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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

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

Introduced By: Representatives Edwards, Diaz, Canario, and Slater

Date Introduced: January 22, 2020

Referred To: House 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; climate change and resiliency; and other factors necessary to  
26 accomplish the objective of this section. The state guide plan shall be a means for centralizing,  
27 integrating, and monitoring long-range goals, policies, plans, and implementation activities  
28 related thereto. State agencies concerned with specific subject areas, local governments, and the  
29 public shall participate in the state guide planning process, which shall be closely coordinated  
30 with the budgeting process.

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

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

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

- 1 (3) The governor, or his or her designee;
- 2 (4) [Deleted by P.L. 2019, ch. 88, art. 4, § 13];
- 3 (5) The chairperson of the housing resources commission;
- 4 (6) The highest-ranking administrative officer of the division of planning, as secretary;
- 5 (7) The president of the Rhode Island League of Cities and Towns or his or her designee;
- 6 (8) The executive director of the Rhode Island League of Cities and Towns;
- 7 (9) Three (3) chief elected officials of cities and towns appointed by the governor after
- 8 consultation with the Rhode Island League of Cities and Towns, one of whom shall be from a
- 9 community with a population greater than 40,000 persons; one of whom shall be from a
- 10 community with a population of between 20,000 and 40,000 persons; and one of whom shall be
- 11 from a community with a population less than 20,000 persons;
- 12 (10) One representative of a nonprofit community development or housing organization
- 13 appointed by the governor;
- 14 (11) Four (4) public members, appointed by the governor, one of whom shall be an
- 15 employer with fewer than fifty (50) employees; one of whom shall be an employer with greater
- 16 than fifty (50) employees; one of whom shall represent a professional planning or engineering
- 17 organization in Rhode Island; and one of whom shall represent a chamber of commerce or
- 18 economic development organization;
- 19 (12) Two (2) representatives of private, nonprofit, environmental or environmental justice
- 20 advocacy organizations, both to be appointed by the governor;
- 21 (13) The director of planning and development for the city of Providence;
- 22 (14) The director of the department of transportation;
- 23 (15) The director of the department of environmental management;
- 24 (16) The director of the department of health;
- 25 (17) The chief executive officer of the commerce corporation;
- 26 (18) The commissioner of the Rhode Island office of energy resources;
- 27 (19) The chief executive officer of the Rhode Island public transit authority;
- 28 (20) The executive director of Rhode Island housing;
- 29 (21) The executive director of the coastal resources management council; and
- 30 (22) The director of the Rhode Island emergency management agency.

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

- 33 (1) To adopt strategic plans as defined in this section and the long-range state guide plan,
- 34 and to modify and amend any of these, following the procedures for notification and public

1 hearing set forth in § 42-35-3, and to recommend and encourage implementation of these goals to  
2 the general assembly, state and federal agencies, and other public and private bodies; approval of  
3 strategic plans by the governor; and to ensure that strategic plans and the long-range state guide  
4 plan are consistent with the findings, intent, and goals set forth in § 45-22.2-3, the "Rhode Island  
5 comprehensive planning and land use regulation act";

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

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

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

12 (5) To establish advisory committees and appoint members thereto representing diverse  
13 interests and viewpoints as required in the state planning process and in the preparation or  
14 implementation of strategic plans. At minimum, the state planning council shall appoint  
15 permanent committees:

16 (i) A technical committee, comprised of public members from different geographic areas  
17 of the state representing diverse interests along with officials of state, local, and federal  
18 government, who shall review all proposed elements of the state guide plan, or amendment or  
19 repeal of any element of the plan, and shall advise the state planning council thereon before the  
20 council acts on any such proposal. This committee shall also advise the state planning council on  
21 any other matter referred to it by the council; and

22 (ii) An executive committee consisting of major participants of a Rhode Island  
23 geographic information system with oversight responsibility for its activities; and

24 (iii) A transportation advisory committee, made up of diverse representation, including,  
25 but not limited to, municipal elected and appointed officials; representatives of various  
26 transportation sectors, departments, and agencies; and other groups and agencies with an interest  
27 in transportation operations, maintenance, construction, and policy, who shall review  
28 transportation-related plans and amendments and recommend action to the state planning council.

29 (6) To adopt, amend, and maintain, as an element of the state guide plan or as an  
30 amendment to an existing element of the state guide plan, standards and guidelines for the  
31 location of eligible, renewable energy resources and renewable energy facilities in Rhode Island  
32 with due consideration for the location of such resources and facilities in commercial and  
33 industrial areas, agricultural areas, areas occupied by public and private institutions, and property  
34 of the state and its agencies and corporations, provided these areas are of sufficient size, and in

1 other areas of the state as appropriate.

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

4 [\(8\) To establish review criteria, evaluate applications, approve and issue grants, and assist](#)  
5 [municipalities pursuant to the provisions of chapter 11.4 of title 42, and any rules or regulations](#)  
6 [promulgated thereunder.](#)

7 (g) Division of statewide planning.

8 (1) The division of statewide planning shall be the principal staff agency of the state  
9 planning council for preparing and/or coordinating strategic plans for the comprehensive  
10 management of the state's human, economic, and physical resources. The division of statewide  
11 planning shall recommend to the state planning council specific guidelines, standards, and  
12 programs to be adopted to implement strategic planning and the state guide plan and shall  
13 undertake any other duties established by this section and amendments thereto.

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

18 (3) The division of statewide planning shall manage and administer the Rhode Island  
19 geographic information system of land-related resources, and shall coordinate these efforts with  
20 other state departments and agencies, including the university of Rhode Island, which shall  
21 provide technical support and assistance in the development and maintenance of the system and  
22 its associated data base.

23 (4) The division of statewide planning shall coordinate and oversee the provision of  
24 technical assistance to political subdivisions of the state in preparing and implementing plans to  
25 accomplish the purposes, goals, objectives, policies, and/or standards of applicable elements of  
26 the state guide plan and shall make available to cities and towns data and guidelines that may be  
27 used in preparing comprehensive plans and elements thereof and in evaluating comprehensive  
28 plans and elements thereby.

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

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

34 SECTION 2. Section 42-11.4-1 of the General Laws in Chapter 42-11.4 entitled "The

1 Rhode Island Municipal Infrastructure Grant Program" is hereby amended to read as follows:

2 **42-11.4-1. Establishment.**

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

8 (1) Issue public infrastructure grants to municipalities and other public instrumentalities  
9 for design, construction, building, land acquisition, rehabilitation, repair, and other improvements  
10 to publicly owned infrastructure including, but not limited to, sewers, utility extensions, streets,  
11 roads, curb-cuts, parking, water-treatment systems, telecommunications systems, transit  
12 improvements, and pedestrian ways; and

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

18 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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