

2011 -- H 5581

LC01548

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF
ADMINISTRATION

Introduced By: Representatives Ehrhardt, Costa, and Reilly

Date Introduced: March 03, 2011

Referred To: House Environment and Natural Resources

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 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 be properly coordinated with the planning requirements and programs of the
11 federal government.

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

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

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

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

5 (1) Establishing or identifying general goals.

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

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

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

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

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

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

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

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

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 chief of statewide planning, as secretary;
- 4 (7) The president of the League of Cities and Towns or his or her designee and one
5 official of local government, who shall be appointed by the governor from a list of not less than
6 three (3) submitted by the Rhode Island League Cities and Towns; and
- 7 (8) The executive director of the League of Cities and Towns;
- 8 (9) One representative of a nonprofit community development or housing organization;
- 9 (10) Four (4) public members, appointed by the governor;
- 10 (11) Two (2) representatives of a private, nonprofit environmental advocacy
11 organization, both to be appointed by the governor; and
- 12 (12) The director of planning and development for the city of Providence.

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

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

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

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

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

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

30 (i) Public members from different geographic areas of the state representing diverse
31 interests, and

32 (ii) Officials of state, local and federal government, which shall review all proposed
33 elements of the state guide plan, or amendment or repeal of any element of the plan, and shall
34 advise the state planning council thereon before the council acts on any such proposal. This

1 committee shall also advise the state planning council on any other matter referred to it by the
2 council; and

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

6 (7) To adopt on or before July 1, 2007, and to amend and maintain as an element of the
7 state guide plan or as an amendment to an existing element of the state guide plan, standards and
8 guidelines for the location of eligible renewable energy resources and renewable energy facilities
9 in Rhode Island with due consideration for the location of such resources and facilities in
10 commercial and industrial areas, agricultural areas, areas occupied by public and private
11 institutions, and property of the state and its agencies and corporations, provided such areas are of
12 sufficient size, and in other areas of the state as appropriate; provided, however, that no such plan
13 or amendment thereto or standards and guidelines adopted after the effective date of the
14 amendment to this section shall take effect unless approved by a joint resolution of the general
15 assembly.

16 (g) Division of planning. - (1) The division of planning shall be the principal staff
17 agency of the state planning council for preparing and/or coordinating strategic plans for the
18 comprehensive management of the state's human, economic, and physical resources. The division
19 of planning shall recommend to the state planning council specific guidelines, standards, and
20 programs to be adopted to implement strategic planning and the state guide plan and shall
21 undertake any other duties established by this section and amendments thereto.

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

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

31 (4) The division of planning shall coordinate and oversee the provision of technical
32 assistance to political subdivisions of the state in preparing and implementing plans to accomplish
33 the purposes, goals, objectives, policies, and/or standards of applicable elements of the state guide
34 plan and shall make available to cities and towns data and guidelines that may be used in

1 preparing comprehensive plans and elements thereof and in evaluating comprehensive plans and
2 elements thereby.

3 (h) Transfer determinations. - (1) The director of administration, with the approval of the
4 governor, shall make the conclusive determination of the number of positions, personnel, physical
5 space, property, records, and appropriation balances, allocations and other funds of the
6 department of mental health, retardation, and hospitals, department of health, department of
7 human services, department of corrections, department of labor and training, department of
8 environmental management, department of business regulation, department of transportation,
9 department of state library services, Rhode Island Economic Development Corporation,
10 department of elderly affairs, department of children, youth, and families, historical preservation
11 commission, water resources board, and the defense civil preparedness/emergency management
12 agency of the executive department to be transferred to the department of administration in
13 connection with the functions transferred there into by the provisions of this article.

14 (2) In order to ensure continuity of the strategic planning process of the department
15 specified heretofore, the actual transfer of functions or any part thereof to the department of
16 administration may be postponed after July 1, 1985 until such time as, by executive order of the
17 governor, the transfer herein provided can be put into force and effect but no later than December
18 31, 1985.

19 SECTION 2. This act shall take effect upon passage.

=====
LC01548
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - DEPARTMENT OF
ADMINISTRATION

1 This act would provide that no state guide plan or amendment thereto or standards and
2 guidelines for the location of eligible renewable energy resources and renewable energy facilities
3 adopted after the effective date of this act would take effect unless approved by a joint resolution
4 of the general assembly.

5 This act would take effect upon passage.

=====
LC01548

=====