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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - STATE GUIDE PLAN

Introduced By: Senators Cote, Picard, Raptakis, P Fogarty, and Lombardo

Date Introduced: April 09, 2015

Referred To: Senate Housing & Municipal Government

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

1 division within the department of administration.

2 (c) Strategic planning. - Strategic planning includes the following activities:

3 (1) Establishing or identifying general goals.

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

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

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

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

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

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

19 (d) State guide plan. - Components of strategic plans prepared and adopted in accordance  
20 with this section may be designated as elements of the state guide plan. The state guide plan shall  
21 be comprised of functional elements or plans dealing with land use; physical development and  
22 environmental concerns; economic development; housing production; energy supply, including  
23 the development of renewable energy resources in Rhode Island, and energy access, use, and  
24 conservation; human services; and other factors necessary to accomplish the objective of this  
25 section. The state guide plan shall be a means for centralizing, integrating, and monitoring long-  
26 range goals, policies, plans, and implementation activities related thereto. State agencies  
27 concerned with specific subject areas, local governments, and the public shall participate in the  
28 state guide planning process, which shall be closely coordinated with the budgeting process. [The](#)  
29 [state guide plan shall not exceed any affordable housing provisions of § 42-128-8.1, the](#)  
30 ["comprehensive housing production and rehabilitation act of 2004"](#), and chapter 53 of title 45, the  
31 ["Rhode Island low and moderate income housing act"](#). To the extent that any rule or regulation  
32 [has been enacted or promulgated in excess of the limitations in this section, such rule or](#)  
33 [regulation shall be null and void.](#)

34 (e) Membership of state planning council. - The state planning council shall consist of

1 the following members:

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

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

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

5 (4) The budget officer;

6 (5) The chairperson of the housing resources commission;

7 (6) The highest-ranking administrative officer of the division of planning, as secretary;

8 (7) The president of the Rhode Island League of Cities and Towns or his or her designee

9 and one official of local government who shall be appointed by the governor from a list of not  
10 less than three (3) submitted by the Rhode Island League Cities and Towns;

11 (8) The executive director of the Rhode Island League of Cities and Towns;

12 (9) One representative of a nonprofit community development or housing organization  
13 appointed by the governor;

14 (10) Six (6) public members, appointed by the governor, one of whom shall be an  
15 employer with fewer than fifty (50) employees and one of whom shall be an employer with  
16 greater than fifty (50) employees;

17 (11) Two (2) representatives of a private, nonprofit, environmental advocacy  
18 organization, both to be appointed by the governor;

19 (12) The director of planning and development for the city of Providence;

20 (13) The director of the department of transportation;

21 (14) The director of the department of environmental management;

22 (15) The director of the department of health;

23 (16) The executive director of the economic development corporation;

24 (17) The commissioner of the Rhode Island office of energy resources;

25 (18) The chief executive officer of the Rhode Island public transit authority;

26 (19) The executive director of Rhode Island housing; and

27 (20) The executive director of the coastal resources management council.

28 (f) Powers and duties of state planning council. - The state planning council shall have  
29 the following powers and duties:

30 (1) To adopt strategic plans as defined in this section and the long-range state guide plan,  
31 and to modify and amend any of these, following the procedures for notification and public  
32 hearing set forth in § 42-35-3, and to recommend and encourage implementation of these goals to  
33 the general assembly, state and federal agencies, and other public and private bodies; approval of  
34 strategic plans by the governor; and to ensure that strategic plans and the long-range state guide

1 plan are consistent with the findings, intent, and goals set forth in § 45-22.2-3, the "Rhode Island  
2 Comprehensive Planning and Land Use Regulation Act";

3 (2) To coordinate the planning and development activities of all state agencies, in  
4 accordance with strategic plans prepared and adopted as provided for by this section;

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

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

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

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

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

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

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

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

32 (g) Division of planning.

33 (1) The division of planning shall be the principal staff agency of the state planning  
34 council for preparing and/or coordinating strategic plans for the comprehensive management of

1 the state's human, economic, and physical resources. The division of planning shall recommend  
2 to the state planning council specific guidelines, standards, and programs to be adopted to  
3 implement strategic planning and the state guide plan and shall undertake any other duties  
4 established by this section and amendments thereto.

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

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

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

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

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

25 SECTION 2. 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 - STATE GUIDE PLAN

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1           This act would prohibit affordable housing programs with requirements that exceed those  
2 set forth in the general laws of the state from being included in the statewide planning program.

3           This act would take effect upon passage.

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