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LC002327

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - THE RHODE ISLAND  
MUNICIPAL INFRASTRUCTURE GRANT PROGRAM

Introduced By: Senators Pearson, Satchell, Cano, Seveney, and Paolino

Date Introduced: April 30, 2019

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-11-10 of the General Laws in Chapter 42-11 entitled  
2 "Department of Administration" is hereby amended to read as follows:

3 **42-11-10. Statewide planning program.**

4 (a) Findings. The general assembly finds that the people of this state have a fundamental  
5 interest in the orderly development of the state; the state has a positive interest and demonstrated  
6 need for establishment of a comprehensive, strategic state planning process and the preparation,  
7 maintenance, and implementation of plans for the physical, economic, and social development of  
8 the state; the continued growth and development of the state presents problems that cannot be met  
9 by the cities and towns individually and that require effective planning by the state; and state and  
10 local plans and programs must be properly coordinated with the planning requirements and  
11 programs of the federal government.

12 (b) Establishment of statewide planning program.

13 (1) A statewide planning program is hereby established to prepare, adopt, and amend  
14 strategic plans for the physical, economic, and social development of the state and to recommend  
15 these to the governor, the general assembly, and all others concerned.

16 (2) All strategic planning, as defined in subsection (c) of this section, undertaken by all  
17 departments and agencies of the executive branch unless specifically exempted, shall be  
18 conducted by or under the supervision of the statewide planning program. The statewide planning

1 program shall consist of a state planning council, and the division of planning, which shall be a  
2 division within the department of administration.

3 (c) Strategic planning. Strategic planning includes the following activities:

4 (1) Establishing or identifying general goals.

5 (2) Refining or detailing these goals and identifying relationships between them.

6 (3) Formulating, testing, and selecting policies and standards that will achieve desired  
7 objectives.

8 (4) Preparing long-range or system plans or comprehensive programs that carry out the  
9 policies and set time schedules, performance measures, and targets.

10 (5) Preparing functional, short-range plans or programs that are consistent with  
11 established or desired goals, objectives, and policies, and with long-range or system plans or  
12 comprehensive programs where applicable, and that establish measurable, intermediate steps  
13 toward their accomplishment of the goals, objectives, policies, and/or long-range system plans.

14 (6) Monitoring the planning of specific projects and designing of specific programs of  
15 short duration by the operating departments, other agencies of the executive branch, and political  
16 subdivisions of the state to ensure that these are consistent with, and carry out the intent of,  
17 applicable strategic plans.

18 (7) Reviewing the execution of strategic plans, and the results obtained, and making  
19 revisions necessary to achieve established goals.

20 (d) State guide plan. Components of strategic plans prepared and adopted in accordance  
21 with this section may be designated as elements of the state guide plan. The state guide plan shall  
22 be comprised of functional elements or plans dealing with land use; physical development and  
23 environmental concerns; economic development; housing production; energy supply, including  
24 the development of renewable energy resources in Rhode Island, and energy access, use, and  
25 conservation; human services; and other factors necessary to accomplish the objective of this  
26 section. The state guide plan shall be a means for centralizing, integrating, and monitoring long-  
27 range goals, policies, plans, and implementation activities related thereto. State agencies  
28 concerned with specific subject areas, local governments, and the public shall participate in the  
29 state guide planning process, which shall be closely coordinated with the budgeting process.

30 (e) Membership of state planning council. The state planning council shall consist of the  
31 following members:

32 (1) The director of the department of administration as chairperson;

33 (2) The director, policy office, in the office of the governor, as vice-chairperson;

34 (3) The governor, or his or her designee;

- 1 (4) The budget officer;
- 2 (5) The chairperson of the housing resources commission;
- 3 (6) The highest-ranking administrative officer of the division of planning, as secretary;
- 4 (7) The president of the Rhode Island League of Cities and Towns or his or her designee
- 5 and one official of local government who shall be appointed by the governor from a list of not
- 6 less than three (3) submitted by the Rhode Island League Cities and Towns;
- 7 (8) The executive director of the Rhode Island League of Cities and Towns;
- 8 (9) One representative of a nonprofit community development or housing organization
- 9 appointed by the governor;
- 10 (10) Six (6) public members, appointed by the governor, one of whom shall be an
- 11 employer with fewer than fifty (50) employees and one of whom shall be an employer with
- 12 greater than fifty (50) employees;
- 13 (11) Two (2) representatives of a private, nonprofit, environmental advocacy
- 14 organization, both to be appointed by the governor;
- 15 (12) The director of planning and development for the city of Providence;
- 16 (13) The director of the department of transportation;
- 17 (14) The director of the department of environmental management;
- 18 (15) The director of the department of health;
- 19 (16) The chief executive officer of the commerce corporation;
- 20 (17) The commissioner of the Rhode Island office of energy resources;
- 21 (18) The chief executive officer of the Rhode Island public transit authority;
- 22 (19) The executive director of Rhode Island housing; and
- 23 (20) The executive director of the coastal resources management council.

24 (f) Powers and duties of state planning council. The state planning council shall have the  
25 following powers and duties:

- 26 (1) To adopt strategic plans as defined in this section and the long-range state guide plan,
- 27 and to modify and amend any of these, following the procedures for notification and public
- 28 hearing set forth in § 42-35-3, and to recommend and encourage implementation of these goals to
- 29 the general assembly, state and federal agencies, and other public and private bodies; approval of
- 30 strategic plans by the governor; and to ensure that strategic plans and the long-range state guide
- 31 plan are consistent with the findings, intent, and goals set forth in § 45-22.2-3, the "Rhode Island
- 32 Comprehensive Planning and Land Use Regulation Act";
- 33 (2) To coordinate the planning and development activities of all state agencies, in
- 34 accordance with strategic plans prepared and adopted as provided for by this section;

1 (3) To review and comment on the proposed annual work program of the statewide  
2 planning program;

3 (4) To adopt rules and standards and issue orders concerning any matters within its  
4 jurisdiction as established by this section and amendments to it;

5 (5) To establish advisory committees and appoint members thereto representing diverse  
6 interests and viewpoints as required in the state planning process and in the preparation or  
7 implementation of strategic plans. The state planning council shall appoint a permanent  
8 committee comprised of:

9 (i) Public members from different geographic areas of the state representing diverse  
10 interests; and

11 (ii) Officials of state, local, and federal government, who shall review all proposed  
12 elements of the state guide plan, or amendment or repeal of any element of the plan, and shall  
13 advise the state planning council thereon before the council acts on any such proposal. This  
14 committee shall also advise the state planning council on any other matter referred to it by the  
15 council; and

16 (6) To establish and appoint members to an executive committee consisting of major  
17 participants of a Rhode Island geographic information system with oversight responsibility for its  
18 activities.

19 (7) To adopt, amend, and maintain, as an element of the state guide plan or as an  
20 amendment to an existing element of the state guide plan, standards and guidelines for the  
21 location of eligible, renewable energy resources and renewable energy facilities in Rhode Island  
22 with due consideration for the location of such resources and facilities in commercial and  
23 industrial areas, agricultural areas, areas occupied by public and private institutions, and property  
24 of the state and its agencies and corporations, provided such areas are of sufficient size, and in  
25 other areas of the state as appropriate.

26 (8) To act as the single, statewide metropolitan planning organization for transportation  
27 planning, and to promulgate all rules and regulations that are necessary thereto.

28 (9) To establish review criteria, evaluate applications, approve and issue grants, and assist  
29 municipalities pursuant to the provisions of chapter 11.4 of title 42, and any rules or regulations  
30 promulgated thereunder.

31 (g) Division of planning.

32 (1) The division of planning shall be the principal staff agency of the state planning  
33 council for preparing and/or coordinating strategic plans for the comprehensive management of  
34 the state's human, economic, and physical resources. The division of planning shall recommend

1 to the state planning council specific guidelines, standards, and programs to be adopted to  
2 implement strategic planning and the state guide plan and shall undertake any other duties  
3 established by this section and amendments thereto.

4 (2) The division of planning shall maintain records (which shall consist of files of  
5 complete copies) of all plans, recommendations, rules, and modifications or amendments thereto  
6 adopted or issued by the state planning council under this section. The records shall be open to  
7 the public.

8 (3) The division of planning shall manage and administer the Rhode Island geographic  
9 information system of land-related resources, and shall coordinate these efforts with other state  
10 departments and agencies, including the University of Rhode Island, which shall provide  
11 technical support and assistance in the development and maintenance of the system and its  
12 associated data base.

13 (4) The division of planning shall coordinate and oversee the provision of technical  
14 assistance to political subdivisions of the state in preparing and implementing plans to accomplish  
15 the purposes, goals, objectives, policies, and/or standards of applicable elements of the state guide  
16 plan and shall make available to cities and towns data and guidelines that may be used in  
17 preparing comprehensive plans and elements thereof and in evaluating comprehensive plans and  
18 elements thereby.

19 (h) [Deleted by P.L. 2011, ch. 215, § 4, and by P.L. 2011, ch. 313, § 4].

20 (i) The division of planning shall be the principal staff agency of the water resources  
21 board established pursuant to chapter 15 of title 46 ("Water Resources Board") and the water  
22 resources board corporate established pursuant to chapter 15.1 of title 46 ("Water Supply  
23 Facilities").

24 SECTION 2. Section 42-11.4-1 of the General Laws in Chapter 42-11.4 entitled "The  
25 Rhode Island Municipal Infrastructure Grant Program" is hereby amended to read as follows:

26 **42-11.4-1. Establishment.**

27 The Rhode Island municipal infrastructure grant program is hereby created within the  
28 department of administration ~~and is subject to grant funding. State funds or appropriations shall~~  
29 ~~not be utilized in connection with the implementation of this section.~~ Upon the approval of the  
30 state planning council, and subject to the appropriations provided to the program, the ~~The~~  
31 department of administration is authorized to:

32 (1) Issue public infrastructure grants to municipalities and other public instrumentalities  
33 for design, construction, building, land acquisition, rehabilitation, repair, and other improvements  
34 to publicly owned infrastructure including, but not limited to, sewers, utility extensions, streets,

1 roads, curb-cuts, parking, water-treatment systems, telecommunications systems, transit  
2 improvements, and pedestrian ways; and

3 (2) Assist municipalities to advance projects that support job creation and expansion,  
4 housing development and rehabilitation, community development projects in areas or districts  
5 that communities have determined are best suited to efficiently accommodate future growth and  
6 redevelopment, largely in previously developed areas with some level of existing or planned  
7 infrastructure.

8 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - THE RHODE ISLAND  
MUNICIPAL INFRASTRUCTURE GRANT PROGRAM

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- 1           This act would remove the prohibition on state appropriations to the municipal  
2 infrastructure grant program, and authorize the state planning council to evaluate, approve and  
3 issue such grants, subject to the appropriations provided to the program.  
4           This act would take effect upon passage.

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