



ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS
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AGENDA

SPECIAL MEETING

**Advisory Commission on Intergovernmental Relations
Wednesday, September 5, 2012 - 10:00 A.M.
Hearing Room 2A, Legislative Office Building
300 Capitol Avenue, Hartford**

1. Consideration of Minutes of June 28, 2012 Meetings
2. Consideration of ACIR report
 - a. none
3. Old Business
4. New Business
 - a. Regional Planning Organizations & June 12 Special Session Public Act No. 12-1
(*see attached Sec. 189-191 and OLR/OFA analyses*)
5. The next meeting will be November 15, 2012, at CCSU



House Bill No. 6001

June 12 Special Session, Public Act No. 12-1

AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012.

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

Sec. 189. Section 16a-4c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) On or before January 1, ~~[2012]~~ 2014, and at least every twenty years thereafter, the Secretary of the Office of Policy and Management, within available appropriations, and in consultation with regional planning organizations, as defined in section 4-124i, the Connecticut Conference of Municipalities, the Connecticut Council of Small Towns and the chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to planning and development, shall conduct an analysis of the boundaries of logical planning regions designated or redesignated under section 16a-4a. As part of such analysis, the secretary shall ~~[develop criteria to evaluate the impact of urban centers on neighboring towns]~~ evaluate opportunities for coordinated planning and the regional delivery of state and local services. Such ~~[criteria]~~ analysis shall include, but not be limited to, ~~[criteria to (1) evaluate trends in economic development and the environment, including trends in housing patterns, employment levels, commuting patterns for the most common job classifications in the state, traffic patterns on major roadways, and local perceptions of social and historic ties; and (2)]~~ an evaluation of (1) economic regions, including regional economic development districts established pursuant to chapter 588ff; (2) comprehensive economic development strategies developed by such regional economic development districts; (3) labor market areas and workforce investment regions; (4) natural boundaries, including watersheds, coastlines, ecosystems and habitats; (5) relationships between urban, suburban and rural areas, including central cities and areas outside of the state; (6) census and other demographic information; (7) political boundaries, including municipal boundaries and congressional, senate and assembly districts; (8) transportation corridors, connectivity and boundaries, including the boundaries of metropolitan planning agencies; (9) current federal, state and municipal

service delivery regions, including, but not limited to, regions established to provide emergency, health, transportation or human services; and (10) the current capacity of each regional planning organization to deliver diverse state and local services. Such analysis shall also establish a minimum size for logical planning areas that takes into consideration the number of municipalities, total population, [and the] total square mileage and whether the proposed planning region will have the capacity to successfully deliver necessary regional services. The secretary may enter into such contractual agreements as may be necessary to carry out the purposes of this subsection.

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

~~(b)~~ (c) (1) The secretary shall, not later than January 1, ~~[2012]~~ 2014, notify the chief executive officer of each municipality located in a planning region in which the boundaries are proposed for redesignation. If the legislative body of the municipality objects to such proposed redesignation, the chief executive officer of the municipality may, not later than thirty days after the date of receipt of the notice of redesignation, petition the secretary to attend a meeting of such legislative body. The petition shall specify the location, date and time of the meeting. The meeting shall be held not later than ~~[forty-five]~~ sixty days after the date of the petition. The secretary shall make a reasonable attempt to appear at the meeting, or at a meeting on another date within the ~~[forty-five-day]~~ sixty-day period. If the secretary is unable to attend a meeting within the ~~[forty-five-day]~~ sixty-day period, the secretary and the chief executive officer of the municipality shall jointly schedule a date and time for the meeting, provided such meeting shall be held not later than ~~[one hundred twenty]~~ two hundred ten days after the date of the notice to the chief executive officer. At such meeting, the legislative body of the municipality shall inform the secretary of the objections to the proposed redesignation of the planning area boundaries. The secretary shall consider fully the oral and written objections of the legislative body and may redesignate the boundaries. Not later than ~~[forty-five]~~ sixty days after the date of the meeting, the secretary shall notify the chief executive officer of the determination concerning the proposed redesignation. The notice of determination shall include the reasons for such determination. As used in this subsection, "municipality" means a town, city or consolidated town and borough; "legislative body" means the board of selectmen, town council, city council, board of alderman, board of directors, board of representatives or board of the ~~[major]~~ warden and burgesses of a municipality; and "secretary" means the ~~[secretary]~~ Secretary of the Office of Policy and Management or the designee of the secretary.

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

Sec. 190. Section 4-66k of the 2012 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

There is established an account to be known as the "regional performance incentive account" which shall be a separate, nonlapsing account within the General Fund. The account shall contain any moneys required by law to be deposited in the account. Moneys in the account shall be expended by the Secretary of the Office of Policy and Management for the purposes of [\(1\) providing grants under the regional performance incentive program established pursuant to section 4-124s, and \(2\) providing funding to the Voluntary Regional Consolidation Bonus Pool established pursuant to subsection \(b\) of section 4-124q, as amended by this act.](#)

Sec. 191. Section 4-124q of the 2012 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

(a) There shall annually be paid to each regional planning agency organized under the provisions of chapter 127, each regional council of governments organized under the provisions of this chapter, and each regional council of elected officials organized under the provisions of this chapter in any planning region without a regional planning agency, from any appropriation for such purpose, a grant-in-aid equal to (1) five and three-tenths per cent of any such appropriation plus (2) for each agency or council which raises local dues in excess of five and three-tenths per cent of any such appropriation, an additional grant in an amount equal to the product obtained by multiplying any appropriation available for the purpose of this subdivision by the following fraction: The amount of dues raised by such agency or council pursuant to section 8-34a, section 4-124f or section 4-124p in excess of five and three-tenths of any such appropriation shall be the numerator. The amount of such dues raised by each such agency or council in excess of five and three-tenths per cent of any such appropriation shall be added together and the sum shall be the denominator.

(b) There is established a Voluntary Regional Consolidation Bonus Pool to be administered by the Secretary of the Office of Policy and Management [and funded by moneys received from the regional performance incentive account established in section 4-66k, as amended by this act.](#) In addition to the annual payment to each regional planning agency under subsection (a) of this section, there shall be an additional payment made from said bonus pool to any two or more regional planning agencies, regional councils of governments or regional council of elected officials in any planning region without a regional planning agency, or any such combination thereof, that have (1) voted to merge forming a new regional council of governments or regional council of elected officials within a proposed or newly redesignated planning region boundary, and (2) submitted to said secretary a request for redesignation pursuant to subdivision

(4) of section 16a-4a. Payments from said bonus pool shall be made to offset any and all reasonable costs, as determined by the secretary, associated with any such voluntary consolidation. Prior to issuing any payment pursuant to this subsection, the secretary shall review and approve each proposed consolidation to determine that such proposed consolidation is an appropriate and sustainable redesignated planning region. For the fiscal years ending June 30, 2012, and June 30, 2013, a payment shall be made under [subsection (a) of this section to] this subsection to any such approved consolidated planning region [,] on a first-come, first-served basis. [, from any appropriation available for such purpose and until such time as the appropriation for the fiscal year has been exhausted] For the fiscal years ending June 30, 2013, June 30, 2014, and June 30, 2015, the secretary shall make a supplemental payment from said bonus pool, within available appropriations, to any regional council of governments or regional council of elected officials that is created in one of said fiscal years by consolidating two or more regional councils of governments, regional councils of elected officials or regional planning agencies, provided such consolidated regional council of governments or regional council of elected officials contains a combined total of fourteen or more municipalities. Such supplemental payment shall be equal to fifty per cent of the payment made pursuant to this subsection to offset the reasonable costs of voluntary consolidation. The secretary may waive the requirement that a consolidated regional council of governments or regional council of elected officials contain a combined total of fourteen or more municipalities.

OLR Bill Analysis

HB 6001

Emergency Certification

AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012.

SUMMARY:

§§ 190-192—PLANNING REGIONS (note: renumbered as §§ 189-191 in public act)

The bill changes criteria for the OPM secretary's analysis of state planning regions and extends certain deadlines concerning municipal notification about proposed planning regions.

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

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

It makes technical and conforming changes.

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

Extended Deadlines

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

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

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

Analysis of Boundaries of Logical Planning Regions

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

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

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

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

1. economic regions, including regional economic development districts;
2. comprehensive economic development strategies that these districts develop;
3. labor market areas and workforce investment regions;
4. natural boundaries, including watersheds, coastlines, ecosystems and habitats;
5. relationships between urban, suburban, and rural areas, including central cities and areas outside of the state;
6. census and other demographic information;
7. political boundaries, including (a) municipal boundaries and (b) congressional, senate, and assembly districts;
8. transportation corridors, connectivity, and boundaries, including the boundaries of metropolitan planning agencies;

9. current federal, state, and municipal service delivery regions, including regions established to provide emergency, health, transportation or human services; and

10. the current capacity of each RPO to deliver diverse state and local services.

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

Timelines for Notification of and Municipal Objection to Proposed Redesignation

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

It extends the deadline for the secretary to notify municipalities about the planning regions he proposes to redesignate to January 1, 2014 from January 1, 2012.

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

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

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

Voluntary Regional Consolidation Bonus Pool Payments for Redesignation

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

The bill funds VRCBP with money from the "regional performance incentive account," which is a separate, nonlapsing account in the General Fund that, under existing law,

provides grants for the regional performance incentive program. Under current law, VRCPB payments are funded by any appropriation available for this purpose. By law, these payments are on a first come, first served basis in FY 12 and FY 13.

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

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

OFFICE OF FISCAL ANALYSIS

HB-6001

AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2012.

As Amended by House "A" (LCO 5819)

OFA Fiscal Note

State Impact: See Below

Municipal Impact: See Below

Explanation

Section 189 requires OPM to conduct an analysis of state planning regions. OPM may incur minimal costs associated with contractual agreements to carry out this analysis.

Sections 190 and 191 allow the Voluntary Regional Consolidation Bonus Pool bonus payments to be funded through the regional performance incentive account. This has no fiscal impact.