



# House of Representatives

General Assembly

**File No. 497**

February Session, 2016

House Bill No. 5603

*House of Representatives, April 6, 2016*

The Committee on Planning and Development reported through REP. MILLER, P. of the 36th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***AN ACT CONCERNING REGIONAL TECHNOLOGY.***

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

1 Section 1. Subsection (d) of section 8-23 of the 2016 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2016*):

4 (d) In preparing such plan, the commission or any special  
5 committee shall consider the following: (1) The community  
6 development action plan of the municipality, if any, (2) the need for  
7 affordable housing, (3) the need for protection of existing and potential  
8 public surface and ground drinking water supplies, (4) the use of  
9 cluster development and other development patterns to the extent  
10 consistent with soil types, terrain and infrastructure capacity within  
11 the municipality, (5) the state plan of conservation and development  
12 adopted pursuant to chapter 297, (6) the regional plan of conservation  
13 and development adopted pursuant to section 8-35a, as amended by  
14 this act, (7) physical, social, economic and governmental conditions  
15 and trends, (8) the needs of the municipality including, but not limited

16 to, human resources, education, health, housing, recreation, social  
17 services, public utilities, public protection, transportation and  
18 circulation and cultural and interpersonal communications, (9) the  
19 objectives of energy-efficient patterns of development, the use of solar  
20 and other renewable forms of energy and energy conservation, (10)  
21 protection and preservation of agriculture, [and] (11) sea level change  
22 scenarios published by the National Oceanic and Atmospheric  
23 Administration in Technical Report OAR CPO-1, and (12) the  
24 application and use of technology to enhance efficiencies, foster  
25 collaboration, increase transparency and access to information and  
26 reduce costs.

27 Sec. 2. Subsection (a) of section 8-35a of the general statutes is  
28 repealed and the following is substituted in lieu thereof (*Effective*  
29 *October 1, 2016*):

30 (a) At least once every ten years, each regional council of  
31 governments shall make a plan of conservation and development for  
32 its area of operation, showing its recommendations for the general use  
33 of the area including land use, housing, principal highways and  
34 freeways, bridges, airports, parks, playgrounds, recreational areas,  
35 schools, public institutions, public utilities, agriculture and such other  
36 matters as, in the opinion of the council, will be beneficial to the area.  
37 Any regional plan so developed shall be based on studies of physical,  
38 social, economic and governmental conditions and trends and shall be  
39 designed to promote with the greatest efficiency and economy the  
40 coordinated development of its area of operation and the general  
41 welfare and prosperity of its people. Such plan may encourage energy-  
42 efficient patterns of development, the use of solar and other renewable  
43 forms of energy, and energy conservation. Such plan shall be designed  
44 to promote abatement of the pollution of the waters and air of the  
45 region. Such plan shall consider the application and use of technology  
46 to enhance efficiencies, foster collaboration, increase transparency and  
47 access to information and reduce costs. The regional plan shall identify  
48 areas where it is feasible and prudent (1) to have compact, transit  
49 accessible, pedestrian-oriented mixed use development patterns and

50 land reuse, and (2) to promote such development patterns and land  
51 reuse and shall note any inconsistencies with the following growth  
52 management principles: (A) Redevelopment and revitalization of  
53 regional centers and areas of mixed land uses with existing or planned  
54 physical infrastructure; (B) expansion of housing opportunities and  
55 design choices to accommodate a variety of household types and  
56 needs; (C) concentration of development around transportation nodes  
57 and along major transportation corridors to support the viability of  
58 transportation options and land reuse; (D) conservation and  
59 restoration of the natural environment, cultural and historical  
60 resources and traditional rural lands; (E) protection of environmental  
61 assets critical to public health and safety; and (F) integration of  
62 planning across all levels of government to address issues on a local,  
63 regional and state-wide basis. The plan of each region contiguous to  
64 Long Island Sound shall be designed to reduce hypoxia, pathogens,  
65 toxic contaminants and floatable debris in Long Island Sound.

66 Sec. 3. Section 16a-27 of the general statutes is repealed and the  
67 following is substituted in lieu thereof (*Effective October 1, 2016*):

68 (a) The secretary, after consultation with all appropriate state,  
69 regional and local agencies and other appropriate persons, shall, prior  
70 to March 1, 2012, complete a revision of the existing plan and enlarge it  
71 to include, but not be limited to, policies relating to transportation,  
72 energy and air. Any revision made after July 1, 1995, shall take into  
73 consideration the conservation and development of greenways that  
74 have been designated by municipalities and shall recommend that  
75 state agencies coordinate their efforts to support the development of a  
76 state-wide greenways system. The Commissioner of Energy and  
77 Environmental Protection shall identify state-owned land for inclusion  
78 in the plan as potential components of a state greenways system.

79 (b) Any revision made after August 20, 2003, shall take into account  
80 (1) economic and community development needs and patterns of  
81 commerce, and (2) linkages of affordable housing objectives and land  
82 use objectives with transportation systems.

83 (c) Any revision made after March 1, 2006, shall (1) take into  
84 consideration risks associated with natural hazards, including, but not  
85 limited to, flooding, high winds and wildfires; (2) identify the potential  
86 impacts of natural hazards on infrastructure and property; and (3)  
87 make recommendations for the siting of future infrastructure and  
88 property development to minimize the use of areas prone to natural  
89 hazards, including, but not limited to, flooding, high winds and  
90 wildfires.

91 (d) Any revision made after July 1, 2005, shall describe the progress  
92 towards achievement of the goals and objectives established in the  
93 previously adopted state plan of conservation and development and  
94 shall identify (1) areas where it is prudent and feasible (A) to have  
95 compact, transit accessible, pedestrian-oriented mixed-use  
96 development patterns and land reuse, and (B) to promote such  
97 development patterns and land reuse, (2) priority funding areas  
98 designated under section 16a-35c, and (3) corridor management areas  
99 on either side of a limited access highway or a rail line. In designating  
100 corridor management areas, the secretary shall make  
101 recommendations that (A) promote land use and transportation  
102 options to reduce the growth of traffic congestion; (B) connect  
103 infrastructure and other development decisions; (C) promote  
104 development that minimizes the cost of new infrastructure facilities  
105 and maximizes the use of existing infrastructure facilities; and (D)  
106 increase intermunicipal and regional cooperation.

107 (e) Any revision made after October 1, 2008, shall (1) for each policy  
108 recommended (A) assign a priority; (B) estimate funding for  
109 implementation and identify potential funding sources; (C) identify  
110 each entity responsible for implementation; and (D) establish a  
111 schedule for implementation; and (2) for each growth management  
112 principle, determine three benchmarks to measure progress in  
113 implementation of the principles, one of which shall be a financial  
114 benchmark.

115 (f) Any revision made after October 1, 2009, shall take into

116 consideration the protection and preservation of Connecticut Heritage  
117 Areas.

118 (g) Any revision made after December 1, 2011, shall take into  
119 consideration (1) the state water supply and resource policies  
120 established in sections 22a-380 and 25-33c, and (2) the list prepared by  
121 the Commissioner of Public Health pursuant to section 25-33q.

122 (h) Any revision made after October 1, 2013, shall (1) take into  
123 consideration risks associated with increased coastal erosion,  
124 depending on site topography, as anticipated in sea level change  
125 scenarios published by the National Oceanic and Atmospheric  
126 Administration in Technical Report OAR CPO-1, (2) identify the  
127 impacts of such increased erosion on infrastructure and natural  
128 resources, and (3) make recommendations for the siting of future  
129 infrastructure and property development to minimize the use of areas  
130 prone to such erosion.

131 (i) Any revision made after October 1, 2016, shall take into  
132 consideration the application and use of technology to enhance  
133 efficiencies, foster collaboration, increase transparency and access to  
134 information and reduce costs.

135 [(i)] (j) Thereafter on or before March first in each revision year the  
136 secretary shall complete a revision of the plan of conservation and  
137 development.

138 Sec. 4. Section 4-124s of the general statutes is repealed and the  
139 following is substituted in lieu thereof (*Effective October 1, 2016*):

140 (a) For purposes of this section:

141 (1) "Regional council of governments" means any such council  
142 organized under the provisions of sections 4-124i to 4-124p, inclusive;

143 (2) "Municipality" means a town, city or consolidated town and  
144 borough;

145 (3) "Legislative body" means the board of selectmen, town council,  
146 city council, board of alderman, board of directors, board of  
147 representatives or board of the warden and burgesses of a  
148 municipality; and

149 (4) "Secretary" means the Secretary of the Office of Policy and  
150 Management or the designee of the secretary.

151 (b) There is established a regional performance incentive program  
152 that shall be administered by the Secretary of the Office of Policy and  
153 Management. On or before December 31, 2011, and annually  
154 thereafter, any regional council of governments, any two or more  
155 municipalities acting through a regional council of governments, any  
156 economic development district or any combination thereof may submit  
157 a proposal to the secretary for: (1) The joint provision of any service  
158 that one or more participating municipalities of such council or agency  
159 currently provide but which is not provided on a regional basis, (2) a  
160 planning study regarding the joint provision of any service on a  
161 regional basis, or (3) shared information technology services. A copy of  
162 said proposal shall be sent to the legislators representing said  
163 participating municipalities.

164 (c) (1) A regional council of governments or an economic  
165 development district shall submit each proposal in the form and  
166 manner the secretary prescribes and shall, at a minimum, provide the  
167 following information for each proposal: (A) Service description; (B)  
168 the explanation of the need for such service; (C) the method of  
169 delivering such service on a regional basis; (D) the organization that  
170 would be responsible for regional service delivery; (E) a description of  
171 the population that would be served; (F) the manner in which regional  
172 service delivery will achieve economies of scale; (G) the amount by  
173 which participating municipalities will reduce their mill rates as a  
174 result of savings realized; (H) a cost benefit analysis for the provision  
175 of the service by each participating municipality and by the entity  
176 submitting the proposal; (I) a plan of implementation for delivery of  
177 the service on a regional basis; (J) a resolution endorsing such proposal

178 approved by the legislative body of each participating municipality;  
179 and (K) an explanation of the potential legal obstacles, if any, to the  
180 regional provision of the service.

181 (2) The secretary shall review each proposal and shall award grants  
182 for proposals the secretary determines best meet the requirements of  
183 this section. In awarding such grants, the secretary shall give priority  
184 to a proposal submitted by (A) any entity specified in subsection (a) of  
185 this section that includes participation of all of the member  
186 municipalities of such entity, and which may increase the purchasing  
187 power of participating municipalities or provide a cost savings  
188 initiative resulting in a decrease in expenses of such municipalities,  
189 allowing such municipalities to lower property taxes, and (B) any  
190 economic development district.

191 (d) On or before December 31, 2013, and annually thereafter until  
192 December 31, 2017, in addition to any proposal submitted pursuant to  
193 this section, any municipality or regional council of governments may  
194 apply to the secretary for a grant to fund: (1) Operating costs  
195 associated with connecting to the state-wide high speed, flexible  
196 network developed pursuant to section 4d-80, including the costs to  
197 connect at the same rate as other government entities served by such  
198 network; and (2) capital cost associated with connecting to such  
199 network, including expenses associated with building out the internal  
200 fiber network connections required to connect to such network,  
201 provided the secretary shall make any such grant available in  
202 accordance with the two-year schedule by which the Bureau of  
203 Enterprise Systems and Technology recommends connecting each  
204 municipality and regional council of governments to such network.  
205 Any municipality or regional council of governments shall submit each  
206 application in the form and manner the secretary prescribes.

207 (e) The secretary shall submit to the Governor and the joint standing  
208 committee of the General Assembly having cognizance of matters  
209 relating to finance, revenue and bonding a report on the grants  
210 provided pursuant to this section. Each such report shall include

211 information on the amount of each grant, and the potential of each  
212 grant for leveraging other public and private investments. The  
213 secretary shall submit a report for the fiscal year commencing July 1,  
214 2011, not later than February 1, 2012, and shall submit a report for each  
215 subsequent fiscal year not later than the first day of March in such  
216 fiscal year. Such reports shall include the property tax reductions  
217 achieved by means of the program established pursuant to this section.

218 Sec. 5. (NEW) (*Effective October 1, 2016*) Not later than January 1,  
219 2017, and annually thereafter, the Department of Administrative  
220 Services shall publish on its Internet web site a list of state technology  
221 contracts and make such list accessible to municipalities.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	8-23(d)
Sec. 2	<i>October 1, 2016</i>	8-35a(a)
Sec. 3	<i>October 1, 2016</i>	16a-27
Sec. 4	<i>October 1, 2016</i>	4-124s
Sec. 5	<i>October 1, 2016</i>	New section

**PD**      *Joint Favorable*

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

### ***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

### ***Explanation***

**Sections 1 - 3** require the Office of Policy and Management (OPM) and municipalities to consider application and use of technology when updating their plans of conservation and development. This has no fiscal impact, as OPM and municipalities are currently required to periodically update these plans.

**Section 4** sunsets, in FY 18, the option for municipalities to apply for Regional Performance Incentive Program (RPIP) grants related to the Nutmeg Network. This has no fiscal impact, as it shifts the potential use of funding in the RPIP to other municipal purposes.

**Section 5** requires the Department of Administrative Services to publish on its website, and make accessible to municipalities, a list of state technology contracts beginning January 1, 2017 and annually thereafter. This will not result in a fiscal impact.

### ***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None

**OLR Bill Analysis****HB 5603*****AN ACT CONCERNING REGIONAL TECHNOLOGY.*****SUMMARY:**

This bill requires municipalities, regional councils of governments (COGs), and the Office of Policy and Management (OPM) to consider, when updating their respective plans of conservation and development, the application and use of technology to enhance efficiencies, reduce costs, foster collaboration, and increase transparency and access to information.

The bill sunsets, on December 31, 2017, the option to apply for Regional Performance Incentive Program (RPIP) grants to cover operating and capital costs associated with connecting to the statewide high-speed network (i.e., Nutmeg Network). Under current law, municipalities and COGs are eligible for such grants, which the OPM secretary must make available in accordance with the Bureau of Enterprise Systems and Technology's connection schedule.

Lastly, the bill requires, beginning January 1, 2017 and annually thereafter, the Department of Administrative Services to publish on its website and make accessible to municipalities a list of state technology contracts. The bill does not define "state technology contracts."

EFFECTIVE DATE: October 1, 2016

**BACKGROUND*****Plans of Conservation and Development***

Plans of conservation and development are statements of development, resource management, and investment policies. Municipalities and COGs must update their plans at least once every 10 years; OPM must submit an updated plan to the legislature for its

approval once every five years (CGS §§ 8-23, 8-35a, and 16a-24 et seq.).

**Related Bill**

sHB 5602 (§ 2), reported favorably by the Planning and Development Committee, (1) makes regional educational service centers eligible for RPIP grants and (2) requires entities applying for RPIP grants to consult with the Connecticut Center for Advanced Technology, Inc.

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable

Yea 20 Nay 0 (03/18/2016)