five hundred thousand square feet of indoor commercial or
385 industrial space, (B) two hundred fifty residential housing units in
386 structures under four stories, or (C) one thousand parking spaces.]

387 (b) Each regional [planning organization] council of governments
388 shall establish a voluntary process for applicants to any state or
389 municipal agency, department or commission to request a
390 preapplication review of proposed projects of regional significance.
391 Such process shall determine the components of the review which
392 shall include a procedure to assure that all relevant municipalities and
393 regional and state agencies provide the applicant with (1) preliminary
394 comment on the project, which shall be in a form determined by the
395 agency, (2) summaries of the review process of each agency, and (3) an
396 opportunity for the applicant to discuss the project with
397 representatives of each relevant municipality or state agency at a
398 meeting convened by the regional [planning organization] council of
399 governments. At least one representative from each relevant
400 municipality and each state agency, department or commission shall
401 participate in a review of a proposed project of regional significance
402 upon request of a regional [planning organization] council of
403 governments at a meeting convened for such purpose, provided (A)
404 the regional [planning organization] council of governments notifies
405 each agency, department or commission of any such meeting no later
406 than the date three weeks before the date of such meeting, and (B) no
407 such organization shall convene more than one such meeting in any
408 quarter of a calendar year. Nothing in this section shall be deemed to
409 prevent two or more regional [planning organizations] councils of
410 governments from convening joint meetings to carry out the
411 provisions of this section. The regional [planning organization] council
412 of governments shall prepare a report of the comments of the agencies
413 reviewing the proposal and provide a copy of such report to the
414 applicant and each reviewing agency.

415 (c) No results or information obtained from the preapplication
416 review established under this section shall be appealed under any
417 provision of the general statutes and no such results or information

418 shall be binding on the applicant or any authority, commission,
419 department, agency or other official having jurisdiction to review the
420 proposed project.

421 Sec. 9. Subdivision (10) of section 4-230 of the general statutes is
422 repealed and the following is substituted in lieu thereof (*Effective*
423 *January 1, 2015*):

424 (10) "Audited agency" means a district, as defined in section 7-324,
425 the Metropolitan District of Hartford County, a regional board of
426 education, a regional [planning agency] council of governments, any
427 other political subdivision of similar character which is created or any
428 other agency created or designated by a municipality to act for such
429 municipality whose annual receipts from all sources exceed one
430 million dollars or any tourism district established under section 10-397;

431 Sec. 10. Section 4b-24a of the general statutes is repealed and the
432 following is substituted in lieu thereof (*Effective January 1, 2015*):

433 As used in this section, "state facility" means buildings and real
434 property owned or leased by the state. The Commissioner of
435 Administrative Services, when leasing, purchasing or contracting for
436 the purchase of a state facility, shall consider the proximity of state
437 facilities to railroads or motor bus routes. The Commissioner of
438 Administrative Services shall consult with the Department of
439 Transportation, transit districts or regional [planning agencies]
440 councils of governments on the current and future status of railroad
441 and motor bus routes prior to leasing, purchasing or contracting for
442 the purchase of a state facility.

443 Sec. 11. Section 4d-90 of the general statutes is repealed and the
444 following is substituted in lieu thereof (*Effective January 1, 2015*):

445 (a) There is established a Geospatial Information Systems Council
446 consisting of the following members, or their designees: (1) The
447 Secretary of the Office of Policy and Management; (2) the
448 Commissioners of Energy and Environmental Protection, Economic

449 and Community Development, Transportation, Public Health,
450 Construction Services, Administrative Services, Agriculture,
451 Emergency Services and Public Protection and Social Services; (3) the
452 president of the Board of Regents for Higher Education; (4) the
453 president of The University of Connecticut; (5) one member who is a
454 user of geospatial information systems appointed by the president pro
455 tempore of the Senate representing a municipality with a population of
456 more than sixty thousand; (6) one member who is a user of geospatial
457 information systems appointed by the minority leader of the Senate
458 representing a regional [planning agency] council of governments; (7)
459 one member who is a user of geospatial information systems
460 appointed by the Governor representing a municipality with a
461 population of less than sixty thousand but more than thirty thousand;
462 (8) one member who is a user of geospatial information systems
463 appointed by the speaker of the House of Representatives representing
464 a municipality with a population of less than thirty thousand; (9) one
465 member appointed by the minority leader of the House of
466 Representatives who is a user of geospatial information systems; (10)
467 the Adjutant General of the Military Department; and (11) any other
468 persons the [council] Geospatial Information Systems Council deems
469 necessary appointed by the council. The Governor shall select the
470 chairperson from among the members. The chairperson shall
471 administer the affairs of the council. Vacancies shall be filled by
472 appointment by the authority making the appointment. Members shall
473 receive no compensation for their services on said council, but shall be
474 reimbursed for necessary expenses incurred in the performance of
475 their duties. Said council shall hold one meeting each calendar quarter
476 and such additional meetings as may be prescribed by council rules. In
477 addition, special meetings may be called by the chairperson or by any
478 three members upon delivery of forty-eight hours written notice to
479 each member.

480 (b) The [council] Geospatial Information Systems Council, within
481 available appropriations, shall coordinate a uniform geospatial
482 information system capacity for municipalities, regional [planning
483 agencies] councils of governments, the state and others, as needed,

484 which shall include provisions for (1) creation, maintenance and
485 dissemination of geographic information or imagery that may be used
486 to (A) precisely identify certain locations or areas, or (B) create maps or
487 information profiles in graphic or electronic form about particular
488 locations or areas, and (2) promotion of a forum in which geospatial
489 information may be centralized and distributed. In establishing such
490 capacity, the [council] Geospatial Information Systems Council shall
491 consult with municipalities, regional [planning agencies] councils of
492 governments, state agencies and other users of geospatial information
493 system technology. The purpose of any such system shall be to provide
494 guidance or assistance to municipal and state officials in the areas of
495 land use planning, transportation, economic development,
496 environmental, cultural and natural resources management, the
497 delivery of public services and other areas, as necessary.

498 (c) The [council] Geospatial Information Systems Council may apply
499 for federal grants and may accept and expend such grants on behalf of
500 the state through the Office of Policy and Management.

501 (d) The [council] Geospatial Information Systems Council, within
502 available appropriations, shall administer a program of technical
503 assistance to municipalities and regional [planning agencies] councils
504 of governments to develop geospatial information systems and shall
505 periodically recommend improvements to the geospatial information
506 system provided for in subsection (b) of this section.

507 (e) On or before January 1, 2006, and annually thereafter, the
508 [council] Geospatial Information Systems Council shall submit, in
509 accordance with section 11-4a, a report on activities under this section
510 to the joint standing committee of the General Assembly having
511 cognizance of matters relating to planning and development.

512 Sec. 12. Subsection (a) of section 5-259 of the general statutes is
513 repealed and the following is substituted in lieu thereof (*Effective*
514 *January 1, 2015*):

515 (a) The Comptroller, with the approval of the Attorney General and

516 of the Insurance Commissioner, shall arrange and procure a group
517 hospitalization and medical and surgical insurance plan or plans for
518 (1) state employees, (2) members of the General Assembly who elect
519 coverage under such plan or plans, (3) participants in an alternate
520 retirement program who meet the service requirements of section
521 5-162 or subsection (a) of section 5-166, (4) anyone receiving benefits
522 under section 5-144 or from any state-sponsored retirement system,
523 except the teachers' retirement system and the municipal employees
524 retirement system, (5) judges of probate and Probate Court employees,
525 (6) the surviving spouse, and any dependent children of a state police
526 officer, a member of an organized local police department, a firefighter
527 or a constable who performs criminal law enforcement duties who dies
528 before, on or after June 26, 2003, as the result of injuries received while
529 acting within the scope of such officer's or firefighter's or constable's
530 employment and not as the result of illness or natural causes, and
531 whose surviving spouse and dependent children are not otherwise
532 eligible for a group hospitalization and medical and surgical insurance
533 plan. Coverage for a dependent child pursuant to this subdivision shall
534 terminate no earlier than the policy anniversary date on or after
535 whichever of the following occurs first, the date on which the child:
536 Becomes covered under a group health plan through the dependent's
537 own employment; or attains the age of twenty-six, (7) employees of the
538 Capital Region Development Authority established by section 32-601,
539 and (8) the surviving spouse and dependent children of any employee
540 of a municipality who dies on or after October 1, 2000, as the result of
541 injuries received while acting within the scope of such employee's
542 employment and not as the result of illness or natural causes, and
543 whose surviving spouse and dependent children are not otherwise
544 eligible for a group hospitalization and medical and surgical insurance
545 plan. For purposes of this subdivision, "employee" means any regular
546 employee or elective officer receiving pay from a municipality,
547 "municipality" means any town, city, borough, school district, taxing
548 district, fire district, district department of health, probate district,
549 housing authority, regional work force development board established
550 under section 31-3k, flood commission or authority established by

551 special act or regional [planning agency] council of governments. For
552 purposes of subdivision (6) of this subsection, "firefighter" means any
553 person who is regularly employed and paid by any municipality for
554 the purpose of performing firefighting duties for a municipality on
555 average of not less than thirty-five hours per week. The minimum
556 benefits to be provided by such plan or plans shall be substantially
557 equal in value to the benefits that each such employee or member of
558 the General Assembly could secure in such plan or plans on an
559 individual basis on the preceding first day of July. The state shall pay
560 for each such employee and each member of the General Assembly
561 covered by such plan or plans the portion of the premium charged for
562 such member's or employee's individual coverage and seventy per
563 cent of the additional cost of the form of coverage and such amount
564 shall be credited to the total premiums owed by such employee or
565 member of the General Assembly for the form of such member's or
566 employee's coverage under such plan or plans. On and after January 1,
567 1989, the state shall pay for anyone receiving benefits from any such
568 state-sponsored retirement system one hundred per cent of the portion
569 of the premium charged for such member's or employee's individual
570 coverage and one hundred per cent of any additional cost for the form
571 of coverage. The balance of any premiums payable by an individual
572 employee or by a member of the General Assembly for the form of
573 coverage shall be deducted from the payroll by the State Comptroller.
574 The total premiums payable shall be remitted by the Comptroller to
575 the insurance company or companies or nonprofit organization or
576 organizations providing the coverage. The amount of the state's
577 contribution per employee for a health maintenance organization
578 option shall be equal, in terms of dollars and cents, to the largest
579 amount of the contribution per employee paid for any other option
580 that is available to all eligible state employees included in the health
581 benefits plan, but shall not be required to exceed the amount of the
582 health maintenance organization premium.

583 Sec. 13. Subsection (i) of section 5-259 of the general statutes is
584 repealed and the following is substituted in lieu thereof (*Effective*
585 *January 1, 2015*):

586 (i) The Comptroller may provide for coverage of employees of
587 municipalities, nonprofit corporations, community action agencies and
588 small employers and individuals eligible for a health coverage tax
589 credit, retired members or members of an association for personal care
590 assistants under the plan or plans procured under subsection (a) of this
591 section, provided: (1) Participation by each municipality, nonprofit
592 corporation, community action agency, small employer, eligible
593 individual, retired member or association for personal care assistants
594 shall be on a voluntary basis; (2) where an employee organization
595 represents employees of a municipality, nonprofit corporation,
596 community action agency or small employer, participation in a plan or
597 plans to be procured under subsection (a) of this section shall be by
598 mutual agreement of the municipality, nonprofit corporation,
599 community action agency or small employer and the employee
600 organization only and neither party may submit the issue of
601 participation to binding arbitration except by mutual agreement if
602 such binding arbitration is available; (3) no group of employees shall
603 be refused entry into the plan by reason of past or future health care
604 costs or claim experience; (4) rates paid by the state for its employees
605 under subsection (a) of this section are not adversely affected by this
606 subsection; (5) administrative costs to the plan or plans provided
607 under this subsection shall not be paid by the state; (6) participation in
608 the plan or plans in an amount determined by the state shall be for the
609 duration of the period of the plan or plans, or for such other period as
610 mutually agreed by the municipality, nonprofit corporation,
611 community action agency, small employer, retired member or
612 association for personal care assistants and the Comptroller; and (7)
613 nothing in this section or section 12-202a, 38a-551, 38a-553 or 38a-556
614 shall be construed as requiring a participating insurer or health care
615 center to issue individual policies to individuals eligible for a health
616 coverage tax credit. The coverage provided under this section may be
617 referred to as the "Municipal Employee Health Insurance Plan". The
618 Comptroller may arrange and procure for the employees and eligible
619 individuals under this subsection health benefit plans that vary from
620 the plan or plans procured under subsection (a) of this section.

621 Notwithstanding any provision of part V of chapter 700c, the coverage
622 provided under this subsection may be offered on either a fully
623 underwritten or risk-pooled basis at the discretion of the Comptroller.
624 For the purposes of this subsection, (A) "municipality" means any
625 town, city, borough, school district, taxing district, fire district, district
626 department of health, probate district, housing authority, regional
627 work force development board established under section 31-3k,
628 regional emergency telecommunications center, tourism district
629 established under section 32-302, flood commission or authority
630 established by special act, regional [planning agency] council of
631 governments, transit district formed under chapter 103a, or the
632 Children's Center established by number 571 of the public acts of 1969;
633 (B) "nonprofit corporation" means (i) a nonprofit corporation
634 organized under 26 USC 501 that has a contract with the state or
635 receives a portion of its funding from a municipality, the state or the
636 federal government, or (ii) an organization that is tax exempt pursuant
637 to 26 USC 501(c)(5); (C) "community action agency" means a
638 community action agency, as defined in section 17b-885; (D) "small
639 employer" means a small employer, as defined in subparagraph (A) of
640 subdivision (4) of section 38a-564; (E) "eligible individuals" or
641 "individuals eligible for a health coverage tax credit" means
642 individuals who are eligible for the credit for health insurance costs
643 under Section 35 of the Internal Revenue Code of 1986, or any
644 subsequent corresponding internal revenue code of the United States,
645 as from time to time amended, in accordance with the Pension Benefit
646 Guaranty Corporation and Trade Adjustment Assistance programs of
647 the Trade Act of 2002 (P.L. 107-210); (F) "association for personal care
648 assistants" means an organization composed of personal care
649 attendants who are employed by recipients of service (i) under the
650 home-care program for the elderly under section 17b-342, (ii) under the
651 personal care assistance program under section 17b-605a, (iii) in an
652 independent living center pursuant to sections 17b-613 to 17b-615,
653 inclusive, or (iv) under the program for individuals with acquired
654 brain injury as described in section 17b-260a; and (G) "retired
655 members" means individuals eligible for a retirement benefit from the

656 Connecticut municipal employees' retirement system.

657 Sec. 14. Section 7-130w of the general statutes is repealed and the
658 following is substituted in lieu thereof (*Effective January 1, 2015*):

659 Sections 7-130a to 7-130w, inclusive, shall constitute full and
660 complete authority, without regard to the provisions of any other law,
661 for the doing of the acts and things therein authorized and shall be
662 liberally construed to effect the purposes hereof, provided the
663 ordinance creating the authority may include limitations on the
664 powers and procedures of the authority. Unless otherwise provided in
665 such ordinance, neither the consent nor approval of any planning
666 commission, regional [planning agency] council of governments,
667 historic district commission, municipal or regional economic
668 development commission or any other board, body or commission
669 established or created before or after July 1, 1965, shall be required for
670 the exercise of the powers conferred by said sections; provided no
671 project shall be constructed in any municipality if it is inconsistent
672 with the plan of conservation and development for the municipality
673 adopted pursuant to section 8-23, as amended by this act, except with
674 the approval of the planning commission of such municipality.

675 Sec. 15. Section 7-136e of the general statutes is repealed and the
676 following is substituted in lieu thereof (*Effective January 1, 2015*):

677 (a) A municipality which, pursuant to section 7-136d, has
678 authorized the establishment of a foreign trade zone, shall submit a
679 copy of the application for the privilege of operating such foreign trade
680 zone to the regional [planning agency] council of governments for the
681 area of operation within which such municipality is located and the
682 Departments of Economic and Community Development,
683 Environmental Protection and Transportation for their comments on
684 the advisability of establishment of such zone. Such comments shall be
685 prepared within ninety days of receipt of the application from the
686 municipality.

687 (b) The Departments of Economic and Community Development,

688 Environmental Protection and Transportation shall submit their
689 advisory comments to the municipality and to the board established by
690 said federal Foreign-Trade Zones Act.

691 Sec. 16. Section 7-391 of the general statutes is repealed and the
692 following is substituted in lieu thereof (*Effective January 1, 2015*):

693 When used in this chapter, unless the context otherwise requires,
694 the following terms shall have the meanings herein specified:
695 "Secretary" means the Secretary of the Office of Policy and
696 Management; "municipality" includes each town, consolidated town
697 and city, consolidated town and borough, city and borough; "audited
698 agency" includes each district, as defined in section 7-324, or other
699 municipal utility, the Metropolitan District of Hartford County, each
700 regional [planning agency] council of governments, any other political
701 subdivision of similar character which is created and any other agency
702 created or designated by a municipality to act for such municipality
703 whose annual receipts from all sources exceed one million dollars;
704 "reporting agency" includes each district, as defined in section 7-324, or
705 other municipal utility, each regional [planning agency] council of
706 governments, any other political subdivision of similar character
707 which is created and any other agency created or designated by a
708 municipality to act for such municipality whose annual receipts from
709 all sources do not exceed one million dollars; "appointing authority"
710 means the legislative body of a municipality or the board, committee
711 or other governing body of such audited agency, except in any town
712 where the authority to adopt a budget rests with a town meeting or a
713 representative town meeting "appointing authority" means the board
714 of finance or other board, committee or body charged with preparing
715 the budget, or in a town [which] that has no board of finance or other
716 such board, committee or body, means the board of selectmen or the
717 town council; "audit report" means the report of the independent
718 auditor and the annual financial statements of the municipality or
719 audited agency; "independent auditor" means a public accountant who
720 is licensed to practice in the state of Connecticut and who meets the
721 independence standards included in generally accepted government

722 auditing standards; "public accountant" means an individual who
723 meets standards included in generally accepted government auditing
724 standards for personnel performing government audits and the
725 licensing requirements of the State Board of Accountancy; "receipts"
726 means amounts accrued or received by a municipality, audited agency
727 or reporting agency and reportable as revenues in accordance with
728 generally accepted accounting principles; "municipal utility" means
729 every Connecticut municipality or department or agency thereof, or
730 Connecticut district, manufacturing, selling or distributing gas or
731 electricity to be used for light, heat or power or water.

732 Sec. 17. Subdivisions (1) to (3), inclusive, of section 7-425 of the
733 general statutes are repealed and the following is substituted in lieu
734 thereof (*Effective January 1, 2015*):

735 (1) "Municipality" means any town, city, borough, school district,
736 regional school district, taxing district, fire district, district department
737 of health, probate district, housing authority, regional work force
738 development board established under section 31-3k, regional
739 emergency telecommunications center, tourism district established
740 under section 10-397, flood commission or authority established by
741 special act or regional [planning agency] council of governments;

742 (2) "Participating municipality" means any municipality [which]
743 that has accepted this part, as provided in section 7-427, as amended
744 by this act;

745 (3) "Legislative body" means, for towns having a town council, the
746 council; for other towns, the selectmen; for cities, the common council
747 or other similar body of officials; for boroughs, the warden and
748 burgesses; for regional school districts, the regional board of
749 education; for district departments of health, the board of the district;
750 for probate districts, the judge of probate; for regional [planning
751 agencies] councils of governments, the [regional planning board]
752 council; for regional emergency telecommunications centers, a
753 representative board; for tourism districts, the board of directors of
754 such tourism district; and in all other cases the body authorized by the

755 general statutes or by special act to make ordinances for the
756 municipality;

757 Sec. 18. Subsection (a) of section 7-427 of the general statutes is
758 repealed and the following is substituted in lieu thereof (*Effective*
759 *January 1, 2015*):

760 (a) Any municipality except a housing authority, which is governed
761 by subsection (b) of this section or a regional work force development
762 board established under section 31-3k, which is governed by section 7-
763 427a, may, by resolution passed by its legislative body and subject to
764 such referendum as may be hereinafter provided, accept this part as to
765 any department or departments of such municipality as may be
766 designated therein, including elective officers if so specified, free
767 public libraries which receive part or all of their income from
768 municipal appropriation, and the redevelopment agency of such
769 municipality whether or not such municipality is a member of the
770 system, as defined in section 7-452, as amended by this act, but such
771 acceptance shall not repeal, amend or replace, or affect the continuance
772 of, any pension system established in such municipality by or under
773 the authority of any special act and all such special acts shall remain in
774 full force and effect until repealed or amended by the General
775 Assembly or as provided by chapter 99. The acceptance of this part as
776 to any department or departments of a municipality shall not affect the
777 right of such municipality to accept it in the future as to any other
778 department or departments. In any municipality other than a district
779 department of health, housing authority, flood commission or
780 authority, regional [planning agency] council of governments or
781 supervision district board of education, such resolution shall not take
782 effect until it has been approved by a majority of the electors of the
783 municipality voting thereon at the next regular election or meeting or
784 at a special election or meeting called for the purpose. The effective
785 date of participation shall be at least ninety days subsequent to the
786 receipt by the Retirement Commission of the certified copy of such
787 resolution. The Retirement Commission shall furnish to any
788 municipality contemplating acceptance of this part, at the expense of

789 such municipality, an estimate of the probable cost to such
790 municipality of such acceptance as to any department or departments
791 thereof.

792 Sec. 19. Subdivisions (1) to (4), inclusive, of section 7-452 of the
793 general statutes are repealed and the following is substituted in lieu
794 thereof (*Effective January 1, 2015*):

795 (1) "Municipality" means any town, consolidated town and city,
796 consolidated town and borough, borough, fire district, school district,
797 district department of health, regional [planning agency] council of
798 governments, probate district, housing authority, flood commission or
799 authority established by special act or other municipal association
800 created by special law or by general law or an instrumentality of any of
801 these, if such instrumentality is a distinct juristic entity legally separate
802 from any of the above and its employees are not, through this relation,
803 employees of one of the above;

804 (2) "Commission" means the State Retirement Commission;

805 (3) "System" means the Old Age and Survivors Insurance System
806 under Title II of the Social Security Act, as amended;

807 (4) "Legislative body", unless otherwise provided by special act or
808 by charter adopted under the provisions of chapter 99, as applied to
809 unconsolidated towns, means the town meeting; as applied to cities
810 and to consolidated towns and cities, means the board of aldermen,
811 council or other body charged with the duty of making annual
812 appropriations; as applied to boroughs and consolidated towns and
813 boroughs, means the board of burgesses; as applied to fire districts,
814 means the district meeting; as applied to district departments of health,
815 means the district board; as applied to probate districts, means the
816 judge of probate; as applied to regional [planning agencies] councils of
817 governments, means the [regional planning board] council, and, in all
818 other cases, means the body authorized by the general statutes or by
819 special act to make bylaws or ordinances for the municipality;

820 Sec. 20. Section 7-465 of the general statutes is repealed and the
821 following is substituted in lieu thereof (*Effective January 1, 2015*):

822 (a) Any town, city or borough, notwithstanding any inconsistent
823 provision of law, general, special or local, shall pay on behalf of any
824 employee of such municipality, except firemen covered under the
825 provisions of section 7-308, and on behalf of any member from such
826 municipality of a local emergency planning district, appointed
827 pursuant to section 22a-601, all sums which such employee becomes
828 obligated to pay by reason of the liability imposed upon such
829 employee by law for damages awarded for infringement of any
830 person's civil rights or for physical damages to person or property,
831 except as set forth in this section, if the employee, at the time of the
832 occurrence, accident, physical injury or damages complained of, was
833 acting in the performance of his duties and within the scope of his
834 employment, and if such occurrence, accident, physical injury or
835 damage was not the result of any wilful or wanton act of such
836 employee in the discharge of such duty. This section shall not apply to
837 physical injury to a person caused by an employee to a fellow
838 employee while both employees are engaged in the scope of their
839 employment for such municipality if the employee suffering such
840 injury or, in the case of his death, his dependent, has a right to benefits
841 or compensation under chapter 568 by reason of such injury. If an
842 employee or, in the case of his death, his dependent, has a right to
843 benefits or compensation under chapter 568 by reason of injury or
844 death caused by the negligence or wrong of a fellow employee while
845 both employees are engaged in the scope of their employment for such
846 municipality, such employee or, in the case of his death, his
847 dependent, shall have no cause of action against such fellow employee
848 to recover damages for such injury or death unless such wrong was
849 wilful and malicious or the action is based on the fellow employee's
850 negligence in the operation of a motor vehicle, as defined in section 14-
851 1. This section shall not apply to libel or slander proceedings brought
852 against any such employee and, in such cases, there is no assumption
853 of liability by any town, city or borough. Any employee of such
854 municipality, although excused from official duty at the time, for the

855 purposes of this section shall be deemed to be acting in the discharge
856 of duty when engaged in the immediate and actual performance of a
857 public duty imposed by law. Such municipality may arrange for and
858 maintain appropriate insurance or may elect to act as a self-insurer to
859 maintain such protection. No action for personal physical injuries or
860 damages to real or personal property shall be maintained against such
861 municipality and employee jointly unless such action is commenced
862 within two years after the cause of action therefor arose and written
863 notice of the intention to commence such action and of the time when
864 and the place where the damages were incurred or sustained has been
865 filed with the clerk of such municipality within six months after such
866 cause of action has accrued. Governmental immunity shall not be a
867 defense in any action brought under this section. In any such action the
868 municipality and the employee may be represented by the same
869 attorney if the municipality, at the time such attorney enters his
870 appearance, files a statement with the court, which shall not become
871 part of the pleadings or judgment file, that it will pay any final
872 judgment rendered in such action against such employee. No mention
873 of any kind shall be made of such statement by any counsel during the
874 trial of such action. As used in this section, "employee" includes (1) a
875 member of a town board of education and any teacher, including a
876 student teacher doing practice teaching under the direction of such a
877 teacher, or other person employed by such board, and (2) a member of
878 the local emergency planning committee from such municipality
879 appointed pursuant to section 22a-601. Nothing in this section shall be
880 construed to abrogate the right of any person, board or commission
881 which may accrue under section 10-235.

882 (b) Each town, city or borough which has joined with other towns,
883 cities or boroughs to form a district department of health, pursuant to
884 chapter 368f, or a regional [planning agency, pursuant to chapter 127]
885 council of governments, pursuant to section 4-124j, as amended by this
886 act, shall jointly assume the liability imposed upon any officer, agent
887 or employee of such district department of health or such regional
888 [planning agency] council of governments, acting in the performance
889 of his duties and in the scope of his employment, under, and in the

890 manner and in accordance with the procedures set forth in, subsection
891 (a) of this section. Such joint assumption of liability shall be
892 proportionately shared by the towns, cities and boroughs in such
893 district or regional [planning agency] council of governments, on the
894 same basis that the expenses of such district are shared as determined
895 under section 19a-243, [, or such regional planning agency as
896 determined under section 8-34a.]

897 Sec. 21. Section 7-479 of the general statutes is repealed and the
898 following is substituted in lieu thereof (*Effective January 1, 2015*):

899 For the purposes of this section, "municipality" means any town,
900 city, borough, school district, taxing district, fire district, district
901 department of health, probate district, housing authority, flood
902 commission or authority established by special act or regional
903 [planning agency] council of governments. Any municipality, in
904 addition to such powers as it has under the provisions of the general
905 statutes or any special act, may, by ordinance or regulation, prohibit
906 any member or employee of any municipal board [or agency,] or any
907 official, officer or employee of such municipality from (1) being
908 financially interested, or having any personal beneficial interest, either
909 directly or indirectly, in any contract or purchase order for any
910 supplies, materials, equipment or contractual services furnished to or
911 used by any such municipality [,] or board, [or agency] and (2)
912 accepting or receiving, directly or indirectly, from any person, firm or
913 corporation to which any contract or purchase order may be awarded
914 by such municipality, by rebate, gifts or otherwise, any money, or
915 anything of value whatsoever, or any promise, obligation or contract
916 for future reward or compensation. Such municipalities may prescribe
917 penalties for the violation of any ordinance or regulation enacted
918 pursuant to this section, including the voidance of any municipal
919 purchase, contract or ruling adopted in contravention thereof.

920 Sec. 22. Subsection (e) of section 8-2j of the general statutes is
921 repealed and the following is substituted in lieu thereof (*Effective*
922 *January 1, 2015*):

923 (e) The commission may seek the recommendations of any town or
924 regional [agency] council or outside specialist with which it consults,
925 including, but not limited to, the regional [planning agency] council of
926 governments, the municipality's historical society, the Connecticut
927 Trust for Historic Preservation and The University of Connecticut
928 College of Agriculture and Natural Resources. Any reports or
929 recommendations from such [agencies] councils or organizations shall
930 be entered into the public hearing record.

931 Sec. 23. Section 8-3b of the general statutes is repealed and the
932 following is substituted in lieu thereof (*Effective January 1, 2015*):

933 When the zoning commission of any municipality proposes to
934 establish or change a zone or any regulation affecting the use of a zone
935 any portion of which is within five hundred feet of the boundary of
936 another municipality, [located within the area of operation of a
937 regional planning agency,] the zoning commission shall give written
938 notice of its proposal to each regional [planning agency] council of
939 governments for the region or regions in which it and the other
940 municipality are located. Such notice shall be made by certified mail,
941 return receipt requested, or by electronic mail to the electronic mail
942 address designated by the regional [planning agency] council of
943 governments on the [agency's] council's Internet web site for receipt of
944 such notice, not later than thirty days before the public hearing to be
945 held in relation thereto. If such notice is sent by electronic mail and the
946 zoning commission does not receive an electronic mail message from a
947 regional [planning agency] council of governments confirming receipt
948 of such notice, then not later than twenty-five days before the public
949 hearing, the zoning commission shall also send such notice by certified
950 mail, return receipt requested, to such [planning agency] council. The
951 regional [planning agency] council of governments shall study such
952 proposal and shall report its findings and recommendations thereon to
953 the zoning commission at or before the hearing, and such report shall
954 be made a part of the record of such hearing. The report of any
955 regional [planning agency] council of governments of any region that
956 is contiguous to Long Island Sound shall include findings and

957 recommendations on the environmental impact of the proposal on the
958 ecosystem and habitat of Long Island Sound. If such report of the
959 regional [planning agency] council of governments is not submitted at
960 or before the hearing, it shall be presumed that such [agency] council
961 does not disapprove of the proposal. A regional [planning agency]
962 council of governments receiving such a notice may transmit such
963 notice to the Secretary of the Office of Policy and Management or his
964 or her designee for comment. The [planning agency] council may
965 designate its [executive committee] regional planning commission to
966 act for it under this section. [or may establish a subcommittee for the
967 purpose.] The report of said [planning agency] council shall be purely
968 advisory.

969 Sec. 24. Subdivision (4) of subsection (g) of section 8-23 of the
970 general statutes is repealed and the following is substituted in lieu
971 thereof (*Effective January 1, 2015*):

972 (4) At least sixty-five days prior to the public hearing on adoption,
973 the commission shall submit a copy of such plan or part thereof or
974 amendment thereto to the regional [planning agency] council of
975 governments for review and comment. The regional [planning agency]
976 council of governments shall submit an advisory report along with its
977 comments to the commission at or before the hearing. Such comments
978 shall include a finding on the consistency of the plan with (A) the
979 regional plan of conservation and development, adopted under section
980 8-35a, as amended by this act, (B) the state plan of conservation and
981 development, adopted pursuant to chapter 297, and (C) the plans of
982 conservation and development of other municipalities in the area of
983 operation of the regional [planning agency] council of governments.
984 The commission may render a decision on the plan without the report
985 of the regional [planning agency] council of governments.

986 Sec. 25. Section 8-26b of the general statutes is repealed and the
987 following is substituted in lieu thereof (*Effective January 1, 2015*):

988 Whenever a subdivision of land is planned, the area of which will
989 abut or include land in two or more municipalities, [one or both of

990 which are within a region or regions having a regional planning
991 agency or agencies,] the planning commission, where one exists, of
992 each such municipality shall, before approving the plan, give written
993 notice of such subdivision plan to each regional [planning agency]
994 council of governments for the region or regions in which it and the
995 other municipality are located. Such notice shall be made by certified
996 mail, return receipt requested, or by electronic mail to the electronic
997 mail address designated by the regional [planning agency] council of
998 governments on the [agency's] council's Internet web site for receipt of
999 such notice, not later than thirty days before the public hearing to be
1000 held in relation thereto. If such notice is sent by electronic mail and the
1001 planning commission does not receive an electronic mail message from
1002 a regional [planning agency] council of governments confirming
1003 receipt of such notice, then not later than twenty-five days before the
1004 public hearing, the planning commission shall also send such notice by
1005 certified mail, return receipt requested, to such [planning agency]
1006 council. A regional [planning agency] council of governments
1007 receiving such notice shall, at or before the hearing report to each such
1008 planning commission and to the proponent of such subdivision on its
1009 findings on the intermunicipal aspects of the proposed subdivision,
1010 including street layout, storm drainage, sewer and water service and
1011 such other matters as it considers appropriate. If such report of a
1012 regional [planning agency] council of governments is not submitted, at
1013 or before the hearing, it shall be presumed that such [agency] council
1014 does not disapprove of the proposed subdivision. A regional [planning
1015 agency] council of governments may designate its [executive
1016 committee] regional planning commission to act for it under this
1017 section. [or it may establish a subcommittee for the purpose.] The
1018 report of such regional [planning agency] council of governments shall
1019 be purely advisory.

1020 Sec. 26. Section 8-35a of the general statutes is repealed and the
1021 following is substituted in lieu thereof (*Effective January 1, 2015*):

1022 (a) At least once every ten years, each regional [planning agency]
1023 council of governments shall make a plan of conservation and

1024 development for its area of operation, showing its recommendations
1025 for the general use of the area including land use, housing, principal
1026 highways and freeways, bridges, airports, parks, playgrounds,
1027 recreational areas, schools, public institutions, public utilities,
1028 agriculture and such other matters as, in the opinion of the [agency]
1029 council, will be beneficial to the area. Any regional plan so developed
1030 shall be based on studies of physical, social, economic and
1031 governmental conditions and trends and shall be designed to promote
1032 with the greatest efficiency and economy the coordinated development
1033 of its area of operation and the general welfare and prosperity of its
1034 people. Such plan may encourage energy-efficient patterns of
1035 development, the use of solar and other renewable forms of energy,
1036 and energy conservation. Such plan shall be designed to promote
1037 abatement of the pollution of the waters and air of the region. The
1038 regional plan shall identify areas where it is feasible and prudent (1) to
1039 have compact, transit accessible, pedestrian-oriented mixed use
1040 development patterns and land reuse, and (2) to promote such
1041 development patterns and land reuse and shall note any
1042 inconsistencies with the following growth management principles: (A)
1043 Redevelopment and revitalization of regional centers and areas of
1044 mixed land uses with existing or planned physical infrastructure; (B)
1045 expansion of housing opportunities and design choices to
1046 accommodate a variety of household types and needs; (C)
1047 concentration of development around transportation nodes and along
1048 major transportation corridors to support the viability of
1049 transportation options and land reuse; (D) conservation and
1050 restoration of the natural environment, cultural and historical
1051 resources and traditional rural lands; (E) protection of environmental
1052 assets critical to public health and safety; and (F) integration of
1053 planning across all levels of government to address issues on a local,
1054 regional and state-wide basis. The plan of each region contiguous to
1055 Long Island Sound shall be designed to reduce hypoxia, pathogens,
1056 toxic contaminants and floatable debris in Long Island Sound.

1057 (b) Before adopting the regional plan of conservation and
1058 development or any part thereof or amendment thereto the [agency]

1059 regional council of governments shall hold at least one public hearing
1060 thereon, notice of the time, place and subject of which shall be given in
1061 writing to the chief executive officer and planning commission, where
1062 one exists, of each member town, city or borough. Notice of the time,
1063 place and subject of such hearing shall be published once in a
1064 newspaper having a substantial circulation in the region. Such notices
1065 shall be given not more than twenty days or less than ten days before
1066 such hearing. At least sixty-five days before the public hearing the
1067 regional [planning agency] council of governments shall post the plan
1068 on the Internet web site of the [agency] council, if any, and submit the
1069 plan to the Secretary of the Office of Policy and Management for
1070 findings in the form of comments and recommendations. By October 1,
1071 2011, the secretary shall establish, by regulations adopted in
1072 accordance with the provisions of chapter 54, criteria for such findings
1073 which shall include procedures for a uniform review of regional plans
1074 of conservation and development to determine if a proposed regional
1075 plan of conservation and development is not inconsistent with the
1076 state plan of conservation and development and the state economic
1077 strategic plan. The regional [planning agency] council of governments
1078 shall note on the record any inconsistency with the state plan of
1079 conservation and development and the reasons for such inconsistency.
1080 Adoption of the plan or part thereof or amendment thereto shall be
1081 made by the affirmative vote of not less than a majority of the
1082 representatives on the [agency] council. The plan shall be posted on
1083 the Internet web site of the [agency] council, if any, and a copy of the
1084 plan or of any amendments thereto, signed by the chairman of the
1085 [agency] council, shall be transmitted to the chief executive officers, the
1086 town, city or borough clerks, as the case may be, and to planning
1087 commissions, if any, in member towns, cities or boroughs, and to the
1088 Secretary of the Office of Policy and Management, or his or her
1089 designee. The regional [planning agency] council of governments shall
1090 notify the Secretary of the Office of Policy and Management of any
1091 inconsistency with the state plan of conservation and development and
1092 the reasons therefor.

1093 [(c) The regional planning agency shall revise the plan of

1094 conservation and development not more than three years after July 1,
1095 2005.]

1096 [(d)] (c) The regional [planning agency] council of governments
1097 shall assist municipalities within its region and state agencies and may
1098 assist other public and private agencies in developing and carrying out
1099 any regional plan or plans of such [regional planning agency] council.
1100 The regional [planning agency] council of governments may provide
1101 administrative, management, technical or planning assistance to
1102 municipalities within its region and other public agencies under such
1103 terms as it may determine, provided, prior to entering into an
1104 agreement for assistance to any municipality or other public agency,
1105 the regional [planning agency] council of governments shall have
1106 adopted a policy governing such assistance. The regional [planning
1107 agency] council of governments may be compensated by the
1108 municipality or other public agency with which an agreement for
1109 assistance has been made for all or part of the cost of such assistance.

1110 Sec. 27. Section 8-35e of the general statutes is repealed and the
1111 following is substituted in lieu thereof (*Effective January 1, 2015*):

1112 (a) Two or more regional [planning agencies] councils of
1113 governments may establish one or more [interagency] intercouncil
1114 committees to recommend policies relating to matters of an
1115 interregional nature, provided each participating [agency] council shall
1116 have first adopted a resolution authorizing establishment of any such
1117 [interagency] intercouncil committees and defining the scope of its
1118 duties.

1119 (b) Two or more regional [planning agencies] councils of
1120 governments may share staff and staff from one [agency] council may
1121 work in the area of another [agency] council, provided each [agency]
1122 council involved in such a cooperative effort shall have first adopted a
1123 resolution authorizing such action and specifying the extent of
1124 cooperation and the terms under which it is to be provided.

1125 Sec. 28. Subsection (a) of section 8-37u of the general statutes is

1126 repealed and the following is substituted in lieu thereof (*Effective*
1127 *January 1, 2015*):

1128 (a) The Commissioner of Economic and Community Development
1129 shall work with [regional planning agencies, regional councils of
1130 elected officials,] regional councils of governments, municipalities and
1131 municipal agencies, housing authorities and other appropriate
1132 agencies for the purpose of coordinating housing policy and housing
1133 activities, provided such coordination shall not be construed to restrict
1134 or diminish any power, right or authority granted to any municipality,
1135 agency, instrumentality, commission or any administrative or
1136 executive head thereof in accordance with the other provisions of the
1137 general statutes to proceed with any programs, projects or activities.

1138 Sec. 29. Subsection (f) of section 8-163 of the general statutes is
1139 repealed and the following is substituted in lieu thereof (*Effective*
1140 *January 1, 2015*):

1141 (f) ["Regional planning agency"] "Regional council of governments"
1142 means the regional [planning agency] council of governments created
1143 under [chapter 127] section 4-124j, as amended by this act;

1144 Sec. 30. Section 8-165 of the general statutes is repealed and the
1145 following is substituted in lieu thereof (*Effective January 1, 2015*):

1146 In furtherance of the requirement of the federal act for an overall
1147 economic development program, the municipal economic
1148 development commission, if a redevelopment area consists of a single
1149 town or city within this state, shall be charged with the preparation
1150 and implementation of an overall economic development program. If a
1151 redevelopment area includes two or more towns or cities, the regional
1152 economic development commission including the several towns and
1153 cities defined in such an area shall prepare and implement an overall
1154 economic development program. In the preparation of such overall
1155 economic development program, the regional [planning agency, if
1156 any,] council of governments of which the municipality or several
1157 municipalities included within the redevelopment area are members [.]

1158 shall submit recommendations and comments upon such overall
1159 economic development program to the municipal or regional economic
1160 development commission submitting such program. In any such
1161 redevelopment area in which there is no municipal or regional
1162 economic development commission [which] that has submitted such
1163 an overall economic development program within one hundred and
1164 twenty days after designation of the area as a redevelopment area by
1165 the Secretary of Commerce, the regional [planning agency] council of
1166 governments shall prepare and submit an overall economic
1167 development program for such area. This shall not preclude the
1168 preparation and submission of an overall economic development
1169 program by any private or nonprofit organization or association
1170 representing the redevelopment area or any part thereof.
1171 Municipalities, municipal and regional economic development
1172 commissions and regional [planning agencies] councils of
1173 governments may accept federal grants and aid for preparation of such
1174 overall economic development programs.

1175 Sec. 31. Section 8-191 of the general statutes is repealed and the
1176 following is substituted in lieu thereof (*Effective January 1, 2015*):

1177 (a) Before the development agency adopts a plan for a development
1178 project, (1) the planning commission of the municipality shall find that
1179 the plan is in accord with the plan of development for the
1180 municipality; and (2) the regional [planning agency, if any,] council of
1181 governments for the region within which such municipality is located
1182 shall find that such plan is in accord with the plan of development for
1183 such region, or if such [agency] council fails to make a finding
1184 concerning the plan within thirty-five days of receipt of the plan by
1185 such [agency] council, it shall be presumed that such [agency] council
1186 does not disapprove of the plan; and (3) the development agency shall
1187 hold at least one public hearing on the plan. At least thirty-five days
1188 prior to any public hearing, the development agency shall post the
1189 plan on the Internet web site of the development agency, if any. Upon
1190 approval by the development agency, the agency shall submit the plan
1191 to the legislative body which shall vote to approve or disapprove the

1192 plan. After approval of the plan by the legislative body, the
1193 development agency shall submit the plan for approval to the
1194 commissioner. Notice of the time, place and subject of any public
1195 hearing held under this section shall be published once in a newspaper
1196 of general circulation in the municipality, such publication to be made
1197 not less than one week nor more than three weeks prior to the date set
1198 for the hearing. In the event the commissioner requires a substantial
1199 modification of the project plan before giving approval, then upon the
1200 completion of such modification such plan shall first have a public
1201 hearing and then be approved by the development agency and the
1202 legislative body. Any legislative body, agency or commission in
1203 approving a plan for a development project shall specifically approve
1204 the findings made in the plan.

1205 (b) The provisions of subsection (a) of this section with respect to
1206 submission of a development project to and approval by the
1207 commissioner shall not apply to a project for which no grant has been
1208 made under section 8-190 and no application for a grant is to be made
1209 under section 8-195.

1210 Sec. 32. Subsection (c) of section 8-206 of the general statutes is
1211 repealed and the following is substituted in lieu thereof (*Effective*
1212 *January 1, 2015*):

1213 (c) The Commissioner of Economic and Community Development
1214 may make available technical and financial assistance and advisory
1215 services to any municipality, municipal agency, local housing
1216 authority, human resource development agency, [regional planning
1217 agency, regional council of elected officials,] regional council of
1218 governments, housing sponsor, prospective housing sponsor or other
1219 appropriate agency, or the Connecticut Housing Authority, for any
1220 activity pertinent to the development, preservation, repair or
1221 rehabilitation of housing or for urban renewal, redevelopment or
1222 community development activities as defined in chapter 130, provided
1223 any financial assistance to a [regional planning agency,] regional
1224 council of governments [or a regional council of elected officials] shall

1225 have the prior approval of the Secretary of the Office of Policy and
1226 Management, or his or her designee. Financial, technical or advisory
1227 assistance shall be rendered upon such contractual arrangements as
1228 may be agreed upon by the commissioner and any such municipality,
1229 agency, authority, council or sponsor in accordance with their
1230 respective needs.

1231 Sec. 33. Subsection (b) of section 8-385 of the general statutes is
1232 repealed and the following is substituted in lieu thereof (*Effective*
1233 *January 1, 2015*):

1234 (b) The Housing Advisory Committee shall: (1) Advise the General
1235 Assembly, the Governor, the Commissioner of Economic and
1236 Community Development and the Connecticut Housing Finance
1237 Authority on matters relating to housing programs and policies; (2)
1238 provide legislative recommendations relating to housing matters to the
1239 Commissioner of Economic and Community Development, the
1240 Connecticut Housing Finance Authority and the General Assembly; (3)
1241 monitor the housing-related activities of the regional [planning
1242 agencies under chapter 127] councils of governments; and (4) promote
1243 coordination on housing matters among state agencies.

1244 Sec. 34. Subdivision (77) of section 12-81 of the general statutes is
1245 repealed and the following is substituted in lieu thereof (*Effective*
1246 *January 1, 2015*):

1247 (77) Real property belonging to, or held in trust for, [a regional
1248 council of elected officials established under sections 4-124c to 4-124f,
1249 inclusive,] a regional council of governments established under
1250 sections 4-124i to 4-124p, inclusive, as amended by this act, [or a
1251 regional planning agency organized under sections 8-31a to 8-37b,
1252 inclusive,] provided (A) such property is used to advance the official
1253 duties of such council, [or agency,] and (B) the exemption for such
1254 property is approved by the municipality in which such property is
1255 located.

1256 Sec. 35. Subsection (b) of section 13b-16b of the general statutes is

1257 repealed and the following is substituted in lieu thereof (*Effective*
1258 *January 1, 2015*):

1259 (b) The council shall consist of nineteen members as follows: (1) The
1260 Commissioner of Transportation, or his designee; (2) the chairpersons
1261 and ranking members of the joint standing committee of the General
1262 Assembly having cognizance of matters relating to transportation, or
1263 their designees; (3) two members appointed by the Governor, one of
1264 whom shall be a representative of a regional [planning agency] council
1265 of governments and one of whom shall be a member of the public; (4)
1266 two members appointed by the president pro tempore of the Senate,
1267 one of whom shall be a chief elected official of a municipality in the
1268 southwest region of the state and one of whom shall be a
1269 representative of the motor transport industry; (5) two members
1270 appointed by the majority leader of the Senate; one of whom shall be a
1271 chief elected official of a municipality in the southwest region of the
1272 state and one of whom shall be a representative of business and
1273 industry in the southwest region of the state; (6) two members
1274 appointed by the speaker of the House of Representatives, one of
1275 whom shall be a representative of business and industry in the
1276 southwest region of the state and one of whom shall be a
1277 representative of a southwestern Connecticut regional [planning
1278 agency] council of governments; (7) two members appointed by the
1279 majority leader of the House of Representatives, one of whom shall be
1280 a representative of business and industry in the southwest region of
1281 the state and one of whom shall be a representative of an
1282 environmental or civic organization; (8) two members appointed by
1283 the minority leader of the Senate, one of whom shall be a
1284 representative of an environmental organization in the southwest
1285 region of the state and one of whom shall be a representative of the
1286 Metro North New Haven Rail Commuter Council, established
1287 pursuant to section 13b-212b; and (9) two members appointed by the
1288 minority leader of the House of Representatives, one of whom shall be
1289 a representative of a council of governments and one of whom shall be
1290 a public member.

1291 Sec. 36. Section 13b-31a of the general statutes is repealed and the
1292 following is substituted in lieu thereof (*Effective January 1, 2015*):

1293 The Commissioner of Transportation shall develop guidelines for
1294 the design and construction of roads and streets in residential
1295 subdivisions. Such guidelines shall be based upon considerations of
1296 safety, maintenance and cost effectiveness and shall be distributed to
1297 municipal [and regional] planning agencies and regional councils of
1298 governments throughout the state who may use such standards in the
1299 adoption of municipal subdivision regulations.

1300 Sec. 37. Subdivision (5) of subsection (a) of section 13b-57d of the
1301 general statutes is repealed and the following is substituted in lieu
1302 thereof (*Effective January 1, 2015*):

1303 (5) "Local planning agency" means a metropolitan planning
1304 organization, as provided in 23 USC 134, [a regional planning agency,
1305 as provided in section 8-31a,] or a [regional] council, [of elected
1306 officials,] as defined in subdivision [(2)] (4) of section 4-124i, as
1307 amended by this act; [, or a council, as defined in subsection (f) of
1308 section 4-124c;]

1309 Sec. 38. Section 13b-78l of the general statutes is repealed and the
1310 following is substituted in lieu thereof (*Effective January 1, 2015*):

1311 The Commissioner of Transportation shall:

1312 (1) Acquire not less than three hundred forty-two self-propelled rail
1313 cars for use on the New Haven Line;

1314 (2) Design and construct rail maintenance facilities to support the
1315 self-propelled rail cars;

1316 (3) Design and construct operational improvements to Interstate 95
1317 between Greenwich and North Stonington;

1318 (4) Purchase twenty-five transit buses; and

1319 (5) In consultation with cognizant metropolitan planning

1320 organizations [, regional planning agencies, regional councils of
1321 elected officials] and regional councils of governments, evaluate,
1322 design and construct transportation system improvements other than
1323 projects on Interstate 95.

1324 Sec. 39. Subsection (f) of section 13b-79p of the general statutes is
1325 repealed and the following is substituted in lieu thereof (*Effective*
1326 *January 1, 2015*):

1327 (f) The commissioner is authorized to enter into grant and cost-
1328 sharing agreements with local governments, transit districts [, regional
1329 planning agencies] and regional councils of governments in connection
1330 with the implementation of projects funded pursuant to subsections (a)
1331 and (c) of this section.

1332 Sec. 40. Section 16-243z of the general statutes is repealed and the
1333 following is substituted in lieu thereof (*Effective January 1, 2015*):

1334 (a) For purposes of this section, ["regional planning agency" and
1335 "regional council of elected officials" have the same meanings as
1336 provided in section 4-124i,] "regional council of governments" has the
1337 same meaning as "council" in section 4-124i, as amended by this act,
1338 and "electric company" and "electric distribution company" have the
1339 same meanings as provided in section 16-1.

1340 (b) Upon the request of the geographic information systems or
1341 geospatial information systems analyst or coordinator, or any
1342 equivalent official, of any municipality or [of any regional planning
1343 agency, regional council of elected officials or] regional council of
1344 governments, an electric company or electric distribution company
1345 shall provide to such analyst, coordinator or official any geographic
1346 information systems or geospatial information systems data for such
1347 electric or electric distribution company's service area identifying
1348 utility pole data for poles owned or jointly owned by such company in
1349 such municipality or the area served by such [regional planning
1350 agency, regional council of elected officials or] regional council of
1351 governments. Such data shall include pole ownership, identification

1352 number, XY coordinate location, pole height, pole classification and
1353 wattage size of street lights or post lights.

1354 (c) Upon the request of a municipality for public safety reasons
1355 during an emergency, an electric company or electric distribution
1356 company may provide to such municipality the location of electric
1357 service accounts that are coded by such company as medical hardship
1358 accounts within such municipality.

1359 (d) Prior to receipt of data from an electric company or electric
1360 distribution company under this section, a municipality [, regional
1361 planning agency, regional council of elected officials] or regional
1362 council of governments shall demonstrate to such company that it has
1363 implemented appropriate procedures to protect the confidentiality of
1364 the information. Any data provided by such company to a
1365 municipality [, regional planning agency, regional council of elected
1366 officials] or regional council of governments pursuant to this section
1367 shall be used by such entity for internal use only, and shall not be
1368 publicly disclosed by the municipality [, regional planning agency,
1369 regional council of elected officials] or regional council of governments
1370 or be subject to any public disclosure requirement without the prior
1371 consent of the electric company or electric distribution company, as
1372 applicable, and shall be exempt from disclosure under the Freedom of
1373 Information Act, as defined in section 1-200.

1374 Sec. 41. Section 16a-4a of the general statutes is repealed and the
1375 following is substituted in lieu thereof (*Effective January 1, 2015*):

1376 The Office of Policy and Management shall:

1377 (1) Formulate and prepare state-wide or interregional plans for the
1378 physical, social and economic development of the state. Such plans
1379 may be prepared jointly or in consultation with other state, interstate,
1380 federal, regional or local agencies. Such plans may include, but need
1381 not be limited to, (A) demographic projections, (B) economic
1382 projections, (C) land use and water considerations, (D) transportation
1383 requirements, (E) environmental considerations, (F) energy capabilities

1384 and requirements, (G) public facilities, (H) labor needs and skills, (I)
1385 educational objectives, (J) housing needs and (K) health needs;

1386 (2) Receive for review, information and recommendations, plans
1387 proposed by any state agency acting alone or jointly [which] that has
1388 among its duties planning responsibilities relating to those
1389 considerations set forth in subdivision (1) of this section or similar
1390 subjects;

1391 (3) Coordinate regional and state planning activities and accomplish
1392 such planning review activities as may be necessary;

1393 (4) Designate or redesignate logical planning regions within the
1394 state [and promote and assist in the promotion and continuation of
1395 regional planning agencies under chapter 127. Such planning regions
1396 shall be redesignated] in accordance with section 16a-4c, as amended
1397 by this act;

1398 (5) Provide for technical aid and the administration of financial
1399 assistance to [regional planning agencies established under chapter 127
1400 or any regional council of elected officials in any region without a
1401 regional planning agency or] any regional council of governments
1402 organized under sections 4-124i to 4-124p, inclusive, as amended by
1403 this act, under such terms and conditions as may be agreed upon by
1404 the secretary;

1405 (6) Accept from any source funds, revenue or other consideration
1406 available to this state for interstate, state, regional, interregional or area
1407 planning activities or projects and provide for the administration of
1408 such funds, revenues or other consideration;

1409 (7) Make available to the public, for a reasonable fee, all reports,
1410 testing results and other material developed or procured as a result of
1411 activities authorized by this section, section 16a-14, as amended by this
1412 act, and section 16a-14b; and

1413 (8) Provide technical assistance to municipalities that want to
1414 aggregate electric generation services.

1415 Sec. 42. Section 22-26j of the general statutes is repealed and the
1416 following is substituted in lieu thereof (*Effective January 1, 2015*):

1417 The Department of Agriculture shall establish and administer a
1418 farm viability matching grant program to any agricultural not-for-
1419 profit organization, municipality, group of municipalities, [regional
1420 planning agency organized under the provisions of chapter 127,
1421 regional council of elected officials organized under the provisions of
1422 chapter 50,] regional council of governments organized under the
1423 provisions of sections 4-124i to 4-124p, inclusive, as amended by this
1424 act, or group of municipalities [which] that have established a regional
1425 interlocal agreement pursuant to sections 7-339a to 7-339l, inclusive, to
1426 further agricultural viability. Such grants may be used for the
1427 following purposes: (1) Local capital projects that foster agricultural
1428 viability, including, but not limited to, processing facilities and
1429 farmers' markets; (2) the development and implementation of
1430 agriculturally-friendly land use regulations and local farmland
1431 protection strategies that sustain and promote local agriculture; and (3)
1432 the development of new marketing programs and venues through or
1433 in which a majority of products sold are grown in the state.

1434 Sec. 43. Section 22a-134l of the general statutes is repealed and the
1435 following is substituted in lieu thereof (*Effective January 1, 2015*):

1436 The Commissioner of Energy and Environmental Protection may,
1437 within available appropriations, make a grant or loan to any
1438 municipality, group of municipalities, [regional planning agency
1439 organized under the provisions of chapter 127, regional council of
1440 elected officials organized under the provisions of chapter 50,] regional
1441 council of government organized under the provisions of sections 4-
1442 124i to 4-124p, inclusive, as amended by this act, or group of
1443 municipalities [which] that have established a regional interlocal
1444 agreement pursuant to sections 7-339a to 7-339l, inclusive, for the
1445 planning of regional facilities for the purpose of collection and disposal
1446 of household hazardous waste. The commissioner may adopt
1447 regulations, in accordance with the provisions of chapter 54, to carry

1448 out the purposes of this section.

1449 Sec. 44. Section 22a-134m of the general statutes is repealed and the
1450 following is substituted in lieu thereof (*Effective January 1, 2015*):

1451 The Commissioner of Energy and Environmental Protection shall
1452 coordinate a program of chemical disposal days for the collection and
1453 disposal of hazardous household chemicals in any municipality or
1454 group of municipalities [, in the area of operation of any regional
1455 planning agency organized under the provisions of chapter 127, in the
1456 planning region of any regional council of elected officials organized
1457 under the provisions of chapter 50,] or in the participating towns in
1458 any regional council of government organized under the provisions of
1459 sections 4-124i to 4-124p, inclusive, as amended by this act. The
1460 commissioner shall develop guidelines for such chemical disposal
1461 days.

1462 Sec. 45. Subsection (a) of section 22a-134n of the general statutes is
1463 repealed and the following is substituted in lieu thereof (*Effective*
1464 *January 1, 2015*):

1465 (a) The Commissioner of Energy and Environmental Protection
1466 may, within available appropriations, make a grant to any
1467 municipality, any group of municipalities [, any regional planning
1468 agency organized under the provisions of chapter 127, any regional
1469 council of elected officials organized under the provisions of chapter
1470 50,] or any regional council of government organized under the
1471 provisions of sections 4-124i to 4-124p, inclusive, as amended by this
1472 act, sponsoring a chemical disposal day. The grant shall be not more
1473 than fifty per cent of the cost to the grantee of conducting such
1474 chemical disposal day. An application for a grant shall include a plan
1475 for a chemical disposal day which shall comply with any guidelines
1476 developed by the commissioner pursuant to section 22a-134m, as
1477 amended by this act.

1478 Sec. 46. Subsection (a) of section 22a-134o of the general statutes is
1479 repealed and the following is substituted in lieu thereof (*Effective*

1480 *January 1, 2015*):

1481 (a) Any municipality, any group of municipalities [, any regional
1482 planning agency organized under the provisions of chapter 127, any
1483 regional council of elected officials organized under the provisions of
1484 chapter 50,] or any regional council of government organized under
1485 the provisions of sections 4-124i to 4-124p, inclusive, as amended by
1486 this act, sponsoring a chemical disposal day shall enter into a contract
1487 with a hazardous waste transporter or waste collection company
1488 licensed under section 22a-454 to dispose of the hazardous waste
1489 collected during a chemical disposal day. Such contract shall (1) make
1490 the transporter or company, upon receipt of hazardous waste, liable
1491 for any violation of a federal or state statute concerning the generation,
1492 transportation or disposal of hazardous waste, (2) identify the
1493 transporter or company as the generator of hazardous waste collected
1494 and (3) make the transporter or company responsible for providing
1495 material and equipment for handling, labeling, loading and
1496 transporting hazardous waste.

1497 Sec. 47. Section 22a-223 of the general statutes is repealed and the
1498 following is substituted in lieu thereof (*Effective January 1, 2015*):

1499 The Commissioner of Energy and Environmental Protection may,
1500 from proceeds of the sale of state bonds allocated by the State Bond
1501 Commission to the Department of Energy and Environmental
1502 Protection in accordance with subdivision (8) of subsection (e) of
1503 section 2 of special act 82-46, provide funds to any municipality, any
1504 group of municipalities [, any regional planning agency organized
1505 under the provisions of chapter 127, any regional council of elected
1506 officials organized under the provisions of chapter 50] or any regional
1507 council of governments organized under the provisions of sections 4-
1508 124i to 4-124p, inclusive, as amended by this act, for a preliminary
1509 feasibility study of an energy recovery system or an incinerator. Any
1510 such study shall be prepared in consultation with said commissioner
1511 and shall include but not be limited to an investigation of the markets
1512 for the system, identification of the waste stream, cost estimates of

1513 system construction and the cost per ton of solid waste disposal. The
1514 amount of such funds granted for any single study shall not exceed
1515 eighty per cent of the total cost of such study and in no event shall the
1516 total amount granted for any single study exceed twenty-five thousand
1517 dollars.

1518 Sec. 48. Section 22a-353 of the general statutes is repealed and the
1519 following is substituted in lieu thereof (*Effective January 1, 2015*):

1520 The Secretary of the Office of Policy and Management or his or her
1521 designee shall be the contractor for the purposes of sections 22a-352 to
1522 22a-354, inclusive, and may engage consultants or arrange for other
1523 technical assistance to implement the work program, and within the
1524 limitations of the budget, developed under subdivision (1) of
1525 subsection (a) of section 22a-352. The Secretary of the Office of Policy
1526 and Management, or his or her designee, may make grants to any
1527 [regional planning agency established under authority of chapter 127,
1528 any regional council of elected officials in any region where there is no
1529 regional planning agency or any] regional council of governments
1530 organized under sections 4-124i to 4-124p, inclusive, as amended by
1531 this act, for the purpose of preparing regional plans for water and
1532 sewer facilities. Such grants may cover retroactively work initiated by
1533 a regional planning agency after January 1, 1967. The Secretary of the
1534 Office of Policy and Management or his or her designee shall apply for
1535 any and all funds available from the federal government to support
1536 such planning work and shall see that regional [planning agencies,
1537 regional councils of elected officials or] councils of government
1538 receiving state grants take similar advantage of available federal funds
1539 in order to reduce expenditure of funds appropriated under section
1540 22a-354, provided utilization of such federal funds shall not unduly
1541 delay the conduct of said study.

1542 Sec. 49. Subsection (b) of section 23-101 of the general statutes is
1543 repealed and the following is substituted in lieu thereof (*Effective*
1544 *January 1, 2015*):

1545 (b) There is established a greenways small grants program which

1546 shall be administered by the Commissioner of Energy and
1547 Environmental Protection. The commissioner may, within available
1548 appropriations, make a grant to any municipality [, regional planning
1549 agency organized under the provisions of chapter 127, any regional
1550 council of elected officials organized under the provisions of chapter
1551 50,] or any regional council of government organized under the
1552 provisions of sections 4-124i to 4-124p, inclusive, as amended by this
1553 act, and nongovernmental organizations for planning, design and
1554 implementation of greenway projects. Any grant shall be not more
1555 than five thousand dollars and the total amount of all grants under this
1556 subsection shall not exceed fifty thousand dollars in any fiscal year.
1557 Land acquisition costs shall not be eligible for reimbursement with
1558 grants under this section.

1559 Sec. 50. Subdivision (1) of section 25-68j of the general statutes is
1560 repealed and the following is substituted in lieu thereof (*Effective*
1561 *January 1, 2015*):

1562 (1) "Eligible applicant" means any municipality [, regional planning
1563 agency organized under the provisions of chapter 127, any regional
1564 council of elected officials organized under the provisions of chapter
1565 50,] or any regional council of government organized under the
1566 provisions of sections 4-124i to 4-124p, inclusive, as amended by this
1567 act;

1568 Sec. 51. Subsection (e) of section 25-204 of the general statutes is
1569 repealed and the following is substituted in lieu thereof (*Effective*
1570 *January 1, 2015*):

1571 (e) After adoption pursuant to subsection (d) of this section of an
1572 inventory, statement of objectives and map, the river committee shall
1573 prepare a report on all federal, state and municipal laws, plans,
1574 programs and proposed activities which may affect the river corridor
1575 defined in such map. Such laws shall include regulations adopted
1576 pursuant to chapter 440 and zoning, subdivision and site plan
1577 regulations adopted pursuant to section 8-3. Such plans shall include
1578 plans of conservation and development adopted pursuant to section 8-

1579 23, as amended by this act, the state plan for conservation and
1580 development, water utility supply plans adopted pursuant to section
1581 25-32d, coordinated water system plans adopted pursuant to section
1582 25-33h, municipal open space plans, the commissioner's fish and
1583 wildlife plans, the master transportation plan adopted pursuant to
1584 section 13b-15, [plans prepared by regional planning agencies
1585 pursuant to section 8-31a,] and publicly-owned wastewater treatment
1586 facility plans. State and regional agencies shall, within available
1587 resources, assist the river committee in identifying such laws, plans,
1588 programs and proposed activities. The report to be prepared pursuant
1589 to this section shall identify any conflicts between such federal, state,
1590 regional and municipal laws, plans, programs and proposed activities
1591 and the river committee's objectives for river corridor protection and
1592 preservation as reflected in the statement of objectives. If conflicts are
1593 identified, the river committee shall notify the applicable state,
1594 regional or municipal agencies and such agencies shall, within
1595 available resources, attempt with the river commission to resolve such
1596 conflicts.

1597 Sec. 52. Subsection (b) of section 32-1c of the general statutes is
1598 repealed and the following is substituted in lieu thereof (*Effective*
1599 *January 1, 2015*):

1600 (b) The Commissioner of Economic and Community Development
1601 may make available technical and financial assistance and advisory
1602 services to any appropriate agency, authority, [or] commission or
1603 council for planning and other functions pertinent to economic
1604 development provided any financial assistance to a [regional planning
1605 agency or a regional council of elected officials] regional council of
1606 governments shall have the prior approval of the Secretary of the
1607 Office of Policy and Management or his designee. Financial assistance
1608 shall be rendered upon such contractual arrangements as may be
1609 agreed upon by the commissioner and any such agency, authority, [or]
1610 commission or council in accordance with their respective needs, and
1611 the commissioner may determine the qualifications of personnel or
1612 consultants to be engaged for such assistance.

1613 Sec. 53. Subsection (a) of section 32-7 of the general statutes is
1614 repealed and the following is substituted in lieu thereof (*Effective*
1615 *January 1, 2015*):

1616 (a) The department is authorized to (1) promote and assist the
1617 formation of municipal or regional economic development
1618 commissions under sections 7-136 and 7-137, or any other provision of
1619 the general statutes or any special act; and (2) make available technical
1620 and financial assistance to any municipal or regional economic
1621 development commission, regional economic development
1622 corporation [, regional planning agency organized under the
1623 provisions of chapter 127,] or a regional council of governments
1624 organized under sections 4-124i to 4-124p, inclusive, as amended by
1625 this act. [, or any regional council of elected officials organized under
1626 the provisions of chapter 50 for planning and implementation of
1627 regional economic development.] Such financial assistance may be
1628 provided to expand or establish the capacity for planning and
1629 implementation of regional economic development, including, but not
1630 limited to, business retention and recruitment, infrastructure
1631 enhancement, labor force development and financial credit availability.
1632 Financial assistance may be used for strategic economic development
1633 plans, establishment of regional economic databases, regional
1634 marketing for business retention and recruitment, coordination of
1635 economic development efforts with regional, local, state and federal
1636 agencies, surveys, land use studies, site development plans and for any
1637 other functions of economic development commissions as set forth in
1638 said sections 7-136 and 7-137 or any other provision of the general
1639 statutes or any special act.

1640 Sec. 54. Subsection (p) of section 32-23d of the general statutes is
1641 repealed and the following is substituted in lieu thereof (*Effective*
1642 *January 1, 2015*):

1643 (p) ["Regional planning agency"] "Regional council of governments"
1644 means a regional [planning agency] council of governments created
1645 under [chapter 127] section 4-124j, as amended by this act.

1646 Sec. 55. Section 32-23e of the general statutes is repealed and the
1647 following is substituted in lieu thereof (*Effective January 1, 2015*):

1648 To accomplish the purposes of the corporation, which are hereby
1649 determined to be public purposes for which public funds may be
1650 expended, and in addition to any other powers provided by law, the
1651 corporation shall have power to: (1) Determine the location and
1652 character of any project to be financed under the provisions of said
1653 chapters and sections, provided any financial assistance shall be
1654 approved in accordance with written procedures prepared pursuant to
1655 subdivision (14) of this section; (2) purchase, receive, by gift or
1656 otherwise, lease, exchange, or otherwise acquire, and construct,
1657 reconstruct, improve, maintain, equip and furnish one or more
1658 projects, including all real and personal property which the
1659 corporation may deem necessary in connection therewith, and to enter
1660 into a contract with a person therefor upon such terms and conditions
1661 as the corporation shall determine to be reasonable, including but not
1662 limited to reimbursement for the planning, designing, financing,
1663 construction, reconstruction, improvement, equipping, furnishing,
1664 operation and maintenance of the project and any claims arising
1665 therefrom and establishment and maintenance of reserve and
1666 insurance funds with respect to the financing of the project; (3) insure
1667 any or all payments to be made by the borrower under the terms of
1668 any agreement for the extension of credit or making of a loan by the
1669 corporation in connection with any economic development project to
1670 be financed, wholly or in part, through the issuance of bonds or
1671 mortgage payments of any mortgage which is given by a mortgagor to
1672 the mortgagee who has provided the mortgage for an economic
1673 development project upon such terms and conditions as the
1674 corporation may prescribe and as provided herein, and the faith and
1675 credit of the state are pledged thereto; (4) in connection with the
1676 insuring of payments of any mortgage, request for its guidance a
1677 finding of the municipal planning commission, or, if there is no
1678 planning commission, a finding of the municipal officers, of the
1679 municipality in which the economic development project is proposed
1680 to be located, or of the regional [planning agency] council of

1681 governments of which such municipality is a member, as to the
1682 expediency and advisability of the economic development project; (5)
1683 sell or lease to any person, all or any portion of a project, purchase
1684 from eligible financial institutions mortgages with respect to economic
1685 development projects, purchase or repurchase its own bonds, and sell,
1686 pledge or assign to any person any such bonds, mortgages, or other
1687 loans, notes, revenues or assets of the corporation, or any interest
1688 therein, for such consideration and upon such terms as the corporation
1689 may determine to be reasonable; (6) mortgage or otherwise encumber
1690 all or any portion of a project whenever it shall find such action to be
1691 in furtherance of the purposes of said chapters and sections; (7) enter
1692 into agreements with any person, including prospective mortgagees
1693 and mortgagors, for the purpose of planning, designing, constructing,
1694 acquiring, altering and financing projects, providing liquidity or a
1695 secondary market for mortgages or other financial obligations incurred
1696 with respect to facilities which would qualify as a project under this
1697 chapter, purchasing loans made by regional corporations under section
1698 32-276, or for any other purpose in furtherance of any other power of
1699 the corporation; (8) grant options to purchase or renew a lease for any
1700 of its projects on such terms as the corporation may determine to be
1701 reasonable; (9) employ or retain attorneys, accountants and
1702 architectural, engineering and financial consultants and such other
1703 employees and agents and to fix their compensation and to employ the
1704 Connecticut Development Credit Corporation on a cost basis as it shall
1705 deem necessary to assist it in carrying out the purposes of said
1706 corporation legislation; (10) accept from a federal agency loans, grants
1707 or loan guarantees or otherwise participate in any loan, grant, loan
1708 guarantee or other financing or economic or project development
1709 program of a federal agency in furtherance of, and consistent with, the
1710 purposes of the corporation, and enter into agreements with such
1711 agency respecting any such loans, grants, loan guarantees or federal
1712 agency programs; (11) provide tenant lease guarantees and
1713 performance guarantees, invest in, extend credit or make loans to any
1714 person for the planning, designing, financing, acquiring, constructing,
1715 reconstructing, improving, expanding, continuing in operation,

1716 equipping and furnishing of a project and for the refinancing of
1717 existing indebtedness with respect to any facility or part thereof which
1718 would qualify as a project in order to facilitate substantial
1719 improvements thereto, which guarantees, investments, credits or loans
1720 may be secured by loan agreements, lease agreements, installment sale
1721 agreements, mortgages, contracts and all other instruments or fees and
1722 charges, upon such terms and conditions as the corporation shall
1723 determine to be reasonable in connection with such loans, including
1724 provision for the establishment and maintenance of reserve and
1725 insurance funds and in the exercise of powers granted in this section in
1726 connection with a project for such person, to require the inclusion in
1727 any contract, loan agreement or other instrument, such provisions for
1728 the construction, use, operation and maintenance and financing of a
1729 project as the corporation may deem necessary or desirable; (12) in
1730 connection with any application for assistance under said corporation
1731 legislation, or commitments therefor, to make and collect such fees and
1732 charges as the corporation shall determine to be reasonable; (13) adopt
1733 procedures, in accordance with the provisions of section 1-121, to carry
1734 out the purposes of the corporation, which may give priority to
1735 applications for financial assistance based upon the extent the project
1736 will materially contribute to the economic base of the state by creating
1737 or retaining jobs, providing increased wages or benefits to employees,
1738 promoting the export of products or services beyond the boundaries of
1739 the state, encouraging innovation in products or services, encouraging
1740 defense-dependent business to diversify to nondefense production,
1741 promoting standards of participation adopted by the Connecticut
1742 partnership compact pursuant to section 33-374g of the general
1743 statutes, revision of 1958, revised to 1991, or will otherwise enhance
1744 existing activities that are important to the economic base of the state,
1745 provided regulation-making proceedings commenced before January
1746 1, 1989, shall be governed by sections 4-166 to 4-174, inclusive; (14)
1747 maintain an office at such place or places within the state as it may
1748 designate; (15) when it becomes necessary or feasible for the
1749 corporation to safeguard itself from losses, acquire, purchase, manage
1750 and operate, hold and dispose of real and personal property, take

1751 assignments of rentals and leases and make and enter into all
1752 contracts, leases, agreements and arrangements necessary or incidental
1753 to the performance of its duties; (16) in order to further the purposes of
1754 the corporation, or to assure the payment of the principal and interest
1755 on bonds or notes of the corporation or to safeguard the mortgage
1756 insurance fund, purchase, acquire and take assignments of notes,
1757 mortgages and other forms of security and evidences of indebtedness,
1758 purchase, acquire, attach, seize, accept or take title to any project by
1759 conveyance or, by foreclosure, and sell, lease or rent any project for a
1760 use specified in said chapters and sections or in this chapter; (17) do, or
1761 delegate, any and all things necessary or convenient to carry out the
1762 purposes and to exercise the powers given and granted to the
1763 corporation; (18) to accept from the department: (A) Financial
1764 assistance, (B) revenues or the right to receive revenues with respect to
1765 any program under the supervision of the department, and (C) loan
1766 assets or equity interests in connection with any program under the
1767 supervision of the department; to make advances to and reimburse the
1768 department for any expenses incurred or to be incurred by it in the
1769 delivery of such assistance, revenues, rights, assets or amounts; to
1770 enter into agreements for the delivery of services by the corporation, in
1771 consultation with the department and the Connecticut Housing
1772 Finance Authority, to third parties which agreements may include
1773 provisions for payment by the department to the corporation for the
1774 delivery of such services; and to enter into agreements with the
1775 department or with the Connecticut Housing Finance Authority for the
1776 sharing of assistants, agents and other consultants, professionals and
1777 employees, and facilities and other real and personal property used in
1778 the conduct of the corporation's affairs; and (19) to transfer to the
1779 department: (A) Financial assistance, (B) revenues or the right to
1780 receive revenues with respect to any program under the supervision of
1781 the corporation, and (C) loan assets or equity interests in connection
1782 with any program under the supervision of the corporation, provided
1783 the transfer of such financial assistance, revenues, rights, assets or
1784 interests is determined by the corporation to be practicable, within the
1785 constraints and not inconsistent with the fiduciary obligations of the

1786 corporation imposed upon or established upon the corporation by any
1787 provision of the general statutes, the corporation's bond resolutions or
1788 any other agreement or contract of the authority and to have no
1789 adverse effect on the tax-exempt status of any bonds of the corporation
1790 or the state.

1791 Sec. 56. Subsection (h) of section 32-222 of the general statutes is
1792 repealed and the following is substituted in lieu thereof (*Effective*
1793 *January 1, 2015*):

1794 (h) "Eligible applicant" means any for-profit or nonprofit
1795 organization, or any combination thereof, any municipality, regional
1796 [planning agency] council of governments or any combination thereof
1797 and further provided, in the case of a loan made by Connecticut
1798 Innovations, Incorporated in which the department purchases a
1799 participation interest, "eligible applicant" means the for-profit or
1800 nonprofit organization, or any combination thereof, that will receive
1801 the proceeds of such loan;

1802 Sec. 57. Subsections (b) and (c) of section 32-224 of the general
1803 statutes are repealed and the following is substituted in lieu thereof
1804 (*Effective January 1, 2015*):

1805 (b) The implementing agency may initiate a municipal development
1806 project by preparing and submitting a development plan to the
1807 commissioner. Such plan shall meet an identified public need and
1808 include: (1) A legal description of the real property within the
1809 boundaries of the project area; (2) a description of the present
1810 condition and uses of such real property; (3) a description of the
1811 process utilized by the agency to prepare the plan and a description of
1812 alternative approaches considered to achieve project objectives; (4) a
1813 description of the types and locations of land uses or building uses
1814 proposed for the project area; (5) a description of the types and
1815 locations of present and proposed streets, sidewalks and sanitary,
1816 utility and other facilities and the types and locations of other
1817 proposed project improvements; (6) statements of the present and
1818 proposed zoning classification and subdivision status of the project

1819 area and the areas adjacent to the project area; (7) a plan for relocating
1820 project area occupants; (8) a financing plan; (9) an administrative plan;
1821 (10) an environmental analysis, marketability and proposed land use
1822 study, or building use study if required by the commissioner; (11)
1823 appraisal reports and title searches if required by the commissioner;
1824 (12) a description of the public benefit of the project, including, but not
1825 limited to, (A) the number of jobs which the implementing agency
1826 anticipates would be created or retained by the project, (B) the
1827 estimated property tax benefits, (C) the number and types of existing
1828 housing units in the municipality in which the project would be
1829 located, and in contiguous municipalities, which would be available to
1830 employees filling such jobs, (D) a general description of infrastructure
1831 improvements, including public access, facilities or use, that the
1832 implementing agency anticipates may be needed to implement the
1833 development plan, (E) a general description of the implementing
1834 agency's goals for blight remediation or, if known, environmental
1835 remediation, (F) a general description of any aesthetic improvements
1836 that the implementing agency anticipates may be generated by the
1837 project, (G) a general description of the project's intended role in
1838 increasing or sustaining market value of land in the municipality, (H) a
1839 general description of the project's intended role in assisting residents
1840 of the municipality to improve their standard of living, and (I) a
1841 general statement of the project's role in maintaining or enhancing the
1842 competitiveness of the municipality; (13) a finding that (A) the land
1843 and buildings within the boundaries of the project area will be used
1844 principally for manufacturing or other economic base business
1845 purposes or business support services; (B) the plan is in accordance
1846 with the plan of conservation and development for the municipality, if
1847 any, adopted by its planning commission under section 8-23, as
1848 amended by this act, and the plan of development of the regional
1849 [planning agency] council of governments adopted under section 8-
1850 35a, as amended by this act, if any, for the region within which the
1851 municipality is located; (C) the plan was prepared giving due
1852 consideration to the state plan of conservation and development
1853 adopted under chapter 297 and other state-wide planning program

1854 objectives of the state or state agencies as coordinated by the Secretary
1855 of the Office of Policy and Management; and (D) the project will
1856 contribute to the economic welfare of the municipality and the state
1857 and that to carry out and administer the project, public action under
1858 sections 32-220 to 32-234, inclusive, is required; and (14) a preliminary
1859 statement describing the proposed process for acquiring each parcel of
1860 real property, including findings that (A) public benefits resulting
1861 from the plan will outweigh any private benefits; (B) existing use of the
1862 real property cannot be feasibly integrated into the overall plan for the
1863 project; (C) acquisition by eminent domain is reasonably necessary to
1864 successfully achieve the objectives of such plan; and (D) the plan is not
1865 for the primary purpose of increasing local tax revenues. The
1866 provisions of this subsection with respect to submission of a
1867 development plan to and approval by the commissioner and with
1868 respect to a finding that the plan was prepared giving due
1869 consideration to the state plan of conservation and development and
1870 state-wide planning program objectives of the state or its agencies shall
1871 not apply to a project for which no financial assistance has been given
1872 and no application for financial assistance is to be made under section
1873 32-223. Any plan that has been prepared under chapters 130, 132 or
1874 588a may be submitted by the implementing agency to the legislative
1875 body of the municipality and to the commissioner in lieu of a plan
1876 initiated and prepared in accordance with this section, provided all
1877 other requirements of sections 32-220 to 32-234, inclusive, for obtaining
1878 the approval of the commissioner of the development plan are
1879 satisfied. Any action taken in connection with the preparation and
1880 adoption of such plan shall be deemed effective to the extent such
1881 action satisfies the requirements of said sections.

1882 (c) (1) No plan shall be adopted unless the planning commission of
1883 the municipality finds that the plan is in accord with the plan of
1884 development, if any, for the municipality and the regional [planning
1885 agency, if any,] council of governments organized under [chapter 127]
1886 section 4-124j, as amended by this act, for the region within which such
1887 municipality is located finds that such plan is in accord with the plan
1888 of development, if any, for such region. If the regional [planning

1889 agency] council of governments fails to make a finding concerning the
1890 plan within thirty-five days of receipt thereof, by such [agency]
1891 council, it shall be presumed that such [agency] council does not
1892 disapprove of the plan. The implementing agency shall hold at least
1893 one public hearing on the plan and shall cause notice of the time, place,
1894 and subject of any public hearing to be published at least once in a
1895 newspaper of general circulation in the municipality not less than one
1896 week nor more than three weeks prior to the date of such public
1897 hearing. At least thirty-five days prior to the public hearing, the
1898 implementing agency shall post the plan on the Internet web site of the
1899 implementing agency, if any. Upon adoption of the plan the
1900 implementing agency shall submit the plan to the legislative body of
1901 the municipality for approval or disapproval. Any approval by the
1902 implementing agency and legislative body of the municipality made
1903 under this section shall specifically provide for approval of any
1904 findings contained therein. After approval of the plan by the legislative
1905 body of the municipality, the plan shall be submitted to the
1906 commissioner for his approval. If the commissioner requires a
1907 substantial modification of the plan as a condition of approval, the
1908 plan shall be subject to a public hearing and approval by the
1909 implementing agency and the legislative body of the municipality in
1910 accordance with the provisions of this subsection.

1911 (2) The plan shall be effective for a period of ten years after the date
1912 of approval and may be amended in accordance with this section. The
1913 legislative body shall review the plan at least once every ten years after
1914 the initial approval, and shall reapprove the plan or an amended plan
1915 at least once every ten years after the initial approval in accordance
1916 with this section in order for the plan or amended plan to remain in
1917 effect. With respect to a development plan for a project that is funded
1918 in whole or in part by federal funds, the provisions of this subdivision
1919 shall not apply to the extent that such provisions are prohibited by
1920 federal law.

1921 Sec. 58. Subdivision (2) of section 32-327 of the general statutes is
1922 repealed and the following is substituted in lieu thereof (*Effective*

1923 *January 1, 2015*):

1924 (2) "Agency" means any regional economic development
1925 commission formed under sections 7-136 and 7-137, other regional
1926 development commission or corporation formed under any other
1927 provision of the general statutes or any special act, [any regional
1928 planning agency organized under the provisions of chapter 127,] or
1929 any regional council of governments organized under sections 4-124i
1930 to 4-124p, inclusive, as amended by this act, [or any regional council of
1931 elected officials organized under the provisions of chapter 50 for
1932 planning and implementation of regional economic development,]
1933 except that for purposes of financial assistance for greenways projects,
1934 "agency" means a municipality or other organizations.

1935 Sec. 59. Section 4-124p of the general statutes is repealed and the
1936 following is substituted in lieu thereof (*Effective January 1, 2015*):

1937 Each regional council of governments established under the
1938 provisions of sections 4-124i to 4-124p, inclusive, as amended by this
1939 act, is authorized to receive for its own use and purposes any funds
1940 from any source including the state and federal governments and
1941 including bequests, gifts and contributions made by any individual,
1942 corporation or association. Any town, city or borough participating in
1943 a regional council of governments shall annually appropriate funds for
1944 the expenses of such council in the performance of its purposes. Such
1945 funds shall be appropriated and paid in accordance with a dues
1946 formula established by the regional council of governments. Such
1947 council may withhold any services it deems advisable from any town,
1948 city or borough which has failed to pay such dues. Within the amount
1949 so received, a council may engage employees, and contract with
1950 professional consultants, municipalities, the state and the federal
1951 governments, other regional councils of governments [, regional
1952 councils of elected officials, regional planning agencies] and other
1953 intertown, regional or metropolitan agencies, or with any one or more
1954 of them, and may enter into contracts from time to time to carry out its
1955 purposes. Any such contract shall be approved by action of the

1956 regional council of governments in a manner prescribed by the council.
1957 [Any regional council of governments may enter into a contract to
1958 carry out its purpose with any other regional council of governments,
1959 any regional council of elected officials, established under sections 4-
1960 124c to 4-124h, inclusive, or any regional planning agency formed
1961 under section 8-31a.] The accounts of any regional council of
1962 governments shall be subject to an annual audit under the provisions
1963 of chapter 111 and such council shall file an annual report with the
1964 clerks of its member towns, cities or boroughs, with planning
1965 commissions, if any, of members, and with the Secretary of the Office
1966 of Policy and Management, or his designee.

1967 Sec. 60. (NEW) (*Effective January 1, 2015*) (a) (1) Wherever the term
1968 "regional planning agency" is used in the following general statutes,
1969 the term "regional council of governments" shall be substituted in lieu
1970 thereof; and (2) wherever the term "regional planning agencies" is used
1971 in the following general statutes, the term "regional councils of
1972 governments" shall be substituted in lieu thereof: 8-35b, 8-36c, 8-164, 8-
1973 166, 8-189, 8-336f, 8-384, 13b-38a, 13b-79ll, 16-32f, 16-50l, 16-358, 16a-28,
1974 16a-35c, 22-26dd, 22a-102, 22a-118, 22a-137, 22a-207, 22a-211, 22a-352,
1975 23-8, 25-33e, 22-33f to 25-33h, inclusive, 25-68d, 25-102qq and 25-233.

1976 (b) The Legislative Commissioners' Office shall, in codifying the
1977 provisions of this section, make such technical, grammatical and
1978 punctuation changes as are necessary to carry out the purposes of this
1979 section.

1980 Sec. 61. Section 2 of this act is repealed and the following is
1981 substituted in lieu thereof (*Effective January 1, 2015*):

1982 (a) On or before January 1, 2015, each regional planning agency
1983 [created pursuant to sections 8-31a to 8-37a, inclusive, of the general
1984 statutes,] and each regional council of elected officials [, as defined in
1985 subdivision (2) of section 4-124i of the general statutes, as amended by
1986 this act,] shall be restructured to form a regional council of
1987 governments as provided in section 4-124j of the general statutes, as
1988 amended by this act.

1989 [(b) On or before July 1, 2014, the legislative body of any town
1990 bordering more than one regional planning organization, as defined in
1991 section 4-124i of the general statutes, as amended by this act, may
1992 determine the adjacent regional planning organization of which to
1993 become a member.

1994 (c) On or before January 1, 2015, any two or more counties may
1995 voluntarily consolidate to form a single regional council of
1996 governments.]

1997 [(d)] (b) A regional council of governments may accept or
1998 participate in any grant, donation or program available to any political
1999 subdivision of the state and may also accept or participate in any
2000 grant, donation or program made available to counties by any other
2001 governmental or private entity. Notwithstanding the provisions of any
2002 special or public act, any political subdivision of the state may enter
2003 into an agreement with a regional council of governments to perform
2004 jointly or to provide, alone or in cooperation with any other entity, any
2005 service, activity or undertaking that the political subdivision is
2006 authorized by law to perform. A regional council of governments
2007 established pursuant to this section may administer and provide
2008 regional services to municipalities and may delegate such authority to
2009 subregional groups of such municipalities. Regional services provided
2010 to member municipalities shall be determined by each regional council
2011 of governments and may include, without limitation, the following
2012 services: (1) Engineering; (2) inspectional and planning; (3) economic
2013 development; (4) public safety; (5) emergency management; (6) animal
2014 control; (7) land use management; (8) tourism promotion; (9) social;
2015 (10) health; (11) education; (12) data management; (13) regional
2016 sewerage; (14) housing; (15) computerized mapping; (16) household
2017 hazardous waste collection; (17) recycling; (18) public facility siting;
2018 (19) coordination of master planning; (20) vocational training and
2019 development; (21) solid waste disposal; (22) fire protection; (23)
2020 regional resource protection; (24) regional impact studies; and (25)
2021 transportation.

2022 Sec. 62. Section 16a-4 of the general statutes is repealed and the
2023 following is substituted in lieu thereof (*Effective January 1, 2015*):

2024 The Secretary of the Office of Policy and Management shall employ,
2025 subject to the provisions of chapter 67, such staff as is required for the
2026 proper discharge of duties of the office as set forth in this chapter and
2027 sections 4-5, 4-124l, as amended by this act, 8-3b, as amended by this
2028 act, [8-32a, 8-33a,] 8-35a, as amended by this act, and 8-189, subsection
2029 (b) of section 8-206 and sections 16a-20, 16a-102, 22a-352 and 22a-353,
2030 as amended by this act. The secretary may adopt, pursuant to chapter
2031 54, such regulations as are necessary to carry out the purposes of this
2032 chapter.

2033 Sec. 63. Section 16a-6 of the general statutes is repealed and the
2034 following is substituted in lieu thereof (*Effective January 1, 2015*):

2035 Each department, office, board, commission, council or other agency
2036 of the state and each officer or employee shall cooperate with the
2037 Commissioner of Energy and Environmental Protection and shall
2038 furnish him such information, personnel and assistance as may be
2039 necessary or appropriate in the discharge of the responsibilities of said
2040 commissioner and the board under this chapter and sections 4-5, 4-
2041 124l, as amended by this act, 4-124p, as amended by this act, 8-3b, as
2042 amended by this act, [8-32a, 8-33a,] 8-35a, as amended by this act, and
2043 8-189, subsection (b) of section 8-206 and sections 16a-20, 16a-102, 22a-
2044 352 and 22a-353, as amended by this act. The Commissioner of Motor
2045 Vehicles shall require each person applying for a license under section
2046 14-319 to submit in his application the information which persons
2047 registering under section 16a-22d are required to submit. The
2048 Commissioner of Motor Vehicles shall furnish the Commissioner of
2049 Energy and Environmental Protection with such information.

2050 Sec. 64. Section 16a-14 of the general statutes is repealed and the
2051 following is substituted in lieu thereof (*Effective January 1, 2015*):

2052 In addition to the duties set forth in any other law, the
2053 Commissioner of Energy and Environmental Protection may: (1) Be

2054 designated as the state official to implement and execute any federal
2055 program, law, order, rule or regulation related to the allocation,
2056 rationing, conservation, distribution or consumption of energy
2057 resources, (2) investigate any complaint concerning the violation of
2058 any federal or state statute, rule, regulation or order pertaining to
2059 pricing, allocation, rationing, conservation, distribution or
2060 consumption of energy resources and shall transmit any evidence
2061 gathered by such investigation to the proper federal or state
2062 authorities, (3) coordinate all state and local government programs for
2063 the allocation, rationing, conservation, distribution and consumption
2064 of energy resources, (4) cooperate with the appropriate authorities of
2065 the United States government, or other state or interstate agencies with
2066 respect to allocation, rationing, conservation, distribution and
2067 consumption of energy resources, (5) conduct programs of public
2068 education regarding energy conservation, (6) carry out a program of
2069 studies, hearings, inquiries, surveys and analyses necessary to carry
2070 out the purposes of this chapter and sections [4-124c,] 4-124i, as
2071 amended by this act, 4-124l, as amended by this act, 4-124p, as
2072 amended by this act, 8-3b, as amended by this act, [8-31a, 8-32a, 8-33a,]
2073 8-35a, as amended by this act, [8-37a] and 8-189, subsection (b) of
2074 section 8-206 and sections 16a-20, 16a-102, 22a-352 and 22a-353, as
2075 amended by this act, provided if an individual or business furnishing
2076 commercial or financial information concerning such individual or
2077 business requests in writing at the time such information is furnished
2078 that it be treated as confidential proprietary information, such
2079 information, to the extent that it is limited to (A) volume of sales,
2080 shipments, receipts and exchanges of energy resources, (B) inventories
2081 of energy resources, and (C) local distribution patterns of energy
2082 resources, shall be exempt from the provisions of subsection (a) of
2083 section 1-210, (7) enter into contracts with any person to do all things
2084 necessary or convenient to carry out the functions, powers and duties
2085 of the commissioner and the Department of Energy and
2086 Environmental Protection under this chapter and sections 4-5, 4-124l,
2087 as amended by this act, 4-124p, as amended by this act, 8-3b, as
2088 amended by this act, [8-32a, 8-33a,] 8-35a, as amended by this act, and

2089 8-189, subsection (b) of section 8-206 and sections 16a-20, 16a-102, 22a-
2090 352 and 22a-353, as amended by this act, (8) adopt regulations, in
2091 accordance with chapter 54, to establish standards for solar energy
2092 systems, including experimental systems, which offer practical
2093 alternatives to the use of conventional energy with regard to current
2094 technological feasibility and the climate of this state, and (9) undertake
2095 such other duties and responsibilities as may be delegated by other
2096 state statutes or by the Governor.

2097 Sec. 65. Subsection (a) of section 22a-285a of the general statutes is
2098 repealed and the following is substituted in lieu thereof (*Effective*
2099 *January 1, 2015*):

2100 (a) Notwithstanding any provision of the general statutes or any
2101 special act or municipal charter, on or after December 1, 1990, the
2102 Connecticut Resources Recovery Authority, acting by itself or through
2103 a regional resources recovery authority, may establish an ash residue
2104 disposal area on all or part of not more than two sites east of the
2105 Connecticut River and two sites west of the Connecticut River,
2106 provided such sites (1) are not owned or operated by the authority on
2107 July 5, 1989, and (2) are identified in table 8 of the report prepared
2108 pursuant to section 22a-228b entitled "Identification of Potential Ash
2109 Residue Disposal Sites" and dated January, 1989, or determined by the
2110 Commissioner of Energy and Environmental Protection to be capable
2111 of meeting the siting criteria described in said report. No site shall be
2112 located within four miles of any ash residue disposal area owned or
2113 operated by the authority on January 1, 1989, or in any municipality in
2114 which a resources recovery facility and an ash residue disposal area
2115 are located and not more than one site shall be established in any one
2116 regional planning area as defined by the Secretary of the Office of
2117 Policy and Management pursuant to section [8-31a] 16a-4c, as
2118 amended by this act.

2119 Sec. 66. Subparagraph (K) of subdivision (1) of section 12-408 of the
2120 general statutes is repealed and the following is substituted in lieu
2121 thereof (*Effective from passage*):

2122 (K) For calendar quarters ending on or after September 30, 2011, the
 2123 commissioner shall deposit into the regional [performance] planning
 2124 incentive account, established pursuant to section 4-66k, as amended
 2125 by this act, six and seven-tenths per cent of the amounts received by
 2126 the state from the tax imposed under subparagraph (B) of this
 2127 subdivision and ten and seven-tenths per cent of the amounts received
 2128 by the state from the tax imposed under subparagraph (G) of this
 2129 subdivision.

2130 Sec. 67. Subparagraph (J) of subdivision (1) of section 12-411 of the
 2131 general statutes is repealed and the following is substituted in lieu
 2132 thereof (*Effective from passage*):

2133 (J) For calendar quarters ending on or after September 30, 2011, the
 2134 commissioner shall deposit into the regional [performance] planning
 2135 incentive account, established pursuant to section 4-66k, as amended
 2136 by this act, six and seven-tenths per cent of the amounts received by
 2137 the state from the tax imposed under subparagraph (B) of this
 2138 subdivision and ten and seven-tenths per cent of the amounts received
 2139 by the state from the tax imposed under subparagraph (G) of this
 2140 subdivision.

2141 Sec. 68. Sections 4-124q and 4-124s of the general statutes are
 2142 repealed. (*Effective from passage*)

2143 Sec. 69. Sections 4-124c to 4-124f, inclusive, 4-124h, 4-124m, 4-124o,
 2144 8-31a, 8-32a, 8-33a, 8-34a, 8-36a, 8-37a and 8-37b of the general statutes
 2145 are repealed. (*Effective January 1, 2015*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16a-4c
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	4-66k
Sec. 4	<i>January 1, 2015</i>	2-79a(a)
Sec. 5	<i>January 1, 2015</i>	4-124i
Sec. 6	<i>January 1, 2015</i>	4-124j

Sec. 7	January 1, 2015	4-124l
Sec. 8	January 1, 2015	4-124u
Sec. 9	January 1, 2015	4-230(10)
Sec. 10	January 1, 2015	4b-24a
Sec. 11	January 1, 2015	4d-90
Sec. 12	January 1, 2015	5-259(a)
Sec. 13	January 1, 2015	5-259(i)
Sec. 14	January 1, 2015	7-130w
Sec. 15	January 1, 2015	7-136e
Sec. 16	January 1, 2015	7-391
Sec. 17	January 1, 2015	7-425(1) to (3)
Sec. 18	January 1, 2015	7-427(a)
Sec. 19	January 1, 2015	7-452(1) to (4)
Sec. 20	January 1, 2015	7-465
Sec. 21	January 1, 2015	7-479
Sec. 22	January 1, 2015	8-2j(e)
Sec. 23	January 1, 2015	8-3b
Sec. 24	January 1, 2015	8-23(g)(4)
Sec. 25	January 1, 2015	8-26b
Sec. 26	January 1, 2015	8-35a
Sec. 27	January 1, 2015	8-35e
Sec. 28	January 1, 2015	8-37u(a)
Sec. 29	January 1, 2015	8-163(f)
Sec. 30	January 1, 2015	8-165
Sec. 31	January 1, 2015	8-191
Sec. 32	January 1, 2015	8-206(c)
Sec. 33	January 1, 2015	8-385(b)
Sec. 34	January 1, 2015	12-81(77)
Sec. 35	January 1, 2015	13b-16b(b)
Sec. 36	January 1, 2015	13b-31a
Sec. 37	January 1, 2015	13b-57d(a)(5)
Sec. 38	January 1, 2015	13b-78l
Sec. 39	January 1, 2015	13b-79p(f)
Sec. 40	January 1, 2015	16-243z
Sec. 41	January 1, 2015	16a-4a
Sec. 42	January 1, 2015	22-26j
Sec. 43	January 1, 2015	22a-134l
Sec. 44	January 1, 2015	22a-134m
Sec. 45	January 1, 2015	22a-134n(a)
Sec. 46	January 1, 2015	22a-134o(a)
Sec. 47	January 1, 2015	22a-223

Sec. 48	<i>January 1, 2015</i>	22a-353
Sec. 49	<i>January 1, 2015</i>	23-101(b)
Sec. 50	<i>January 1, 2015</i>	25-68j(1)
Sec. 51	<i>January 1, 2015</i>	25-204(e)
Sec. 52	<i>January 1, 2015</i>	32-1c(b)
Sec. 53	<i>January 1, 2015</i>	32-7(a)
Sec. 54	<i>January 1, 2015</i>	32-23d(p)
Sec. 55	<i>January 1, 2015</i>	32-23e
Sec. 56	<i>January 1, 2015</i>	32-222(h)
Sec. 57	<i>January 1, 2015</i>	32-224(b) and (c)
Sec. 58	<i>January 1, 2015</i>	32-327(2)
Sec. 59	<i>January 1, 2015</i>	4-124p
Sec. 60	<i>January 1, 2015</i>	New section
Sec. 61	<i>January 1, 2015</i>	New section
Sec. 62	<i>January 1, 2015</i>	16a-4
Sec. 63	<i>January 1, 2015</i>	16a-6
Sec. 64	<i>January 1, 2015</i>	16a-14
Sec. 65	<i>January 1, 2015</i>	22a-285a(a)
Sec. 66	<i>from passage</i>	12-408(1)(K)
Sec. 67	<i>from passage</i>	12-411(1)(J)
Sec. 68	<i>from passage</i>	Repealer section
Sec. 69	<i>January 1, 2015</i>	Repealer section

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: See Below

Municipal Impact: None

Explanation

The bill 1) requires each regional planning agency (RPA) and regional council of elected officials (COE) to be restructured to form regional councils of government (COGs), and 2) changes the way money deposited into the regional performance incentive account¹ is paid out.

The bill's impact on the regional performance incentive account depends on the restructuring that occurs, as the bill requires grants to be paid to COGs on a per capita basis, with higher population COGs receiving more money per capita. The table below shows estimated payments into the account for FY 14 to FY 16, and estimated grant payments from the account, based on the current structure of COGs, RPAs and COEs.

¹ The Regional Performance Incentive Account is a non-appropriated account that receives revenue from portions of the hotel tax and the rental car surcharge tax. Grants are awarded to RPAs, COEs and COGs to provide regional services. 2011 grant awards totaled approximately \$8 million.

**Estimated Revenue and Payments from the Regional Performance
Incentive Account, FY 14 to FY 16**

Fiscal Year	Estimated Revenue	Estimated Grant Payments	Net Impact \$
FY 14	\$10,300,000	\$ 3,574,097	\$6,725,903
FY 15	\$10,700,000	\$ 5,959,589	\$4,740,411
FY 16	\$11,200,000	\$5,453,113	\$5,746,887

The requirement for RPAs and COEs to be restructured as COGs is not anticipated to have a fiscal impact, as these three types of organizations all currently have similar responsibilities.

The Out Years

The ongoing fiscal impact identified above would continue into the future subject to changes in the grant formula for the regional performance incentive account.

OLR Bill Analysis**sHB 6629*****AN ACT CONCERNING REGIONALISM IN CONNECTICUT.*****SUMMARY:**

This bill eliminates regional planning agencies (RPA) and regional councils of elected officials (CEO) after January 1, 2015, leaving regional councils of governments (COG) as the only regional planning organizations within the state's planning regions. The bill also makes changes to the powers and duties of COGs and their funding formula.

The bill changes the criteria the Office of Policy and Management (OPM) secretary uses to analyze, designate, and update local planning regions. The secretary must report to the Planning and Development Committee by October 1, 2013 on the status of his planning region analysis.

The bill also makes many technical and conforming changes reflecting the elimination of RPAs and CEOs.

EFFECTIVE DATE: Upon passage, except for conforming changes related to the elimination of CEOs and RPAs, which take effect on January 1, 2015.

CONVERSION TO COGS

The bill requires CEOs and RPAs to reestablish themselves as COGs by January 1, 2015. Before this date, two or more regional planning organizations may consolidate and form a single COG. Municipalities bordering more than one regional planning organization may become a member of another bordering organization before July 1, 2014.

The bill renames the regional performance incentive account the regional planning incentive account and makes it a source for funding

direct transactional costs associated with mandatory conversion to a COG.

Under current law, COGs have all the powers and responsibilities of CEOs and RPAs, including the authority to promote cooperative arrangements among neighboring municipalities related to health, safety, welfare, education, transportation, and the economy. The bill specifies COGs also have the authority to:

1. accept or participate in any grant, donation, or program available to any county or political subdivision of the state;
2. perform, jointly, alone, or in cooperation with another entity, any service, activity, or undertaking that a political subdivision of the state is authorized to perform; and
3. administer and provide services to municipalities, including delegation of authority to subregional groups of municipalities.

Under the bill, COGs may provide any of the following services: engineering, inspection and planning, economic development, public safety, emergency management, animal control, land use management, tourism promotion, social, health, educational, data management, regional sewerage, housing, computerized mapping, household hazardous waste collection, recycling, public facility siting, coordination of master planning, vocational training and development, solid waste disposal, fire protection, regional resource protection, regional impact studies, and transportation. In addition, the bill transfers many rights and duties of RPAs to COGs, including the right to be consulted on, and receive notice of, certain regional matters.

COG FUNDING

The bill changes the funding formula for COGs and makes the regional planning incentive account the funding source. Grants under this formula are in addition to payments made to cover the costs of converting to a COG. Under current law, regional planning organizations receive an annual state grant equal to 5.3% of the total

state appropriation, and supplemental grants based on the ratio of their local dues to their state grant. Table 1 shows the bill's funding formula for COGs in FYs 14, 15 and 16.

Table 1: Funding Formula

	FY 14	FY 15	FY 16
Base Amount	\$0	\$100,000	\$0
Amount Per Person	\$1.00	<i>Population:</i> up to 200,000: 50¢ 200,001-300,000: 75¢ 300,001-400,000: \$1.25 400,001-500,000: \$1.75 over 500,000: \$2.00	<i>Population:</i> up to 200,000: 75¢ 200,001-300,000: \$1.00 300,001-400,000: \$1.50 400,001-500,000: \$2.00 over 500,000: \$2.25

LOCAL PLANNING REGIONS

The bill makes the following changes to the law that requires the OPM secretary to analyze, designate, and update local planning regions. It:

1. requires the secretary to consult with the transportation commissioner;
2. eliminates the requirement that the secretary consider regional economic development districts and their development

strategies;

3. requires the secretary to consider United States Census Bureau (USCB)-designated urbanized areas and urbanized clusters and Transportation Management Areas designated by the Federal Transit and Highway administrations; and
4. requires the secretary to consider the current capacity of regional planning organizations to comply with the Moving Ahead for Progress in the 21st Century Act (MAP-21 federal surface transportation law) and any related federal authorizing acts, instead of their capacity to deliver diverse state and local services.

The bill requires the secretary to establish an optimal size for planning areas, taking into account whether regions:

1. contain a USCB designated urbanized area;
2. have a population of at least 200,000; and
3. can deliver sophisticated planning activities, regional services, technical analyses, performance measurement, and asset management.

Under current law, the secretary must determine the minimum size of planning areas, taking into account the number of municipalities, total population, total area, and the region's ability to deliver necessary regional services.

If possible, the secretary must place an urbanized area in a single planning region, though a planning region may contain more than one such area. A municipality has until December 31, 2013 to petition the OPM secretary to place it in another planning region. By law, the revised local planning regions go into effect on January 1, 2015.

BACKGROUND

Planning Regions

By law, the OPM secretary designates local planning regions within the state. In doing so, the secretary must evaluate labor and economic development trends, natural and political boundaries, demographics, service delivery regions, transportation patterns, relationships between municipalities, and regional planning organizations' capacity to deliver services.

Regional Planning Organizations

Within the 14 current regions, the three types of regional planning organizations allowed by law are RPAs, COGs, and CEOs. Through local ordinance, the municipalities within these planning regions have voluntarily created one of the three types of organizations to carry out a variety of regional planning and other activities on their behalf.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 12 Nay 7 (04/01/2013)